The National Guard in Support of Homeland Security

by

Lieutenant Colonel Joseph A. DiNonno
United States Army National Guard

United States Army War College
Class of 2015

DISTRIBUTION STATEMENT: A
Approved for Public Release
Distribution is Unlimited

This manuscript is submitted in partial fulfillment of the requirements of the Master of Strategic Studies Degree. The views expressed in this student academic research paper are those of the author and do not necessarily reflect the official policy or position of the Department of the Army, Department of Defense, or the U.S. Government.
The U.S. Army War College is accredited by the Commission on Higher Education of the Middle States Association of Colleges and Schools, 3624 Market Street, Philadelphia, PA 19104, (215) 662-5606. The Commission on Higher Education is an institutional accrediting agency recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation.
### 1. REPORT DATE
01-04-2015

### 2. REPORT TYPE
STRATEGY RESEARCH PROJECT

### 3. DATES COVERED
(From - To)

### 4. TITLE AND SUBTITLE
The National Guard in Support of Homeland Security

### 6. AUTHOR(S)
Lieutenant Colonel Joseph A. DiNonno
United States Army National Guard

### 7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)
Dr. Allen S. Miller
Center for Strategic Leadership and Development

### 9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)
U.S. Army War College, 122 Forbes Avenue, Carlisle, PA 17013

### 12. DISTRIBUTION / AVAILABILITY STATEMENT
Distribution A: Approved for Public Release. Distribution is Unlimited.

### 13. SUPPLEMENTARY NOTES
Word Count: 5963

### 14. ABSTRACT
This paper describes the current and future operating environment for the National Guard and what sequestration might mean for a return of tiered readiness. A proposed hybrid model of force generation is described and a recommendation given for mitigating the deleterious effects it may have on the National Guard. The paper then explores emerging risks and other areas within the Department of Homeland Security that should be addressed by a fundamental shift in thinking about the National Guard. This paper first looks to the emerging importance and associated risk of the cyber domain and argues that the National Guard should play a leading role in Homeland Security’s efforts to address cyber security. Second, this paper makes a case for application of geographically appropriate and lower readiness tiered National Guard units to integrate efforts and resources with the Customs and Border Patrol as a part of Homeland Security. Finally, an argument is articulated advocating better integration of the National Guard in FEMA and state readiness plans with a particular focus on rehearsals and exercises.

### 15. SUBJECT TERMS
Force Generation, Department of Homeland Security

### 16. SECURITY CLASSIFICATION OF:
a. REPORT
UU
b. ABSTRACT
UU
c. THIS PAGE
UU

### 17. LIMITATION OF ABSTRACT
UU

### 18. NUMBER OF PAGES
33

### 19. NAME OF RESPONSIBLE PERSON

### 20. TELEPHONE NUMBER (w/ area code)

---

*Standard Form 298 (Rev. 8/98), Prescribed by ANSI Std. Z39.18*
The National Guard in Support of Homeland Security

by

Lieutenant Colonel Joseph A. DiNonno
United States Army National Guard

Dr. Allen S. Miller
Center for Strategic Leadership and Development
Project Adviser

This manuscript is submitted in partial fulfillment of the requirements of the Master of Strategic Studies Degree. The U.S. Army War College is accredited by the Commission on Higher Education of the Middle States Association of Colleges and Schools, 3624 Market Street, Philadelphia, PA 19104, (215) 662-5606. The Commission on Higher Education is an institutional accrediting agency recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation.

The views expressed in this student academic research paper are those of the author and do not reflect the official policy or position of the Department of the Army, Department of Defense, or the United States Government.

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

Title: The National Guard in Support of Homeland Security

Report Date: 01 April 2015

Page Count: 33

Word Count: 5963

Key Terms: Force Generation, Department of Homeland Security

Classification: Unclassified

This paper describes the current and future operating environment for the National Guard and what sequestration might mean for a return of tiered readiness. A proposed hybrid model of force generation is described and a recommendation given for mitigating the deleterious effects it may have on the National Guard. The paper then explores emerging risks and other areas within the Department of Homeland Security that should be addressed by a fundamental shift in thinking about the National Guard. This paper first looks to the emerging importance and associated risk of the cyber domain and argues that the National Guard should play a leading role in Homeland Security’s efforts to address cyber security. Second, this paper makes a case for application of geographically appropriate and lower readiness tiered National Guard units to integrate efforts and resources with the Customs and Border Patrol as a part of Homeland Security. Finally, an argument is articulated advocating better integration of the National Guard in FEMA and state readiness plans with a particular focus on rehearsals and exercises.
The National Guard in Support of Homeland Security

Today’s National Guard is more accessible, adaptable and affordable than ever in its 377 year history, and at historic levels of readiness.

—General Frank J. Grass

The National Guard provides a critical service to the Nation and the States by virtue of its unique ability to respond in support of overseas contingencies as well as to respond to the needs of Governors in time of natural disasters or civil strife. Both the National Guard and the Reserves have experienced a period of utilization and readiness both in terms of training and equipment that is unprecedented. As the wars in Iraq and Afghanistan wind down, this experience and readiness is at risk of atrophy as all of the services compete for a shrinking budget during sequestration. The National Guard will likely experience less force structure and lower readiness as a result of a reduced budget. This presents an opportunity to rethink the National Guard’s role in what may be a new “inter-war” period with respect to retaining some operational readiness and parity with the active component and shifting the balance in support of the Department of Homeland Security.

This paper will describe the operating environment facing the services in general and the National Guard in particular. From this austere assessment, some informed predictions with respect to readiness and employment of the National Guard are articulated, specifically a significant likelihood of extended periods of lower tiered readiness. A recommendation is provided on how to apply a force generation model currently being considered by the Department of the Army that accounts for the likelihood of lower tiered readiness. This recommendation includes fencing off portions
of the National Guard force including Brigade Combat Teams as mitigation against losing all of the current readiness and experience.

This paper then describes several aspects of the Department of Homeland Security that the reserves are well organized to support as part of a larger strategic rebalance in employing the National Guard. The first describes the emerging risks in the cyber domain and why the National Guard should be an integral part in the Homeland Security effort to address these concerns. The second makes the case for a larger role the National Guard should be playing in the southwest in support of the Customs and Border Patrol. Finally, this paper argues that the National Guard should be more integrated with emergency management planning and rehearsals at the state level in support of the DHS and FEMA Homeland Security Exercise and Evaluation Program.

Rise of the ARFORGEN Hybrid

The National Guard is at its highest state of readiness since WW II and “is the best manned, trained, equipped and led force in its history.”² This is not a particularly astonishing statement given the fact that the United States is only now winding down the second of two long ground wars that have lasted for more than thirteen years. However, this unprecedented state of readiness is threatened by the Controlled Budget Act (CBA) and the looming implications of sequestration.³ This legislatively created mandate will force the Department of Defense to make some critical and difficult decisions that potentially affect, not only force structure, but also readiness.

The active Army has reduced its end strength by 80,000 between 2012 and 2014 and reserve component by 18,000 during this same time.⁴ This trend is likely to continue despite the modest assistance provided in the 2014 and 2015 budget designed to offset some of the deleterious effects of sequestration. GEN Odierno, Chief of Staff of
the Army, recently forecasted an additional reduction in active Army end strength of 70,000 while the National Guard and Reserves would experience reductions of 35,000 and 10,000 respectively by the end of 2020.\textsuperscript{5}

Likewise, readiness will be affected as 80\% of Army units will see their training curtailed because of budget cuts.\textsuperscript{6} This harkens back to the days of “tiered readiness” that saw some units maintained at high levels of readiness and other units at much lower readiness; where they never received all of their personnel, equipment or training dollars.\textsuperscript{7} The current Army Forces Generation Model (ARFORGEN) is cyclic by design and allows every unit in the Army and National Guard to attain full readiness before being deployed, followed by a reset phase before the cycle begins again. This model worked well when demand for units equaled or exceeded supply; however, now that Operation Enduring Freedom is coming to a close, the weakness of ARFORGEN in a resource constrained environment is beginning to show. Under ARFORGEN, the number of fully trained and equipped units is now beginning to exceed demand and the Army is facing what is referred to as the “the readiness cliff.”\textsuperscript{8} This describes what is seen by some in the Department of Defense as a waste of resources when there are units that cycle to full readiness and are not deployed, but instead “are in an available status for 9-months and then revert back to a ‘Reset’ phase, i.e., they drop off the readiness cliff.”\textsuperscript{9} This is the scenario the Army and reserve components are facing and therefore, in light of the current austere financial environment, they are almost certainly going to experience some combination of force reduction and ultimately some form of tiered readiness.
The natural inclination is to sacrifice the readiness of the reserve components as their ability to immediately respond to the full spectrum of combat operations is limited relative to the active components. Readiness, after all, is a zero sum game in a resource constrained environment. This precipitates the much larger issue of the future role of the reserves and the National Guard in particular. The Chief of the National Guard Bureau, GEN Grass, indicated that he wants the National Guard to remain a trained and operational force, but acknowledges the challenges facing the reserve forces should sequestration remain on its current trajectory.\textsuperscript{10}

Several other force generation models are now being considered by the Department of the Army in an effort to better pair readiness with what the current and future operating environment will require. One of these models is a "Hybrid" between the old tiered readiness (pre-ARFORGEN) and the cyclic nature of the current ARFORGEN.\textsuperscript{11} This has the benefit of retaining the current aspects of cyclic readiness with a reset phase, train/ready phase, and available phase for all units, although not all units would reach a fully trained and available state of readiness at any point in their cycle by design.\textsuperscript{12} Instead, units would be divided into three general pools of readiness (the tiered aspect of such an approach). Some units would remain for extended periods of time in Mission Force Pool, prepared for deployments and contingencies anywhere in the world.\textsuperscript{13} Other units would cycle through the current ARFORGEN model, or Rotational Force Pool. These units are eligible to join the mission force pool during their available stage, but only for their normal Boots on the Ground (BOG) time before either being deployed or falling off the readiness cliff.\textsuperscript{14} The remaining units would be assigned to an Operational Sustainment Force Pool, which places less essential units in a state
of extended readiness far below that of the mission force pool and ultimately even those units in the rotational force pool.

**Figure 1. Force Generation – Hybrid Model**

Units could migrate between force pools based on the needs of combatant commanders and the future environment. What this proposed model makes clear, however, is that the National Guard and Reserves are likely to make up a majority of the operational sustainment force pool. The reserves already require a significantly longer period of train-up time to achieve the same level of readiness for full spectrum combat roles. Nevertheless, returning to the era of those who have and those who have not would be a colossal waste of talent and experience particularly at a time when the National Guard is as trained and ready as it has ever been. It has been said that one cannot surge leadership; there is a better way.

One alternative the Army should consider is mandating all or most of the 28 Brigade Combat Teams (BCTs), two Special Forces Groups, and aviation units of the Army and Air National Guard remain operationally ready and cycle through the
rotational force pool of the hybrid model of force generation. This allays the fears of those military leaders, both active and reserve, as well as government officials who recognize the investments made to raise the level of readiness to this unprecedented degree and the desire to maintain it. Additionally, this measure preserves and builds upon the vast experience residing in these maneuver formations and provides ready forces to deploy and complement active forces on a regular basis. Finally, it acknowledges the realities of sequestration and the unsustainable trajectory of military spending involved in maintaining the highest readiness across the force by ceding the majority of the National Guard to the operational sustainment force pool.

Assuming that, among other things, readiness is the natural bill payer for the National Guard, this presents an opportunity to fundamentally shift the focus of its traditional roles and responsibilities. This is particularly true for the bulk of the National Guard that would reside in the operational sustainment force pool. This force structure would still train to an individual and crew or even platoon level of readiness; however, it should shift focus and support emerging requirements within the Department of Homeland Security. This approach ensures a force pool of minimally trained units that can be mobilized, trained and deployed to fight and win our nation’s wars, while maintaining their relevance at all other times in support of protecting the homeland.

Department of Homeland Security

The Department of Homeland Security (DHS) was established in 2002 in response to the terrorist attack of September 11, 2001 and brought together 22 federal agencies and departments in an attempt to unify the nation’s strategy to counter further terrorist attacks. With the entire nation to protect, the DHS addresses issues as diverse as port security, immigration, border control, cyber and critical infrastructure.
The DHS struggles, like every other department and agency, to address deficiencies or inefficiencies as well as build on successes identified through periodic reviews. Three areas this paper will argue as either emerging areas of concern or under-enforced within the DHS are 1) cyber security, 2) border security, and 3) disaster and pandemic response. All three are potential areas to which the National Guard can contribute as part of a fundamental shift that keeps it relevant despite the current environment.

**Cyber Security**

Internet connectivity and networks are growing in almost every developed part of the world and even those less developed regions such as sub-Saharan Africa.\(^\text{17}\) This revolution in information sharing and communication has ushered in a new age of possibilities and innovation. However, as both government and society come to rely on technology and networks of computers and servers more, it likewise generates risks and innovative ways for adversaries to attack such critical networks. Expanded reliance on the cyber domain inevitably leads to the potential of stealing, destroying, manipulating information or otherwise adversely affecting national security and interests through these systems. The Department of Defense recognized this emerging threat and considered options for organizing to confront it in the .mil domain.

The Department of Defense recently established Cyber Command (USCYBERCOM) as a sub-unified command with a push to elevate it to a unified command in the near future.\(^\text{18}\) USCYBERCOM is charged with the responsibility of protecting the Department of Defense networks from three general kinds of cyber-attacks; exploitative, disruptive, and destructive. Exploitative attacks exploit information after gaining access to a network. Disruptive attacks can shut down a network through overloading requests or other methods while destructive attacks can wipe data and
actually destroy hardware.\textsuperscript{19} Likewise, the DHS is responsible for protecting all networks in the .gov domain and provides support and security partnerships with critical infrastructure networks in the civilian environment.\textsuperscript{20}

DHS and USCYBERCOM coordinate their cyber security efforts to facilitate interagency synergy and prevent the lack of shared purpose between disciplines that led to the creation of DHS in the first place. Specifically, the DHS has a Senior Executive Service (SES) official as Director of Cybersecurity Coordination who is assigned to the National Security Agency (NSA) yet remains under the supervision and control of the DHS.\textsuperscript{21} Likewise, USCYBERCOM and the NSA will establish a coordination cell at the DHS and ensure mission collaboration between the two agencies.\textsuperscript{22} This coordination between the Department of Defense and the DHS is critical as many of the threats in cyberspace cut across responsibilities of both Departments. However, the distinctions between authorities is important. The Posse Comitatus Act generally prevents the military from unilaterally engaging in law enforcement functions.\textsuperscript{23} This restraint does not apply to National Guard units activated and operating under Title 32 orders, thereby allowing them to operate in support of law enforcement officials.\textsuperscript{24}

For cyber threats that are deemed domestic to the United States yet are clearly interstate in nature, governors could simply invoke the assistance of other states much like the Emergency Management Assistance Compact works today. This whole of government approach blurs the distinction between state and federal jurisdiction for the benefit of both. This is analogous to the approach state and federal agencies take in
prosecuting “the war on drugs” where the nature of the crime affects both jurisdictions simultaneously.

The National Guard is a natural choice for expanding roles in cyber security under the direction of or in cooperation with the DHS. Besides the largest legal hurdle that distinguishes the National Guard from its Title 10 counterparts, the National Guard brings civilian expertise to bear which only enhances the public-private sector cooperation. This point was echoed during hearings of the House Subcommittee on Intelligence, Emerging Threats and Capabilities in March of 2014 when then commander of USCYBERCOM, GEN Alexander, was asked about his thoughts on leveraging the National Guard and Reserves.25 He stated that after consulting with Northern Command (NORTHCOM) commander, GEN Jacoby, GEN Grass, and several State Adjutant Generals (TAGs) he would like to leverage the advantage of the civilian work experience found in the National Guard.26 The National Guard would be used to fill Cyber Protection Teams (CPTs) as a starting point.27

There is a greater need for legislative authorities that compel private industry to cooperate than there is for the technical capability to protect or react to a cyber-threat. When does cyber activity constitute an act of war as opposed to a criminal action? Does the point of origin matter in the analysis and which agency has the responsibility under which conditions? These are some of significant issues that constitutes much of the gray overlapping area between USCYBERCOM and DHS with respect to authorities. GEN Alexander, the first commander of USCYBERCOM, once described the situation in the following manner:

Think of this as a radar system. What we have is missiles that are coming in, cyber missiles that are coming in, and no way to see where they are
going, so you have no way to shoot them down. You can see them land in civilian infrastructure and say, well, we could have stopped that one if we had only seen it. So we have to have a way of seeing so that the Defense Department, FBI, and Homeland Security can act in the interest of the Nation. That is where I think that the biggest gap is.28

This observation underscores an advantage to rebalancing some National Guard assets into CPTs in support of the DHS. Specifically, once the bigger problem of having a “radar” is addressed by the legislature, the National Guard will have further authority to monitor and react by virtue of Title 32 and thus it naturally better aligns with DHS. Other advantages of the National Guard structure provide an edge ready to be employed by the DHS as described by COL David Collins, the National Guard Bureau’s J6:

First and most important … Guard troops are physically present in armories, communities, and indeed civilian workplaces across the country, not concentrated in a few large bases. That puts them in constant contact with civilian networks and their operators. Second, the Guard can operate either on federal orders (so-called Title 10 status) or on the orders of the state governor (Title 32). Guard troops under the governor’s command aren’t bound by the Posse Comitatus Act or other restrictions on using federal troops for law enforcement. Third and last, as part-time troops, Guard cyber warriors would have full-time jobs in the civilian information technology world, giving them a different and often deeper expertise than the active-duty force, which tends to be younger.29

COL Collin’s first and most important factor supports the concept of a dispersed and better integrated capability that can only enhance the level of cooperation between civilian networks and infrastructure. This assumes a recruiting strategy that courts the requisite talent from the appropriate civilian workforce and such a recruitment strategy is not addressed in this paper. This approach begins with the establishment of trained CPTs and continues by building upon this base and incorporating more teams throughout the nation. The National Guard already as one full-time CPT that works with USCYBERCOM and there are plans to incorporate ten more teams over the next three years.30 These ten new teams would function as traditional part-time National Guard duty status positions,
while being dispersed in support of the states where they reside. These new CPTs could be mobilized and “surged” in support of USCYBERCOM in the event of an emergency or as the defense department needed. While the initiative to use the National Guard to generate these forces is a step in the right direction, this approach ignores the utility in aligning these units in support of the DHS and the states they represent.

The benefit inherent in dispersed National Guard CPTs notwithstanding the virtual nature of the cyber threat is two-fold. First, it draws from the private-sector workforce that is the targeted population of the DHS’ effort to foster a better public-private cooperating environment. The ability to learn of an attack on the private sector and the trust required to make that effective absent legislation is served by this concept. Secondly, it leverages the unique authorities that allow the National Guard to assist with law enforcement functions and thus making such CPTs potentially more effective than working in the more restrictive environment of USCYBERCOM.

Border Security

In May of 2014, the DHS announced a new “Southern Border and Approaches Campaign.” The purpose of this campaign is to “enforce … immigration laws and interdict individuals seeking to illegally cross our land, sea, and air borders; degrade transnational criminal organizations; and decrease the terrorism threat to the Nation, all without impeding the flow of lawful trade, travel, and commerce.” This plan establishes three task forces with both geographic and functional considerations. DHS Secretary Jeh Johnson describes it as:

Two of these task forces will be geographically based and one will be functionally focused. All three Joint Task Forces will incorporate elements of the U.S. Coast Guard (USCG), U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), and U.S. Citizenship and Immigration Services, and integrate capabilities of the
remaining components as needed. Joint Task Force East will be responsible for the Southern maritime border and approaches. Joint Task Force West will be responsible for the Southern land border and the West Coast. Joint Task Force Investigations will focus on investigations in support of the geographic Task Forces.34

This initiative underscores the unity of effort approach to government cooperation that exists under the current Defense Support of Civil Authorities doctrine. That is, the focus is less upon a military-like chain of command and more upon ensuring a collaborative effort among agencies. To achieve this, the DHS uses a supported-supporting construct.35 For example, Customs and Border Patrol (CBP) will be the supported agency in the west while the Coast Guard is the supported service in the east with all other agencies supporting each as required. Concurrently, Immigrations and Customs Enforcement (ICE) will provide investigations support to the other two task forces as needed and serves at the functionally focused task force.36

Despite the success of an unprecedented amount of resources that have been poured into the DHS directed at the problem of illegal immigration, the nation’s borders remain porous. The White House points to more security agents on the border than ever before and the flow of illegal immigration being reduced by half over the last six years as a success story for the DHS.37 However, even using the statistics provided by the DHS itself, the total apprehensions for illegal immigration topped 660,000 for 2013.38 More surprisingly, and despite accolades, briefings, and press releases about the successes of border enforcement, arrests by the CBP has actually increased year to year from 2011-2013, the last three years that data is available.39 At the same time, many of the arrests are not simply for illegal immigration, many involve more dangerous crimes including dangerous drugs worth millions of dollars, homicide, sex offenders, gangs, fraudulent
passports, and trans-national organized crime. \textsuperscript{40} In 2013, the Border Patrol interdicted more than 2.43 million pounds of illegal substances. \textsuperscript{41}

Texas took a hard-nosed stance on illegal immigration and drug trafficking along the southwest border area of the state in 2014. Then Governor Rick Perry ordered 1,000 National Guard soldiers to state active duty to help secure his border after alleging that the federal government was failing to do so. \textsuperscript{42} This action coincided with a sharp spike in unaccompanied children crossing the border during 2014 amid mixed signals coming from the federal government that led many to believe they would be able to stay in the United States. \textsuperscript{43} Some argued that the move was politically motivated and there is indication that the current governor of Texas, Greg Abbott, will continue to fund National Guard Soldiers on the border until legislation is passed doubling the funding for public safety aimed at securing the border and hiring 500 additional state troopers. \textsuperscript{44}

Regardless of whether politics is in play or not, the results of having the National Guard assist law enforcement on the border has produced results. According to the Texas Department of Public Safety, illegal border crossing is down in one of the most active areas, the Rio Grande Valley Sector, by about two thirds since the National Guard arrived. \textsuperscript{45} Precedence for similar success exists when then President Bush mobilized the National Guard to help with border security while generating a trained force of 6,000 new border patrol agents. \textsuperscript{46} The administration commented on the value of having the National Guard fulfill that role over the two years it was activated. \textsuperscript{47} Similarly, Arizona demonstrated a unity of effort with the CBP and DHS when it turned much needed assistance into a training event. \textsuperscript{48} Arizona National Guard Soldiers assisted the CBP with pouring, delivering, and erecting concrete barriers as part of the security efforts along the
Arizona/Mexico border, in what all involved considered an outstanding example of interagency cooperation.\textsuperscript{49}

National Guard units have special training and equipment that make them an especially attractive resource for the DHS in general and the CBP in particular. National Guard Cavalry Squadrons possess Soldiers trained in reconnaissance and surveillance which is directly applicable to border security missions. Additionally, these units possess some of the most sophisticated equipment designed to detect and monitor individuals and vehicles miles away and under all types of weather and light conditions.\textsuperscript{50} Other units possess significant logistical capabilities than can assist with barrier erection, transportation, and other logistical considerations. Additionally, all National Guard units possess significant organic communications capabilities that often include satellite communications that are interoperable with state and federal agencies.\textsuperscript{51}

National Guard units that fall into the operational sustainment force pool should be assigned missions in support of the CBP and DHS as their capstone training event where it geographically makes sense to do so. Although this would entail only two weeks of security per unit, a phased approach could see units protecting a targeted area of concern for months at a time based on the latest risk assessments. This implementation of DHS missions into the annual training cycle of affected National Guard units presents several advantages.

First, it does not significantly affect their readiness since they will have training aim points that essentially require units to be trained at the individual and squad level of proficiency. This readiness level is largely uniform across the Army and doesn’t differentiate to any significant degree across the branches and specialties; it is the
minimum level of readiness for a military unit. These skills and the attendant validation can be achieved throughout the year prior to the unit’s designated annual training block of two weeks.

Second, this provides relevancy for the National Guard units involved and serves as a retention tool in that Soldiers believe they are doing something meaningful. This means taking part in stemming the flow of illegal substances and “bolstering the Department of Homeland Security’s efforts to detect, deter and disrupt transnational criminal organizations and terrorists.”

Third, it demonstrates unity of effort across state and federal government that complements already existing cooperation such as during Defense Support of Civil Authority activities. This unity of effort can address enforcement gaps within the CBP that the DHS could take advantage of while the participating states could concurrently achieve real and meaningful training.

Finally, it provides efficiency and serves as an example of good stewardship of taxpayer dollars. It does not cost anything additional to implement this policy for any of the stakeholders yet saves money that would otherwise be spent duplicating the capabilities that already exist in the National Guard.

Disaster & Pandemic Response

The Department of Homeland Security made significant improvements to the way government responds to natural disasters since Hurricane Katrina in 2005. Most of these changes came from the Post-Katrina Emergency Management Reform Act of 2006 which saw new leadership roles established in the Federal Emergency Management Agency (FEMA). This act also created new missions, brought back old missions and most importantly expanded FEMA’s authority by requiring a “broad range of activities before
and after disasters occur.”\textsuperscript{54} Concurrently, both the DHS and the National Governors Association (NGA) have recently focused on government and private sector partnerships as they both consider approaches to addressing the impact of a catastrophic pandemic influenza here in the United States.

As the lead agency for disaster response, FEMA’s new mandate as described in the Reform Act of 2006 came to fruition during its response to Hurricane Irene in 2011. Governor Chris Christy of New Jersey praised the DHS and FEMA on its responsiveness during and after Hurricane Irene crashed into the east coast causing millions in damage across the eastern part of the state and coastline.\textsuperscript{55} Thousands of National Guard Soldiers from multiple states assisted during and after Hurricane Irene.\textsuperscript{56} The cooperation and unity of effort displayed during Hurricane Irene and other disasters is a model for the future and should be built upon. Even more daunting than the effects of a hurricane is the potential catastrophic effects of pandemic influenza.

Pandemic influenza has the potential to be the greatest danger the United States will ever face; far eclipsing the effects of a natural disasters or terrorist action.\textsuperscript{57} The integration of the National Guard into state response plans appears to be significant from a conceptual perspective. A 2009 assessment report to the DHS of state preparedness to deal with pandemic influenza found that “[i]n many States it was noted the National Guard had an “all-hazards” plan designed to support the State emergency response plan for all contingencies.”\textsuperscript{58} Although the National Governors’ Association pointed out that the National Guard will not only be affected by such and epidemic the same as the public but many of the same first responders in the community are also member of the National
This reduces the overall state responder resource pool and makes exercising interagency plans even more important.

The National Guard is underrepresented in rehearsals and exercises designed to prepare government and private sector actors to address pandemic influenza. Most recently, FEMA conducted a large scale exercise designed to increase readiness in the event of a catastrophic pandemic of influenza. Of almost 100 private-sector and government agencies from Goldman Sachs to U.S. Northern Command, not one representative from the National Guard participated. This is counterintuitive and must change both in theory and practice. The National Guard has extensive medical capabilities and manpower capacity that would certainly be utilized during such an emergency. Additionally, many of the security functions of the DHS could be backfilled by National Guard Soldiers in the event of a human resource shortfall caused by influenza. The role of the National Guard in support of DHS should be accentuated and exercised proportional to the drop in wartime mission readiness as a natural and wise application of Commonwealth and State resources.

Joint Publication 3-28 describes the Department of Defense support to civil authorities and the role active and reserve forces in support of that architecture. Likewise, FEMA has a suite of guidance documents that collectively establish the National Planning Framework. FEMA also publishes guidance within the National Incident Management System (NIMS) on conducting whole of government and community exercises in the Homeland Security Exercise and Evaluation Program (HSEEP). The National Guard should rebalance those units not already engaged in the rotational force
pool or supporting the Customs and Border Patrol to a focus of exercising disaster response capabilities.

The HSEEP is a federal template of what a training exercise program should consider and the principles underpinning such a program. The core of the HSEEP can be found in almost every state and commonwealth directorate of public safety. The thread that runs through them all is a whole of government and unity of effort approach. The utility of these plans is the experience and efficiency gained in actually exercising the stakeholders instead of waiting to develop these relationships during or after a disaster.

Exercises play a vital role in national preparedness by enabling whole community stakeholders to test and validate plans and capabilities, and identify both capability gaps and areas for improvement. A well-designed exercise provides a low-risk environment to test capabilities, familiarize personnel with roles and responsibilities, and foster meaningful interaction and communication across organizations. Exercises bring together and strengthen the whole community in its efforts to prevent, protect against, mitigate, respond to, and recover from all hazards.65

Virginia provides a ready example of National Guard integration into DHS, FEMA and Commonwealth DSCA mission priorities. Virginia is vulnerable to seasonal hurricanes and the potential disasters they bring.66 One of the initiatives that follows the spirit of the HSEEP is the pre-Hurricane planning and execution of the Interstate 64 Lane Reversal mission. This plan articulates how Virginia intends to evacuate the densely populated area of Hampton Roads westward towards Richmond in the event of an imminent and destructive hurricane.67 The plan is relatively simple and articulates how eastbound lanes of I-64 would be shut down and open for westbound traffic to help facilitate an evacuation towards Richmond and other outlying areas. However, this is a deceptively oversimplified description of what otherwise takes significant coordination and rehearsal to execute effectively.
Agencies and organizations involved in the planning and execution of rehearsing the I-64 Lane Reversal mission include the National Guard, the Virginia Department of Transportation (VDOT), the Virginia Department of Emergency Management (VDEM), the Virginia State Police (VSP), and the Virginia Department of Public Safety. The planning and execution of this mission requires a command and control structure that is understood by all and rehearsed for efficiency. The battalion sized National Guard organization that is assigned this mission is allotted only roughly two days every year to train for this mission. This training comes at the cost of the traditional Defense Support to Civil Authorities training that is otherwise an annual requirement for National Guard Bureau to report to the Department of Defense. In 2013, all the stakeholders involved in the I-64 Lane Reversal plan came together and executed a successful full rehearsal. However, very few rehearsals involving the National Guard and VDEM or FEMA ever occur despite the critical need for them. The National Guard is not even mentioned once in the 26 page VDEM 2012-2014 Strategic Plan. The National Guard should be one of the focuses of VDEM’s strategic plan. Furthermore, this focus should be present in every state and commonwealth emergency management strategic plan.

Training time is often a zero-sum game in the military. However, where training is planned and incorporated that meets the objectives of two of more legitimate interests, it becomes more efficient and a better part of a meaningful strategy. The National Guard has logistical, medical, communications, engineering, transportation, and command and control assets that will be in high demand in any emergency. Full immersion in risk driven scenarios not only maintain the core competencies expected of units in the operational force sustainment pool, they also develop key relationships and exercise
those collective skills needed to effectively assist in tomorrow’s natural disasters. The National Guard’s role in supporting the DHS, FEMA, and State governments should grow as sequestration inevitable results in tiered readiness.

Conclusions and Recommendations

The National Guard faces a number of challenges as the threat of sequestration looms. The fiscal austerity of sequestration is a perennial threat that will force the Army and her sister services to rethink how forces are generated for the Combatant Commanders. In this context, the National Guard will likely be forced to endure most of the readiness reduction and risks a loss of relevancy as it finds a majority of its units in the operational sustainment force pool.

The recommendations outline a path that the Army should consider in preserving the combat power of the National Guard through maintaining all or most of the BCTs in the rotational force pool. They also describe a viable approach to maintaining the training and relevancy in the National Guard, while addressing a need in the DHS that supports a federal mandate for whole of government and unity of effort across the spectrum of stake holders. The universal appreciation of the emerging risk in the cyber domain necessitates an approach that should leverage the unique abilities and skillsets of the National Guard. The same applies to enforcement of the borders to stem the flow of illegal immigration and, more importantly, dangerous drugs and transnational organized crime. Finally, well planned and rehearsed options to deal with the inevitability of natural disasters and perhaps more importantly, the threat of pandemic influenza cannot be overemphasized. In all of these cases, the National Guard is an indispensable option that, given the current and future environment, should be leveraged more than any other time in their history.
Endnotes


5 Ibid.


9 Ibid.

10 Grass, Statement before the Senate Arms Service Committee on Army Total Force Mix, 8-9.


12 Ibid., 6-7.

13 Ibid.
14 Ibid.

15 Ibid., 7 (Figure 3).


19 Ibid., 5-8.


22 Ibid.

23 Title 18, U.S. Code, Section 138.


25 House of Representatives, Subcommittee on Intelligence, Emerging Threats and Capabilities, 12.

26 Ibid.

27 Ibid.

28 Ibid., 7-8 (General Alexander before the House Subcommittee on Intelligence, Emerging Threats and Capabilities).


31 Ibid.


33 Ibid.

34 Ibid.

35 Ibid.

36 Ibid.


39 Ibid.


47 Ibid.


49 Ibid.

50 See Long Range Advances Scout Surveillance System (LRAS3) and RQ-11 Raven Unmanned Arial Vehicle.


54 Ibid.


58 Ibid., 20.


62 U.S. Joint Chiefs of Staff, *Defense Support of Civil Authorities*.


65 Ibid., Intro-1.


