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**A CHANGING OF THE GUARD:
HOMELAND SECURITY AND NATIONAL GUARD**

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**A Changing of the Guard:
Homeland Security and the National Guard**

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9 April 2002

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"The highest priority of the U.S. military is to defend the Nation from all enemies...protecting the American homeland from attack is the foremost responsibility of the U.S. Armed Forces" - 2001 Quadrennial Defense Review, September, 2001.¹

"The military will have a role in homeland security, and that role will be played predominantly by the National Guard" - Tom Ridge²

INTRODUCTION

Included among the countless consequences of the September 11th 2001 attack on America has been a fundamental review of our national defense priorities. The terrorist attacks on the World Trade Center and Pentagon fulfilled the long-predicted but ignored prophecy that the United States homeland was vulnerable to an attack from determined and well-organized terrorist organizations.³ The threat of additional terrorist attacks conducted by transnational adversaries, determined to inflict significant damage on America at the expense only of the lives of the perpetrators, will remain a real and permanent fixture in our national conscious.⁴ Given this troubling but enduring reality, the nation's leadership has appropriately undertaken a major review of its security posture with top emphasis now placed on homeland security. Among the key issues to be resolved during this review will be the proper role of the U.S. military in this newfound, or at least newly emphasized national priority.⁵

Shifting the focus (or more accurately adding an additional focus) of U.S. defenses toward homeland security is no small undertaking. It will require a frank acknowledgment of a revised world order and a creative shift in some quarters of the U.S. military to accommodate it. The now constant threat of attack posed by a global network of sophisticated and determined actors poses a set of challenges far different from those our nation and our military is accustomed to addressing. Accordingly, America must

now restructure some of its defenses to accommodate new and very different security concerns. We can expect more frequent, though perhaps smaller scale and asymmetrical attacks.⁶

In the following pages, this paper will address the broad issue of homeland defense, which is the aspect of homeland security for which the Department of Defense (DoD) is responsible. It examines the U.S. military's role in homeland defense, and more specifically, the role that the National Guard should play in it. The paper begins by providing a working definition of homeland defense, then briefly addresses the broad options available to DoD, which include using either the active duty component (i.e. the fulltime regular forces), the Reserves, the National Guard, or a combination of each. It argues that for myriad reasons, the National Guard is the preferred force for a major share of homeland defense. The paper then focuses on the Guard, offering an analysis of three options policy-makers may face as they debate potential changes to the National Guard. These changes may become necessary as part of an effort to better meet the challenges of America's revised National Security Strategy with its new principal component, homeland security. The role of the National Guard within the DOD is often a politically charged issue and the considerable debate regarding its proper role and its true ability to contribute to America's defense is nothing new. As we shall see, some argue that the single role of the Guard should be homeland defense, while others argue that it should be a regular part of the overall mission of DoD that primarily includes overseas deployments.

This paper focuses primarily on the Army component of the National Guard. The other half of the Guard, the Air National Guard, is structured to provide combat and

combat support aircraft and crews to support the active duty Air Force overseas and regularly participates in those deployments. Its mission and structure mirror almost exactly the active duty Air Force, and by the very nature of those missions, it has a smaller role to play in homeland defense. Therefore, there is less contention regarding the Air National Guard's role in the mission and little call for realignment of those forces⁷.

DEFINING HOMELAND DEFENSE

Contained in the recently published NORTHCOM Terms of Reference is the Joint Staff-approved definition of Homeland Defense (HLD). HLD is the protection of US territory, sovereignty, domestic population, and critical infrastructure against external threats and aggression. An analysis of this definition provides additional areas of likely DoD involvement. These include:

- 1) Deterrence of attack on America's homeland through credible threat of massive retribution on potential attackers.
- 2) Pre-emptive strikes on known forces outside the boundaries of the United States, such as those currently taking place in Afghanistan against Al Qaeda.
- 3) Detection and intercept or engagement of potential attackers within our borders.
- 4) Initial response following an attack on the homeland by conventional, chemical, biological or nuclear means.

5) Management of the consequences of an attack once it has occurred.

The first two items easily fall within the traditional role of the military and some would understandably argue that they do not belong within a definition of homeland defense. However, given that a sound defense requires addressing potential threats to the homeland regardless of their location, it seems proper to include these measures in a homeland defense construct.

With the working definition above, and in light of the fact that the Department of Defense currently has the lead for missile defense only, it would not be wise to assign the mission of homeland defense to a single component. Although DoD could devote the active duty component (i.e. the full time professional force) to the effort; use the 1.3 million-strong reserve force for the mission; or employ the National Guard as the principle force in homeland defense, it is apparent that elements from each component likely will provide forces to various aspects of the overall mission.

KEY ASSUMPTIONS AND FACTORS INFLUENCING THE ALLOCATION OF FORCES

ASSUMPTIONS

There are several key assumptions. The first is that we will not abandon our existing national grand strategy that has as a key component a significant forward deployed armed force. Though a precise definition of an American grand strategy is not easy to agree upon, as a general principle it includes a significant U.S. military presence in the key regions of Europe, the Far East and, of course, the Middle East. These troops are in place for a variety of reasons that may include securing America's interests in the area by

providing regional stability, deterring and defeating adventurism by "rogue nations", and obviating the need for regional powers to develop large forces of their own which could lead to rival hegemony.⁸ As a result, at any given time, the U.S. has over 200,000 forward deployed troops in Europe, Asia, and Middle East.⁹ These forces are perceived by American policy-makers as critical and accordingly are not likely to be removed in the near term. With the shift in the strategic landscape brought about by September 11th however, our armed forces must be able to cope not only with overseas deployments, which are a crucial part of America's grand strategy, but with the critical requirements presented by the homeland defense mission as well.

Second, we will not see a significant increase in manning of the active duty and reserve force (referred to as end strength) to meet the new requirement, unless we can make a compelling argument for an increase. In other words, there is not momentum, in and of itself, in Congress for an increase. Senior officials within the current administration have indicated that despite the increased focus on homeland security, there will be no meaningful increase in the number of men and women serving in the active duty armed forces, nor is there likely to be major growth in the reserve and Guard components. As such, a homeland defense strategy is needed which accounts for a steady level of forces assigned to the active, reserve and Guard components¹⁰. Despite requests by DoD for additional troops to reinforce a thinly stretched military, active-duty end strength has heretofore remained steady.¹¹ Recent testimony by the Army Chief of Staff (March, 2002) indicated the need for increased end strength, but the issue is as yet unresolved.

Third, the threat of terrorism will remain as will our commitment to engaging it. We are reminded daily that the war on terrorism will be longstanding, and that the threat of additional attacks remains real and significant. Yet despite these admonitions, as time passes, so may the resolve to remain vigilant against a nearly invisible but very present threat. This paper operates with the assumption that the focus on homeland defense is permanent. The problem demands permanent solutions. The formulation of the Office of Homeland Security and the 7 March 2002 Terms of Reference for Establishing US Northern Command are two systemic examples of addressing the permanent nature of this threat.

Fourth, the public will remain engaged, and employers will continue to support Guard and reserve involvement in the homeland defense. This is a key challenge as both employers and employees have sacrificed personal gain in their efforts to contribute to the homeland defense effort. Whether that spirit of sacrifice can be sustained over the long term will impact significantly the choice and design of a homeland defense force. The assumption of this paper is that public support for extended National Guard activation will remain at a sustainable level for the near future, but would wear thin over the long term (more than a year). In numerous interviews with Guard leadership and personnel, the single recurring theme was the exceptional support employers have heretofore given for their Guard and reserve personnel.¹²

Finally, the U.S will increase spending for homeland security, a portion of which will go to the Department of Defense.¹³ The most recent budget submission verified this assumption with the addition of \$38 billion for homeland security (and more being

requested). A fifth assumption therefore is that funding for the area will continue in future years as additional requirements are identified.

FACTORS

In addition to the assumptions above, a number of additional factors must be considered as DoD determines the appropriate force apportionment and roles/missions. First, the solution must allow the U.S. to meet both homeland defense requirements *and* forward deployment war-fighting responsibilities. As evidenced by the war in Afghanistan and the potential for the war on terrorism to spread elsewhere throughout the globe; the continuing American presence in the Balkans; Iraq's ever-present threat to stability in the Middle East; and countless other areas of potential involvement by U.S. forces, America can ill afford to allow its forces to abandon their expeditionary roles, missions, force structure, and training strictly in favor of homeland defense, unless the nation is willing to disengage significantly from the rest of the world, a highly unlikely occurrence.¹⁴

Second, NORTHCOM must develop procedures that facilitate easy interoperability with the Interagency. As September 11th and other national disasters have demonstrated, response to such incidents is often a coordinated effort among numerous agencies from various levels of government. A key component of the success of any crisis response (or prevention, for that matter) is the working relationship these agencies have with one another. The military will be but one of the many important components of our nation's effort to ensure a secure homeland. Federal intelligence, law enforcement, response and

other agencies; state and local police and fire departments; and to some degree the private sector will all join hands under the broader title of homeland security in the effort to deter, stop or react to further attacks.¹⁵ It is essential that the military component has a solid understanding of the capabilities of these organizations, a firm grasp of their role, and a well forged working relationship with each in order to maximize effectiveness of the collective effort.

A third consideration addresses the legal and philosophical issues involving the use of U.S. armed forces in domestic affairs. The Posse Comitatus Act has been cited in frequent arguments proscribing the use of the active duty military in any involvement in domestic law enforcement matters. Though interpretations of this law vary considerably, the current practice (generally endorsed by the military) is to prohibit active duty forces from participating in such activities. Additionally, the United States has been traditionally leery of a large active standing army, a concern that predates the American Revolution. Accordingly, legal concerns such as these become important in identifying the best force mix.¹⁶

Fourth, is the issue of command and control. DoD has taken steps to establish a Commander-in-Chief for a newly created North Command by 1 October 2002. This arrangement is still in development. However, there is no doubt that it will take much planning and coordination to identify proper relationships for elements within its authority, as well as with outside federal agencies.

In some capacity, each component of our armed forces currently plays a role across the homeland defense spectrum. In reality, the best solution will involve a combination of forces from the active, Guard, and reserve components, since each brings certain

capabilities to bear for various pieces of the homeland defense mission, and since each abides by differing laws, regulations, and policies. For the most part however, deterrence and forward strike will be carried out by the active force with reserve support, and response and consequence management will be handled by the Guard. However, clear exceptions to this may frequently occur. For example, National Guard units may find themselves involved in combat or combat support operations against Al Qaeda or other adversaries while on rotation overseas. Likewise, in times of profound national crisis, it is reasonable to assume that all available forces from each component of the armed forces will contribute to the response and recovery effort as needed. Detecting and engaging potential attackers is a more challenging undertaking most likely to be accomplished by other federal agencies such as the CIA and FBI, or by State or local police forces. However a potential role exists for military involvement in support of these actions as well.

There is some debate on how properly to deter and destroy threats abroad. This is the mission for which the DoD primarily organizes, trains and equips its forces. The regular deployment of the active component, supported by reserves and augmented by National Guard units has served our nation well in recent years, and few alterations seem needed.

At first glance, the active duty military may seem singularly suited to leading the effort on homeland defense. The military is one of the few institutions in America that has the organization, leadership, and equipment to respond quickly to domestic emergencies, and the active force by their very nature is the most combat ready of the three components. However, using our active duty forces comes at great cost. Most notably, any strong commitment to homeland defense will detract from the other

missions for which the active force is trained and equipped, and readiness and proficiency will quickly suffer if primary focus shifts to homeland defense. Second, the active force is simply not big enough to accommodate both missions well. The post Cold War draw down has left the Army with only ten active divisions. This force is large enough only to deal with the current overseas obligations and additional requirements for homeland defense would seriously undermine the Army's ability to meet its other obligations.

The reserves offer an alternative, but focusing that force has drawbacks as well. The Reserve force is currently structured primarily to provide combat support and combat service support (i.e. logistical support functions) for the active forces. Further they, like the active component, are considered federal forces and are prohibited from engaging in law enforcement by the Posse Comitatus Act, previously noted.

This leaves the National Guard. There are a number of advantages to giving the Guard a significant role in the homeland defense mission. These include:

- 1) The National Guard's historical and traditional primary responsibility has been the protection of the homeland. As California's Adjutant General notes:

"...we are the Nation's homeland force. This is why our founders established the militia. Our units are located in over 3000 communities across the United States, and the District of Columbia...we have been the homeland security force since 1636 with the formation of the first unit in Massachusetts" ¹⁷

The Guard's growth from its origins as the citizen soldiers that comprised America's early militia has given it a unique ability to answer local emergencies.

2) The leadership of state National Guard units knows the vulnerabilities within their states better than active component leaders who may have little or no experience operating in a particular state. The institution of the Adjutant General (Commander of the State's National Guard) and his or her close association with the Governor and other high ranking officials of the State gives him or her the unique ability to identify and plan responses for the most likely targets within the area. The same principle applies to the remaining members of the Guard as well. Most have spent all, or a significant portion of their lives within the states and have a solid understanding as well as a vested interest in ensuring its security.

3) National Guard leaders are already familiar with how first response organizations operate within their areas. They have likely already developed professional linkages to these emergency response teams. Many Adjutant Generals also serve as the head of the State emergency management agency, and many of the Guard's personnel serve as police officers, firemen, emergency medical personnel, doctors or in other capacities which link them closely to the community and give them a firmer understanding of capabilities to respond to crises within their home areas.

4) National Guard units are in place in every state and can be deployed quickly. If significant force were needed on short notice to counter a large-scale terrorist assault, Guard forces (depending on the capabilities needed) could be able to respond more quickly than some regular forces which would need to be brought in from other states.

5) Finally, the National Guard can be used without having to address the Posse Comitatus Act and with much less concern about invasive military action within our borders that could raise concerns about the protection of civil liberties.

Given the assumptions and other factors outlined above, the National Guard is the best option, on balance, to take the lead for homeland defense. At the very least, the Guard seems clearly the force of choice for the internal components of homeland defense. The question arises however, if given the lead on these requirements, should the National Guard still be involved in overseas deployments and support for the active force, or should it be re-structured solely to perform homeland security. As policy-makers wrestle with that issue, the following three primary options exist for addressing the Guard's future role in America's defense.

SHOULD THE NATIONAL GUARD BE REORGANIZED? THREE OPTIONS:

Option 1: Maintain the status quo. This argues against any force structure changes, deployment schedules, realignment, or major training modifications. This option allows previously planned Army Transformation to progress as scheduled. National Guard forces responded well to the New York City attacks and are currently conducting airport and border security and other functions admirably. In addition, they continue to support overseas rotations and have heretofore been able to accomplish both successfully. For example 17% of the Utah National Guard force was deployed overseas and the Guard

was still able to successfully provide security for the Winter Olympics¹⁸. Given this record, why change anything?

Option 2: Conduct a wholesale restructuring of the National Guard and Reserve components to better align capabilities with requirements. This second option would necessitate significant changes to the National Guard in terms of its mission, force structure, manning, and training. This option removes the responsibility for supporting and supplementing the active force in war-fighting and contingency operations, and makes the Guard exclusively a homeland defense force. This is a position represented by General (Retired) Barry McCaffrey:

“With respect to the threat of terrorism to our nation’s homeland, the major shortfall of our domestic military response capabilities is that our superb National Guard is structured to be called up and deployed in the first days of a high intensity conflict. The National Guard, by and large, is well equipped and modestly trained for this overseas combat role.....however, that role was originally intended for the military reserve components. In contrast, the original purpose of the National Guard was to serve as joint federal-state domestic military response to a variety of threats, such as terrorism...The Guard should be re-organized and its force structure should be changed to best meet the requirements of a state-level response to terrorism and other domestic threats.”

-General (Retired) Barry McCaffrey, in testimony before Congress, October 12, 2002

Option 3: Make a series of changes and improvements in the Guard in order to make them a force which can consistently and adequately perform both homeland security, continue to support the active force, and maintain their ability to support governors in a State role as otherwise needed.

ANALYZING THE OPTIONS

Option 1, Retain the status Quo: To date, since the horror of September 11th, the Guard's performance has been commendable. The New York State Guard, assisted by surrounding states organizations has been successful in supporting New York City's effort to cope with the tragedy of the World Trade Center attack. Crowd control and security functions were handled well since the attacks. Further, throughout the nation, Guard forces have provided security to our airports and other key facilities with positive results. With the success the Guard has had in its post September activities, what value is there in changing anything?

Though appealing for its ease, this is not really a viable option. National Guard leaders indicate that some change is required to provide the right forces, in the right mix, with the right capabilities and trained people to address the homeland defense mission *long-term*.¹⁹ Capability shortfalls alone necessitate some change. The question becomes, how much?

To date national conviction and the emotional response to the attacks on America have kept motivation and performance high. As a result, the challenge has heretofore been met. Inevitably however this will wear off over time, and since homeland defense is a long-term prospect, and we need to plan to that reality. Though doing little or nothing new is the easiest approach, a number of factors weigh against this option.

First, not all Guard units are equal. Though the performance of the National Guard has generally been commendable since September 11th, not all units are up to the standards required for either homeland defense or other DoD missions.²⁰ For the

National Guard as a whole to be considered appropriate as the force of choice nationwide, a specific mission must be given, tasks developed, and training conducted. A consistent set of standards must be established and met across the board, with a Guard that is organized, trained and equipped for homeland defense.

Second, a clear command arrangement needs to be developed and exercised both among military and among the other government agencies that are involved in homeland security. There is progress in this area with the advent of Northern Command, but much work remains.

Third, there is a clear need for organized intelligence which would allow the Guard to be better prepared for the mission. The singular greatest shortfall among all surveyed Guard senior and mid-grade leaders was a lack of access to meaningful intelligence to support their missions.²¹

Though changing little and hoping for the best is appealing for its ease, and bolstered by the performance of the Guard so far, it is a poor option. The reality is that homeland defense will be an enduring mission often involving mundane activities that will not have the uniting effect that the attacks on the nation have had. This leads us to the next two options, one which argues the Guard should abandon all but homeland defense, and the other which suggests it should undertake some reforms which will allow it to perform both that mission and the warfighting tasks it has come to know.

Option 2: Make significant changes to the mission and force structure of the National Guard placing their sole focus on homeland defense. This option involves a

significant reallocation of forces between the Reserves and the National Guard. The assumption from which this option is derived is that the National Guard is not properly equipped or trained to perform the homeland defense mission with all the associated tasks. In short, the National Guard has the wrong equipment, the wrong force structure, and the wrong personnel specialties. A further imbedded assumption relates to the mission of homeland defense. As stated earlier, there is no specific homeland defense mission statement yet released for states to conduct the appropriate analysis. So the imbedded assumption is that the mission will involve a myriad of tasks, mainly in the aftermath of a terrorist event, and will require National Guard forces to secure sites and provide logistical support to first responders. Currently, the National Guard is not organized around this assumption, but rather is structured on a cold war paradigm, mission, and mission analysis.

The current force structure of the Reserves and the National Guard has the preponderance of combat support and combat service support forces in the Reserves; and the preponderance of combat forces allocated to the National Guard. Specifically the numbers are²²

Combat forces:

- 43% in the Active Component
- 56% in the National Guard
- less than 1% in the Reserves

Combat Support:

- 37% in the Active Component
- 40% in the National Guard

- 23% in the Reserves

Combat Service Support:

- 33% in the Active Component
- 34% in the National Guard
- 33% in the Reserves

This translates to eight National Guard maneuver divisions, comprising over 118,000 soldiers. There are four infantry divisions, three mechanized infantry divisions, and one armor division. Additionally, there is corps attack aviation and three strategic separate brigades assigned to the National Guard.

This force structure is based on a cold war model in which the Guard was an important follow-on and support force to active units involved in a heavy maneuver war. Under the strategy of being able to fight and win in two theaters nearly simultaneously, this force structure made sense, especially in light of force cuts following Desert Storm which saw the active Army go from eighteen to ten maneuver divisions.

Naturally, from this model, National Guard commanders have developed Mission Essential Task Lists (METLs are the foundation used to build training and equipment requirements for military units) that focus on their wartime missions. Training, resources, and the total emphasis of the various chains of command were directed to this end of support of the active force in executing the warplan or other contingency operation, such as Bosnia or Kosovo. All training efforts, including National Training Center (NTC) rotations, Warfighter exercises (major training events, executed in simulation, and aimed at the division and corps levels), and other deployments were focused to this end.

Meanwhile, the Reserve forces, with the majority of combat support and combat service support forces were also focused on augmenting active units for contingency deployments and other major training events. For both the National Guard and the Reserves, important partnerships formed with active units counterparts in support of the wartime mission.

This option argues that this arrangement is based on a dated strategy that no longer applies as the strategic landscape has shifted considerably toward a priority to securing the homeland from terrorism. The National Guard should and will have the lead in this defense for the reasons mentioned above. Most significant is its need to be responsive to the state governor; that the soldiers assigned best know their area of responsibility; and that it is a return to the traditional and original mission of the state militias—to safeGuard their home states. The National Guard does not need heavy maneuver forces in order to execute the homeland defense mission. In fact, the maintenance and training of heavy forces detracts from the focus on the tasks for this new priority.

Instead, the bulk of the combat forces, particularly the heavy forces, should be reallocated from the National Guard to the Reserves. And the bulk of the combat service and combat service support forces should be reallocated from the Reserves to the National Guard, where they could be used to prepare for state emergencies.

Therefore, the specific recommendations of option two include the elimination of all mechanized infantry, armor/cavalry, attack aviation, and field artillery units from the National Guard structure. Transfer these units to the Reserves. And transfer 50% of chemical, engineer, intelligence, military police, and signal units from the Reserves to the

National Guard. But to make up for the shortfall that results in the Reserves, request Congress to authorize an increase in end strength by 19,954 to replace federal troop spaces transferred to the National Guard.

Additionally, with respect to force structure, provide each state with a common package of capabilities that includes medical, transportation, signal, and chemical recon/decon assets. Add to that package based on the specific needs of each state, and according to requirements identified by the state Governors, under the advisement of their Adjutants General. The additional capabilities above the base package would be based on the unique vulnerabilities of that particular state.

The greatest advantage of this option is that it moves combat forces to the component where they can best support the warfighting mission. This option also aligns National Guard capabilities with the homeland defense mission; provides needed additional support units to the states; gives the state Governors and Adjutants General better ownership of resources and better accountability for the defense of his/her state; provides a common set of capabilities tailored to the homeland defense mission. No state will be without the basic set.

The most significant disadvantage of this option is that none of the National Guard state leaders we spoke with supported it. Rather, they clearly and strongly want to retain their wartime mission focus. As support, states argue that recruiting will suffer and that divisions with great historical significance will be reorganized. There is no doubt that for this option to become viable, there will have to be a very significant political force of will to make it happen. While advocates of Option two, such as General (Retired) McCaffrey

think that this is not only possible, but is critical, most other experts remain dubious as to the success of this option.

There are, of course, several key unresolved issues for this option. These include the need for greater specificity as to exactly which units will transfer from the Reserves to the National Guard. Much detailed work would be required to adjust the faces and spaces, while keeping within regulated ceilings. Also, there must be resolution as to what happens to National Guard division colors/locations/headquarters. Finally, federal and state political will would have to be mobilized to move this plan from the drawing board to any stage of fruition.

Option 3 Retain the Guard force structure as is, but make changes to improve the Guard's ability to perform a homeland defense mission.

This approach argues that the National Guard is fully capable of performing both homeland defense and support of the active force. It is bolstered by recent evidence of Guard unit deployments that include SFOR (the mission in Bosnia), NTC rotations and Warfighter exercises.

There are many merits of this argument. First, it can be done. If given direction to do so, the National Guard, through coordination of the National Guard Bureau can coordinate training and equipment of the Guard to allow them to accomplish both

missions. Interviews with both leadership and lower ranking members of the Guard indicate they are confident in their ability to perform both missions²³.

Second, it is least disruptive. Large-scale changes in missions and equipment can be costly and confusing in a time when clarity and thrift are essential.

Third, it will likely enhance Guard morale. Relegating the Guard to mundane tasks such as airport security will have a long-term negative effect on motivation, morale, recruitment and retention in the Guard. A healthy and robust Guard has been a part of the United States for over 360 years and has become a part of our fabric.

Fourth, it is politically feasible. There is a political component of this case that frankly must be acknowledged. Proposals to strip Guard units of their mission will likely meet with significant opposition and maneuvering from Congress, Governors, and interest groups.

There are also arguments against it. First, the Guard should not be involved in overseas deployments. They were never intended for the mission, and the Guard's readiness and training for overseas deployments are suspect in the regular army. They are viewed more as obstacles than assets in their role as supplements for forward deployments since they do not train regularly with the active force nor are they held to the same standard.

Second, it prioritizes political influence over sound strategy. As noted, the Guard has political support from both Governors and members of Congress. That influence has led to an inefficient distribution of assets which flies in the face of sound military strategy (e.g. armor units dispersed throughout the states that have no use for National Guard forces performing duties within the borders of America)

A CHANGING OF THE GUARD: RECOMMEND OPTION THREE

As we weigh the options, on balance, the third seems the best based on the factors and assumptions considered earlier. In pursuing that option it is now necessary to identify specific changes needed both within the Guard itself, and externally throughout the homeland security apparatus which will allow the Guard to best meet its newly emphasized requirement. "As the Army accelerates efforts to develop, test, and field the Objective Force, it must continue to examine what changes need to be made to the National Guard to enable it to meet the requirements "of a state-level response to terrorism and other domestic threats".²⁴

In broad terms, these changes can be in the form of additional capabilities, modified force structure, or shifts in training resources and emphasis. State National Guard units have to possess the capabilities to deal with new terrorist tactics and to protect the unique vulnerabilities found in their particular state. They need the people who are properly trained and the right equipment to protect the vulnerabilities, and they need to allocate resources and orient training on a revised Mission Essential Task List that supports the top priority of homeland defense.

ADDITIONAL RECOMMENDATIONS ATTACHED TO OPTION THREE:

1) We need a comprehensive National Homeland Security Strategy. Such a strategy has not yet been published by its proponent, the Office of Homeland Security. Local,

state, and federal agencies, as well as the military are awaiting this document that will lay out basic doctrine and responsibilities. While the various states are coping without it and making common sense decisions, there is understandably some confusion as to specific roles and responsibilities, authority, chain of command, and lines of communication. Perhaps the most significant weakness that currently exists in our preparation for homeland defense is a clear mission statement, given to state National Guard commanders, that lays out their responsibilities, scope, and purpose. Without this, it is very difficult to conduct an analysis according to training doctrine, prepare a Mission Essential Task List, develop other supporting tasks, and allocate forces. The mission statement is the foundation upon which capability, force structure, and training decisions will be made.

2) The following is a summary, based on interviews with the leadership of state National Guard units²⁵, of critical capabilities that are lacking.

The National Guard needs a set of DoD standards for training and readiness that focuses on homeland defense, and an accountability to a national level for failing to meet them. Currently, as National Guard units are tasked with homeland defense missions, they conduct ad hoc training to get soldiers up to a standard of performance, often in tasks with which they are completely unfamiliar. This applies particularly to combat arms soldiers who are tasked with missions that are more of a law enforcement nature.

Mission Essential Task Lists (METL) have not, for most Guard units, changed in the aftermath of September 11th. This is because the prevalent thinking, as noted above, views a unit's ability to execute warfighting missions as its key test of training

proficiency. If homeland defense is the top priority, as is noted in the QDR, then National Guard division and below sized units have an outdated METL if it does not reflect this new priority.

We need to focus training on the homeland defense mission. The various state National Guard units have not substantially modified Army training doctrine. This doctrine has served them well prior to September 11th. But with the National Guard taking such a prominent role in homeland defense, the current doctrine is not inclusive enough to accommodate this shift in priorities.

The current doctrine is based on the premise that if a unit trains for its wartime mission, then other missions and tasks that it receives, that are not directly war-related, will be performed to an acceptable standard because, so the thinking goes, if a unit can warfight, it can successfully conduct operations other than war. With the advent of homeland defense, this approach must be modified.

3) Training resources and facilities do not provide National Guard units realistic scenarios modeled after missions they might face in their home states. States do not have mock up airports, ports, dams, bridges, etc for units to train the homeland defense tasks.

At the Department level, Combat Training Centers have developed evolutionary changes to opposing force doctrine and tactics, called the New Operational Environment. There are many similarities in the tactics, techniques, and procedures of the new OPFOR to the way that terrorist cells operate, but there is still a need for further refinement in light of lessons from Operation Enduring Freedom.

4) On the subject of leader training for responses to terrorism events, state National Guard headquarters generally lack adequate facilities and equipment contained in a fixed facility to provide command and control of state resources, and to coordinate across local, state, and federal agencies. Training events specifically focused on leader response to terrorism, lack the rigor and realism to make them fully worthwhile.

Several states are contemplating forming a standing task force headquarters, commanded by a lieutenant colonel that in time of crisis would have assets assigned based on needed capability. For such standing headquarters, there is a great deal of necessary training that must be conducted to ensure that it is equipped and ready. As this is a new concept in reacting to terrorism events, there is much detail lacking in how this will be organized.

The Army's Combat Training Centers and leader training programs at Fort Leavenworth can play an important role in preparing units and leaders from National Guard organizations for their role in homeland defense. As states refine detail in terms of their organization, missions, tasks to train, and logistics, it would seem likely that scenarios at the Combat Training Centers and the Battle Command Training Program at Fort Leavenworth would tailor training accordingly.

5) We must improve the sharing of intelligence. The sharing of intelligence among the various agencies and activities within the intelligence community has been a well-publicized weakness. State National Guard commanders, in particular, are not satisfied with the quantity and quality of the intelligence they receive pertaining to threats within their states. There is not a national-level fusion of intelligence that state, federal, and

military personnel can access to retrieve pertinent intelligence about their area of responsibility in the homeland. As the Heritage Foundation²⁶ report points out, "No such (shared) database exists today, and information remains compartmentalized in different agency "stovepipes". To win the war against terrorism, the U.S. Department of Defense must have access to cross-referenced strategic and critical databases found in various federal agencies. As state Adjutants General pointed out, they have adequate trained people in intelligence specialties, however they are not receiving the intelligence they need to properly assess threats to the unique vulnerabilities found within their states.

6) We need clear command arrangements. Command relationships are unclear for National Guard units should a mix of active, reserve, and National Guard units deploy in response to a terrorist event. Issues include determining which command has the lead; identifying a clear chain of command; and clarifying command relationships.

7) There is a need for compatible command and control equipment and procedures among agencies. Current warning capabilities are insufficient, despite the recent color-coded alert system devised by the Office of Homeland Security. These include rapid communications between state, federal, and military emergency response agencies; adequate operations centers; crisis response teams that are trained and ready; and coordinated and agreed upon terminology for describing levels of threats and warnings for use with the population.

There are inadequate designated command and control centers in all 50 states. States that do not have a National Guard division headquarters in them often lack the necessary

command and control facilities, equipment, and personnel to properly direct Guard actions in response to a terrorist event. Those that have an adequate facility do not have sufficient and rigorous enough training exercises to practice statewide command and control in an emergency of a terrorist nature.

8) Provide a package of capabilities that address shortfalls as noted in the Heritage Foundation Report:²⁷

- Capabilities to detect and attribute CBRN attacks are insufficient. Such capabilities include laboratory facilities, detection equipment, and trained personnel.
- Current warning capabilities are insufficient. These include rapid communications between state, federal, and military emergency response agencies; adequate operations centers; crisis response teams that are trained and ready; and coordinated and agreed upon terminology for describing levels of threats and warnings for use with the population.
- Current annual threat assessments are insufficient for the purposes of executing homeland defense. Specifically, the domestic and foreign CBRN threat assessment lacks a focus on CBRN use in the United States.

CONCLUSIONS

Given the harsh reality that for the first time since the earliest days of its history the United States is vulnerable to attack, America must make some changes to its prevailing

defense structure. Though advocates of both option two and option three make compelling cases, we conclude that the third approach, with some exceptions, is the best. Option three is to make focused but incremental changes or improvements to the Guard which would allow them to perform the homeland security role while maintaining their existing functions in support of other defense needs. In selecting Option Three, we also recommend the accompanying recommendations.

Further, we conclude that the full potential of the National Guard is currently underutilized in homeland defense. It should be reorganized, properly trained, and adequately equipped.²⁸ However, the Hart-Rudman Commission advocated that while Homeland Defense be an important mission for the Reserve Component forces, that DoD's highest priority should be the improvement of its expeditionary capabilities²⁹. With this, we concur. In complete agreement were leaders we spoke with from the National Guard who want to maintain the war-fighting focus in which the Guard supports active forces in contingency missions and war plans.

Some National Guard leaders feel that their personnel authorizations are too small, by about 10%, to accommodate the demands of homeland defense. We concur. With the demands on PERSTEMPO from units activated for extended periods, either in response to a threat or to an actual terrorist event, the long term effects would be very negative on the ability to sustain that level as well as to maintain positive employer relations.

Further, sustainment during extended protection of vital infrastructure is extremely difficult. Prolonged call-ups have a negative impact on employers. Volunteers normally come for periods of around two weeks. So the issue is how to man the requirement for the duration without burning out people or overly frustrating employers. Of note,

National Guard units scheduled for deployments in support of active forces have not diminished since September 11th. In fact, many Guard units are seeking further opportunities to train with active counterparts. However, the National Guard did request relief from certain combat air patrol missions because of the effect on maintenance, operational and personnel deployment tempo (OPTEMPO, and PERSTEMPO). This was the first example of the Guard feeling the negative repercussions of long activation and continuous operations. Sustainment of operations, and the impact of extended activation on employer-government relations, continues to be a major concern of state Adjutants General.

The Heritage Foundation report correctly assesses that there is not enough combat support and combat service support forces in the active force, thus there is always the need to augment with the National Guard. The effect is to have needed capabilities deployed in support of contingencies or active duty training when they may be needed for counter-terrorism response back in the home state. This strengthens the argument, made by the Army Chief of Staff to Congress, to increase the end strength.

We also feel that the thousands of miles of international borders between the United States and its neighboring countries are not perfectly secure, and cannot be perfectly secured by border state National Guard units, even in the best case. Last year 475 million people entered America through 301 ports of entry³⁰. Most were decent, law-abiding people. Some had criminal intent.

The National Guard can do both the homeland defense mission and its warfighting mission if properly organized and trained. Option three above addresses steps to get this

valuable component better organized for the dual mission complexities. But time is critical. The next terrorist attack against the US is a day closer.

**NATIONAL GUARD UNIT
PERSONNEL SURVEY
(SUMMARY OF RESULTS)**

Rank _____

Unit _____

Position _____

1. My unit is adequately prepared to perform the homeland security mission.

Poorly prepared	1	2	3	4	5	6	7	Very well prepared
		2	1	6	6	9	3	

Comments:

2. The homeland security mission has impacted our ability to train and prepare for overseas deployments.

Strongly disagree	1	2	3	4	5	6	7	Strongly agree
	3	3	5	7	5	3	1	

Comments:

3. My unit currently has adequate personnel strength to support both homeland security and overseas deployments.

Strongly disagree	1	2	3	4	5	6	7 Strongly Agree
	5	10	3	2	3	1	2

Comments:

4. My unit receives adequate intelligence to prepare for potential terrorist attacks within my state.

Strongly Disagree	1	2	3	4	5	6	7 Strongly agree
	5	6	5	2	2	4	2

Comments:

5. My unit currently has adequate materiel to respond to a WMD attack in my state.

	Strongly Agree				Strongly Disagree			
Medical	1	2	3	4	5	6	7	
	4	4	2	5	5	1	6	

Transportation	1	2	3	4	5	6	7
	2	8	3	4	7	3	2

C2	1	2	3	4	5	6	7
	4	6	5	2	3	2	5

Chem/Bio	1	2	3	4	5	6	7
	4	4	4	2	1	5	6

Fire Fighting	1	2	3	4	5	6	7
	7	3	1	3	1	5	7

Other (specify)	1	2	3	4	5	6	7
-----------------	---	---	---	---	---	---	---

Comments:

6. My unit has clearly understood command relationships with other local, state and federal disaster response agencies.

Strongly disagree	1	2	3	4	5	6	7	Strongly agree
	1	2	1	2	6	9	6	

Comments:

7. The homeland security mission has impacted my personal life.

Minimal impact	1	2	3	4	5	6	7	Significant impact
----------------	---	---	---	---	---	---	---	--------------------

3 5 2 5 3 3 7

Comments:

8. My employer has supported my participation in homeland security missions.

Strongly opposed 1 2 3 4 5 6 7 Strongly supported

Comments: 0 0 0 0 3 7 9

9. I clearly understand command relationships with active duty, reserve and other Guard units with which I may be working in time of national emergency.

Strongly disagree 1 2 3 4 5 6 7 Strongly agree

3 1 0 3 5 6 9

Comments:

10. Our unit's number one priority should be (please circle only one):

1. Supporting/supplementing active duty forces in overseas deployments. 7
2. Supporting on national homeland security efforts. 6
3. Supporting the Governor as otherwise needed. 0
4. 1 and 2 equally 10

Comments:

11. The National Guard should discontinue its role as a supplement to and supporter of active duty deployments overseas.

Strongly agree 1 2 3 4 5 6 7 Strongly disagree

2 2 0 2 4 5 10

Comments:

12. If the National Guard's mission were to become exclusively homeland security what would the impact be on recruiting and retention?

Affect	1	2	3	4	5	6	7	Affect
Negatively								Positively
	5	2	7	6	2	1	1	

Comments:

13. Please provide any additional comments you may have on the recent requirements of the national Guard to support homeland security including specific recommendations on what may be needed to help the Guard improve its ability to conduct homeland security.

Contact Information (Optional)

Name:

Telephone Number:

E-mail:

Appendix B

RESEARCH QUESTIONS:

Revised Roles and Missions

What is the optimal role for our National Guard Forces in Homeland Security?

What changes need to be made for it optimally meet its new requirements?

Can the Guard adequately perform both a homeland security function and continue to support active duty deployments overseas?

How does the homeland security mission (A federal role) compete with/detract from the Guards home-state requirements and its current function of supporting active forces overseas?

What is the most vexing problem with respect to safeGuarding vulnerable sites?

Command arrangements and Command and Control and coordination issues.

Who should have oversight of the Guard in its homeland security role (CINCUSA, Head of Homeland Security Office etc.)?

What coordination do you conduct with bordering states to secure inter-state borders?

Are all Guard units using the same C2 equipment? If not, what should the standard be?

Training and Logistics

What new training needs to be accomplished for homeland security and how has the need to perform the homeland security mission affected training?

Does it conflict with current requirements, and have you missed CTC rotations, contingency deployments (i.e. SFOR) or warfighter exercises?

Does the Guard currently have adequate logistics to support the new mission?

Intelligence

Is the Guard currently able to obtain intelligence from the active armed forces and from State and Federal Law enforcement agencies?

Do Guard personnel have adequate clearances?

Legal.

Are there any legal concerns with having Guard performing the homeland security function (posse committatus etc.)?

Personnel

Can the Guard meet a 24/7 requirement with its current personnel strength? If not, how large an increase is needed?

How are employer relations since September 11th? How do you foresee long-term support of employee participation in the Guard?

National Guard Basics

Categories of Individual Military Service

It is important to begin with a brief discussion of the different categories of individual service in the military. There are two titles and a state status that define these categories of service: Title 10, Title 32, and State Active Duty. The following paragraphs briefly describe these categories:

a. Title 10

This title is for all federal forces—Active Duty and Reserve—and the National Guard when federalized. Posse Commitatus prevents these federal forces from performing police functions in the United States unless specifically authorized to perform in a police role by presidential order. These forces are federally funded and federally controlled.

b. Title 32

This title is for the National Guard forces of the individual states, Guam, Puerto Rico, the Virgin Islands, and the District of Columbia. Posse Commitatus does not apply and these forces may be used in a police role. They are federally funded but the forces remain under state or territory control (the governor remains the commander-in-chief). Because these forces are federally funded, they must be federally established at the Service Secretary or higher level.

c. State Active Duty

This description is for the National Guard forces of the individual states and territories when they are performing state/territory functions (normally in response to a state emergency or disaster). Posse Commitatus does not apply and these forces may be used in a police role. Funding is the responsibility of the state or territory that has called up these forces. The forces remain under state or territory control (the governor remains the commander-in-chief).

Appendix D

The following charts¹ depict the type units (combat, combat support, or combat service support) that are contained in the reserve components.

<i>Battalion Type</i>	<i>ARNG</i>		<i>USAR</i>	
	<i>#</i>	<i>Auth</i>	<i>#</i>	<i>Auth</i>
Div Air Defense	8	1,987	0	0
Armor/Cav	44	32,003	0	0
Aviation	38	14,096	3	1,111
Cbt Engineer	26	13,215	0	0
Field Artillery	90	47,733	0	0
Infantry	81	60,223	1	665
Special Forces	6	3,260	0	0
Cbt Bde HQs	59	8,368	0	0
Div HQs	8	2,474	0	90
FA Bde/Corps Arty	17	1,883	0	0
Corps HQ	0	4,312	0	0

Combat Forces in the Reserve Components

Source: SAMAS Master Force File, Jul 01

<i>Battalion Type</i>	<i>ARNG</i>		<i>USAR</i>	
	<i>#</i>	<i>Auth</i>	<i>#</i>	<i>Auth</i>
ADA (EAD)	11	7,085	0	0
Aviation	28	14,039	4	1,478
Chem	11	1,363	9	4,599
Civil Affairs	0	0	28	4,941
Engineers	40	30,493	26	20,675
MI	16	4,305	6	2,565
MP	12	14,014	20	8,999
PSYOP	0	0	8	2,077
Sig	26	11,930	5	3,069
CS Bde HQ	17	2,126	18	2,241

Combat Support Forces in the Reserve Components

Source: SAMAS Master Force File, Jul 01

<i>Battalion Type</i>	<i>ARNG</i>		<i>USAR</i>	
	<i>#</i>	<i>Auth</i>	<i>#</i>	<i>Auth</i>
Bands	52	2,132	19	779
Finance	13	1,125	7	693
Pers Serv/Replcmt	14	1,990	16	5,239
Chap/Mil Hist/PAO/JAG	33	627	97	2,358
Medical	7	4,745	106	22,169
Ordnance	15	19,264	9	10,995
Div Spt Bns	39	20,258	0	0
Sep Spt Bns	18	6,821	0	0
BSB	0	0	0	0
CSB	18	945	15	855
POL/Water	12	2,150	42	8,380
Transportation	2	14,948	24	20,779
CSS Bde HQs	55	4,865	65	5,625

Combat Service Support Forces in the Reserve Components¹

Source: SAMAS Master Force File, Jul 01

ENDNOTES

¹ US Department of Defense, *Quadrennial Defense Review* (Washington, DC, September 2001) 18 and 30.

² Tom Ridge, Director of the Office of Homeland Security, in a speech at the Fletcher Conference, Washington, DC, November 2001.

³ Gary Hart and Warren B. Rudman, Co-Chairs, Commission on National Security for the 21st Century: *Roadmap for National Security: Imperative for Change* (Washington, DC, February 2001) viii.

⁴ Donald Rumsfeld, Secretary of Defense, in his Forward to the *Quadrennial Defense Review* (Washington, DC, 30 September 2001) iii-vi.

⁵ Rumsfeld iv-v.

⁶ The term, "smaller scale" in this sense is relative to nuclear or larger scale conventional attacks.

⁷ The Air Force component of the National Guard, The Air National Guard, is structured primarily as a force provider or as a direct support asset to forward deployed units and is far more integrated into the regular air force component. Further, the very nature of the mission of the Air National Guard suggests that it will have a smaller role to play in homeland defense against terrorist attack. Combat Air Patrols (CAPs) are the contribution they are most well known for.

⁸ John Mearsheimer, Abstract for *The Future of the American Pacifier in Foreign Affairs* (September/October 2001) 1-2.

⁹ Defense Almanac, 30 September 2000, chart entitled *Active Duty Military Personnel Strengths by Regional Area and by Country* (www.defenselink.mil/pubs/almanac/). These are peacetime figures.

¹⁰ John Winkler, Deputy Assistant Secretary of Defense for Manpower and Reserve Affairs, in an address to Harvard's Kennedy School of Government National Security Fellows, 30 November 2001.

¹¹ USA Today, no by-line, "General Says US troops 'are getting tired'" (www.usatoday.com/news/washdc/2002/03/14/tired-troops.htm) 14 March 2002.

¹² Unit Personnel Surveys (see Appendix A)

¹³ President George W. Bush, *Securing the Homeland Strengthening the Nation*, 2002, 4.

¹⁴ A forward deployed military presence continues as a cornerstone of our defense policy.

¹⁵ The list of federal agencies involved in homeland security in some capacity is significant. Included among the participants are the Departments of State, Defense, HHS, Treasury, and Justice, FEEMA, and others. A chart in the NY Times, 4 November 2001 helped clarify this.

¹⁶ The active duty armed forces are usually the biggest advocates of Posse Comitatus restrictions on active duty involvement in law enforcement. A history of the origins and intent of the act is found in (homeland security journal art.) Argues that the act was initially intended not to protect society from the military, but to protect the military from local sheriffs who routinely used them for posse duty.

¹⁷ Paul Munroe, Major General, CAARNG, statement before the Senate Judiciary Subcommittee on Technology, Terrorism, and Government Information, 13 December 2001, 2.

¹⁸ Timothy Lowenberg, Major General, WAARNG, Interview, January 2002.

¹⁹ Phillip Oates, Major General, AKARNG; Timothy Lowenberg, Major General, WAARNG; Gary Pappas, Brigadier General, MAARNG; and Paul Munroe, Major General, CAARNG, interviews, November 2001 through February 2002.

²⁰ Harvard University Kennedy School of Government case, *The Flawed Emergency Response to the 1992 Los Angeles Riots*, (Cambridge, Massachusetts) 2000; USA Today article by Dave Moniz, "Ghost Soldiers Inflate Guard Numbers", 19 December 2001; and USA Today article by Dave Moniz, "Misconduct Marks Guard Command", 8 January 2002.

²¹ Surveys (Appendix A, this paper)

²² National Guard Bureau, Briefing on Reserve Component force structure, January 2002.

²³ Monroe, interview, 11 January 2002.

²⁴ Barry R. McCaffrey, General, USA (Retired), in testimony before the Senate Committee on Governmental Affairs, 12 October 2001.

²⁵ Thomas P. Maguire, Major General, NYARNG, The Adjutant General, State of New York; Major General Monroe; Oliver Mason, Colonel USAR, Chief of Operations, Massachusetts National Guard, in phone interviews, December 2001-January 2002.

²⁶ L. Paul Bremer III, Edwin Meese III, Chairmen, The Heritage Foundation Homeland Security Task Force, in its report, October 2001, 77.

²⁷ Bremer and Meese, Chapter 4.

²⁸ McCaffrey, personal interview, 25 January 2002.

²⁹ Hart/Rudman, 78.

³⁰ McCaffrey, *Dealing with Madness* in *Armed Forces Journal, International* (October 2001) 1.

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