

## ***Homeland Security: A Strategy for the States***

by

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### 1. Introduction

Last year was a difficult year for the Guard and the Year 2002 promises to be one as well. The events of 11 September changed many things and indeed it was difficult to think about anything else. To the Guard, it was hard to focus as transformation, future warfare, a war on terrorism, peacekeeping, and homeland security all crowded the docket. Four of the five mentioned subjects were charting new terrain where there was much uncertainty. The task of the Guard in this time of upheaval is to remain faithful to the tradition of the citizen soldier, responding to both its federal and state mission. It has become necessary to vigorously respond to those who would now make the Guard a one-dimensional force whose sole mission would be homeland security (hereafter "HLS"). This paper lays out a strategy for the Guard of each state to carry out their emergency operation/HLS mission while demonstrating that it is not necessary to reorganize or remission the Guard to accomplish that. This strategy will allow the Guard to use its general purpose combat forces in this mission while maintaining their readiness to carryout their federal warfighting/peacekeeping mission. There should be no doubt that the Guard can be the most effective contributor to HLS and can do so without changing its core missions.<sup>1</sup> No organization other than the Guard can better integrate the efforts of local, state and federal government forces and agencies. The paper describes what must be done to better carry out both missions.

### 2. Everyone's in charge; no one's in charge

Any discussion of HLS must accept the fact that there is no institution charged with the responsibility and the authority for HLS actions. While there is an institution that is responsible for fighting our nation's wars, the Department of Defense (DOD), and an institution responsible for apprehending and prosecuting criminals, the Department of Justice (DOJ) and an institution to deal with the damages caused by man made and natural events, the Federal Emergency Management Agency (FEMA), HLS falls into all three areas and then some. For this there is no institution and the nation must create one. It must be created at the federal level and in each state.<sup>2</sup> The office of Director of Homeland Security was created by an executive order that assigned responsibility for HLS to that office but vested it with no authority and no troops. It cannot be effective as is. It can only be effective when responsibility and authority is in one office, person or

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<sup>1</sup> Two core documents that will have a major effect on Homeland Security should be carefully reviewed. The first, the United States Government Interagency Domestic Terrorism Concept Of Operations Plan, may be found at <http://www.fas.org/irp/threat/conplan.html>. The second, the Federal Emergency Management Agency Federal Response Plan, may be found at <http://www.fema.gov/r-n-r/frp/>

<sup>2</sup> Harvard Magazine, January-February 2002, "Understanding Terrorism," p.40.

agency that is responsible for coordinating the actions of the many agencies involved. At the federal level this is thought to be 40 different agencies.

Most states have the same organizational deficiency. That is, all states have an institution to apprehend and prosecute criminals, and an institution to respond to damage control, and an institution that is the first military responder. But in many states, responsibility and authority for HLS is fractured, diffused and in part non-existent. Responsibility and authority for HLS must be lodged in one department or agency, preferably in one that has substantial resources with which to prevent, deter and defend, and to prepare to respond and to respond.<sup>3</sup> That one agency must be the responsible planner, the responsible coordinator, and the responsible executor.

In the majority of states, a deficient organizational structure exists which will make it difficult to carry out the actions required by HLS. It must be borne in mind that HLS has two separate functions that must be managed by one agency. The first function is to prevent, deter and defend (“PDD”) against terrorism, and the second is to prepare for and to respond to the consequences of acts of terrorism. The first function is proactive and is usually associated with acts of the police, law enforcement, and the Guard, while the second function is reactive and is generally in the area of emergency management, first responders and the Guard. While each organization may prepare to do and do what it thinks is best, there is in fact no one at the state level charged with the responsibility and the authority for PDD. This has many implications. It means there is no one in overall charge of a day-to-day program of risk analysis of critical infrastructure and other vulnerable areas and developing and directing the implementation of the preventive measures. It means there is no one planning and executing other preventive activities. It also means that in all likelihood there is no counter-terror intelligence effort in the states and no one is guiding its effort to support the prevention function. These illustrate the kinds of critical deficiencies in managing the PDD function that result from a defective organizational structure.

Unfortunately there is also a defective organizational structure in the crisis/consequence management function. In some 38 states there is a split organization

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<sup>3</sup> All recent approaches to organizing for homeland security stress one agency in charge and the consolidation under it of functions that are appropriate. Hart-Rudman Commission Report, Jan 2001, Vol. III, recommends a cabinet level Homeland Security Agency and consolidates under it, FEMA, the Coast Guard, the Border Patrol, Customs Service, and portions of the FBI. The Secretary of the Army upon designation as DOD’s executive agent for homeland security, announced that the “Pentagon will consolidate responsibility for homeland security and its associated issues and functions across the DOD staff into a single organization.” In Pennsylvania, the Governor’s Task Force on Security recommended that “The Governor should designate an agency to serve as a single point of contact for all terrorism-related matters.” Reported in “Pennsylvania Guardians”, summer 2000, p.3. There are bills introduced in the House of Representatives that would create a single agency for homeland security: H.R. 1158 the “National Homeland Security Agency Act” and H.R. 1292, “The Homeland Security Strategy Act of 2001,” would create a National Homeland Security Agency that would include the Federal Emergency Management Agency and various other agencies, and would require them to develop a comprehensive strategy for homeland security under which federal, state, and local government organizations coordinate and cooperate to meet security objectives. These proposals consolidate in one agency the prevent, deter, and defend function and the consequence function as the author recommends in this paper.

caused by the separation of emergency management from the Guard. This split organization has no advantages but creates significant difficulties especially in the planning for and the response to a WMD event. This bifurcated organization must be ended and a unified one put in place of it. Moving responsibility for emergency management under the TAG can best do that. The unity of command this consolidation produces will simplify the lines of communication and coordination and gives the unified organization greater capability, flexibility and earlier response times. Planning and execution will be more effective. The split organization inhibits planning and information gathering, slows the response times, complicates the command and control of ongoing operations. The threat of attack by WMD weapons gives urgency to the issue. The complex planning for a response to such an event and the need for immediate action when the event occurs requires the daily management of the response plan. These factors all dictate the need for consolidating these functions under a single department head. There does not seem to be a good reason to continue the separated/split organization. What is needed is the political will to effect the change at the federal and the state levels.

### 3. The state organization: unity of command under the Adjutant General

It is up to each state to get its organization right. The old organization that may have functioned well in a snowstorm or a flood will not be adequate for the problems of today's environment. We cannot have conflicted organizations. We must have an organization that adheres to the principle of unity of command that lodges responsibility and authority in a single commander. The command lines must be made clean by consolidating and centralizing functions and agencies. It is strongly urged that the TAG be designated the responsible person for day-to-day emergency operations and for HLS. The TAG should be able to focus his energies and those of his department on his core military missions, federal and state. Today these are very demanding missions. To carry them out, the TAG should be divested of any responsibilities that are not related to his core mission. In some 22 states the TAG has day-to-day responsibility for emergency operations and that should include HLS.<sup>4</sup> It is recommended that the other states seek a change of its state statute so as to place the emergency management agency under the control of the TAG. Further that legislation should be specific in assigning HLS to the TAG with responsibility for both the prevention function and the response function. At the same time, the TAGs should discourage the creation of separate HLS directors that directly respond to the Governor. Any such office should be under the control of the TAG otherwise there is a fragmenting of responsibility and authority and a potential for conflicting thinking and actions. The principle of unity of command must be preserved.

### 4. The Guard state headquarters should be reorganized for HLS

The Guard state headquarters, full time and part time, should be reorganized to effectively address emergency operations and HLS. Presently, the military support to

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<sup>4</sup> The 22 states in which the Adjutant General has day to day responsibility for emergency operations are: Alaska, Arizona, Hawaii, Idaho, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Montana, Nebraska, New York, North Dakota, Rhode Island, South Carolina, South Dakota, Washington, Wisconsin, Wyoming.

civil authority section and the post mobilization section are the two elements of the headquarters that should be directly involved in emergency operations and HLS on a daily basis. These two sections should be reorganized under a Director of Security that would have these functional areas:

- intelligence, to receive and evaluate information and to issue intelligence requirements to collection agencies
- a risk analysis section which evaluates critical infrastructure and other vulnerable installation/activities and recommends measures to prevent, deter and mitigate
- an operations section which receives status reports, prepares plans, executes plans, and recommends preventive actions and supervises their execution and coordinates response plans and their execution
- a technical section which evaluates meteorological and hydrological conditions, detects, analyzes and monitors chemical, biological, nuclear agents and hazardous materials and tracks their flow
- a cyber-terror section which examines critical systems vulnerability, recommends preventive actions and tracks hackers
- a transportation security section which analyzes and monitors transportation systems, rail, air, seaports, highways, waterways
- a communications and information section which establishes and maintains the communications systems, creates and maintains the computer/information systems architecture and operates the HLS website
- a training section which identifies training needs, civilian and military, obtains the instructors and conducts the training
- a damage control section which assesses damages and provides assistance, and
- a fire commission section that analyzes fire hazards, organizes fire companies for emergency response and provides training to fire fighting personnel.

There would also be a command element and an administrative element. Many of these tasks are not those for which guardsmen are normally trained and they must be retrained or it will be necessary to go to the civilian community to find the talent required. To carry out the daily emergency operations, the normal civil support actions and HLS functions would require a force of 60 to 130 full time persons, depending upon the size and requirements of each state. In states where emergency management is under

control of the TAG, not all of these sections would be needed as some should already exist in the agency.

The command and control systems for use in emergency operations and HLS must be common and interoperable with the federal government and among the states. These systems should be federally designed with input from each state and funded by the federal government. Operational websites in a secure Internet should follow a standard paragraph protocol like the Army's five-paragraph order to facilitate finding the information desired.<sup>5</sup> This format should be followed down to the county and municipal level. This should be an operational, not a public information net. On this site will not only be the plan but other information that operators need. It will also have the status reports and actions in ongoing operations. A public informational website is useful and should be established; the public should be encouraged to report information to this site.

#### 5. The state emergency/ HLS Plans: Prevention and Consequence Management

The state emergency/HLS plan will be the work product of several agencies working under the TAG.<sup>6</sup> There should be two plans, one to address the prevent, deter and defend actions and the other for crisis/consequence management actions. Like all operational plans it will assign responsibilities in clear mission/task statements to various commands and agencies and provide for the coordination and support of their actions. It should also consider that an action in some part of the state might have a substantial impact in an adjacent state that would require a coordinated action with that state. The two elements of state planning are discussed below.

##### *a. The state plan and actions for prevent, deter and defend*

The laws of the United States assign primary authority to the federal government to prevent and respond to acts of terrorism or potential acts of terrorism.<sup>7</sup> The lead federal agency for threats or acts of terrorism that take place in the United States or in international waters is the Department of Justice and is delegated to the FBI. We can recognize at the federal level, the many aspects of the PDD function and the many agencies involved. The collection of intelligence by the CIA, State Department, foreign governments and their law enforcement agencies and by the FBI at home; the Treasury Department in finding the money roots and its trails and disrupting them; the State Department in urging foreign governments to curtail terrorists and their organizations and activities; the Department of Transportation and its multi-pronged effort to increase airline/airport security; the Department of Justice in detaining and investigating more

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<sup>5</sup> For many years the Army has used a standard five paragraph field order: (1) the Situation, (2) the Mission, (3) Execution, (4) Logistics, and (5) Command and Control. Over the years a protocol developed as to exactly what would be in what paragraph. The author suggests that a standard protocol be adopted nationally for HLS operation plans.

<sup>6</sup> United States Government Interagency Domestic Terrorism Concept of Operations Plan, January 2001. In this federal plan, the primary federal agencies are the Department of Justice, Federal Bureau of Investigation, Federal Emergency Management Agency, Department of Defense, Department of Energy, Environmental Protection Agency, and Department of Health and Human Services.

<sup>7</sup> Ibid.

than a 1000 persons and its tougher requirements for entrance into the nation. This list can be much longer. All of this recitation is intended to raise the question what are the states doing in the PDD function and what should the states be doing.

A state HLS strategy should be considering a wide range of PDD actions, many of which will parallel, augment and be coordinated with federal actions. The state PDD plan should also have a plan for responding to federal alerts. This should be a series of escalating measures, each building on the preceding and rising to full alert status. It will usually address the most critical and vulnerable with a level of response actions. Since the September 11 tragedy, federal alerts have been met with reactions of confusion, overreaction by many of the civil populace, and complacency. This response to warning plan should give clear guidance to the people.

There is a clear need for a state counter-terror intelligence section preferably conducted by the state police force. In any case they should be trained investigators, well grounded in the operations of terror organizations and their techniques. The section will conduct investigations of persons and organizations and the flow of money. They will monitor foreign nationals and establish contacts within certain organizations. Much of this work will be done in coordination with the FBI Counterterrorism Division. They will contact and educate sources to report information. As an example, the makers and sellers of explosives would be contacted, educated on what to look for and how to report an activity that is deemed out of the ordinary. Other examples of similar contacts could include persons and companies dealing with hazardous materials, boats, airplanes, trucks, and focus on vulnerable parts of an industry. This section will build a large database to help in its analysis. This section will routinely receive information from federal agencies and other law enforcement offices. For example, the FBI manages a Terrorist Threat Warning System that passes vital information regarding terrorism to those in the U.S. counter-terrorism and law enforcement community responsible for countering the threats.<sup>8</sup> The Director of Security may give intelligence requirements to the state counter-terror intelligence section.

The conduct of risk analyses of critical infrastructure and other significant vulnerable installations is one on the most important PDD actions. A thorough analysis will identify weaknesses and will recommend corrective actions. It will also prioritize the installations individually or by class. These preventive measures should be carried out to the extent that there are resources and if they do not unduly disrupt the operations of the facility. There should be periodic reevaluations to assure the facility is operating according to the agreed security measures. This task is of such importance that the Guard should make this its first training priority. Each state headquarters must have a group of officer/ non-commissioned officer teams capable of carrying out the risk analysis task. Obviously, the larger and more populate the state the greater the requirement.

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<sup>8</sup> Ibid, para.V.a.. Describes the three types of warning messages as an alert, an advisory, or an assessment. An alert is issued if the terrorist threat is credible and specific; an advisory if the threat is credible but general in both timing and target; or an assessment that imparts facts and/or a threat analysis concerning terrorism.

The events of 11 September have shown the need for the Guard in the PDD function. In New York and the Washington area these were substantial commitments and in the former, for an extended period of time. Whether at ground zero, or nuclear plants or at airports these deployments have been far more extensive than those in most emergency operations. Static security missions are very labor intensive and can quickly sap the unit of its capability to carry out its primary mission. This has raised two significant questions. First, can you take a part time organization and use it as a full time force for an extended period. Second, who will look after the state if the Guard is called away for a federal mission. As to the first, the size, duration and train up requirements will indicate whether it is best to plan on reliefs every two or three weeks; this will allow the mission to be sustained for a long time without overburdening any personnel and without reducing their overall readiness. On the other hand, the tasking may be such that it can be managed solely with volunteers.<sup>9</sup>

The question raised in the second, assumes that the crisis is similar to a WMD event. Unless there is a general war, it would be most unusual for most of the Guard of one state to be committed. Usually wartime assignments are allocated among the states with due regard for the remaining forces within the state. In a regional war, even with a substantial call up, the states would still have significant numbers of troops with which to respond as was the case in the Persian Gulf War. Furthermore, most states have now entered into interstate compacts in which they have pledged to assist other states when called. It is also safe to assume that if there is a WMD event the resources of the nation will be mobilized as necessary to respond. There is another response to the question that the TAGs should consider. Some 19 states have maintained state guards or state militias (hereafter referred to as "home guard"). It is suggested that the Guard of each state form a number of home guard elements located in communities near the most vulnerable facilities such as nuclear power plants, dams, major airports, and seaports. The protection of these facilities would be the primary responsibility of the Guard augmented by the local home guard element. The local home guard unit would be paired with the nearest Guard unit for supervisions and support.<sup>10</sup>

The Guard can make another significant contribution to the HLS mission by using its part time soldiers in well thought out prevention missions. The long border with Canada and the border with Mexico have become more urgent matters. The Guard should be able to use two days a year in HLS activities just as it did in civil disturbance operations. This time can be used for training individual soldiers or leaders or units or on deployments. The preventive actions should be in support of law enforcement. Random patrols of random areas along the border worked out with law enforcement would be a useful operation and can be repeated numerous times. Helicopter observation flights along the border day and night are a good mission. Similarly, checking trucks or cars on

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<sup>9</sup> In Pennsylvania, the Guard committed 12 volunteers to the security mission at each of its five nuclear plants.

<sup>10</sup> See "Restore the Militia For Homeland Security," by John R. Brinkerhoff. Also for the organization and regulation of a state guard see the "Indiana Guard Reserve" found on the Indiana Army National Guard's website at <http://www.inarng.org/>.

random days at border crossing points would add to our security and can be repeated periodically. Checking containers and ships at seaports will assist local inspectors. Coastal watches conducted at random and overflights of the waterways and approaches to ports will all help enhance security. All of these activities can be carried out to have a significant impact and will not detract from other training or missions.

Commanders at all levels in all communities must take a greater interest in the community if it is near a critical installation. Under the state PDD actions those units should work in a preventive defense of the installation and have a rapid reaction force and a plan for its use.

*b. The state crisis/consequence management plan*

The crisis/ consequence management function is the primary responsibility of the state and local government under federal law. The state plan will require the input from a number of departments and agencies. The plan will usually enumerate assumptions, priorities, policies and procedures. It will set forth the taskings for each major player, i.e., department, agency, command, organization, etc. and will give coordinating instructions. The taskings will usually be functional in nature or may be an area of responsibility assignment (AOR). The functional tasks are such as to provide medical support, provide communications support, provide logistical support, etc. Area missions usually assign an area of responsibility and a movement plan from home stations to a staging area near or in the assigned area. These missions are usually refined in the staging area as to the specific area assigned and the specific tasks to be performed. These will be dependent upon the nature of the event. Since the plan is for immediate execution upon the occurrence of an event and notice, all aspects must be carefully considered.

Plans in the past have not addressed catastrophic events of the type visualized in WMD situations. But that is the key task of planners today. In the past state plans have not generally requested or directed counties to provide aid to another county. However, plans today must consider counties that border on major metropolitan areas and to specifically task them to marshal their resources to respond in the metro area. This will apply especially to fire, ambulance, medical personnel, provision for hospital beds and mass care facilities. Except in large built up areas, many states rely upon volunteer fire companies and volunteer ambulance units. To facilitate timely response and coordination, fire companies that are scattered throughout many communities should be organized into provisional response battalions and ambulance units into provisional ambulance companies. When organized these provisional response battalions/companies will have a commander and staffs and upon order will turn out their commands to respond.

It is common today to hear that plans should be integrated but not much is said about what that means. At the state level, planners usually think in terms of coordinating the plans and actions of the various departments and agencies involved. That process could be described as integration, horizontal in nature. This is fairly easy as the different departments have different pieces of the puzzle. However, today the language is more in terms of vertical integration, of federal, state, county and municipal planning and actions.



This is more difficult to accomplish. If integration is thought of in terms of bringing together parts into a whole, the planners will focus on priorities, policies and procedures which will enhance integration, such as commonly shared priorities, standardized communications systems and procedures, and agreed policies for response actions, such as a single command and control center, one public information office, etc. There is another critical area that the planners must consider. This has more to do with a division of labor, not only as to who will do what so as to avoid unnecessary duplication, but also of ascertaining the various requirements for an operational area, determining who can satisfy the local demand, and making the appropriate tasking. Good planning will identify some of these, well thought through exercises will find more. Only the actual operation can determine the real need. In all of this, the successful planner, the successful plan is the one that best anticipates the requirements of the operation and best fulfills the need.

It is suggested that planners who must deal with large metropolitan areas should work with the municipal plan and draw their county and state plans to support it. Rather than attempting to use a single generic plan for the entire state, a separate plan should be drawn for the big metropolitan areas. Perhaps one or two per state. These plans will build on the metropolitan plan as will the counties involved. The state and county plans will support and reinforce the municipal plan. Thus, if the municipal plan provides for highway arteries to evacuate different parts of the city and has access control measures to filter traffic on to the artery, then they should be part of the county and state plans. This will integrate the plans from the bottom up rather than imposing a generic plan from the top down.

It is thought that most states are continuing to rely on the state emergency plan that it has had for all emergencies. These plans should be restudied through the prism of a biological, chemical or nuclear WMD event producing mass casualties and massive destruction.

The plan or plans must be drawn for a number of different events. In preparing the state plan, the authors should consider the United States Government Interagency Domestic Terrorism Concept of Operations Plan, dated January 2001. The Federal Emergency Management Agency Federal Response Plan (1999) should also be reviewed.<sup>11</sup> These documents suggest various assumptions, policies and procedures that may be useful in preparing the state response plan. The 12 emergency support functions of the FEMA plan should also be reviewed. As a planning exercise, it is suggested that the staff work through the entire plan for a nuclear event, a chemical event and a biological event. The consequence in each exercise should be roughly substantial in area, or number of persons directly impacted. A comparison of the three should be made by looking at key player and unit actions. A list of these actions should be made and compared in a set of annexes to provide clear focus on areas of commonality and differences.

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<sup>11</sup> See web site references for these two documents in footnote 1, above.

The plan should be tested in a number of scenarios. The scenarios can consider a large portion of a city to be cordoned off, quarantined and access controlled or it may consider an area of substantial size, say a radius of five to ten miles, that must be evacuated under varying conditions, e.g., a precautionary evacuation or an evacuation of a chemically or nuclear contaminated area or there can be a large area of destruction similar to the WTC. Another can simulate a mass casualty event similar to the World Trade Center.

Most counties within the state have a county emergency operations center and each usually has an emergency response plan. The counties do not usually coordinate their plans. The state plan must identify areas where an incident will impact more than one county and suggest the coordination that is required. In the Three Mile Island Incident of 1979, as an example, as operators realized that the precautionary evacuation might reach to a 10 or 20 mile radius, they saw that evacuation routes had not been coordinated among the counties.<sup>12</sup>

A good plan requires good organization and good taskings of all elements. The military is a well organized, disciplined force trained to work in dangerous and chaotic environments. What must be certain is that all other non-military elements are also well organized and prepared to respond. The execution of the plan requires good communications among all major elements, military and non-military. Military liaison teams with radios must be sent to each major element. There is nothing wrong with cell phones but as the WTC event showed that overload soon rendered it ineffective.

Plans for WMD events must be monitored daily so that critical information is timely and active; there is no time to collect information after the balloon goes up. The state headquarters must identify critical information from its plan, e.g., how many hospital beds are vacant in each region, what is the blood supply by region, what is the vaccine status, what is the status of major arteries into and out of the city, etc.

## 6. The Guard's combat forces can do the job

Most of the Army Guard consists of general purpose combat forces and as such are quite flexible and adaptable, designed to survive and function in combat. These Guard units of the various states have responded to all manner of natural and man-made disaster: hurricanes, floods, tornadoes, earthquakes, snowstorms, forest fires; and chemical fires, oil spills, a nuclear incident, hazardous waste spills. These forces have also responded to prison riots and civil disturbances. The same Guard units that have answered the call for help from their local communities, are the same Guard units that have marched off to all corners of the earth to fight in the nation's wars. The dual mission of service to nation and state is the heritage of the Guard. It is the tradition of the citizen soldier.

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<sup>12</sup> After Action Report, Three Mile Island Nuclear Incident, 28 March-5 April 1979, p.13, published by the Pennsylvania National Guard.

In responding to these many state emergencies, Guard combat forces have performed a myriad of tasks: cordon off areas and control access; evacuate large number of people from an area; protect property and prevent looting; restore order; control and route traffic; establish and operate mass care shelters, provide static security at key installations; conduct foot and motorized patrols; rescue operations; emergency medical care; setting up communications networks; clearing debris, constructing emergency bridges; delivery of supplies and materials. These are among the more typical tasks. These same forces have also carried out a wide range of tasks in supporting law enforcement agencies in drug interdiction efforts: air and ground surveillance, container cargo searches; crack house sealing, border patrol, demand reduction efforts. These organized, trained and disciplined forces are able to perform this wide range of tasks because they are adaptable and flexible.

There are some who hold the view that the combat forces of the Guard should be reorganized and remissioned solely for homeland security. They visualize some kind of constabulary force armed with rifles and transported by trucks. Those who argue for the constabulary make the assumption that the combat forces of the Guard are no longer needed for the defense of the nation. In fact, in all of the wars fought in the 20<sup>th</sup> Century some or almost all of the Guard was called to action. Even in this time of relative peace in which the nation is the world's sole superpower, the Guard is busier today in its federal mission than it has ever been in peacetime. It is today committed in several countries in peacekeeping and humanitarian work while standing guard at many airports and nuclear plants here at home. Without the Guard as a warfighting force, the nation would need an even larger active force that would be far more costly. As the army transforms to a lighter future force, the Guard's combat forces should become a more important element in the legacy force. Rather than reducing the overall combat power of the nation by converting combat forces to constabulary units, the combat power of the Guard should be increased so that it can carry a larger share of the army's heavy force mission.

In 1992, Hurricane Andrew destroyed 62,000 Florida homes, one of the largest disasters the nation has ever experienced. Troops from the 82<sup>nd</sup> Airborne Division and other active soldiers were sent to help the Florida National Guard. In an after action report of the operation, General Gordon R. Sullivan, then the Chief of Staff of the Army stated

...[A]lthough the Army's essence rests in its war-fighting ability, it has a doctrine flexible and versatile enough to adapt effectively to other kinds of missions, such as disaster relief.... In case of disaster relief, the Army doesn't need, as some have suggested, to create units specifically structured, trained and equipped for disaster relief. This would result in a completely inefficient use of resources. If anything, the recent operations in Florida demonstrated that our combat units possess enormous adaptive capability-fueled by a doctrine emphasizing flexibility, versatility,

efficiency, decisiveness and creativity, as well as the necessary equipment and supplies, to conduct disaster operations.<sup>13</sup>

The constabulary unit, at best, could do no more than the general purpose combat forces do and probably less. However, because the constabulary force has such a limited capability it could do little more. It could not perform a warfighting mission and it is doubtful that it would be useful as a peacekeeping force unless its combat power is increased. It would be low cost but not cost effective. There is a real concern that it would be very difficult to recruit such a unit. Because of its limited use, it is also difficult to see what it would do from month to month, year to year waiting for an emergency. Would they sit in their armories, like fireman, waiting for the call or would they be placed on some kind of perpetual guard duty, standing about as sentries. Even to a patriot, it does not sound like a thrilling mission and would hardly be attractive to the young. Because these constabulary units can do no more than the general purpose combat forces, there is no reason to create them. Nor is there any reason to reorganize or remission the Guard. In sum, the constabulary or special unit idea appears to be a loser for everyone.

## 7. Helping the Guard to be more responsive

There are some things that should be done to help the states and their Guard in the HLS mission. Some have been suggested above. The national military leadership has recognized that beyond the normal tasks that Guard units can perform, there are special needs to cope with weapons of mass destruction catastrophes. Thus WMD civil support teams have been created to analyze, detect and monitor nuclear, chemical and biological agents. The field of cyber-terrorism is being studied. As more analyses are conducted, more needs will be identified and action taken.

There are, however, two areas where action is required. First is in the area of engineering. Since the Persian Gulf War many Active, Guard, and Reserve engineer units have been inactivated. They were no longer needed in the warfighting plans. At the same time, the doctrine and equipment of engineer units was changing to a more focused combat role. This meant that a lot of the engineer equipment of the engineer battalions was gone, e.g. dump trucks, cranes, bridging materials, road graders, compressors, front end loaders, back hoes, etc. This has left the Guard with few engineer assets. This has meant that the Guard is no longer able to do many of the community engineer projects that it used to be able to do and there were many. This has also meant that in state emergency operations where there is great need, this equipment is not available to the Guard. It also means that in any catastrophic event, these units and their equipment are not available. It also means that the Guard is unable to support the kinds of nation building projects such as it had in Honduras.

Most of the engineering capability that remains is in the Army Reserve. The Reserves generally do not do community action projects; borrowing their equipment in an

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<sup>13</sup> Army, Vol. 43, No. 1, January 1993, p.20, "Hurricane Andrew: An After Action Report," General Gordon R. Sullivan.

emergency is not as simple as it sounds as it usually requires maintenance work which may be time consuming and expensive. Thus they are essentially lost for three important missions. This then raises the question of their availability in HLS activities and who is in charge. Weighing this all out the Army should transfer a significant portion of the engineer units to the Guard of the states. These should be corps level engineer assets, leaving to the Reserves army level units. All states have substantial reclamation/restoration/conservation projects to which this equipment could be deployed in the hands of the Guard. And it gives the states the added capability they need for emergency operations and WMD events. In addition, all states need full time and part time professional engineering capability, especially civil, structural, mechanical and chemical. These should be in an engineering section of the state headquarters.

There is little decontamination capability in the Guard's combat structure. Air Guard units have a small element but that is principally to care for the unit itself. The military leadership must determine the need and augment the Guard if that is a concern.

Similarly, the leadership must evaluate the posture of the Guard to react in a nuclear event. In the Three Mile Island Nuclear Incident, it was noted

Military radiation detection equipment on hand...is not calibrated to read low level radiation in the 0-1000 millirem range... Sufficient radiological protective clothing and equipment is not on hand...there are no provisions to maintain a current radiation exposure record for individuals...that radiation detection equipment such as Dosimeter INDS-93 CD4-138 (Low Range) be obtained...that sufficient protective clothing and equipment be obtained...for decontamination teams.<sup>14</sup>

That was in 1979. Where do we stand today is what must be asked. More importantly, in 1979 the Guard had a body of *prefix 5* officers who were knowledgeable in nuclear matters; we no longer have that *prefix*. The issue should be to determine what knowledge base is in the Guard today. If it is inadequate, this must be addressed.

## 8. Conclusion.

It is recognized in HLS as in most emergencies that no single unit or agency has all the capability required and that the response is layered as must be the plan. In all significant emergencies, the first responders have been the local fire and police, followed by the Guard as the first military responders, and then the reserve units in the state which the Congress has made more accessible in a WMD event, then private industry under contract, and federal forces and resources. The TAG and the Guard will be the mainstay in the effort. It has always been this way.

At the state level it is recommended that responsibility and authority for emergency operations and all HLS activities be placed under the control of the TAG.

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<sup>14</sup> After Action Report, Three Mile Island Nuclear Incident, pp. 14-15.

Many of the TAGs, by statute, have been assigned responsibilities not directly related their military mission; the TAGs should be divested of them.

The Guard is a unique American institution that has always answered the nation's call in war while taking care of emergencies at home. The Guard is now and will be a better contributor to the defense of our homeland as it is presently tasked and structured. As needs are identified, the Guard will respond. The Guard will be ready. It will be ready as a good warfighter, a good peacekeeper, and a good first military responder for Homeland Security.