FROM DRUGS TO BUGS: The NATIONAL GUARD'S EXPANDING ROLE IN THE NATIONAL SECURITY STRATEGY

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From Drugs to Bugs: The National Guard's Expanding Role in the National Security Strategy

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The views expressed in this academic research paper are those of the author and do not necessarily reflect the official policy or position of the U.S. Government, the Department of Defense, or any of its agencies.

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The National Guard continues to expand its role in the National Security Strategy with increased involvement in Counter Drug operations and the mission to defend the Homeland. This research discusses the National Guard’s involvement as a Department of Defense Agency in two of the Nation’s biggest concerns, the insidious drug problem and the Asymmetrical Threat of Weapons of Mass Destruction use within the borders of the United States. The status of the National Guard under the individual Governor’s control and the natural link between the military and civilian agencies provide a cost effective means to assist in countering the drug problem and reacting to a weapons of mass destruction attack.
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FROM DRUGS TO BUGS: THE NATIONAL GUARD’S EXPANDING ROLE IN THE NATIONAL SECURITY STRATEGY

Two vital issues in the National Security Strategy demanding increased military support are the Counter Drug effort and the defense of the Homeland against asymmetrical threats of weapons of mass destruction. The military has the people, equipment, and organization to be a great benefit in dealing with these issues. The National Guard has the community support to overcome the political concerns of using the military within our borders, while, at the same time, ensuring the American population will maintain confidence in its military.

The National Guard is the first military responder. From its peacetime role as a state organization, to issues of National Security Strategy, it can rapidly mobilize and react. The Guard can maintain its historic dual-mission to support the nation as a significant part of the Active Component and to support the individual states in civil or natural disasters. The guard is not only cost effective, but it is an essential part of the Department of Defense (DOD) and a vital link to the American people.

As the DOD continues to expand its role in counter drug operations and the threat of weapons of mass destruction, there is a significant amount of distrust of the military and its activities inside our borders. Citizens, rightfully so, are concerned about civil rights violations and intrusions into privacy. This research will provide insights and recommendations on the use of the National Guard in its domestic National Security role, dealing with drugs and WMD threats. There are legal constraints when using the military in the United States. The National Guard can assist local, state and federal authorities, as long as the personnel stay under state control.

A review of the political climate of the DOD’s involvement within borders is important to understand the political situation, critical in all civil-military support operations. The National Guard’s organization illustrates its role and its relationship with other supported local, state and federal agencies. This research will explain the reasons the National Guard is continuing to increase its involvement in the security issues and answer the following questions: Why increase the involvement of the National Guard into these National Security areas? Why not just increase the funding of the federal and state law enforcement instead of funding the National Guard to assist? Why not organize the new WMD Civil Support Teams under the Federal Emergency Management Agency instead of the Adjutant’s General of each state?

The National Guard’s unique organization, constitutional authority, and command and control capability are complex and often misunderstood by civilian agencies and active duty leaders. These characteristics provide a natural link between the active military and civilian agencies inside the borders of the United States. The personnel and equipment standing ready also complement and reinforce counter drug agencies and civilian WMD responders quickly.

POLITICAL CLIMATE OF CIVIL-MILITARY SUPPORT

The following question provides an interesting topic as a baseline for discussion on the use of the National Guard in civil-military support. Is it proper to place National Guardsmen on Active Duty for
Special Work (ADSW)\textsuperscript{1}, using federal funding and federal equipment to work with federal and local law enforcement in direct support of counter drug operations inside our borders? The legal answer is yes, as long as the guardsmen are under state control, in Title 32\textsuperscript{2} status, and under the authority of the governor of the state. The real question is, however, "will it remain politically acceptable as we move deeper into civil-military operations within the borders of our country?" The citizens of this country currently accept the use of uniformed soldiers assisting law enforcement with riots or supporting local agencies in natural disasters, but there is a concern that too much involvement will affect civil rights and invade the privacy of our citizens.

The DOD and National Guard organizations under state control must be sensitive to the expanded use of the military in day to day operations. The public has expressed concerns over the term "Homeland Defense." This extract by the former Deputy Secretary of Defense, John J. Hamre, to the Council of Foreign Relations on September 23, 1999, assists in illustrating the public's concern.

What has been surprising to us is that for many Americans, the term "Homeland Defense" has ominous overtones. [The term] gave the impression that there was something dangerous about asking the Department of Defense to react if there was an incident inside the United States involving chemical or biological or nuclear weapons. You may recall that when the President talked about this in January in the rollout of his budget, he talked about this mission of protecting the United States against an outside attacker using chemical or biological weapons. The very next day there was a blistering critique in one of the most important newspapers in America, saying that it's a very bad thing for the Department of Defense to get involved in this; that it's a threat to our civil liberties. That shocked us in the Defense Department. It's not that we don't get criticism. [Laughter.] Indeed, we receive lots of criticism every day. Yet what really shocked us was the realization that some Americans are worried about us. You probably don't follow the survivalist Web sites, but they're absolutely filled with allegations that the Department of Defense, with its black helicopters, is linking up with ATF [Bureau of Alcohol, Tobacco and Firearms] and the with FBI and other forces to create a capability to come in and deprive Americans of their civil liberties. A poll after [the] Oklahoma City [bombing] said that 10 percent of Americans don't trust their government. Well, that's 25 million people who think that we are the biggest threat they face. I must say, we were startled when this criticism came out, because it wasn't at all what any of us were thinking.\textsuperscript{3}

At this time, there is no DOD definition for homeland defense. The Office of the Secretary of Defense (OSD) has moved away from the holistic Homeland Defense definition outlined in the National Security Strategy (NSS) partly due to the September 23, 1999, speech by Dr. Hamre when he addressed the name change from Homeland Defense to Civil Support. The October 6, 1999, formal designation of Ms. Pam Berkowsky as the Special Assistant to the Secretary of Defense for Civil Support provided a narrower focus on crisis and consequence management. The current working Army definition, as of November 15, 1999, follows: Protecting our territory, population and infrastructure at home by, deterring and defending against foreign and domestic threat, supporting civil authorities in crisis and consequence management and helping to ensure the availability, integrity, survivability, and adequacy of critical assets.\textsuperscript{4}
THE NATIONAL GUARD ORGANIZATION AND RELATIONSHIP TO THE STATES AND CIVIL-RESPONSE AGENCIES.

The National Guard is an essential link between the DOD and Civilian Agencies when Civil-Military Support is required. The National Guard operates daily as a Federally funded, state controlled organization with state and local headquarters found in communities throughout America. The National Guard headquarters in each state, and at the national level, already operate as joint organizations since Air and Army National Guard personnel are assigned jointly to perform many functions. This portion of the research will review the basic structure of the organization, the joint task force capabilities and the day to day link to civilian organizations.

The authors of the Constitution empowered Congress to "provide for organizing, arming and disciplining the militia"\(^5\), the forerunner of today's National Guard. Recognizing the militia's State role, the founding fathers reserved the appointment of the officers and training of the militia to the States. National military policy has increased the National Guard's role as a Federal reserve force. Today, the National Guard continues its historical mission as an integral part of the nation's first-line of defense by supporting the active forces on a worldwide basis. Even though the National Guard's Federal role has increased, the Guard of each Individual State remains, Constitutionally, a State-administrated force. The State mission is to provide trained and equipped units to protect life and property and to preserve peace, order, and public safety, under the order of State and Federal authorities. The Adjutant's General of each State or jurisdiction commands the State National Guard.\(^6\)

NATIONAL GUARD ORGANIZATIONAL RELATIONSHIP

The National Guard Bureau (NGB) is the communication link between the Departments of Army and Air Force to the state organizations. The Chief of the NGB (C,NGB) is selected by the President of the United States from officers within the National Guard. He may be either Air or Army Guard. The Vice-Chief of the NGB is selected by the Secretary of Defense from the Army or Air Guard but will not come from the same service as the C,NGB. These two positions are located in the Pentagon and answer directly to the Service Secretaries. The Army National Guard and Air National Guard Directors are selected to assist in the functions of the NGB in their respective services. The formal and informal relationships are outlined in figure 1 on the following page.\(^7\)
FEDERAL AND STATE MISSION

The NGB allocates resources to train the National Guard for its assigned federal mission. The Governor of each state is the Commander in Chief of the organization unless the National Guard is federalized to support a Presidential or congressional call up. Each state and territory Adjutant General is responsible for the training and the administration of the National Guard on behalf of their governor. This allows military support to civilians on an ongoing basis. The chain of command illustrated on the following page below depicts a chain of communication between the NGB Directorates and the Adjutants General. The unique link between State and Federal organizations for resources is vital in assisting each Adjutant General as he or she prepares forces for the Federal Mission.⁸

The Army National Guard is composed of approximately 360,000 personnel located throughout the country. The major organizations of the Army National Guard are eight (8) Army divisions, 15 enhanced⁹ brigades, 17 other brigade-level organizations, and 54 State Area Commands. The Air National Guard is comprised of 89 flying units and approximately 106,000 Air National Guard members who train at over 170 locations throughout the 54 States, Territories¹⁰ and the District of Columbia. The non-flying unit locations are comprised primarily of communications and air traffic control units, training sites and civil engineering teams. A typical flying unit will have approximately 860 part time or Active Duty Guard members.¹¹
The Military Department of each state falls under a State Area Command (STARC) and meets the criteria as a Joint Task Force for continuous civil-military support. In addition to supervision of the Air and Army National Guard units in the states, many Adjutants General have command and control of the state emergency preparedness division. In states where this may not be the case, there is a natural close liaison because of the mutual support required. The State Emergency Management Offices and National Guard units fall under the governor’s supervision regardless of how they are aligned.

The senior official in charge of Emergency Services varies state by state. In some states the Adjutant General is the senior official, while in other states the Director of Emergency Services is the senior official. Some states make The Adjutant General (TAG) and Office of Emergency Support (OES) equals. In Alaska, Arizona, Hawaii, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Missouri, Montana, New York, North Dakota, Puerto Rico, Rhode Island, South Carolina, South Dakota, Tennessee, US Virgin Islands, Washington, Wisconsin, and Wyoming, the TAG and Director of the OES are the same person.12

The organization is well adapted to the additional missions of counter drug and is a leader in DOD’s role in disaster assistance to respond to weapons of mass destruction. The federal mission, counter drug operations and civil support all complement each other, and the training, personnel and
equipment can be mutually beneficial. The Adjutant General has Federal and State Comptrollers under his authority, which ensures smooth, cross leveling of funds and contracting support. Also, this allows the shift of guardsman from state controlled funding if needed.

The State Area Command in each state maintains a relationship with the community at each level of organization. The state level emergency preparedness office and Adjutant's General department work closely together as a matter of necessity, and in some cases are co-located or parts of the same department. County emergency coordinators and local National Guard personnel work closely together and have standing operating procedures in place. The federal military installations in the states also have ongoing relationships with the Adjutant's General Office because of training and mutual support requirements.

The National Guard is already prepared for consequence management and has years of experience in civil-support. National Guard personnel can revert from Title 32 (Inactive Duty Training Status) under federal funds, to State Active Duty to assist civilian authorities at the discretion of the Governor. This flexibility and immediate response to assist civilian first responders creates a climate of trust and cost effectiveness.

Throughout our history, the National Guard has demonstrated its flexibility on many occasions. The National Guard's security support role during the 1996 Olympics in Atlanta is a classic example of the organic chain of command at work. The National Guard transferred operational control of over 11,000 soldiers and airman from 46 other States, Territories and the District of Columbia to the Adjutant General of the State of Georgia. Using the command structure of Georgia's 48th Brigade, these personnel comprised the National Guard's integrated security force in support of civil authorities for the Atlanta Olympics. While the National Guard supports many organizations with personnel and equipment, the Guard always retains operational command and control of the Guard personnel involved.¹³

COUNTER DRUG OPERATIONS

The National Guard is heavily involved in the nation's strategic goal of reducing the entry of and reducing the demand for illegal drugs. The use of federal funds under the state control to assist in this goal is cost effective method to provide equipment and manpower from National Guard organizations. National Guard funding for support has increased from $40 million in 1989 to $180 million in 1997.¹⁴ The guard was appropriated $20 million for counter drug support in the FY 2000 defense budget. To understand the use of the National Guard within our borders, a review of the national drug control strategy and assessment of its success is important.

Drug abuse affects our domestic national interests. Narcotics trafficking affect other US interests in several ways. At home it affects our domestic way of life as it impacts on crime and corruption in the American streets. The damage to our youth and the cost to our health services are extraordinary. Illegal drugs cost our society approximately 67 billion dollars each year, and drug related deaths have increased
42 percent since 1990. Substance abuse causes violence, illness and reduces employment. Those abused, robbed and otherwise impacted by illegal drugs pay a terrible price in quality of living.

The five goals outlined by the Office of National Drug Control Policy (ONDCP) set priorities in the national strategy. It is important to summarize these goals to understand an increase of support within the borders and how the National Guard can assist in this strategy.

Goal 1: Educate and enable America's youth to reject illegal drugs as well as alcohol and tobacco. This goal focuses on education in our schools, businesses and communities, as well as families. It provides for partnerships with media, entertainment, and professional sports organizations to support the current focus towards youth.

Goal 2: Increase the safety of America's citizens by substantially reducing drug related crime and violence. The objectives in this goal focus on federal, state and local law enforcement in anti-drug task forces. It focuses on drug abuse, crime, and implementation of rehabilitative programs in the criminal justice system.

Goal 3: Reduce health and social costs to the public from illegal drug use. This goal deals in drug treatment and overall drug related health programs. Research and development of medications in reduction of drug dependence falls into this category.

Goal 4: Shield America's air, land and sea frontiers from the drug threat. The objectives aligned under this goal deal with operations to find and seize illegal drugs in transit to the United States. The important focus for interdiction is the Southwest border, Puerto Rico and the US Virgin Islands.

Goal 5: Break foreign and domestic drug sources of supply. This goal focuses on international problems such as cultivation of coca, opium and marijuana. Issues such as international money laundering and seizure of associated assets fall into this category.

Although the United States needs to maintain the overall current strategy in relationship to goals and objectives, it should alter the ways and means of achieving this strategy. The current strategy shows a downward trend in drug use, but not at a significant decline in relation to the resources the nation expends on this strategy. The correlation between dollars spent and the downward trend actually shows little progress. In 1999, we spent 17.9 billion dollars compared to 11 Billion in 1991. Drug related arrests and medical treatment are on upward trends or, at the very best, stabilized.

DRUG DEMAND REDUCTION VERSUS COUNTER DRUG

An adjustment in our ways and means is essential. A shift in resources from interdiction to drug demand reduction will slow the demand and at the same time lessen the need for the supply. This drives the cost down and takes away the incentive for risk by drug traffickers. At the same time, we must assist in stabilizing the governments that are in our national interest such as Colombia and Mexico. There will always be a demand for drugs, so even if we stop the domestic problem of drug abuse in the country, we still must ensure governments in our interest remain corruption free.
Illegal use of drugs affects our national interests abroad through the impact on the governments of the countries that produce or traffic illegal drugs. Two good examples are Colombia and Mexico, where major drug trafficking exists in close proximity to the United States. Drug money affects the stability of these governments. Governments that allow the cultivation and transport of drugs see a decline in agriculture-related economies and deterioration in the quality of life. Nations where drugs are produced and trafficked have seen their financial sectors and political institutions wrecked by economic distortion and corruption. This instability in our region is a threat to our national security.

We must continue to assist the democratic governments to maintain control and at the same time focus more on the drug demand reduction piece of the drug wars. Maintaining our interdiction efforts and increasing drug demand programs should decrease the income level and power base of the cartels. The White House strategy on combating drugs appears to align this recommendation to focus more on the drug demand reduction program, as indicated in the policy statement below:

Prevention is the ultimate key to reversing the upward trend in the use of drugs and empowering communities to address their drug problem. Control of this effort is the development and implementation of initiatives to prevent illicit drug use, including casual use by youth and other high-risk population. The most effective strategies for preventing use are in keeping drugs out of neighborhoods and schools. Providing a safe and secure environment for all people are cooperative efforts that mobilize and involve all elements of a community.

Two of the five goals relate directly to the reduction of illegal drugs entering the United States. The first three goals relate to drug demand reduction. They all complement each other in the overall strategy on the use of illegal drugs. Reduction of illegal use will drive the price lower, thereby taking away the incentive to take the risk. The current data supports the theory that progress on the drug wars is minor compared with the increase in resources. Altering resources toward Drug Demand Reduction as suggested will increase the progress.

NATIONAL GUARD ASSISTANCE TO DRUG DEMAND REDUCTION

The National Guard assists in both counter drug and drug demand reduction support of this National Security Strategy. The National Guard’s equipment, facilities, and personnel can supplement this when not training for the Federal Mission. Often, there is overlap since the missions are not mutually exclusive. Facilities and equipment are available except for inactive duty training, annual training or special training when required by the unit. Two examples of youth programs sponsored by the National Guard illustrate this assistance to the War on Drugs and provide a starting point for enormous benefit possible in drug demand reduction.

(1) STARBASE is a National Guard Bureau program for youth ages 6 through 18 aimed at improving math and science skills. The program’s primary objective is to expose “at risk” children and their teachers to real world math and science applications through experimental learning and simulations. The program addresses drug use prevention, health and social skills. Programs have minimal staffing by federally reimbursed state employees, supplemented by volunteers from National Guard units and
parents. Training is conducted in National Guard armories or training centers using guard equipment and simulations for interesting hands on approach. 14 states currently participate under the supervision of the Adjutant’s General Department.

(2) ChalleNGe is a preventative “youth at risk” program that targets unemployed, drug free, high school dropouts 16 to 18 years of age. Also, the participants must not have criminal records. The program provides training in citizenship, GED/High School diploma attainment, community skills and physical training in a five month residential phase, followed by a yearlong mentoring program. Currently 15 states participate in the program.21

NATIONAL GUARD ASSISTANCE TO COUNTER DRUG

The National Guard should continue its involvement in the counter drug efforts. Use of the equipment and personnel complement both the war fighting skills required in the strategic reserve role and those skills required in consequence management in reaction to man made or natural disasters.

The NGB’s Counter Drug Directorate uses eleven specially equipped C-26 aircraft geographically positioned throughout the United States, and 76 specially-equipped OH-58 Reconnaissance and Interdiction Detachment helicopters located in 32 States. The Guard aircraft support law enforcement agencies in the conduct of counter drug activities. These assets can be of great value supporting emergency responders during a WMD incident. All of these aircraft are equipped with multi-band radios and forward-looking infrared radar (FLIR). The helicopters also have high-intensity night-lights and some are equipped with real-time down link video capability. The C-26 airframes are also equipped with aerial photography capability.

These assets are currently approved for use only in the counter drug program. Special use approval can be authorized on a case-by-case basis for emergency support. Designation of these assets as a chemical or biological support asset would require changes to current policy, and may require specific additional statutory authority.22

WMD RAPID ASSESSMENT AND CONSEQUENCE MANAGEMENT IN THE UNITED STATES

Whether it is a major natural disaster or man made disaster caused by bombs, chemicals, or biological attacks; the Department of Defense must be involved. State and local governments chose to maintain civil response capabilities for routine missions and rely on the National Guard, Reserve and Active Forces to assist when needed. Major natural disasters, such as hurricanes, tornadoes, and floods, have demonstrated time and time again that civil authorities do not have the assets to respond without the military. Response to a weapons of mass destruction attack maintains the same concept, but with critical differences. Probably, there will be no prior warning to prepare, and the casualties could be greater than ever encountered in our homeland. One big question is what agency has the responsibility to take the lead? Secretary of Defense William S. Cohen’s intent is clear on the military’s role in a response to a domestic attack. His comments below are from a July 26, 1999, Washington Post article.
First, any military assistance in a wake of a domestic attack must be in support of the appropriate federal civilian authority—either the Department of Justice or the Federal Emergency Management Agency. Second, an unequivocal and unambiguous chain of responsibility, authority and accountability for that support must exist. Third, military assistance should not come at the expense of our primary mission—fighting and winning our nation’s wars. A special Task Force for Civil Support is being created to ensure that we have the military assets necessary to help respond domestically while still meeting our foremost mission. Fourth, our military response efforts will be grounded primarily in the National Guard and Reserve. In contrast to their more familiar role of reinforcing active-duty forces overseas, our guard and reserve are the forward-deployed forces here at home. Special National Guard teams are being positioned around the nation to advise and assist communities upon request.

At the direction of the Deputy Secretary of Defense, a strategy development team was assembled to design and organize a joint National Guard organization that could provide support to emergency response agencies before, during, and after a WMD incident. The result of this planning session was the RAID detachment, which was, renamed WMD Civil Support. The WMD Civil Support detachment is organized as a unit under the peacetime control of the Adjutant General. It is a joint Army and Air National Guard entity with 22 full-time personnel. Its mission is to assess suspected biological and chemical events in support of a local incident commander. Additionally, it will have the ability to advise civilian responders and emergency management officials regarding appropriate actions, and, to facilitate requests for assistance to expedite arrival of additional State and Federal assets to help save lives and prevent human suffering. The detachments will have the capability to conduct reconnaissance; provide medical advice and assistance; perform detection, assessment and hazard prediction; and provide technical advice concerning WMD incidents and agents.

FORCE STRUCTURE AND CAPABILITIES OF THE NATIONAL GUARD TO SUPPORT WMD DISASTERS

The current force structure and capabilities of the National Guard required for federal missions are available to supplement the local community response assets. The types of units listed below, taken from the July 20, 1999, NGB report to Congress, illustrate some of the units available to support WMD disasters. This is a cost effective means to assist governors or federal agencies in case of a WMD attack upon our citizens and within our borders.

(1) Chemical Forces: The Army National Guard has 7 chemical companies, 15 chemical platoons and one chemical decontamination company. The Air Guard has 89 Civil Engineer units, attached to flying units that have nuclear, biological and chemical detection teams assigned.

(2) Decontamination Assets: The Army Guard has 50 medical companies, five support medical battalions and two medical evacuation battalions, along with 14 Air Ambulance Medical companies. The Air Guard has 17 air transportable clinics and numerous medical units available.

(3) Training Centers and Facilities are available across the United States to assist in training and storage of personnel and equipment.
(4) Specialized equipment and personnel trained for Explosive Ordnance Disposal (EOD), Intelligence, airlift, airdrop, and rescue operations are some examples of the numerous assets available to governors.

NATIONAL GUARD AS A VITAL LINK

The three questions introduced in this paper concerning expanding the National Guard’s role are complex. The following answers summarize the findings in this research.

Increasing the involvement of the National Guard allows us to leverage government assets already available, and stay within the legal constraints of the constitution and Posse Comitatus Act. The use of trained personnel and equipment to support civilian agencies is a prudent use of taxpayers' dollars. To increase funding of federal and state law enforcement to train and equip additional personnel is not feasible when these resources are already available.

Organizing the WMD Civil Support Teams under the Adjutant's General Department creates enormous flexibility since it is under state control. The flexibility of the National Guard to shift from state control in support of the governor to federal missions for the Department of Defense provides the connectivity to merge civilian and defense agencies in response to major disasters, natural or man made. This same flexibility that allows for support to counter drug programs provides readily available resources at a much lower cost than if separate agencies purchases them and trained their own people.

The National Guard is the vital link between military resources and civil assistance. Increasing the role of the National Guard in counter drug operations and the preparation to respond to a Weapons of Mass Destruction disaster is a cost effective way to leverage additional support, while linking the military to civilian agencies. The leadership and technical skills required for the Guard to be a part of our war fighting force are also essential in addressing the drug problem and reacting to all kinds of emergencies, including weapons of mass destruction.
ENDNOTES

1 ADSW; Duty status of guardsmen in addition to normal drill and annual training to perform additional or special work for the state or unit.

2 Tile 32 status is under the governor's control, which, not subject to Posse Comitatus, allows the guardsmen to assist in law enforcement activities.

3 Deputy Secretary of Defense, John J. Hamre, Delivered remarks to the Council on Foreign Relations, 23 Sep 99, Washington D.C.

4 Department of the Army information paper, LTC Patrick Kelly, DAMO-SSW, Defining Homeland Defense, 15 November 1999.

5 U.S. Const., art. 1, sec. 8, cl.16

6 National Guard Bureau, National Guard Bureau Report to Congress, Enhancing the National Guard Readiness to Support Emergency Responders in Domestic Chemical and Biological Terrorism Defense, page 39.

7 Ibid, 40.

8 Ibid 41

9 National Guard enhanced brigades are commanded by a one star general officer, and are manned and funded as the first combat elements to mobilize for war. They are "enhanced" with assigned Artillery and Engineer units not normally found in MTOE Brigades.

10 There are National Guard units in Puerto Rico, Virgin Islands, and Guam.

11 Ibid 77


13 NGB, 77


22. NGB 82.

23. NGB, 83.
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