

USAWC STRATEGY RESEARCH PROJECT

Strategic Relevance of the Army National Guard in the 21st Century

by

LTC Kenneth J. Lull
Colorado ARNG

Professor Samuel J. Newland
Project Advisor

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U.S. Army War College
CARLISLE BARRACKS, PENNSYLVANIA 17013

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ABSTRACT

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The mission and role of the Reserve Component, particularly the U.S. Army National Guard, has dramatically changed over the last decade. While the typical RC soldier fully accepts his or her responsibility as a warrior on the battlefield during a declared armed conflict, the ambiguity surrounding the increased number of peacekeeping missions, operations supporting the Global War on Terrorism (GWOT), and the mission of the RC in Homeland Security post September 11th, 2001, have generated the need to examine and define the role of the Army National Guard (ARNG).

The purpose of this paper is to address the historic role of the ARNG and to discuss the recent shift in policy surrounding the use of the RC and ARNG in last decade for international Peacekeeping Operations. It will examine the changing role of the ARNG as it relates to Homeland Security (HLS). Furthermore, it will discuss current and future ARNG force structure, and make recommendations that will assist in defining the future part the ARNG will play in the National Military Strategy and in as we enter the 21st century.

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STRATEGIC RELEVANCE OF THE ARMY NATIONAL GUARD IN THE 21ST CENTURY

The mission and role of the Reserve Component, particularly the U.S. Army National Guard, has dramatically changed over the last decade. While the typical RC soldier fully accepts his or her responsibility as a warrior on the battlefield during a declared armed conflict, the ambiguity surrounding the increased number of peacekeeping missions, operations supporting the Global War on Terrorism (GWOT), and the mission of the RC in Homeland Security post September 11th, 2001, have generated the need to examine and define the role of the Army National Guard (ARNG).

The purpose of this paper is to address the historic role of the ARNG and to discuss the recent shift in policy surrounding the use of the RC and ARNG in last decade for international Peacekeeping Operations. It will examine the changing role of the ARNG as it relates to Homeland Security (HLS). Furthermore, it will discuss current and future ARNG force structure, and make recommendations that will assist in defining the future part the ARNG will play in the National Military Strategy and in as we enter the 21st century.

HISTORY

TRADITIONAL ROLES

The original Reserve Component (RC), the National Guard of the United States can trace its roots back to pre-Revolutionary times when the colonists first settled the new land. The concept of the citizen soldier, however, stems from late fourth century when the Roman Empire depended on the Comitatus, a full-time regular army that was backed by the limitani, the part-time soldiers living along the frontiers and charged with defense in time of emergency.¹ The English continued the traditions of limitani through medieval times and brought the concept of the citizen soldier to the New World. In 1636, the Massachusetts Bay Colony formed the first permanent regiments of the new militia. Hence, the Army National Guard (ARNG) is the oldest military organization in US history. It celebrated its 366th birthday on December 13, 2002. Since colonial times, the members of the militia- later renamed the National Guard- have been called upon to protect and defend the colonies, subsequently the United States, from all enemies foreign or domestic.

LEGAL FOUNDATION OF THE MILITIA

The authority of states to raise, man, and train the militia is founded in the constitution the United States of America. The Constitutional Convention held in 1787 established the

foundation through the Constitution outlining the role and use of the militia. The military provisions of the constitution, however, were more of a compromise than a resolution. For those who wanted a standing army, a standing army was authorized but only existed if the government wished to organize it. The militia was authorized and, according to the Constitution, the Congress was to have power to:

Provide for calling forth the militia to execute the laws of the Union, suppress insurrections and repel invasions. To provide for organizing, arming, and disciplining the militia and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers and the authority of training the militia according to the discipline prescribed by Congress.²

Subsequent legislation further refined the role of the National Guard and later, that of the Army Reserve. The following table depicts important legislative acts that Congress has approved and provides the reader with a short abstract of each piece of legislation:

Knox Plan	Term referring to the original Militia Bill introduced to Congress in 1790. Provides for universal military service from ages 18-60, established strong national standards on training, and provided federal funds and equipment for the militia.
Militia Act of 1792	First militia act passed by Congress, implementing the militia clauses of the Constitution. Provided for universal military service for all able-bodied men from 18-45 but failed to provide for any national standards for state militias. Though all states passed militia acts, the failure of either the United States or most state governments to provide adequate funds, and the broad universality of the 1792 Act, doomed it to failure.
Dick Act of 1903	First significant militia act passed by Congress. Provided funds for the state militias if a state would assemble its militia 24 times annually, provide five days of summer encampment annually, and have regular inspections by either state level militia or active Army officers. In addition, federal pay was given to guardsmen when they were on joint maneuvers with regular Army units.
Militia Act of 1908	Called by some the Second Dick Act. Increased federal appropriations for the Guard and required the Guard to be called before any volunteer units in the event of an emergency. In addition, it removed the traditional nine-month limitation of federal service and permitted Guard units to be used both within and outside the United States.

National Defense Act of 1916	Doubled the number of drills required in the Dick Act and lengthened summer camp to fifteen days. Furthermore, this act provided for Federal recognition of Guard Officers, that is, in order to be more eligible for Federal pay. Perhaps most important, it mandated use of the name "National Guard", in preference to militia.
National Defense Act of 1920	Among its provisions it reorganized the Militia Bureau requiring that bureau chiefs have at least 10 years service in the National Guard. Recognized that the Army consisted of three components: regular Army, Army Reserve, and the National Guard. Provides for the reversion of federalized Guard troops to state-controlled Guard upon their release from federal service.
1933 Amendments to the National Defense Act of 1920	Created a new component called the National Guard of the United States. This component was identical in personnel and organization to the National Guard of the various states but could be ordered into federal service by the president whenever congress declared a national emergency.
Armed Forces Reserve Act of 1952	Gave authority to place guardsmen on active duty training status for as many as fifteen days annually. This required, however, the consent of the state's governor.

TABLE 1: SIGNIFICANT MILITIA LEGISLATION (NEWLAND, 1987)

EARLY HISTORY OF THE MILITIA

In peacetime, Americans have historically been unwilling to finance a large standing active duty military force. Major conflicts are fought by an active duty force nucleus substantially augmented by trained and experienced individuals and units from the mobilized Militia/National Guard forces, around which volunteers and conscripts could be formed into effective military units.³ Citizen soldiers have participated in every significant armed conflict since the inception of this nation.

REVOLUTIONARY WAR

Beginning with the Revolutionary War, the militia, or minutemen, played an important role in the defense of the nation. Motivated by a strong sense of patriotism, early guardsmen set the stage for participation in every major armed conflict which would follow. In fact, the nation's first president, George Washington, began his military career as a colonel in the Virginia Militia during the French and Indian War. Although President Washington began his military career in the state militia, he recognized both the strengths and weaknesses of colonial system. His personal knowledge resulted in legislation spanning almost two centuries that would establish the basis for the first Militia Act which would eventually define state and federal, as well as military, responsibilities and adjudicate the use of the Militia in time of peace and war.

GUARD EXPERIENCE OF THE 19TH CENTURY

The first major conflict after the American Revolution was the War of 1812. Although state governors still retained more rights than the President of the United States in determining just what and where they would allow the State militia to be used, many militiamen and units performed superbly. In fact, one of the major land campaigns of the war, The Battle of New Orleans, was fought and won by a contingent of militiamen and irregulars under the command of Andrew Jackson, himself a militiaman from Tennessee.

While many state militia units performed well in the War of 1812, there was a steady decline in the overall quality of training and equipment and organization of Guard units and soldiers in the following decades. The lack of power of the federal government to standardize training, finance, equip, and mobilize state militia forces for federal missions resulted in an overall disjointedness that caused consternation for American presidents for almost one hundred years. The biggest issue during the War of 1812 was whether or not Militia troops could be ordered to duty outside the continental United States. Even President Lincoln ran into issues with some of the governors of Border States when mobilizing troops in order to prepare for the Civil War.

It was not until The Dick Act of 1903, which resulted from short comings identified in the Spanish-American War, that the Federal government began to tie together the militia system into a viable military entity on a national level. The Dick Act of 1903 and the Militia Act of 1908, often called the Second Dick Act, provided federal funding, mandated minimum training standards and required assemblies, but more importantly, they removed the nine month service limitation and authorized the President to use militia troops both inside and outside the United States for federal missions. These acts were the foundation of the modern ARNG and were particularly timely, with World War I (WW I) and World War (WW II) looming just around the corner.

WW I/WW II

This new legislation provided the foundation for the National Guard to enter WW I in 1917. The United States fielded 43 combat divisions for commitment to the war in Europe. Seventeen of those were National Guard Divisions. The 30th Division composed of ARNG soldiers from North Carolina, South Carolina, and Tennessee, received the greatest number of Medals of Honor in the entire Allied Expeditionary Force. Additionally, records of the German High Command found after the war listed eight American divisions as excellent or superior, of those

eight, six were National Guard divisions.⁴ Through legislative reforms, the ARNG was beginning to establish itself as a viable fighting force.

During the years between the World Wars, both the ARNG and reserve forces in general once again lacked for resources, equipment, and training. Despite these shortcomings, reserve volunteers expanded the active Army from 264,188 on June 30, 1940 to 1,455,656 one year later. About 400,000 of this increase came from the Army National Guard and Reserves.⁵ Once these units were fully trained, they served with distinction throughout the North Africa, Europe, and the Pacific Theatre.

KOREA

During the Korean War, the nation mobilized almost one million members of the National Guard and Reserves. Since most were veterans of WW II, they required less post-mobilization training than those others. However, a significant issue was that while these were hardened combat veterans, most had received little if any training following demobilization in 1945. The initial guardsmen mobilized for the Korean War went into combat as individual fillers assigned to duty with active units. Similarly to the experience at the beginning of World War II, ARNG units lacked the resources and training required to enter straight into the Korean War as a unit. This fact, when coupled with those lessons learned at the beginning at the beginning of WW II, resulted in the Armed Forces Act of 1952.⁶

The Armed Forces Act of 1952 brought together much of the existing legislation which related to the Reserve Components and established in greater detail the composition, responsibilities and regulation of the ARNG. It also provided that each of the seven Reserve Components would have a Ready Reserve, a Standby Reserve, and a Retired Reserve.

COLD WAR

As a result of reduction in manpower, infrastructure, and budgetary constraint after WW II and the Korean Conflict, the role of the RC and the ARNG during the Cold War would further expand. For example, during the Berlin crisis of 1961 and 1962, 148,000 National Guard soldiers and Army reservists were called to active duty. The Cuban Missile Crisis of October 1962 involved 14,000 Air Force reservists who where given only nine hours to report to their units. An additional 35,000 National Guard and Reserve unit members and over 2,000 individuals where activated for federal service during the USS Pueblo crisis and for the Vietnam War itself.

Total Force Policy

The Total Force Policy concept was conceived and developed by Secretary of Defense Melvin Laird in 1970 to address several major issues stemming from the painful experience of Viet Nam, namely a lack of public support. President Johnson's Administration, mostly for political reasons, had refused to conduct any major mobilization of the RC in the war in favor of conscription.⁷ In the immediate aftermath of the Vietnam, many policy makers in the Nixon administration speculated that Johnson's moratorium on the mobilization of the RC had been a major strategic mistake and also had contributed directly to the lack of American public support. They argued that public support would have been much stronger and more resolute if America's "Citizen Soldiers" had been mobilized and deployed.⁸

In 1973 the Total Force Policy became a reality. The policy was designed to involve a large portion of the American public by mobilizing the National Guard from its thousands of locations throughout the United States when needed. The Total Force Policy required that all active and reserve military organizations of the United States be treated as a single integrated force. A related benefit of this approach is to permit elected officials to have a better sense of public support or opposition to any major military operation. This policy echoes the original intentions of the founding fathers for a small standing army complemented by citizen-soldiers.⁹

As a result of the new Total Force Policy, the reliance on the ARNG and the RC increased dramatically beginning in the early 1970s. In 1983, Air Force Reserve and Air National Guard crews airlifted students out of Grenada. They also inserted U.S. troops and equipment, including Army Reserve civil affairs units to help restore order once the ground fighting was completed. In addition to the air operations in Grenada, RC air crews were used extensively in Libya in 1986 to fly air refueling operations, and for combat search and rescue support. In other missions Air National Guard and RC air crews airlifted relief supplies to Central America, Bosnia, Somalia, and Northern Iraq.¹⁰

While Air National Guard and Air Force Reserve crews were busy flying support operations all over the world, the ARNG and the United States Army Reserves (USAR) provided road building and medical support to Honduras. Additionally, in 1985 alone, over 42,776 members of the ARNG trained and conducted support missions in 40 different countries around the world.¹¹ These deployments and numbers are exponentially higher than in previous decades, and would increase even more in the 1990's.

THE 1990'S

The ten years from 1990 to 2000 saw an even more dramatic reliance on the Army National guard and the RC. While the 1990s started out with massive AC and RC force structure adjustments, unit deactivations, and downsizing; the ARNG saw its role and responsibilities increase. Beginning in January of 1990, RC forces made substantial contributions to Operation JUST CAUSE in the liberation of the republic of Panama. ARNG and USAR soldiers and units provided critical support in areas such as security, intelligence, public affairs, and civil military operations. Air National Guard and Air Force Reserve crews flew hundreds of missions ranging from strategic and tactical airlift to close air support. ARNG and RC soldiers assumed the lead role in the process of restoring order and essential services to Panama in the aftermath of the military operations.

One of the most notable events in the history of the ARNG and for the nation occurred in August of 1990 when Iraqi forces attacked the sovereign country of Kuwait. In the months that followed, the United States deployed more than 54,500 men and women to the Southwest Asia theatre of operations. On August 22, 1990, President George Bush authorized the first involuntary call to active duty of the Selected Reserve under the Total Force Policy. By the end of the Gulf war, some six months after mobilization began; over 250,000 reservists had been called into active duty.¹² Over 63,000 ARNG soldiers were deployed to Iraq and participated directly in or in support of combat operations.¹³ Once again, the men and women of the ARNG had proved their metal to the nation.

In the years following Operation DESERT SHIELD and DESERT STORM, ARNG personnel have played an even greater role across the globe. In 1992 and 1993, ARNG soldiers operated closely with the AC in Stability and Security operations and humanitarian relief causes such as Operations PROVIDE HOPE (former Soviet Union), PROVIDE PROMISE (Sarajevo), and RESTORE HOPE (Somalia). Additionally, during the same time period, ARNG officers and soldiers responded to 322 state emergencies in 51 of 54 states and territories. Over 27,000 guardsmen were activated in response to natural disasters like Hurricane Andrew, Typhoon Omar, and Hurricane Iniki.¹⁴

In the fall of 1995, hundreds of USAR and ARNG units were activated to support Operation JOINT ENDEAVOR under Presidential Selected Reserve Call-up authority. Operation JOINT ENDEAVOR became Operation JOINT GUARD on December 21, 1996. As of December 1999, almost 20,000 RC soldiers, airman, and sailors were activated in Bosnia, Hungary, Germany, Italy, and France.

COUNTER-DRUG ACTIVITIES

Another significant role that ARNG has played on the domestic front has been in the war against drugs. The use of ARNG soldiers and equipment in combating one of the nation's most prolific domestic problems has seen a huge increase in the last decade. Counter-drug activities have recently expanded to all elements of the RC, not just the ARNG. In FY 1999, the ARNG reached millions of people by supporting law enforcement agencies and community-based organizations. The National Guard supported 16,744 domestic counter-drug missions. This included cannabis (marijuana) eradication, transportation, language translation, coalition development, education, intelligence analysis, and investigative case assistance to supply interdiction missions. That year alone, Army National Guard members performed 803,065 man days and the Air National Guard personnel provided 227,510 man days in support of counter-drug missions.

During 1999, the USAR conducted 168 counter-drug missions employing more than 350 soldiers. Support was provided to drug law enforcement agencies and selected U.S. military commanders-in-chief. Army Reserve aircraft flew counter-drug reconnaissance patrols in the high intensity drug trafficking regions along the Southwest border. Army Reserve engineers built bridges and roads to support drug interdiction operations along the Southwestern U.S. border. USAR intelligence personnel were also involved in targeting drug cartels in Central and South America while RC Army linguists translated documents, audiotapes, and videotapes. Army reservists were also intimately involved in the transport of seized materials, including contraband drugs and records.¹⁵

In 1995, while serving as a Battery Commander in the Colorado Army National Guard, the author and his command were personally involved in a counter-drug operation. In fact, this operation was the largest in the history of the state. All inclusive where 150 Drug Enforcement Agency agents, approximately 75 Colorado ARNG (the largest contingent was from the author's Field Artillery Battery - about 55 officers and enlisted personnel), 45 Security Police (Colorado Air National Guard), the Colorado Bureau of Investigation, the Colorado State Police, and the entire Morgan County Sheriffs Department. The operation took place in North East Colorado near the Town of Sterling in Morgan County. Two farmers and their seven sons were growing marijuana along side their corn crops. In order to obtain a Federal indictment, law-enforcement agents were required to harvest 1000 plants, which were accomplished within 24 hours along with the confiscation of 100 AK-47s and AK-74s. This is but a small example of how the ARNG and the RC justify their worth every day.

ARNG TODAY

CURRENT FORCE STRUCTURE

The ARNG continues to structure its forces to provide for a compatible and inter-operable force that is fully capable of accomplishing its state, national, and international missions in war and in peace. To meet these requirements, the ARNG maintains a balanced mix of combat, combat support (CS), and combat service support (CSS) units. These units are structured to integrate seamlessly with the active component units as needed.

The ARNG structure is as follows: fifteen enhanced Separate Brigades, eight divisions, and three strategic brigades (31st Separate Armor Brigade, 92nd Separate Infantry Brigade, and the 207th Scout Group). The ARNG also maintains two Special Forces Groups (19th and the 20th).

COMPOSITION

Today, the RC of the United States hovers at approximately 1.22 million total personnel.¹⁷ Of that number, approximately 875,979 are drilling personnel who are part of some sort of organizational structure and approximately 348,820 are in the Individual Ready Reserve. The ARNG consists of approximately 350,000 officers, non-commissioned officers, and enlisted personnel.

The force composition of the ARNG is 52% combat, 17% CS, 22% CSS, and 9% Table of Distribution and Allowances (TDA) units, typically state headquarters units. The AC is currently composed of 10 Divisional units (1 Airborne, 1 Air Assault, 2 Light Infantry, and 6 Heavy Divisions) and 2 Armored Cavalry Regiments. The ARNG currently contains 44% of the total Armies overall divisional strength and approximately 57% of its combat units. The following chart depicts the percentage of combat, CSS, and CS that is represented by ARNG units as part of the total Army.

Type of Unit	Percent of Total Army
Separate Brigades	100%
Infantry Scout Troops	100%
Field Artillery BNs	67%
Cavalry Squadrons	60%
Mech Infantry BNs	58%
Armored BNs	57%
Combat Units	57%
Infantry BNs	52%
Air Def. BNs	51%
ACR	50%
Med. Helo Company's	50%
Maintenance Units	48%
Combat Support Units	46%
Combat Engineer Units	44%
Corps Attack Helo	44%
Combat Divisions	44%
CSS Units	32%
SF Groups	28%
Medical Units	12%

TABLE 2. PERCENTAGE OF TOTAL ARMY REPRESENTED BY ARNG UNITS (RC OF THE U.S. ARMED FORCES, 2000)

MISSIONS

From the constitution and subsequent acts, the Federal mission is the primary mission of the Guard. During national emergencies the President of the United States reserves the right to mobilize the National Guard, placing them into federal status. While federalized, the units answer to the Combatant Commander of the theatre in which they are operating and ultimately, to the President.¹⁸ Even when not federalized, the Army National Guard has a federal obligation. That fundamental mission of the ARNG remains: *maintain properly trained and equipped units, available for prompt mobilization for war, national emergency, or other operations as needed.*¹⁹

Despite the primacy of the Federal mission, the State connection for the Guard is very important. The ARNG exists in all 50 states and three territories and the District of Columbia.

The state, territory or district leadership for each Guard organization is the Adjutant General. The Adjutant General is answerable to the Governor for the training and readiness of the state or territories units. At the state level, under the Constitution of the United States, the governor has the ability to call up members of the National Guard in time of domestic emergencies or crisis as needed.²⁰ State missions may include such things as crowd control, riots, support in the case of a natural disaster such as flooding, hurricane, tornado, or blizzards, fire fighting, counter-drug operations, or other state emergency situations.

BUDGET

The total national defense budget in Fiscal Year 2002 was \$319.2 billion dollars. The Army received 25.4% of the total defense budget, equating to approximately \$81.1 billion dollars; of which the ARNG received approximately 10.1% or \$8.1 billion dollars. Considering that the ARNG consists of approximately 34% of the total Army force structure, to include most of its war fighting capacity, the amount of fiscal resources devoted to the training and infrastructure of ARNG units and personnel results in an unprecedented return for the Army and DoD.

9-11

Since the terrorist attacks on the World Trade Center on September 11, 2001, the RC and the ARNG has been intimately involved with military operations both foreign and domestic. Army and Air National Guard soldiers were almost immediately called to duty as a result of the attacks. New York state immediately activated over 10,000 of its 17,000 ARNG personnel in the wake of the 9-11 disaster for duty in and around New York City.²¹

Since September of 2001, and with the recent activation of many RC units in preparation for a possible armed conflict with Saddam Hussein and the Iraqi Army, the total number of RC personnel activated in the GWOT, peacekeeping operations in Bosnia and Kosovo, Homeland Security, and humanitarian relief missions across the globe has reached 111,603 including both those in units and individual augmentees.²²

Operation ENDURING FREEDOM and Operation NOBLE EAGLE, both involving armed conflict in Afghanistan to root out and destroy the Taliban and Al Kaida terrorists and their infrastructure, included 19,174 ARNG, 9,905 USAR, and 9605 Air National Guard personnel mobilized for a total of 53,268. During the same time period, ARNG and USAR personnel that participated in peacekeeping operations totaled just less than 2000.²³ All in all, the number of

man-days involving RC personnel rose from 5.46 million in 1990 to 12.72 million in 2001 (Desert Storm and Desert Shield saw a significant spike to 44,224,353 in 1991).²⁴

ADRS- ARMY NATIONAL GUARD DIVISION REDESIGN

BACKGROUND AND DISCUSSION

As a result of the continued downsizing of the AC and the ever expanding missions the US Army is faced with today, especially after the terrorist attacks on September 11, 2001, there is a continued need to rely on all elements of the RC to decrease the operational drain on an already over taxed active force. An important aspect surrounding this issue is current and future force structure. The question is what is the proper mix of Combat, Combat Support, and Combat Service Support required in the ARNG to meet both state and federal missions and to maintain the integrity of the ARNG to remain viable in combat?

Total Army Analysis 2003 estimated that the AC would be 124,800 personnel short in CS and CSS in order to meet the specifications of the National Military Strategy. The congressionally appointed Commission on Roles and Missions of the Armed Forces recommended in May 1995 that "Reserve Component forces with lower priority should be eliminated or reorganized to fill force shortfalls in the higher areas." The ARNG Division Redesign Study (ADRS) program, which was approved and signed by the Secretary of the Army on 23 May 1996, reduces the Army's CS and CSS force shortfall. The redesign study program plan converts 12 lower priority combat brigades, and slice elements from 2 divisions to the required CS and CSS structure beginning in FY 1999 and ending in FY 2009 abating the imbalance of the non-combat units and personnel across the total force.²⁵

The plan converts 12 existing combat brigade (BDEs) and slice elements from 2 divisions into CS and CSS units. ADRS changes current ARNG force structure as follows: no change for 3 divisions; 3 divisions will be allocated one enhanced Separate Brigade (eSB) each (replacing a maneuver BDE from each which will undergo CS/CSS conversion); 2 AC/ARNG integrated divisions, one at FT Riley, KS, the 24th Infantry Division; and the other at FT Carson, CO, the 7th Infantry Division; 2 composite Divisions formed by reconfiguring 2 existing ARNG divisions; and 6 stand alone composite BDEs.

The ADRS conversion plan is a four-phased process which began in FY 2001. Phase 1, involving 3 BDEs, began in FY 01 and is projected to end in FY 05. The BDEs to be initially converted are the 2nd BDE, 40th Infantry Division, California Army National Guard; the 67th BDE, 35th Infantry Division, Kansas Army National Guard; and the 2nd BDE, 38th Infantry Division,

Indiana Army National Guard. An important footnote is that all the units being converted were volunteered by their respective states. Approximately \$2 billion has been programmed to resource Phase 1 and 2 of the ADRS and fully funds them.²⁶

The ADRS will specifically address the future of the eSBs. Six of them are to be rolled up into standing divisions, with the active Army providing two new division headquarters (7th & 24th) each commanding three formally-separate Guard maneuver BDES. Furthermore, when fully implemented, ADRS will transfer three other eSBs to existing Guard divisions. Rather than 15 eSBs, as was the case throughout the 1990's, the future Guard combat force will contain no more than six stand-alone brigades, or about what is needed to help secure the lines of communication for three to four corps, the classic separate BDE mission.²⁷

The ADRS proposed a four-phased implementation plan. The 28th Infantry Division (Mechanized) was one of only three Guard divisions retained "full up" in current configuration with no changes in stationing. The other two are the 29th Light Infantry Division, primarily based out of Virginia, Maryland, and Massachusetts, and Texas' 49th Armored Division. Of the remaining five ARNG divisions, three would lose one organic BDE, which will be converted to non-divisional combat service support structure. A separate brigade will be "embedded" in each of these divisions as a third maneuver brigade. Two more divisions remain untouched for the moment, but have been earmarked for conversion to combat and combat support/combat service support structure in the out years should all phases of the plan be implemented. While the transition is taking place, the Guards last three separate (but echeloned) brigades would also disappear, to be organized as combat service support units. Bottom line, ADRS equates to the loss of 2 full divisions, three divisional brigades, and three separate brigades, most to be restructured as non-divisional CSS units.²⁸

RECOMMENDATION

The Army National Guard Divisional restructuring as proposed in the ADRS is scheduled to begin in FY 2003 and to conclude in 2009. It is recommended that ADRS transformation to take place as currently scheduled. The new ARNG force structure ensures that the integrity of the ARNG to be able to augment the AC as required in future Small Scale Contingencies (SSC), Medium Theatre of War (MTW) operations, peacekeeping operations, and homeland security missions, while mitigating the CS and CSS shortfalls of the total force as described in TAA 03. It is further recommended that the AC force structure continue transformation and redesign as part of object force long range goals.

PEACEKEEPING OPERATIONS

INTRODUCTION

The role and mission of the Reserve Components has dramatically changed over the last decade. One such change includes the increased reliance on RC and ARNG personnel in Peacekeeping Operations (PKO). This section discusses the previous use of the RC in peacekeeping operations, reviews current policy, or lack thereof, concerning the use of the RC in peacekeeping operations, and recommends viable courses of action for consideration when using the Army National Guard for nonstandard combat missions such as this one.

HISTORY OF RC PEACEKEEPING

Recent cuts in active component end strength, coupled with the increased demands for participation in peacekeeping missions, have caused the Army to consider new options for meeting international commitments. One option is to use the RC for such missions.²⁹ One such example of the use of RC soldiers for peacekeeping operations occurred in 1993. The 4-505th Parachute Infantry Regiment, an experimental AC/RC unit, was composed of 80% RC soldiers and 20% AC soldiers charged with peacekeeping operations in the Sinai Peninsula. The 4-505th successfully deployed to the Sinai from 4 November 1994 to 28 July 1995. The mission was considered by most to be a shining example of AC/RC integration and the use of RC personnel to augment the AC in PKO.

Since that time, the ARNG and the USAR have participated in numerous PKO including Operation JOINT FORGE (Bosnia), Operation JOINT GUARDIAN (Kosovo), and Operation SOUTHERN WATCH (Kuwait/Saudi Arabia).³⁰

The most significant example of the dramatic shift in the reliance of the RC in PKO, however, came on March 7, 2000, when the 49th Armored Division, Texas ARNG, took over responsibilities for the American sector in Operation Joint Forge (Bosnia), becoming the command and control element for the American and Allied forces serving in the Multi-National Division-North.³¹ This was the first ARNG division headquarters to deploy to Europe on an operational mission in almost fifty years.³²

Partially as a result of the 49th Divisions superb performance, the Department of the Army recently announced an updated Balkans rotation schedule for the next several years. Included on the list for Stabilization Force (SFOR 9-16) are numerous National Guard units with different ARNG division headquarters placed in charge of six of the next eight Bosnia rotations.³³

POLICY DEVELOPMENT/ OBJECTIVES

The development of a National Policy regarding PKO in the 1990s became reality in 1994 when President Clinton signed Presidential Decision Directive (PDD) 25, "The Clinton Administration's Policy on Reforming Multilateral Peace Operations." The directive communicates 2 major objectives: 1) to outline the strategic rationale behind peace operations within the broader context of US foreign policy; and 2) to explain the need for reforming the way peace operations are conceived and implemented.³⁴

Although PDD 25 clearly outlined when, where, and under what conditions the United States will enter into PKO, it fails to clearly define the US Military as a Joint Force, that is to say, nowhere in PDD 25 did the Clinton administration articulate what role the RC will play in assuming or participating in PKO as part of the larger total force.

Not until 1997, when the National Military Strategy (NMS) was published did General Shalikashvili, Chairman of the Joint Chiefs of Staff, clearly define the "Total Force" concept and use of military forces in PKO globally as part of a larger national military objective. NMS 97 clearly defined the concept of Total Force as the combination of the AC, RC, and the DOD civilian workforce. Additionally, it further articulated the need for the RC to augment the AC in nontraditional roles such as PKO in order to ease the tempo of individual and unit deployments of the AC force.

OPTIONS

There are three major Courses of Action (COA) addressing the use of RC in PKO, which warrant further consideration. They include: 1) remain status quo; 2) increase active duty end strength thereby reducing the need to rely on RC; and 3) modify RC force structure to better deal with nonstandard missions and CLEARLY articulate, both verbally and as part of the NMS, what the US Policy is for the use of RC in PKO and other nonstandard operations both now and in the future.

While remaining status quo has its merits, it would most likely result in major negative ramifications for the RC in the long run. Most RC soldiers do not join the USAR and ARNG to be fulltime soldiers, especially for conducting peacekeeping and other non-combat missions. The dramatic increase in the activation and deployments of RC personnel and units as a result of the terrorist attacks on September 11, 2001, when combined with the continued need to turn to the RC to conduct PKO in places like Bosnia and Kosovo, is turning many RC soldiers and airmen into fulltime personnel and is resulting in extreme hardship not only the individual, but their families and their civilian employers as well. COA 1 is not recommended.

An increase in current AC force structure (COA 2), while possible, is not economically feasible at this time and would most likely not garner the needed support from Congress. The problem, therefore, remains. How does the U.S. Army meet the nation's strategic goals and ensure that our national security interests abroad are not compromised while not pushing both the AC and RC beyond the breaking point?

RECOMMENDATIONS

In 2000, National Guard and Reserve personnel, both Air Force and Army, were dispatched to 64 countries world-wide. Some 38,000 participated in overseas missions.³⁵ In 2001, that number increased to 80,000, approximately 10% of the 864,000 reservists available nationwide. The increased reliance of RC personnel to support PKO and other non-standard missions lends credibility to the recommendation and adoption of COA 3.

Many authors suggest that the RC should be used solely for PKO and other non-standard missions so that the active component is freed up to conduct and train for combat missions.³³ The fact remains that the AC cannot conduct wartime operations without the RC; too many war fighting and combat support units remain within the RC and would be required for mobilization.

Therefore, it is strongly recommended that RC force structure be analyzed for combat relevance in 21st century and that appropriate adjustments are made as needed. Formal policy concerning the use of RC personnel in PKO and other nonstandard combat missions such as homeland defense must and should be clearly articulated both verbally and in writing as part of the NMS. It is important to understand that the RC are not fulltime soldiers and airman and consideration to their families and employers is of utmost importance. Active duty tours for RC units should be planned well in advance whenever possible and all administrative nuances such as dependant ID cards, Tri-Care, and access of RC family members to post-exchange and commissary privileges should be of major consideration.

HOMELAND SECURITY

INTRODUCTION

The Quadrennial Defense Review dated 30 September 2001, published by the Department of Defense and endorsed by the Secretary of Defense, Donald H. Rumsfeld, specifically states that *“protecting the American homeland from attack is the foremost responsibility of the U.S. Armed forces and is a primary mission for the Reserve Components”*.³⁷ Since the creation of the Massachusetts Colony militia on December 13, 1636, the Reserve

Component (RC) has always had the mission of protecting the “homeland” from enemies, both foreign and domestic. The dilemma in 2002, however, is this, how does the Department of Defense maintain the integrity of the RC as a viable fighting force in the traditional sense and change existing force structure and organizational missions without compromising our armed forces strategically while meeting the demands of the Homeland Security (HLS) mission?

This section will address the strategic ramifications of using RC personnel, specifically Army National Guard soldiers, and units for the new HLS mission and discuss the potential effect on recruiting and retention. Furthermore, this section will describe the strategic implications of converting existing ARNG force structure to meet the HLS missions/needs. In summary, a viable course of action that accomplishes both missions is presented.

BACKGROUND

With the passage of the National Guard Mobilization Act of 1933, federal law was amended designating the National Guard of the United States as a component of the Army at all times that could be ordered to active service by the President whenever Congress declared a national emergency.³⁸ The Guards primary mission is the Federal one; it is to “*maintain properly trained and equipped units, available for prompt mobilization for war, national emergency, or other operations as needed.*”³⁹ The State mission is to “*provide trained and disciplined forces for domestic emergencies or as otherwise required by state laws.*”⁴⁰

Since September 11, 2001, the war on terrorism has given the National Guard new missions and greater credibility with the active-duty military and the public. But, at the same time, it has raised serious questions about which tasks the nations largest military reserve forces should be performing, whether the guard should remain structured as a combat force or whether it should be reorganized as a HLS force, and whether states or the federal government should oversee ARNG operations.⁴¹

TITLE 10 VS. TITLE 32

When ARNG soldiers and units are activated or federalized by the President under Title 10 of the U.S. Code, its members become part of the active-duty chain of command that extends from field commanders all the way up to the Commander-in-Chief. Members of the National Guard called into Federal service are, from the time when they are required to respond to the call, subject to the laws and regulations governing the Army or the Air Force, as the case may be, except those applicable only to members of the Regular Army or Regular Air Force, as the case may be.⁴² The federal government pays salaries and each unit’s operating costs.

On the other hand, when National Guard units and troops or airman are activated by the state or territorial governor, salaries, operating costs, and other expenses are usually paid for by the state. However, ARNG troops may be activated under Title 32 of the U.S. Code. Title 32, U.S. Code, Chapter 1, Section 113 stipulates that: The Secretary of the Army may provide financial assistance to the State to support activities carried out by the Army National Guard of the State in the performance of duties that the Secretary has assigned, with the consent of the Chief of the National Guard Bureau, to the Army National Guard of the state. The Secretary shall determine the amount of the assistance that is appropriate for the purpose.⁴³ Soldiers activated under Title 32 remain under the control of the Governor and the Adjutant General of each state, subsequently; they are not subject to the constraints of Posse Comitatus.⁴⁴

POSSE COMITATUS

A significant issue concerning the use of RC personnel, or active component personnel for that matter, in HLS mission is the 1878 Posse Comitatus Act. The original Posse Comitatus was a rider to an appropriations bill, Chapter 263, Section 15, approved on June 18, 1878. Chapter 263, Section 15, Army as Posse Comitatus:

From and after the passage of this act it shall not be lawful to employ any part of the Army of the United States, as posse comitatus, or otherwise for the purpose of executing the laws, except in such cases and under such circumstances as such employment of said force may be expressly authorized by the Constitution of the United States or by an act of Congress; and no money appropriated by this act shall be used to pay any of the expenses incurred in the employment of any troops in violation of this section, and any person willfully violating the provisions of this section shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by fine not exceeding ten thousand dollars or imprisonment not exceeding two years or by both such fine and imprisonment.⁴⁵

The history of the Posse Comitatus Act (“the Act” or PCA) reflects a tension between preserving the national defense, while keeping the military from becoming entangled in day to day law enforcement. The name Posse Comitatus means, “The Power of the County”, bringing to mind colorful images of the old west county sheriff swearing in a posse to pursue fleeing criminals. The act was born out of the extensive use of federal troops for law enforcement in the South following the Civil War. Congress, championed by farsighted Southern lawmakers, recognized that the long term use of the Army to enforce civilian laws posed a potential danger to the military’s subordination to civilian control passed the Act.⁴⁶

The National Security Act of 1947 created the Department of Defense by combining the War Department and the Department of the Navy. This new entity was defined by U.S. Code, Title 10. The existing Title 10 reference to Posse Comitatus included the newly formed Air Force, the Marine Corps, and the Navy as follows:

Sec. 375. Restriction on the direct participation by military personnel. The Secretary of Defense shall prescribe such regulation as maybe necessary to ensure that any activity (including the provision of any equipment of facility or the assignment or detail of any personnel) under this chapter does not include or permit direct participation by a member of the Army, Navy, Air Force, or Marine Corps in search, seizure, arrest, or other similar activity unless participation in such activity by such member is otherwise authorized by law.⁴⁷

The second definition of Posse Comitatus in the U.S. Code is found in Title 18, Part 1, Chapter 6, Section 1385. It further describes the punishment applicable to those in violation of Posse Comitatus as follows:

Sec 1385: Whoever, except in such cases and under circumstances expressly authorized by the Constitution of Act of Congress, willfully uses any part of the Army or the Air Force as a Posse Comitatus or otherwise to execute the law shall be fined not more than \$10,000 or imprisoned not more than two years, or both.⁴⁸

In a nutshell, this act bans the Army, Navy, Air Force, and Marines from participating in Arrests, searches, seizures of evidence and other police-type activity on US soil.⁴⁹

Subsequently, the military has often invoked Posse Comitatus in declining a role in domestic security missions.

On the other hand, however, Army National Guard members called to state active duty, including those under Title 32, are not restrained by the Posse Comitatus Act.⁵⁰ This is a significant issue that proponents who argue for the use of the ARNG for HLS missions often reference.

STRATEGIC ISSUES

All told, the ARNG contains 44% of the Armies divisional strength and 57% of it's overall combat units. These numbers represents as huge percentage of the total Army's fighting capability. In fact, the RC and the active component have become so dependent upon each

other that neither force can function independently. The Total Army concept of the 1990's has become a reality.

In order for the RC and the ARNG to adopt HLS as it's primary mission and sole responsibility major force structure changes would be required, both in the RC and in the AC. The ability of the Army to comply with the current National Military Strategy and the National Security Strategy would be jeopardized. The risks associated with such a monumental shift in paradigm may not yield the desired end state and the result may be an AC army that is not capable of executing it's primary combat mission and a RC that is marginally trained to conduct HLS missions while losing the skills needed to support the AC in the event of a conventional war or multiple Small Scale Contingencies (SSC).

Another significant factor is the potential detrimental impact to troop morale and reenlistment quotas within the ARNG. The vast majority of soldiers in the RC enlist because they are patriotic Americans who are more than willing to fight for their nation, but who are not willing to put up with prolonged activation to guard Air Force bases, Army ammunition depots, nuclear power plants, and other military and governmental facilities and infrastructure. While the nation and the RC may still be riding a wave of patriotism post 9-11, the hard reality of the situation is that RC and ARNG soldiers do not rely solely on drill pay or military income for their livelihood and for many, careers and personal hardship will force them from our formations. The strategic ramifications of mass exodus within the ARNG and the loss of trained personnel and war fighting skills will be extreme. There will be no ready bench to turn to in time of crisis; what remains will potentially be untrained tactically will most probably lack the skills and experience to be viable in the fight.

ADVANTAGES/DISADVANTAGES

A primary advantage for using the RC for homeland defense is that the active component can then be freed up to train for and the conduct of SSC and MTW operations. The danger however, lies in the loss of combat skills and MOS proficiency by RC units and personnel. These skills and unit readiness take years to develop but are easily perishable and not readily reacquired should multiple MTWs arise simultaneously requiring more combat strength that can be mustered by the AC.

A major disadvantage for using the RC, specifically the ARNG, for homeland defense is that a significant amount of the combat strength required to conduct SSC and more importantly, a MTW, are contained within ARNG units. Additionally, a vast majority of the CS and CSS units

required for MTW operations is found in the USAR, making the conduct of such operations autonomously not practical.

If you don't like change, you're going to like irrelevance even less.....

—General Eric Shinseki, CSA

RECOMMENDATION

On January 26, 1998, the Deputy Secretary of Defense approved DoD's plan for integrating the Guard into domestic Weapons of Mass Destruction (WMD) terrorism response. The approved plan leverages the RC's unique capability to improve DoD's ability to plan for and respond to the significant threat to U.S. Citizens by WMD, such as nuclear detonation or the release of biological or chemical agents. Concurrently, it created a new type of unit, the WMD Civil Support Team (CST) to help fill the gaps in civilian first response capabilities, especially in local responders, who need to rapidly determine the precise nature of the WMD attack.⁵¹

The Civil Support Team's primary mission is to rapidly respond to the incident site and to assist the local incident commanders in assessing the nature of the emergency and to advise local authorities on how to proceed. Additionally, the CST team commander will facilitate the application of appropriate DoD support and technical assistance.⁵² To date, 32 CST teams have been fielded nationally and have completed or are in various stages of initial and advanced training. These teams are highly trained in chemical and biological detection and have a broad background of experience and training dealing with local law enforcement and many other emergency personnel. They are undoubtedly the most qualified military organizations that are doctrinally suited to the HLS mission.

It is recommended that the size and structure of existing CSTs be increased and that all 50 states, U.S. territories, and the District of Columbia have an organic CST assigned. The CST commander should answer directly to the Adjutant General and be responsible for HLS issues within the geographical region assigned. It is further recommended that the current Army National Guard Divisional Structure as proposed in the redesign study, Total Army Analysis 2003, continue as planned. The new ARNG force structure will ensure the integrity of the ARNG to augment the AC as required in future small scale contingency operations, major theatre of war operations, peacekeeping, and HLS, while mitigating the CS and CSS shortfalls and low density MOS high density demand shortfalls as described in TAA 03, is never compromised.

CONCLUSION

Since the victory of US forces in Operation Desert Storm and Desert Shield (1991) and especially as a result of the terrorist attacks of September 11, 2001, the RC and specifically the ARNG has been increasingly involved in numerous non-combat missions including: MFO operations in the Sinai Peninsula as part of the 1979 peace treaty between Egypt and Israel; Operation JOINT FORGE (Bosnia); Operation JOINT GUARDIAN (Kosovo); and Operation SOUTHERN WATCH (Kuwait/Saudi Arabia); HLS, and most recently, Operations NOBLE EAGLE and ENDURING FREEDOM.

The history of the militia is long and glorious, but the future of the ARNG and the RC in general hangs by a delicate thread. Although the men and women of the ARNG have served their nation and states since the establishment of the colonies and have distinguished themselves in every armed conflict since the revolutionary times, current operations are taxing the structure of the RC. The challenge for the 21st Century is how to balance the demands being placed on the ARNG as a result of global terrorism, the increased threat at home, and the need to augment an already overtaxed active Army across the globe.

The reason men and women joined the Army or Air National Guard in the past and the reason that they will join in the future is that they are patriotic Americans who wish to serve their nation and state in some way, but they joined to defend the nation in the event of a major military contingency. It is imperative to clearly define the roles and missions that the National Guard is expected to fulfill in support of the National Military Strategy. A concern that cannot be ignored is that the ARNG cannot be expected to be all things to all people. It is essential that the ARNG maintain the integrity of the war fighting skills dictated by MOS and by unit Mission Training Plan. In other words, the number one mission of every ARNG soldier and unit is to fight and win the nations wars. All other missions are secondary. If a soldier or unit loses the skills required to conduct combat operations, the unit and soldier becomes obsolete and irrelevant. Combat and associated troop leading skills are perishable and not easy to regained once lost. Policy makers continue to rely on the ARNG to fill in where the AC can no longer meet mission requirements, adding the new requirements of HLS and PKO on top of state activations and local emergencies. We are consistently stretching the ARNG too thin. The results could be soldiers and units that are not capable of the most basic combat functions rendering them and the ARNG irrelevant.

With the limited number of training days available, the National Guard cannot be a full spectrum force and support their dual mission on behalf of their state and expect to be fully prepared at all times. The roles and missions for the ARNG must be clearly defined in order to

allow the National Guard units to focus their training efforts to achieve levels of proficiency necessary to meet the expectations of the nation to foster an atmosphere of trust with the active component that the ARNG is capable of achieving their assigned missions.⁵³

It is recommended that the ADRS continue as planned in TAA 03 in order to fulfill the shortfall in CS and CSS within the AC. HLS should be a secondary mission for the ARNG but should never compromise the war-fighting integrity of any unit. One CST unit should be funded per state and territory; with the primary mission of responding to and supporting local law enforcement authorities in the advent of an incident involving weapons of mass destruction or other terrorist attack. The ARNG should continue to augment the AC in SSC and PKO as needed. Typically, these missions are predictable and cause less disquietude to soldiers and families the others. However, the number one mission of the ARNG should be its federal one, that of the war-fighting in the event of one or more MTWs. In order for the ARNG to maintain credibility in any assigned mission, soldiers and units must be competent at the individual and collective level. Incompetence equates to irrelevance.

“Today, I declare that we are THE Army – totally integrated, with a unity of purpose –no longer the total Army, no longer the one army. We are THE ARMY...” “We will march into the 21st Century as THE ARMY. We acknowledge our components and their unique strengths. But we are THE ARMY, and we will work to structure ourselves accordingly.”

—General Eric Shinseki, CSA, 22 June 1999

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