

## **5. STATE MISSION DEMANDS IN PERSPECTIVE**

This section addresses the demands of the various state missions and types of duty status on the force structure of the National Guard. We begin by discussing the scope and character of these missions and their relevant demands on the structure of the National Guard at the respective state or comparable commonwealth, territory, or District of Columbia levels. We use the definitions for the two types of National Guard duty status applicable to state missions established in Section 2, namely: state active duty and federally funded non-federal duty. We then provide some force employment planning considerations and discuss major activities involving the National Guard in state missions that address both routine and peak demands of these missions. We conclude with an assessment of the future FY 1999 force structure of the National Guard to perform state missions.

### **STATE MISSIONS**

The state missions of the National Guard encompass the full spectrum of tasks authorized in state law in support of the Governor of the state and in federal law in support of the Governor of a territory or commonwealth and the President of the United States in the District of Columbia. Many of these state missions are commonly summarized within the category of Military Support to Civil Authorities (MSCA) at the state level and include defense of the state or entity from disorder, rebellion, or invasion; emergency and disaster relief; humanitarian assistance; and within regulatory guidance, community support activities. Additionally, state missions include those performed while National Guard members are in a federally funded non-federal duty status. This second status includes annual drills, exercises, and training prescribed by the President of the United States under the provisions of Title 32, USC, and more recently, several federally funded domestic initiatives.<sup>1</sup>

### **STATE ACTIVE DUTY STATUS**

All state funded and controlled missions of the National Guard are performed in a state active duty status. States generally provide either small specific annual budgets, usually well under ten million dollars,<sup>2</sup> or general contingency funding, available only under emergency conditions, to pay for state active duty for members of their National Guard. In the past, much of the National Guard state active duty has been either funded from these state contingency funds or provided by special state legislation enacted to provide

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<sup>1</sup>Discussions with the Chief Counsel of the National Guard Bureau, October–November 1994, and Title 32, U.S. Code, Sections 502, 503, 504, and 505.

<sup>2</sup>California is one of the largest National Guard entities, about 24,000 strong; has a comparatively extraordinary history of using its National Guard; is one of the richest and most populous states; and is one of the regions having numerous emergencies and major natural disasters. California has provided between \$19 million to \$26 million annually over the past five years for the total funding of National Guard personnel, facilities, and operations supporting state missions. This is one of the largest state budgets for the National Guard.

appropriations in response to a specific emergency or natural disaster. Few state budgets provide sufficient funds for even a single state active duty day for each individual member of their state National Guard per year. Additionally, some states appear to rely heavily on federal reimbursement of state funds used to pay for state active duty during incidents of key emergencies and major natural disasters. These incidents must qualify through the Federal Emergency Management Agency and receive a Presidential declaration to obtain federal funding.

Although budget constraints clearly are a major consideration, our research established that the National Guards of the 54 entities are seldom employed on state active duty in large numbers for any lengthy period because the National Guard of the states is most often used as an augmentation to other state agencies that are designated as the primary responders to emergencies.<sup>3</sup> Put another way, in general the National Guard of the states serves on state active duty primarily in the role of a supplementary force with broad capabilities that is used only when other state or local capabilities are exhausted or insufficient to respond to major emergencies.

A common perception of a routine state mission performed by the National Guard in a state active duty status has been as an augmentation of law enforcement agencies during civil disturbances. The National Guard as an instrument of the state, state law providing, may be employed directly in law enforcement activities or in support of existing law enforcement agencies. Our recent review of National Guard experiences in civil disturbances suggests these occurrences are infrequent and when employed, the National Guard has usually performed for only limited periods in security, movement control, and force presence tasks in conjunction with local or state police. Further, experience suggests that members of the National Guard performing law enforcement tasks usually do not participate directly in arrests, but they assist law enforcement officers who are the arresting officials.

As a point of information, Military Police units are often suggested for use in civil disturbances, but actual experience shows that any properly trained National Guard unit can conduct these tasks when appropriately equipped with helmets, shields, and protective vests.<sup>4</sup> Special training and equipment for these tasks is provided for National Guard units

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<sup>3</sup>Of the fifteen National Guard entities we visited, none suggested that their state could afford to support a protracted use of a major portion of their National Guard. While all fifteen of these entities had contingency plans for employment of their National Guards, most were restrained in their actual employment due to strict budget limitations. Where authorized, states use National Guard personnel during the course of federally funded non-federal duty and training to reduce the costs of state missions, particularly during emergencies and natural disasters (e.g., Hawaii National Guard in Operation Iniki). Survey data provided by the states for past usage of their National Guard support our observations.

<sup>4</sup>During Hurricane Andrew in Louisiana, state National Guard Field Artillery units, rather than Military Police units, were activated and stationed in New Orleans to provide forces to combat potential civil disturbances and augment local law enforcement agencies. Further, it should be noted that it is very common throughout the states to find National Guard Military Police are members of local, county, or state law enforcement agencies as their civilian employment. Since most states do not wish to remove these members from their law enforcement positions, state proclamations activating the National Guard for state active duty often exclude members that are in civil law enforcement and fire-fighting positions. Hence, use of National Guard Military Police in state civil disturbances may often be counterproductive to the objective. Lastly, as a general practice, many states do not allow their National Guard members to perform arrests but, due to the rules of evidence and custody, use civil law

designated for and assigned to civil disturbance tasks.<sup>5</sup> However, experience data and interviews with several Adjutants General do not support structuring special units with civil disturbance capabilities or additional units of existing types, such as military police, to perform this specific state mission. In fact, most of the Adjutants General whom we interviewed preferred to use standard combat units, such as infantry, armor, or field artillery, in this role.

### **EMPLOYMENT CONCEPTS FOR STATE ACTIVE DUTY**

Department of the Army manuals on domestic support operations, many state emergency response plans, and National Guard operations plans for Military Support to Civil Authorities (MSCA), for those states we visited, established some fundamental principles for the use of the National Guard in support of state missions.

First and foremost, the National Guard is a supplementary resource for use only after civil resources have been employed.<sup>6</sup> Military support to civil authorities within and among the states for disasters and other emergencies usually follows the philosophy of “unmet needs,” which employs National Guard augmentation only under the conditions where the responsible civil agency has insufficient resources to address requirements.<sup>7</sup> Most states follow some version of this philosophy, expecting local authorities and resources to be first responders to a disaster in their area. When local resources are insufficient, resources from that level of administration above town, village, or city (usually county or parish) are applied and followed by state level resources when needed. If state resources within civil agencies are insufficient, the National Guard is called for additional support. Further, most National Guard domestic plans call for the release of committed personnel and equipment at the earliest possible time to resume their military training and mission responsibilities.

Once the National Guard has been employed on state active duty to perform MSCA tasks, the majority of Adjutants General plan for relief and rotation of their members usually within seven days of activation.<sup>8</sup> This rotation method is driven primarily by concerns for potential hardships to members, their families, and their employers and ultimately, for future retention of members of the National Guard. The drawback is that, in long duration activities involving the National Guard, rotation requires the call-up of a larger number of

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officers for this purpose. Hence, members of the National Guard are usually restricted to providing support for law enforcement during these operations.

<sup>5</sup>There are two Civil Disturbance Equipment (CDE) storage sites to support the National Guard in these missions. These equipment storage sites are regionally located near C-130 transport airfields in low-threat areas; the one for the eastern states, at Indiantown Gap, Pennsylvania, and the other for the western states, Guernsey, Wyoming. The sites provide stockage of common CDE items such as helmets with faceguards, protective body armor, weapon lock plates, and rations in the form of ready to eat meals that can be drawn and distributed on short notice to support units trained and employed in civil disturbances.

<sup>6</sup>Adjutants General responses to a RAND questionnaire suggest that about 85 percent believe that their National Guard is a supplemental state resource for use in emergencies and disasters.

<sup>7</sup>Department of the Army (July 1993), p. 1–4.

<sup>8</sup>Adjutants General responses to a RAND questionnaire suggest that more than 87 percent would plan to rotate their members called up for state active duty for emergencies or disasters that exceed seven days duration.

National Guard personnel. The existence and preference for rotation plans does not preclude the use of large portions of a state's National Guard for short periods or extending the period of rotations to 14 days or more when responding to various requirements. In civil disturbances, it is likely that large numbers of National Guard personnel will be needed for short-duration duty, while in extended operations, such as seen during the recent Midwest floods, longer periods of rotations may be more appropriate.

Finally, the cost of pay for National Guard state active duty is a further consideration. As discussed earlier, few states have significant funds to support either large-scale employments even for short durations or long-term employments of sizable numbers of National Guard personnel using rotation. While cost is seldom a major consideration that constrains immediate response activities, most state operations officers we interviewed related that cost was a key consideration for operations of more than a few days duration.

### **STATE ACTIVE DUTY IN PERSPECTIVE**

Figure 5.1 illustrates, from a national perspective, the quantitative history of recent National Guard involvement in state active duty. Fiscal Year 1993 was the highest level of state active duty recorded in over a decade. The total state active duty for all fifty-four entities of the National Guard was just over 460,000 duty days and involved over 34,000 members of the Army and Air Force components.<sup>9</sup> The majority of these duty days were spent on various tasks in support of disaster relief. During the same period, National Guard strength averaged about 540,000 personnel, which places the annual involvement in state active duty at about six percent of the total strength.<sup>10</sup> While the tasks performed by the National Guard in a state active duty status are clearly significant and important contributions, it also seems clear from historical experience and our research that National Guard state active duty has not been a basis for determining the size of the required National Guard force structure. Subsequent sections will provide some elaboration on the character of the tasks that the National Guard has performed in recent key emergencies and major disasters.

### **Military Support to Civil Authorities: Emergencies and Natural Disasters**

Our review of recent state emergencies and natural disasters over the last five to seven years shows an increase in such occurrences with a corresponding increase in use of the National Guard. Hurricanes Andrew and Iniki, the Midwest floods of 1993, and the Los Angeles riots are recent examples where National Guard military support to civilian authorities provided many necessary emergency capabilities. In subsequent discussion, we provide some quantitative and qualitative aspects of National Guard support to civil authorities during these events. These incidents illustrate how catastrophic state

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<sup>9</sup>Reserve Forces Policy Board, *Reserve Component Programs Fiscal Year 1993*, January 1994, p. 45.

<sup>10</sup>*Ibid.*, p. 57.

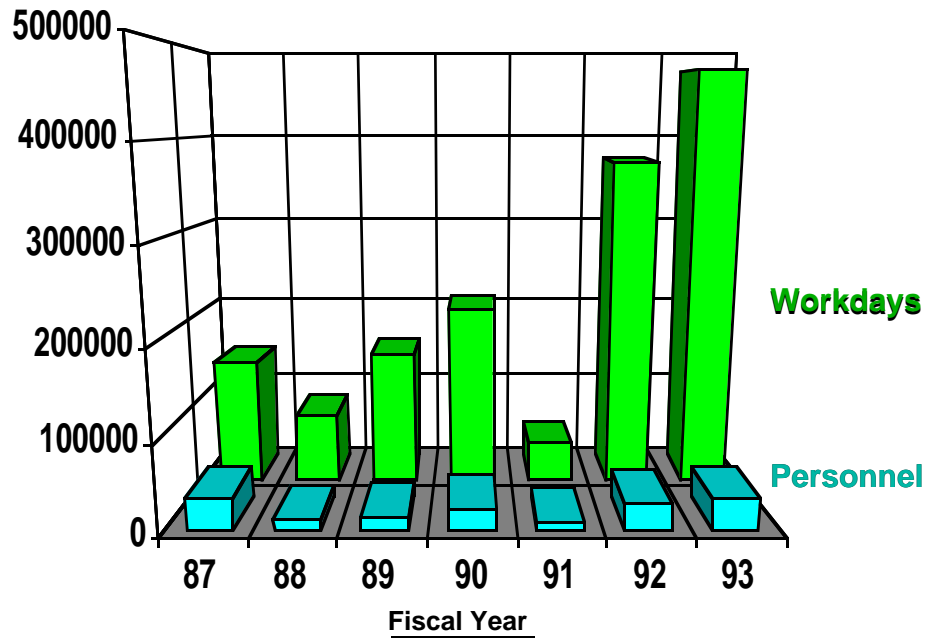


Figure 5.1—Summary of National Guard State Active Duty<sup>11</sup>

emergencies and disasters can create major demands that exceed the capacity and capabilities of individual states and, infrequently, their respective National Guards.

**Hurricane Andrew: Florida and Louisiana National Guards.** Hurricane Andrew made first landfall near Homestead, Florida, on August 24, 1992, and subsequently came ashore near Morgan City, Louisiana, on August 26th. Hurricane Andrew, with a sustained wind force of 141 knots and gusts up to 160 knots,<sup>12</sup> was the most costly storm ever to strike the United States, with over \$20 billion in property damage.<sup>13</sup> In both Florida and Louisiana, the National Guard was called to play a major role in disaster relief.

In Florida, Hurricane Andrew damaged some 1,100 square miles of the state; left 26 dead, thousands injured, and some 180,000 people homeless; and destroyed or damaged over 135,000 homes and 82,000 businesses.<sup>14</sup> In anticipation of the potential danger of the approaching hurricane, the Governor activated some 1,500 members of the Florida National Guard on August 23, 1992. Subsequently, the Governor issued an Executive Order providing the Adjutant General authority to call to state active duty those members of the National

<sup>11</sup>Data and reports provided by the National Guard Bureau including the Army and Air National Guard Directorates and Readiness Centers, June, 1994.

<sup>12</sup>FEMA, Federal Insurance Administration, *Building Performance: Hurricane Andrew in Florida*, December 21, 1992, p. 5.

<sup>13</sup>Department of the Army, Director of Military Support, *Report to the Secretary of the Army: Hurricane Andrew, Typhoon Omar, Hurricane Iniki After Action Report*, February 1993, p. 1.

<sup>14</sup>Florida National Guard, Office of the Adjutant General, *After Action Report: Operation Andrew, 23 August-13 November 1992*, pp. 1-2.

Guard necessary to respond to the needs of civil authorities. Once the storm made landfall and moved beyond the state, units and members of the Florida National Guard were activated, sent to the areas hit by Andrew, and performed emergency disaster relief operations including medical treatment, rescue and evacuation, damage assessment, distribution of food and water, provision of temporary shelter, debris removal, ground and air transportation, traffic control, and area security for property. The full scope of the catastrophic devastation and immediate response needs were soon recognized to be beyond the capacity of state resources, including the state National Guard, and a Presidential declaration of a major disaster, under the provisions of the Stafford Act,<sup>15</sup> initiated a federal response effort of major proportions in Florida.<sup>16</sup>

The Florida National Guard employed 63 percent of their Army and 40 percent of their Air units to support the response and recovery tasks associated with Operation Andrew.<sup>17</sup> As shown in Figure 5.2, the Florida National Guard was on state active duty in Operation Andrew for over eighty days, with a peak personnel commitment of some 6,200 out of a total strength of about 13,500, or about forty-six percent, and a total effort of over 243,000 workdays.<sup>18</sup> For eight consecutive days beginning on August 28, 1992, over 6,000 members of the Florida National Guard were on state active duty to assist in Operation Andrew.<sup>19</sup> Considering the fact that personnel were rotated during the length of Operation Andrew, a majority of the Florida National Guard participated in the associated response and recovery tasks.

Figure 5.2 also shows this effort in comparison to recent prior and subsequent years of experience where the Florida National Guard had little or no significant use of its members on state active duty. Once federal military forces arrived in strength and assumed responsibility for humanitarian assistance and disaster relief tasks, the Florida National Guard was focused almost exclusively on security operations in support of state and local law enforcement agencies. This “on the street” security mission was complicated in execution due to a shortage of special equipment and the limited numbers of properly trained civil disturbance units.<sup>20</sup> In total, Florida spent almost \$29 million, above those other costs reimbursed by FEMA, on the tasks performed by the state National Guard while on state active duty as part of Operation Andrew.<sup>21</sup>

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<sup>15</sup>The Stafford Act is that portion of Title 42, USC, that provides federal assistance to state and local governments for disaster relief and emergency assistance. The Act gives the President the authority to use all federal agencies.

<sup>16</sup>DoD, Forces Command, *Hurricane Andrew Response: After Action Report*, 20 November 1992, p. 3.

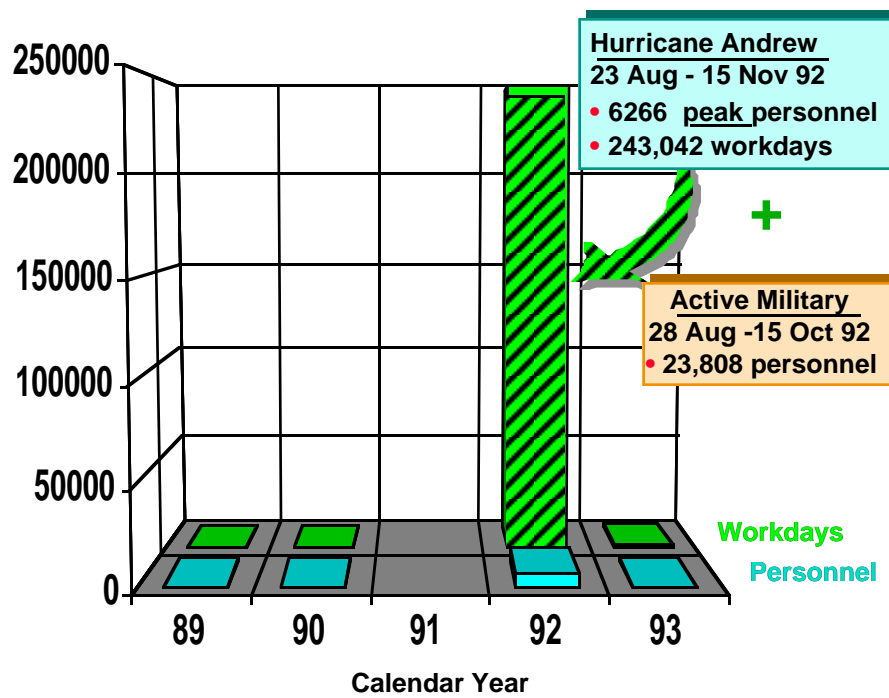
<sup>17</sup>Florida National Guard, p. 2.

<sup>18</sup>*Ibid.*, Enclosure 1.

<sup>19</sup>*Ibid.*

<sup>20</sup>*Ibid.*, Enclosure 2. It should also be noted that even some Military Police units of the Florida National Guard were not properly trained or designated for “on the street” use.

<sup>21</sup>*Ibid.*, pp. 8–9.



**Figure 5.2—Florida National Guard State Active Duty Experience<sup>22</sup>**

In addition to the state National Guard, there were some other military assets in Florida not under state control, with the potential for use in the critical response and recovery tasks resulting from Hurricane Andrew. Due to the character of their capabilities and proximity to Dade County, these assets would have been able to respond quickly during the response phase but were restricted from participation by federal law, even after the Presidential declaration authorizing federal assistance. These were Army Reserve units, in particular an Engineer Battalion, that were closer to the damaged areas than Florida National Guard engineer units.<sup>23</sup> Federal law restricts the use of the federal reserves in domestic emergencies.<sup>24</sup> As a result, personnel and key capabilities that were locally stationed were of no significant use in responding to the Andrew disaster, other than some volunteer assistance efforts. Comparable federal unit capabilities were moved from Ft. Bragg, North Carolina, to Florida when the active military began deployment, but these assets arrived over a week after the storm had caused its damage and consequently delayed the execution of many response tasks.<sup>25</sup>

<sup>22</sup>*Ibid.*, Enclosure 1 and MSCA data provided by the Office of the Adjutant General of the State of Florida.

<sup>23</sup>Data received from the Office of the Adjutant General, Florida National Guard, May, 1994.

<sup>24</sup>Title 10, U.S. Code, Section 673b.

<sup>25</sup>Florida National Guard, Enclosure 2. Note: This anecdotal issue of availability and use of other federal reserves in domestic emergencies will be discussed in a later section as a potential policy option for providing other resources to assist the states in these situations.

In spite of the major state efforts, it is obvious from inspections, assessments of the widespread damage, and the scale of federal assistance provided, which included almost 24,000 active military personnel alone, many of whom were deployed for six weeks or more, that the response and recovery operations required from Hurricane Andrew were well beyond Florida's state capabilities.<sup>26</sup> This state capability shortfall could not be fully addressed by increasing, or even doubling, the structure or unit capabilities of the Florida National Guard. Many needs were not appropriate for the use of military capabilities, especially those needs associated with mitigation.<sup>27</sup> While it does not appear that the Florida National Guard exhausted its resources, it was severely taxed by the tasks resulting from Hurricane Andrew, and the early introduction and lengthy employment of large numbers of federal military allowed for conservation of Florida National Guard resources. Such a major disaster requires access to the federal funds for mitigation, and the much greater pool of resources and capabilities available within and through the federal government.

Louisiana had much less demanding response and recovery operations because Hurricane Andrew hit a much less populated area and headed inland where the force of its winds were rapidly dissipated. Nevertheless, the Louisiana National Guard was called to respond with assistance in anticipation of needed preparations and for the likely devastation from the storm. Evacuation of people from threatened areas, relocations of essential equipment such as generators, and area security were the initial missions conducted by the National Guard prior to Andrew's landfall in Louisiana.<sup>28</sup> After the storm abated, the National Guard received taskings through the Louisiana Office of Emergency Preparedness and provided temporary shelter, damage assessments, food and water distribution, air and ground transportation, engineering support including temporary power from generators and debris removal, crowd control at distribution centers, traffic control, and continued security of property.<sup>29</sup> The integrated capabilities of both Army and Air elements of the Louisiana National Guard were able to provide the necessary personnel and capabilities to augment many needs of Louisiana state agencies in both the response and recovery phases for Hurricane Andrew. While affected areas of Louisiana were included in the Hurricane Andrew Presidential declaration of a major disaster and received concomitant federal assistance under the direction of FEMA, federal military units were not required to be deployed in Louisiana to assist this disaster recovery effort.<sup>30</sup>

Some 4,000 members of the Louisiana Army and Air National Guard were activated on state active duty for varying durations over a period of more than sixty-five days. We found that personnel and unit rotation plans were used in Louisiana during the Andrew response and recovery operations. These plans, also commonly used in other states, usually rotated

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<sup>26</sup>DoD (November 1992), pp. 3-4, and Florida National Guard, Enclosure 2.

<sup>27</sup>Mitigation is the term used for federal hazard assistance, often in the form of loans or loan guarantees, offered to disaster victims to support reconstruction or repair of damaged homes, businesses, or property.

<sup>28</sup>Louisiana National Guard, Office of the Adjutant General, *After Action Report: Hurricane Andrew*, 8 December 1992, pp. 1-3.

<sup>29</sup>*Ibid.*, pp. 2-3.

<sup>30</sup>DoD (November 1992), p. 3.

sub-units of personnel within a major unit after about seven days of state active duty, up to a maximum of fourteen days, to avoid or minimize hardships to members of the National Guard, their families, and employers.<sup>31</sup> Rotation of personnel resulted in the activation and use of more National Guard members but for shorter durations. The peak involvement during the period was just under 1,900 personnel or less than fifteen percent of the total available National Guard strength of about 13,400. The Louisiana National Guard employed members for over 31,000 workdays of state active duty at a total cost of just over \$3 million in response to the taskings resulting from Hurricane Andrew.<sup>32</sup> The use of the Louisiana National Guard on state active duty during Operation Andrew was clearly an exceptional event as illustrated in Figure 5.3. About ninety-eight percent of the state active duty time in calendar year 1992 was expended on response and recovery operations from Hurricane Andrew and dwarfs the total effort within the remainder of their recent 1989–1993 state active duty experience.

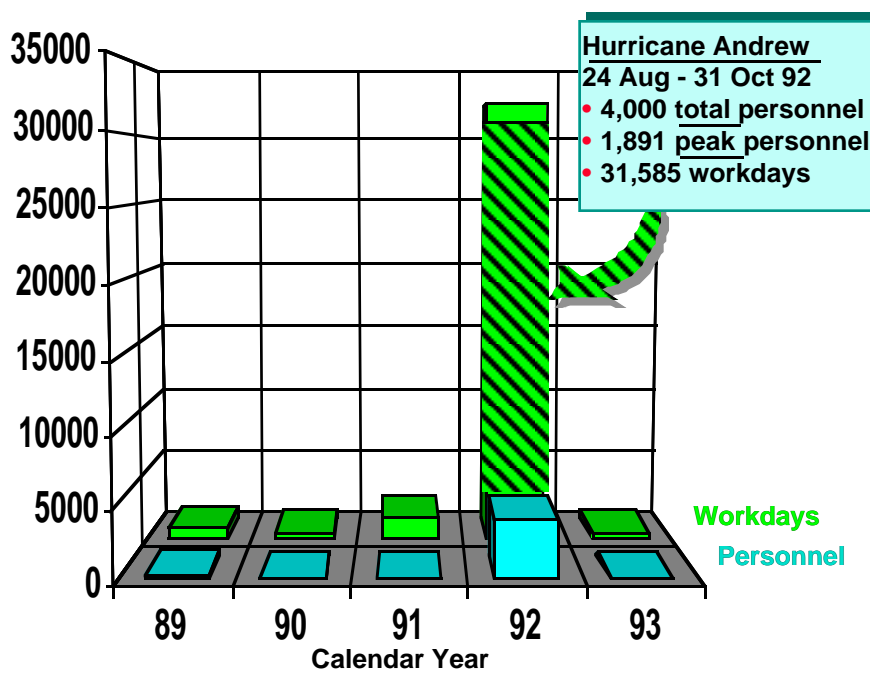


Figure 5.3—Louisiana National Guard State Active Duty Experience <sup>33</sup>

<sup>31</sup>Information from the Adjutant General’s Office, Louisiana National Guard, April, 1994.

<sup>32</sup>Louisiana National Guard (1994), p. 4.

<sup>33</sup>Louisiana National Guard, Office of the Adjutant General, *Hurricane Andrew Briefing*, 20–21 March 1993, and data from the Adjutant General’s Office , Louisiana National Guard, April 1994.

Louisiana's participation in Operation Andrew was decisive, well coordinated, and well executed. The integration of state and federal response and recovery activities by the state emergency preparedness office, under the direction of the State Adjutant General, demonstrated a well planned and exercised system that effectively used the National Guard in support of local, parish, state, and federal agencies. Our analysis of the Louisiana portion of Operation Andrew suggests that beyond access to federal funding, especially for mitigation, the principal federal emergency assistance activities were focused on interstate transportation, accession of special capabilities, coordination of recovery efforts, and emergency provisioning of food and other general supplies. Federal assistance through FEMA was obviously required in these several areas but did not include any support for military unique requirements. However, it appears that the full resources of the state, in particular the Louisiana National Guard, were not exhausted nor severely taxed by these hurricane response and recovery tasks. Specifically, only about thirty percent of the total Louisiana National Guard were involved in a direct way over the entire response period, and even fewer were employed at any one time due to personnel rotation.<sup>34</sup>

**Hurricane Iniki: Hawaii National Guard.** On September 8, 1992, Tropical Depression 18E was upgraded to a hurricane and designated Hurricane Iniki. On September 10, 1992, Hurricane Iniki was reported to have turned to a northwest course that threatened the Hawaiian Islands. The Director of the Hawaii State Civil Defense, also the Adjutant General of the Hawaiian National Guard, and elements of both his staffs had closely monitored this major threat and initiated plans to respond to the impending catastrophe. On September 11, 1992, Hurricane Iniki made landfall on the island of Kauai with sustained winds of 145 miles per hour and gusts up to 227 miles per hour that caused more than \$1.6 billion in damage and affected more than seventy percent of the island.<sup>35</sup> The Governor of Hawaii declared a major disaster, authorized additional use of the National Guard and requested federal assistance. On September 12, the President declared Kauai and Oahu federal disaster areas and authorized federal assistance under provisions of the Stafford Act. FEMA, with military support from U.S. Pacific Command under the direction of the Commander, U.S. Army Pacific, as the Defense Coordinating Authority, initiated federal relief activities.<sup>36</sup>

Operation Iniki, the response and recovery activities on the islands of Kauai and Oahu, were much more complex and demanding than those in Florida for Operation Andrew. This was due to the isolated nature of the damaged islands, which have very limited access under normal conditions, the severe damage to the main airfield on Kauai at Lihue, which further restricted accessibility, and the long distances from many FEMA primary responding agencies located in the continental United States.<sup>37</sup> The devastation on Kauai included

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<sup>34</sup>Information from the Louisiana National Guard, November 1994.

<sup>35</sup>Hawaii National Guard, Office of the Adjutant General, *Operation Iniki Response: After Action Report*, n.d., pp. 1-3, and Enclosure 1, pp. 1-3.

<sup>36</sup>U.S. Army Pacific, Public Affairs Office, *The Story of JTF Hawaii, 11 September Through 6 October 1992*, p. 6. Note that the Stafford Act is Public Law 93-288.

<sup>37</sup>*Ibid.*, pp. 3-4.

more than 14,000 homes damaged, 5,000 other structures severely battered or destroyed, the electrical grid and telephone system completely destroyed, loss of all normal Kauai inter-island communications, some 7,000 people homeless and without shelter, and over 10,000 tourists in addition to the normal Kauai population of about 50,000 people without access to food or water.<sup>38</sup> The State of Hawaii was the lead disaster agency and coordinated the joint federal and state assistance efforts. The National Guard was activated on a state mission basis as a major relief assistance provider and coordinator, using members in state active duty, and where possible, in federally funded non-federal training and duty status.

Early on September 12, 1992, the Hawaii National Guard activated and deployed personnel from the big island of Hawaii to Kauai, the place of the most significant Iniki destruction, to link up with members already on that island and activated other personnel on Oahu. The National Guard began damage assessments, established communications, provided security and coordinated air transportation used for both evacuation and delivery of personnel, supplies, and equipment. Subsequently, as more National Guard personnel and capabilities became available, they provided support for search and rescue, distributed food and water, expanded air and ground transportation, and organized logistical support operations.

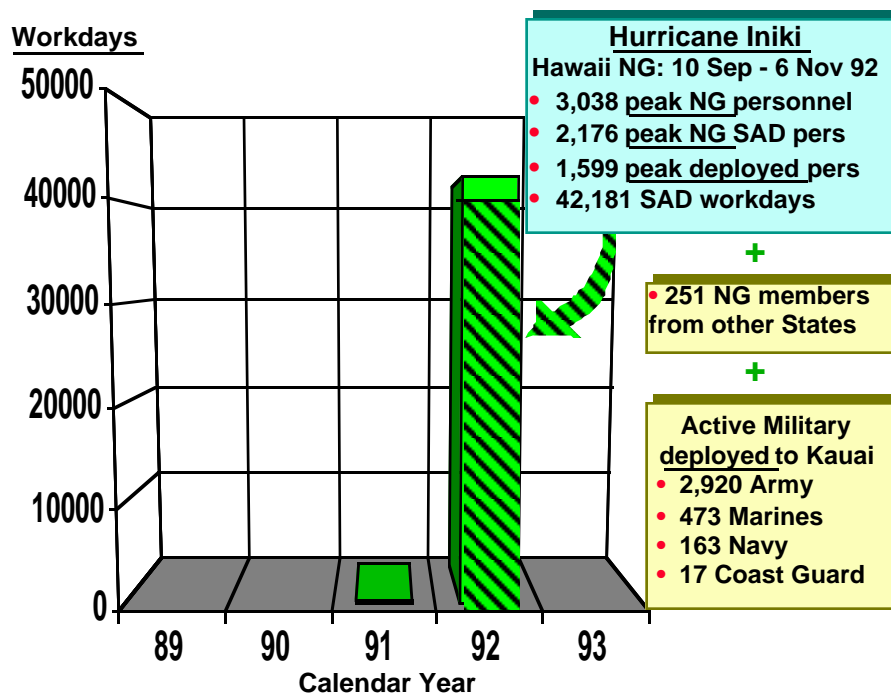
On the following day, federal military forces began to arrive and established their Joint Task Force headquarters, which controlled their assistance to the federal, state, nongovernmental and county agencies involved in Operation Iniki. The active military capabilities considerably expanded the supply operations to Kauai through both maritime and aerial means, bringing major medical, engineering, communications, logistics, water, power, and construction units and equipment. The combined federal and state efforts were quickly implemented, well coordinated, and responsive to the county of Kauai's needs.<sup>39</sup>

The key measures of the military involvement in Operation Iniki are summarized in Figure 5.4, which also shows the extraordinary nature of the use of the Hawaii National Guard in a state active duty status. While the Hawaii National Guard expended over 42,000 workdays in a state active duty status for Operation Iniki, it should also be noted that over 28,000 additional workdays were directly expended by the National Guard in a federally funded non-federal duty and training status. This latter quantity was made up of some 24,500 Hawaii National Guard federally funded non-federal duty workdays and almost 3,700 federally funded non-federal duty workdays provided voluntarily by National Guard members from other states. This included the use of AGRs, Military Technicians, and National Guard members during their drills and annual training periods. The duration of Hawaii National Guard involvement was just under sixty days, including a period of sixteen consecutive days with more than 2,000 Guard members on duty and a peak daily strength of just over 3,000 members in various duty statuses. Also shown in Figure 5.4, the peak number of personnel on state active duty for the Hawaii National Guard was just under 2,200 members and the peak number deployed to Kauai reached almost 1,600 members.

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<sup>38</sup>Hawaii National Guard, Enclosure 1, pp. 1-3.

<sup>39</sup>Hawaii National Guard, Enclosure 1, pp., 2-5, and U.S. Army Pacific, pp. 4-7.



**Figure 5.4—Hawaii National Guard State Active Duty Experience<sup>40</sup>**

This was a major Hawaii National Guard state mission employment effort involving over sixty percent of their total strength of about 5,700 and with no comparable use of state military forces on state active duty in almost a decade.<sup>41</sup>

Hawaii also received massive federal assistance as part of Operation Iniki. Figure 5.4 shows a breakdown by service of active military employed on Kauai early in the response operation.<sup>42</sup> As one partial measure of the significant federal contributions, on September 26, 1992, the federal military reached a peak of some 4,400 personnel from all services deployed on Kauai while employing even larger numbers elsewhere in and around the state.<sup>43</sup> Having viewed the island of Kauai some 21 months after Hurricane Iniki's devastation and conducted extensive research on the subsequent operations responding to this incident, it seems clear to us that the capabilities of the state of Hawaii, while considerable, were not adequate alone to provide the timely response and recovery activities required. Major catastrophes such as Hurricane Iniki have demonstrated the potential to exceed state owned and controlled resources, and the federal response system has been designed by FEMA to respond with assistance when state capacity is overwhelmed. The state National Guard provided many personnel and several key capabilities, and while it was

<sup>40</sup>Hawaii National Guard, Enclosure 3, and U.S. Army Pacific, pp. 4–5.

<sup>41</sup>*Ibid.*, p. 1 and Enclosures 1 and 3, and Edward V. Richardson, Adjutant General, Hawaii National Guard, *Department of Defense: Annual Report Fiscal Year 1992*, p. 33.

<sup>42</sup>U.S. Army Pacific, p. 4.

<sup>43</sup>Hawaii National Guard, Enclosure 3.

not overwhelmed it was severely taxed by Operation Iniki. However, even if the Hawaii National Guard force were doubled in size, which is not sustainable within existing state demographics, federal assistance, particularly the active military, would still have been needed to address the relief tasks of Operation Iniki.

**Midwest Floods: Iowa, Illinois, Kansas, Missouri, and Wisconsin National Guards.** The heavy winter snowfalls and subsequent heavy spring and summer rainfall in the Midwest provided the extraordinary conditions for regional flooding usually seen but once in a century. The so-called “Midwest floods of 1993” were unlike many other natural disasters in that, to a large degree, they were of much longer duration, affected much larger areas, and appeared more predictable in their timing if not also in their effects.<sup>44</sup> Over 17 million acres in nine states were flooded in this record period.<sup>45</sup> In the end, portions of nine midwestern states were included in Presidential declarations of major disasters and made eligible for federal assistance during this period. These declarations began with portions of Minnesota on June 11, 1993 and were followed by areas covered by the spreading flood into Wisconsin, Missouri, Iowa, Illinois, South Dakota, Nebraska, Kansas, and North Dakota through July 26, 1993. Damage estimates accumulated by FEMA that qualified under the Stafford Act amounted to \$1.1 billion and supplemental federal funding of \$5 billion was provided for agencies supporting the response and recovery activities in the flooded area.<sup>46</sup>

Five of these nine flood states had significant uses of their National Guard on state active duty, which is summarized in Figure 5.5. We visited Illinois, Iowa, and Missouri, the three flooded states with the largest use of their National Guard, to obtain some in-depth information of their contributions. In most cases these states used their National Guard to perform search and rescue, security, traffic control, evacuation, air and ground transportation, food and water distribution, water purification, sandbagging, and emergency center operations.<sup>47</sup> The operational peak for National Guard on state active duty for the Midwest floods reached almost 11,000 personnel.<sup>48</sup> As Figure 5.5 illustrates, the use of National Guard varied significantly among the five states for which data are displayed but totaled over 220,000 workdays of state active duty. The duration of the flood, extent of damage caused, size of the affected areas within the state, and availability of other state assets were major determinants in the scope of usage for the National Guard in state active duty. We discovered several incidents of interstate mutual support among the National Guard. For instance, National Guard units from Alabama, Arkansas, Kentucky, North Dakota, and Ohio provided 32 water purification equipment sets and personnel to assist Iowa

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<sup>44</sup>Federal Emergency Management Agency, *Midwest Flood Critique Report*, January, 25, 1994, p. 2.

<sup>45</sup>Iowa Department of Public Defense, Office of the Governor, *The Floods of 1993: Iowa Flood Disaster Report*, May 1994, p. 35.

<sup>46</sup>*Ibid.*, p. 1.

<sup>47</sup>D'Araujo (1995), p. 5.

<sup>48</sup>Reserve Forces Policy Board (1994), p. 45.

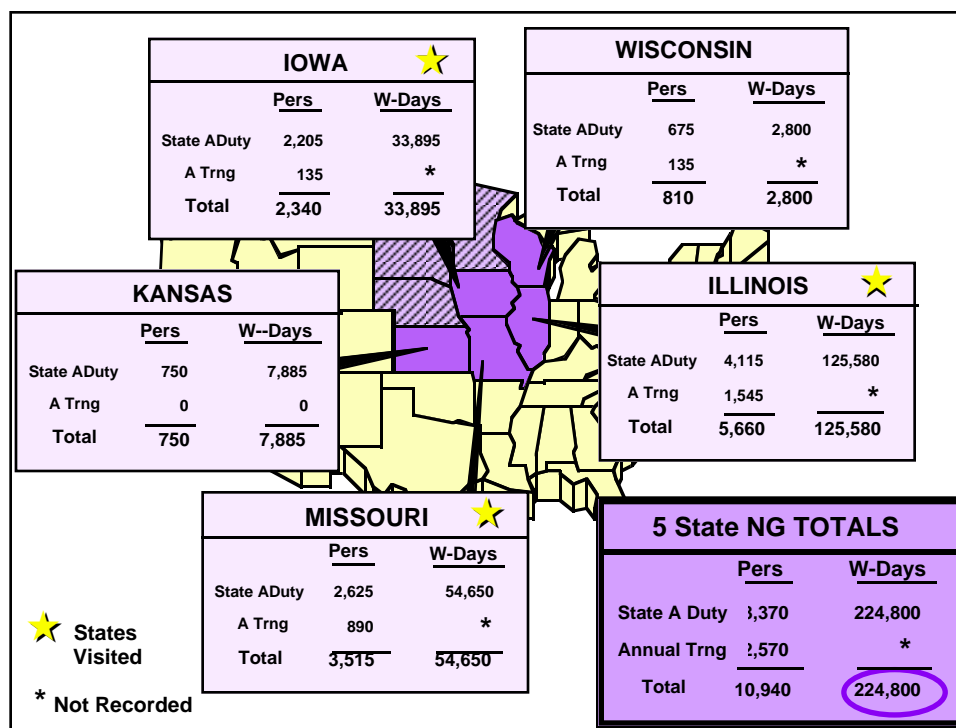


Figure 5.5—National Guard Involvement in the Midwest Floods of 1993 <sup>49</sup>

area hospitals, and the Texas National Guard provided CH-47 helicopters to move pumps for the waterworks in Des Moines, Iowa.<sup>50</sup> The overall National Guard effort lasted several months and contributed significantly to flood response and recovery operations.

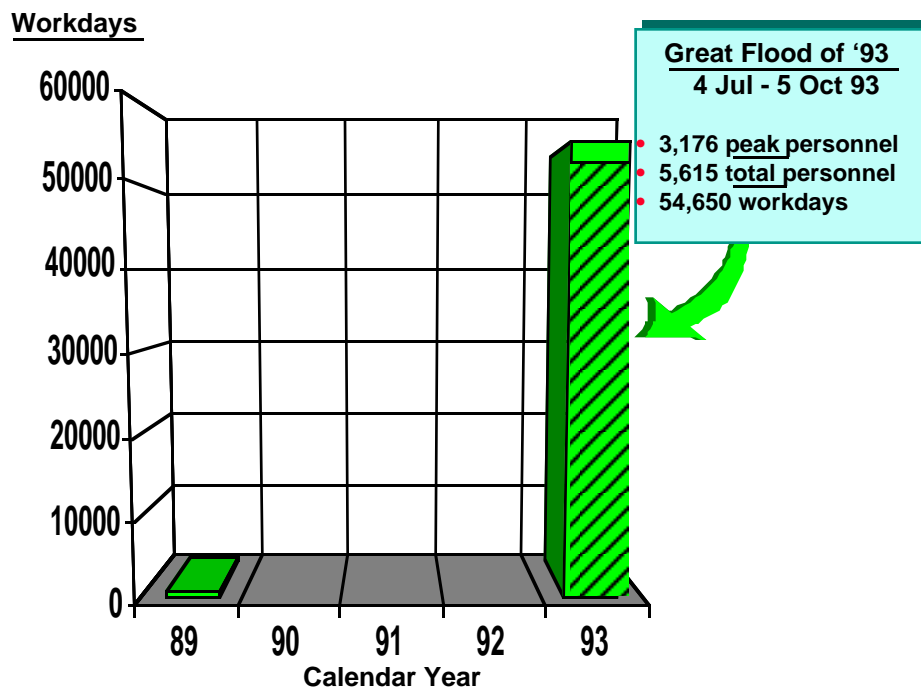
A more in-depth look into the individual states provided further insights as to the extraordinary nature of the use of the National Guard on state active duty. Figure 5.6 provides the recent experience of the Missouri National Guard on state active duty including their involvement in the Midwest floods of 1993. During this five year period Missouri used its National Guard very little until the 1993 flood. In fact, for 1990 through 1992, the Missouri National Guard recorded no use of members on state active duty. While the Midwest flood of 1993 were characterized as the “once in a century” occurrence, the 54,650 state active duty work days related to those floods are a peak record in the entire history of the Missouri National Guard.<sup>51</sup> Missouri had a combined Army and Air National Guard personnel strength of about 12,000 members during the time of the floods. A total of 5,615 personnel were called throughout the period of the floods, for just under fifty percent of the total, and with a peak number of 3,176 members on state active duty.<sup>52</sup> Clearly, the state

<sup>49</sup>Briefing and data provided by operations officers in the Army National Guard Readiness Center, May, 1994.

<sup>50</sup>Iowa, Annex A, unnumbered pages

<sup>51</sup>Missouri National Guard, Office of the Adjutant General, *After Action Report: Mississippi and Missouri River Flood Duty, 4 July–5 October, 1993*, 29 October 1993, p. 1.

<sup>52</sup>*Ibid.*, pp. 1–3, and Enclosure 4.



**Figure 5.6—Missouri National Guard State Active Duty Experience**

National Guard had a sizable portion of its personnel and capabilities untapped by this disaster.

The experience of the Illinois National Guard is quite similar to that of Missouri. As shown in Figure 5.7, over ninety-five percent of the state active duty days used by the Illinois National Guard in calendar year 1993, about 132,000, was in response to the flood of 1993. While the vast majority of Illinois Army and Air Force National Guard units participated in the response and recovery operations, the total number of personnel activated during calendar year 1993 for flood operations was 7,631, or about fifty percent of their total strength. The Illinois National Guard rotated personnel during this operation, but maintained a state active duty strength of over 2,000 continuously from July 9, 1993, until August 13, 1993, some thirty-five days.<sup>53</sup>

The second-highest use of the Illinois National Guard during the recent five years was in 1989, when about 4,800 workdays were used in response to the Allendale tornado. This is a small use in contrast to extraordinary use in 1993 but not uncharacteristic of the experience of the other years. In fact, 1991 shows a year with no state active duty usage.

<sup>53</sup>Illinois National Guard, Office of the Adjutant General, *After Action Report, The Great Flood: Operation Waverider*, 9 February 1994, Enclosure 1.

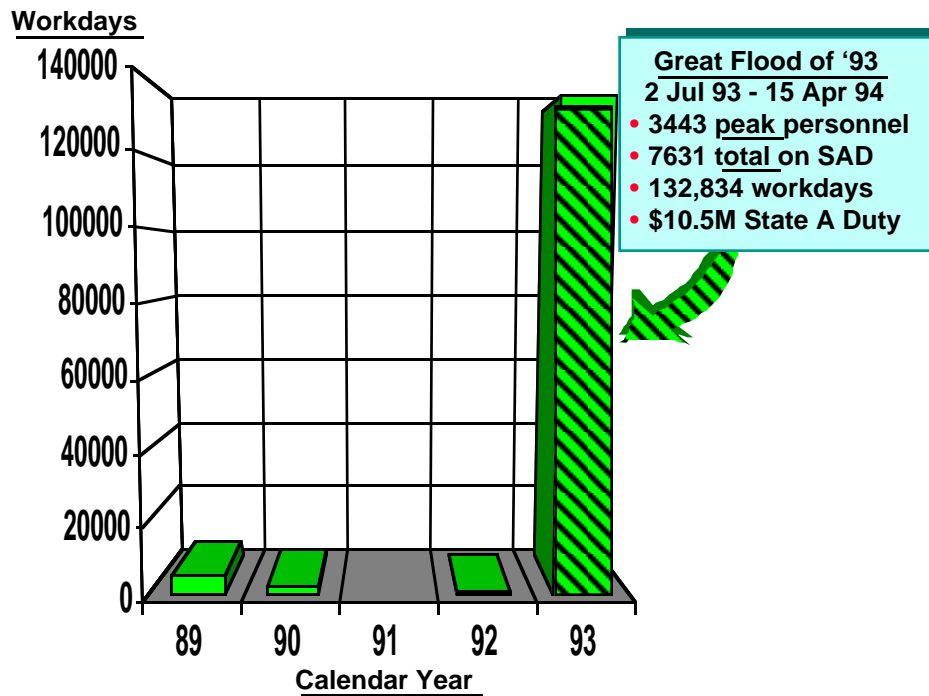


Figure 5.7—Illinois National Guard State Active Duty Experience<sup>54</sup>

In spite of these extraordinary uses of the National Guard in Missouri, Illinois, and other states, none of the states involved in the floods of 1993 suggested that they had exhausted the capabilities or personnel assets of their respective National Guards. Once again, FEMA assistance was provided in each of the nine disaster states to supplement, in various ways, the state assets, but no major federal military units were required or deployed.

**Los Angeles Riot: California National Guard.** On April 29, 1992, the jury in the so called “Rodney King police brutality trial” announced its verdict, which acquitted all the accused Los Angeles police officers. Within hours demonstrations of outrage over the verdict were staged in several parts of the city. Quickly these demonstrations turned violent and a large part of south central Los Angeles was soon engulfed in riots, looting, fires, beatings, and shootings which lasted for seven days. This major civil disturbance resulted in 58 deaths, injuries to over 2,300 people, more than 5,300 fires, and major destruction to numerous homes and businesses with an estimated cost of over \$800 million. During this period several other areas within Los Angeles County, California, and elsewhere in the nation also experienced related lawlessness and rioting. Late on April 29, the Mayor of Los Angeles requested state assistance, and the Governor of California initiated the call-up of state National Guard units and personnel. It should be noted that the California Law

<sup>54</sup>Data provided by the Illinois National Guard, Office of the Adjutant General, June 1994.

Enforcement Mutual Aid System,<sup>55</sup> which provided resources to support civil disturbances, had not been activated between the city and county of Los Angeles, and the state law enforcement assets had not been exhausted, as envisioned in the plan, prior to activating the California National Guard.<sup>56</sup>

Regardless of the initiating events and the lack of an integrated response throughout all levels of local and state government, the California National Guard began recalling members to their local armories, gathering necessary civil disturbance equipment, and initiated movement of troops and equipment to staging locations in the Los Angeles area. By early afternoon of April 30, National Guard units were being assigned to “on the street” area and site security, force presence, and traffic control tasks. Within the first twenty-four hours after the activation, late on April 30, 1992, the California National Guard had assembled over 4,500 of its members and had an “on the street” strength of about 1,000 soldiers. In the next twenty-four hours, these strengths grew to over 9,000 assembled and almost 7,000 of these already assigned to “on the street” tasks with additional members being recalled to state active duty. The peak state National Guard strength of about 11,900 was reached about four days after the initial activation orders.<sup>57</sup>

Late on April 30, the Governor of California requested federal assistance to restore law and order in the Los Angeles area. On May 1, 1992, President Bush federalized employed elements of the California National Guard and directed the movement of federal military forces to the area under the executive authority of the Senior Civilian Representative of the U.S. Attorney General. The federal military was organized into a Joint Task Force (JTF) commanded by the Commander of the 7th Infantry Division from Fort Ord, California, which provided the largest portion of the combined Army and Marine units employed. A federal military contingent that included some 3,500 soldiers and 1,500 marines was quickly deployed, and on May 2, the JTF assumed control of the California National Guard. The effective presence of major military forces, over 16,000 total personnel, in conjunction with major deployments of California law enforcement officers stabilized the situation within a few days.<sup>58</sup> On May 8, federal active military units began redeployment to their normal duty stations, and on May 10, the California National Guard was returned to state control. From May 12 through 28, the California National Guard phased the release of members from state active duty. In total, the crisis consumed almost 95,000 state active duty workdays plus an even larger share of effort during the period of joint federal military involvement, when the California National Guard was federalized.<sup>59</sup>

This civil disturbance operation was a major use of the state National Guard even discounting the period of federalization. Figure 5.8 illustrates the exceptional scale of this

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<sup>55</sup>The California Law Enforcement Mutual Aid System is designed to provide progressive access to law enforcement resources from the city to the county, and lastly the state level where after use of state police, the state National Guard would be called.

<sup>56</sup>California National Guard, Office of the Adjutant General, *Civil Disturbance Los Angeles 29 April–30 May 1992: After Action Report*, pp. 3–6.

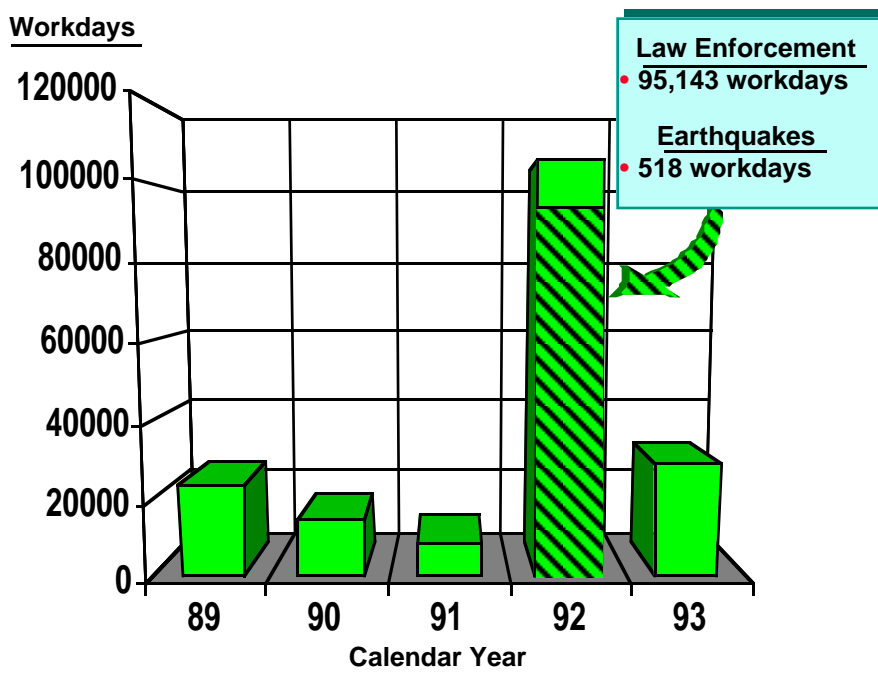
<sup>57</sup>*Ibid.*, pp. 10–14, A-1, and B-1–B-2.

<sup>58</sup>*Ibid.*, p. 40.

<sup>59</sup>*Ibid.*, p. 21.

use of California National Guard on state active duty, which is easily discernible as significantly greater than other years' experience. While federal military resources were employed, the full potential of the California National Guard was not used.<sup>60</sup> In fact, at the peak strength during federalization of 11,900, this represented only about half of the available personnel.

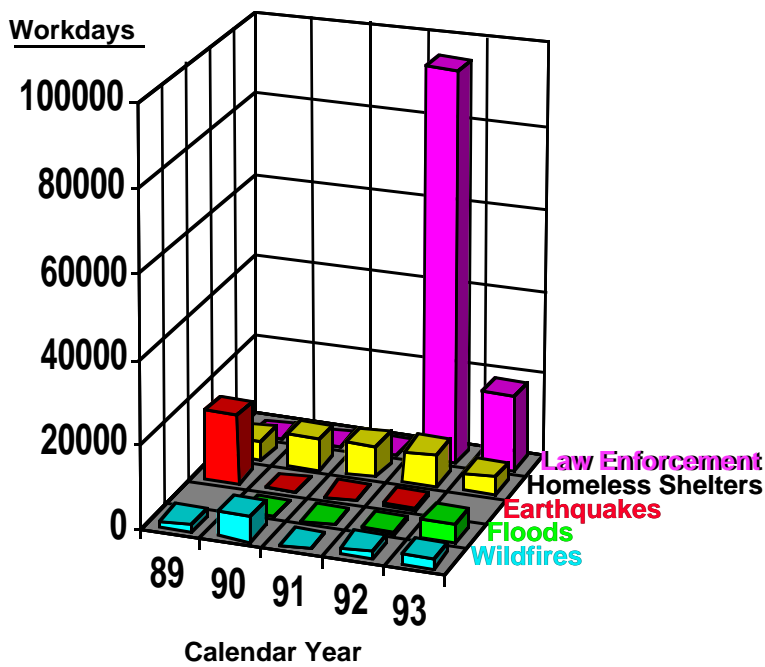
The California National Guard has exhibited an unusually high rate of state active duty experience compared to other states, even discounting the large involvement in civil disturbance in 1992. This is caused primarily by the numerous incidents of natural and man-made disasters and law enforcement emergencies in the state. We illustrate this with a further accounting of state active duty for the California National Guard by type of activity in Figure 5.9. It should also be noted that state active duty to provide homeless shelters is often incidental to the floods, earthquakes, wildfires, and civil disturbance (law enforcement) activities that involved the California National Guard.



**Figure 5.8—California National Guard Recent State Active Duty Experience<sup>61</sup>**

<sup>60</sup>It appeared to us that the decision to request federal involvement was based on political considerations rather than a determination that state capabilities were inadequate.

<sup>61</sup>Briefings and data provided by the California National Guard, Office of the Adjutant General, June 1994.



**Figure 5.9—California National Guard State Active Duty by Type of Emergency<sup>62</sup>**

With a total personnel strength of some 24,000 in the California National Guard, this usage represents a five year average employment of over one day per year for each member, which is well above the national average for the same period. However, the support for law enforcement activities during 1992 and 1993 accounts for almost seventy percent of the total five year state active duty experience. This is also extraordinary in both the experience of California and the nation.

**Routine State Active Duty Experience: New York National Guard.** We also visited several states that displayed a more routine usage of some portion of their respective National Guards over this same period. While we have data on several states with various sizes of National Guards, we selected New York to illustrate routine usage because of the large size of its National Guard and the variety of involvements in its state active duty experience.

New York is one of the largest National Guard entities with an assigned strength of over 26,000 in 1989 that has been reduced successively to its current size of about 20,000 in 1994.<sup>63</sup> State active duty within the New York National Guard has included response and recovery tasks for disasters in the form of floods, mud slides, wild fires, hurricanes, snow and

<sup>62</sup> *Ibid.*

<sup>63</sup> Data provided by the New York National Guard, Office of the Adjutant General, August–November 1994.

ice storms, and support to law enforcement and civil authorities for emergencies such as civil disturbance and crowd control, mass immigration shelter and security, facility operation during prison guard strikes, safety and security during nuclear energy emergency, and water distribution. While this variety and level of activities is unique to the state of New York, the National Guards in many other states report similar experiences.

The experience of the New York National Guard on state active duty is shown in Figure 5.10. Note that even in 1994, the highest usage of state active duty in the last six years, the New York National Guard used less than 6,000 state active duty workdays, which amounts to one state active duty day per year for only about thirty percent of its assigned total personnel strength. The other years suggest a much lower average of annual state active duty for the entire period. Nonetheless, the New York National Guard contributed significantly to the state when it was needed.<sup>64</sup>

The New York experience is typical and representative of National Guard state active duty usage over this period throughout many states. New York was not constrained by the

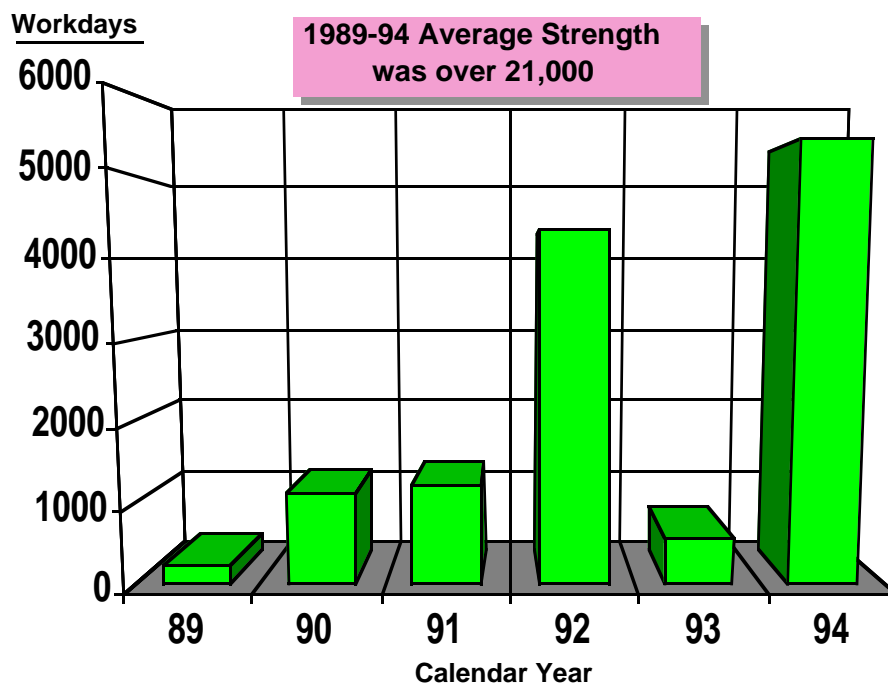


Figure 5.10—New York National Guard State Active Duty Experience<sup>65</sup>

<sup>64</sup> *Ibid.*

<sup>65</sup> Data provided by the New York National Guard, Office of the Adjutant General, August–November 1994. 1994 data are not complete.

availability of personnel, units, or capabilities but had no major catastrophes that required the significant use of National Guard assets. In fact, many states show one or more years with no state active duty during this period.<sup>66</sup>

### **Military Support to Civil Authorities: Community Support**

The National Guard also provides appropriate support and capabilities to enhance or improve the quality of life in local communities through non-emergency support to private and civic organizations. This support is provided within federal and state laws and guidelines that are intended to assure that the state National Guard does not impair or negatively effect mission capabilities or readiness, does not operate competitively with private or commercial business, uses personnel in a volunteer or incidental to training status, provides benefit to the community at large, and does not accrue costs to the federal or state government above authorized limits.<sup>67</sup> These community tasks vary in character from construction of community athletic fields, to implementation of environmental improvements in watershed areas, to demolition of drug “crack houses” in support of local law enforcement agencies, and to providing bands and honor guards for community ceremonies. Judging by our research and field visits, these National Guard contributions are viewed by the communities and other supported organizations to be of great value, and they provide many opportunities for positive visibility and credit to the participants.<sup>68</sup>

Community action tasks are generally supported on an “as approved when supportable” basis within the states. The National Guard personnel employed in the execution of these tasks are usually unpaid volunteers.<sup>69</sup> Our assessment of these community support activities is that they are not a competing nor additive demand to those derived from either federal missions or other state missions in a state active duty status. Hence, these community support activities are not and should not be a basis for determining force structure of the National Guard.

### **SUMMARY OF STATE ACTIVE DUTY**

Major emergencies, such as civil disturbances, and natural disasters can create large unanticipated response and recovery requirements. The states have sizable but limited resources for these peak demands. The National Guard is usually a supplementary resource to other state agencies during emergencies and disasters. States plan for use of the National Guard in these instances, but we found no state plans that developed independent

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<sup>66</sup>Response data to RAND questionnaire from the Offices of the Adjutants General of the state National Guards. Twenty of the 49 National Guard entities that responded to the RAND data questionnaire had one or more years without any state active duty. Further, states showing more state active duty days in a given year than personnel in their National Guard also had a major disaster or emergency.

<sup>67</sup>Department of the Army (1993), pp. 1-3-1-4.

<sup>68</sup>*Ibid.*, pp. 8-0-8-7, and several state National Guard MSCA plans.

<sup>69</sup>Interviews and discussions with state and federal officers of the National Guard, May-September, 1994.

requirements for the structure of their National Guard. In the preceding sections, we have discussed and analyzed the following examples:

- State resources, including those of the state National Guard, were insufficient to cope with these peak demands and federal assistance was required, such as happened in Florida following Hurricane Andrew.
- States requested and received federal assistance, from both active military and other agencies, even though the state National Guard had not consumed either a majority of its personnel or total capabilities (e.g., California and Louisiana).
- Many states had several recent years of routine usage of state active duty, such as New York, and other states had one or more years of no state active duty within the last six years.
- The long-term historical experience of the National Guard does not indicate that a sizable portion of its personnel and other capabilities are often involved in state active duty.<sup>70</sup> Our research of many lesser state emergencies and disasters shows that they were fully within state capabilities, and elements of the state National Guard were used effectively in several, but not all, of these incidents.
- When large amounts of state active duty are used, there is a direct correlation with the incidence of major emergencies or disasters within the states.
- The federal response system, under the management of FEMA, was established to provide for these incidents of peak demand in the states and, under the authority of the Stafford Act, may provide assistance from all federal agencies including the Department of Defense.

Excepting these few unpredictable incidents of major emergency or disaster, the National Guard has not been frequently used in a state active duty status and then only sparingly for short periods or using rotation plans for longer durations. For example, a major portion, over 90 percent, of the total state active duty for the National Guard in 1992 was a direct result of three incidents: Hurricane Andrew in Florida and Louisiana, Hurricane Iniki in Hawaii, and the Los Angeles riots in California. In 1993, almost fifty percent of the total state active duty was attributable to one event, the Midwest floods, principally in five of the nine affected states.<sup>71</sup>

As pointed out in Section 3, the existence and distribution of the National Guard, in their past, current, and future reduced size, is attributable to the demands established by federal missions alone. The states benefit directly from this largely federally funded resource and have used the National Guard as their supplementary force on state active duty to augment other state resources during catastrophes. However, the provisions for federal

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<sup>70</sup>See Figure 5.1 which illustrates the total National Guard state active duty experience from 1987 through 1993. Our analysis shows that the highest usage of state active duty in this period was in FY 1993, and this usage averaged less than one day of state active duty per member of the National Guard.

<sup>71</sup>Complete data for state active duty in calendar year 1994 were not available at this writing.

assistance in major state emergencies or disasters provide an ample reserve that is well beyond even the national level capabilities of the National Guard.

We find that there is little basis for sizing state National Guard force structures from state active duty experience. The occurrence of major emergencies and disasters in the states is infrequent, such occurrences rarely consume the total capabilities or personnel of their respective National Guards, and access exists to often needed federal resources that are provided for within existing statutes, either from FEMA or the Attorney General. Determining the force structure of the National Guard for a few rare occurrences of a peak demand for state active duty does not appear practical or sensitive to the apparent attendant costs.

With the exception of a very few major emergencies or disasters where the state assets are nearly or actually overwhelmed and federal assistance is required, we find the National Guard of the states is adequate now and in the future for the potential needs of state active duty.<sup>72</sup> We also conclude that state active duty should not be a basis for determining the force structure of the National Guard. We shall address, in a later section, policy options for mitigating the impact of these infrequent peak demands that could potentially assist the access to resources or improve the capabilities of the National Guard of a particular state.

#### **FEDERALLY FUNDED NON-FEDERAL DUTY STATUS**

The second status within the scope of state missions is federally funded non-federal duty as provided by federal statute in Title 32, USC. This status encompasses (1) the peacetime drills, exercises, education, and training of the National Guard as individuals and units meeting federal requirements and in preparation for potential federal missions upon activation, mobilization or call-up; (2) full-time support are those members of the National Guard in Military Technician and Active Guard and Reserve (AGR) status; and (3) the status of individual members of the National Guard of the states performing special federally funded domestic programs. This latter group includes the use of the National Guard in the following activities:<sup>73</sup>

- Drug Interdiction and Counter-Drug Activities Program (1989)
- Pilot Program to Use National Guard Personnel in Medically Underserved Communities (1992)
- National Guard Civilian Youth Opportunities Pilot Program (1992)
- Pilot Outreach Program to Reduce the Demand for Illegal Drugs (1992).<sup>74</sup>

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<sup>72</sup>We considered the reduced FY 1999 size of the National Guard, the potential for major emergencies or disasters, the types of tasks appropriate for the employment of the military capabilities of the National Guard, and the potential impact of long term state active duty on employer and family relations by making allowance for rotations after 7 days of duty in our analysis.

<sup>73</sup>Title 32, U.S. Code, Sections 112 and 501.

<sup>74</sup>The congressionally mandated assessment of this program can be found in Jonathan P. Caulkins, Nora Fitzgerald, Karyn Model, and H. Lamar Willis, *Preventing Drug Use Among Youth Through Community Outreach: The Military's Pilot Programs*, Santa Monica, Calif.: RAND, MR-536-OSD, 1994.

All activities conducted by the National Guard in this status are considered to be state missions and are under the control of state officials.<sup>75</sup> Federal funding is authorized since the activities are established either in federal statute or in response to federal executive direction, usually through the National Guard Bureau. As mentioned previously, as authorized in federal regulations, National Guard members in this status may be employed during state emergencies and disasters at federal expense.<sup>76</sup>

### **Drills and Annual Training**

Activities of the National Guard that are in a federally funded non-federal duty and training status are of major importance in peacetime. Members of the National Guard are essentially required to spend a minimum of thirty-nine days of training with their assigned units. Typically, the training is usually split, with 48 drill periods (24 days) allocated to unit formations and drills and 15 days of annual training, but the total amount of federally funded training varies significantly among the two services and among units within the services. Our research shows that Army National Guard units are most often at or near the minimum number of training days. In stark contrast to this, Air National Guard units, particularly flying units, far exceed the 39 day minimum training time with some lift units averaging over 90 days per year and individual pilots and flying crew members often serving over 120 days per year. Many of these Title 32 training missions, while voluntary in nature, are directly supportive of federal peacetime operations as discussed in the BUR and represent the increased reliance on the reserve components mentioned earlier in Section 3.

It is important to note that these federally funded duty activities are not competitive with either state active duty or federal active duty. In the case of state active duty, a call from the Governor to activate the National Guard of the state takes precedence over training and most other duties performed under the provisions of Title 32, USC.<sup>77</sup> Further, the Adjutants General have the prerogative and authority to reschedule time for these minimum training requirements once state emergencies or disasters and federal missions no longer demand support from members of the National Guard. However, where authorized and specific tasks permit, drill periods and annual training time can be applied to state emergencies and disaster relief, saving the states some of the costs of state active duty. Additionally, once mobilized, called up, or otherwise entered on federal active service under any of the provisions of Title 10, USC, which take precedence, the drills and other training requirements for members of the National Guard prescribed in Title 32, USC, are no longer required. Hence, these tasks are performed primarily to maintain necessary individual and unit skills and readiness needs for potential federal missions but are not an additive demand.

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<sup>75</sup>Discussions with the Special Counsel to the Chief, National Guard Bureau, November 1994.

<sup>76</sup>Operation Iniki, cited earlier in this section, provided one of several examples we discovered in our research of this usage.

<sup>77</sup>Illinois National Guard, p. 6. This reference provides one of many available examples, where National Guard members on annual training were recalled into state active duty. In this instance members of the Illinois National Guard at Fort McCoy, Wisconsin, for annual training were recalled for flood duties.

We therefore conclude that these tasks provide the basis for determining the size or composition of only the TDA portion of the force structure of the National Guard, which is related directly to the force structure created to meet federal mission demands.<sup>78</sup>

### **Military and Air Reserve Technicians and Active Guard and Reserve**

The use of individual members of the National Guard as either Military Technicians, Air Reserve Technicians, or Active Guard and Reserve, collectively the categories of full-time support, is, in large measure, an effort in peacetime to support the federal missions. In the case of Military Technicians and Air Reserve Technicians, these National Guard members are employed full-time as federal civilian employees to assure the training, maintenance, and preparedness of National Guard units.<sup>79</sup> Active Guard and Reserve (AGR), as the term applies to the National Guard, are members employed full-time performing peacetime requirements that are directly related to the federal missions on a day-to-day basis in an active duty status. AGRs are primarily responsible for organizing, administering, recruiting, instructing, and training National Guard Units.<sup>80</sup> These National Guard members are given special status to perform in federally funded positions and are usually exempt from calls to state active duty that would interfere with their full-time positions. In the case of a federal call-up or mobilization, both technicians and AGRs are subject to being federalized with their units for active duty. Deployment of Full-Time Support (FTS) personnel is dependent upon the mission of their assigned unit. For example, AGRs assigned to the State Area Commands (STARCs) would remain within their states after mobilization. Full-time support personnel account for over fifteen percent of current National Guard total end strength with the Army National Guard averaging over twelve percent<sup>81</sup> and the Air National Guard over 30 percent.<sup>82</sup> These personnel fill force structures positions in either units or the TDA. However, FTS is not additive to the force structure.

### **Domestic Programs**

The four federally funded domestic programs place varying demands on National Guard personnel. Judging by our field visits and research, it appears that the involvement of the National Guard in these domestic programs results in a major contribution to their communities, states, and the nation.

In the singular case of Medical Support to Underserved Communities, program participation is authorized by law to be performed during drills or annual training, but all other domestic programs must assure no compromise of a National Guard member's

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<sup>78</sup>As discussed in Section 4, the ARNG plans a TDA structure of about 31,000 spaces across all 54 entities for Fiscal Year 1999. This is less than 8% of the total ARNG force structure. The ANG also has a low percentage of this type structure.

<sup>79</sup>Reserve Forces Policy Board (1993), p. 68.

<sup>80</sup>*Ibid.*

<sup>81</sup>D'Araujo (1995), p. 35. For example, this publication lists 27,259 military technicians and 24,180 AGRs out of a total end strength of less than 410,000, or about 12.5% of the Army National Guard in FY 1994.

<sup>82</sup>Reserve Forces Policy Board (1993), p. 70.

attendance to drills and annual training. Therefore, the program for Medical Support to Underserved Communities places no additional demand on National Guard members since it is performed during training and requires no separate full-time administration.

The pilot outreach program for drug demand reduction, on the other hand, employs a significant number of unpaid National Guard volunteers. But generally, this program involves only one or two full-time federally paid members of the National Guard per state to plan, organize, and execute the program—not a very significant demand.

The several types of National Guard Youth Opportunities programs are the second-largest demand among the four domestic programs. The youth programs use a combination of paid and unpaid National Guard volunteers,<sup>83</sup> with the states having the larger and longer-duration residential youth programs employing staffs of full- and part-time paid members numbering as many as fifty for most of the year. The full-time paid National Guard members are usually employed in supervisory positions, civilian staff are usually employed in instructor or teacher positions, and unpaid National Guard volunteers are usually employed as post-graduate student mentors. Of the fourteen states currently involved with youth programs, most of the state programs are only partially staffed by National Guard members, which suggests a lesser demand.

By a large margin, the single most demanding domestic program on National Guard personnel continues to be the Drug Interdiction and Counter-Drug program. Figure 5.11 provides a quantitative illustration of the historical demands of this program. With a FY 1993 peak annual effort of over 1.3 million workdays, the counter-drug program is almost three to four times the total of state active duty for the same time frame.<sup>84</sup> Once again, National Guard members employed in this program are volunteers paid under provisions of Title 32, USC.

In conclusion, our field visits and research indicate that the employment of National Guard personnel in federally funded domestic activities is generally performed on a voluntary basis, as noted above, with both state and federal active duty taking precedence. These domestic programs merely take advantage of the existing capabilities and infrastructure of the National Guard, and with a marginal increase in resources, they are intended to obtain a major positive effect on key national problems. While these domestic programs are of obvious importance and value to the states, each in its own way, they are subject to suspension when National Guard members are no longer available due to calls to either state or federal service. The demand may not diminish in these circumstances, but the availability of National Guard resources becomes constrained. Hence, we conclude that

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<sup>83</sup>Paid National Guard volunteers are civilian employees of the state and do not function in their military capacity.

<sup>84</sup>Each of these four federally funded domestic programs is given a much broader treatment in Appendix C. Here we focus our consideration of these four domestic programs on their levels of effort and nature of employment of National Guard personnel to determine any additional demands within the state missions.

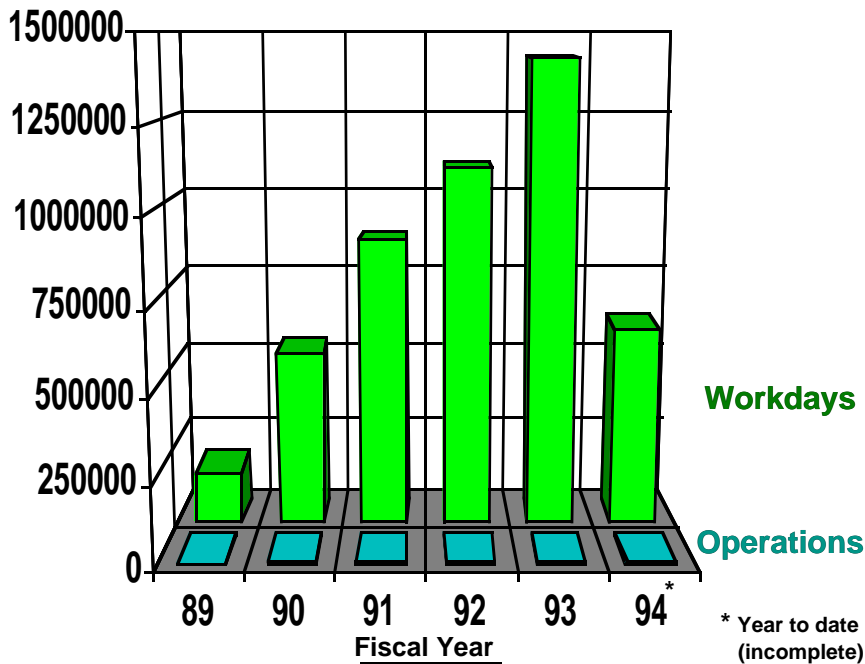


Figure 5.11—National Guard Support for the Counter-drug Program<sup>85</sup>

these programs have not been and should not be a basis for determining the size or composition of the force structure of the National Guard.

#### ASSESSMENT OF NATIONAL GUARD ADEQUACY FOR THE STATE MISSIONS

The state missions performed by the National Guard, including those activities performed in state active duty and during non-federal duty status, are of significant value to the states and the nation during peacetime. Although the plan to downsize the National Guard will reduce current state structures by some five to ten percent, our research into historical usage of the National Guard on state active duty does not support the view that those reductions will result in any significant degradation in the states' abilities to cope with domestic emergencies and disasters.<sup>86</sup> In this regard, we note that although state active duty tasks, such as major disasters and emergencies, have the potential to exhaust state resources, and possibly the capabilities of the National Guard for peak demand periods, state active duty is infrequent, its use is usually driven by these peak demand events, and it is used as a supplement to other state resources. Further, the demands arising from non-federal duty can be largely characterized as a combination of volunteer effort, as observed within most domestic programs, and the remainder being primarily related or incidental to

<sup>85</sup>Briefings by staff officers of the National Guard Bureau, May–July, 1994.

<sup>86</sup>FY 1994 and 1999 force structure data provided by the National Guard Bureau for both the Army and Air National Guard, October, 1994.

training for the federal mission. However, neither of these activities is an additive demand on the National Guard force structure or in competition with demands that require either state or federal active duty status.

In conclusion, we find that the current and projected Fiscal Year 1999 National Guard force structure is generally adequate for state missions with the exception of a few potential peak demands which usually require federal assistance, such as that provided through FEMA. We do not find any practical basis for using state missions in determining either the content, types of units, capabilities, or the total size of the National Guard force structure. We also do not find that sizing for peak demands is an economical approach. However, we shall discuss these peak demand situations again, including the impact of integrated or combined federal and state demands and potential policy options to mitigate them, in the next section.