

# Implications from the Guard's Extensive Use

## A Cautionary Tale of 2020

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**Abstract:** From 2020–22, the National Guard saw extensive use domestically to respond to a wide variety of crises, including natural disasters, civil unrest, pandemics, and border security in addition to overseas deployments. As these emergencies perpetuate, balancing the National Guard's use domestically and overseas is critical to preserving a sustainable and capable force. It is important for a broader understanding across local, state, and federal governments of the sustainability of these cumulative effects on this force.

**Keywords:** National Guard, readiness, COVID-19, training, border security

The year 2020 already has secured its place in American history alongside other watershed years such as 1969 and will take decades of studying and analysis to fully absorb, take in, and process to synthesize the full range of that year's events. In 2020, the National Guard played a role, if not a decisive effort, in every major domestic emergency, including the pandemic response, civil unrest, the southwest border, West Coast wildfires, hurricane responses, and political concerns, all while still fulfilling its overseas mobilizations and deployments. The National Guard's willingness, ability, and availability to respond to this wide range of domestic issues while still fulfilling its portion of the ongoing overseas commitments in 2020 created concerns beyond fiscal budgetary ones to others that tie to readiness and training, manning, and recruiting and retention.

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## **The Year of the Guard**

The National Guard Bureau (NGB) referenced 2020 as “The Year of the Guard.”<sup>1</sup> At the height of 2020, newly sworn in director of the Army National Guard (DARNG), Lieutenant General Jon A. Jensen told the audience at the annual convention for the Association of the United States Army, “we had 99,000 Army Guardsmen on some sort of duty order in support of COVID-19, civil unrest response and overseas missions.” He went on to highlight that there are more deployed for firefighting duty, at the southern border, for hurricane response, and election duty.<sup>2</sup> This number increases when accounting for the entire National Guard, not just Jensen’s purview of the Army National Guard (ARNG) forces. In another report, Major General Steven S. Nordhaus, NGB director of operations, stated that 120,000 guardsmen across the guard’s entire 450,000 force (Army and Air National Guard) mobilized, including domestic and overseas activations.<sup>3</sup> At its peak in the summer of 2020, the nation activated 84,000 guardsmen domestically, including 41,500 responding to civil unrest and 37,000 for COVID-19 response; meanwhile, 118,000 guardsmen mobilized, including for overseas deployment.<sup>4</sup>

The Army and the National Guard historically have served in domestic crisis response and natural disasters. While the active-duty forces have participated multiple times in the past to domestic crises, it understandably more regularly falls on the various state National Guards.<sup>5</sup> Adhering to their dual mission, the state National Guard’s answer to their respective governors while employed by the state in state active duty (SAD) or in a Title 32 status, federally funded but state administered and controlled for support to the federal government. The National Guard also must support their federal mission—commonly short-handed to “wartime mission.” It is this mission in support of national security and defense that guard units use federal funding to train for this wartime mission under Title 32 status.

However, Title 32 status is also used to fund much of the National Guard’s domestic response events. In light of this dual purpose, the use of the guard, its funding, its people, its time, and its equipment life cycles requires delicate balancing, which recent events indicate have tilted lopsidedly toward one side of the scale to the detriment of the other and to the servicemembers. State governors have unfettered access to their guards and to assistance through NGB for coordination for help from other states’ guards. The Department of Defense (DOD) also needs to have its largest reserve combat force available, trained, and prepared for its ongoing and potential overseas missions. Whether it is a state governor or the DOD, just because you have ready and easy access to a tool does not mean you should use it if it is not the right one. In this case, specifically, it is balancing dual use of Title 32, as SAD is purely the purview of the governor. SAD does not fiscally (being state funds) or timewise affect guardsmen and their federal mission or preparedness (SAD does not count toward regulatory codified guard annual training requirements). The only impacts SAD could have is if it, generally speaking, leads to a recruiting or retention issue with the

guardsmen not wanting to join or stay in due to extensive state active duty, thus the unit loses a guardsmen that they would have otherwise had for their wartime mission.

The solution may be broader, including finding or creating or resourcing the right tool. If the use of the guard during the last years is accepted as precedence and expectations are made for their ready application to any and all ills for state governments, then this balance could be critically upset and unsustainable for the nation. While a reexamination of extensive domestic use of the National Guard may be painful in that it leads to expansion of other Services and their budgets or capabilities to the detriment of the guards, if that reorients the state guards to a more balanced mission focus while the states are receiving their needed crisis response efforts then the balance is achieved. The states' domestic crisis needs are not to be taken lightly or dismissed, but neither is the critical role of the modern National Guard, even more so as an operational reserve and no longer a strategic reserve to its federal duties and responsibilities. Striking the better balance is the solution, however painful or unpopular it may be for all parties involved for the greater good.

Current usage surpassed the previous record of guardsmen activated in 2005 for the Hurricane Katrina disaster response.<sup>6</sup> Katrina, a massive storm with a radius of 30 nautical miles from its center, with the strongest winds extending 75 nautical miles out and covering an area roughly the size of Great Britain, made landfall in southern Florida on 25 August 2005. By 29 August, Katrina had crossed into the Gulf of Mexico, gained strength, and struck the Gulf Coast from Alabama, Mississippi, to Louisiana, devastating New Orleans. The National Guard response came from all 50 states; 5 territories; and the Washington, DC, National Guard—not counting the federal response and active-duty U.S. Army's contribution, it peaked in early September at 50,031. However, unlike the continuous demand in 2020, this drain on the National Guard began dropping almost immediately to just more than 20,000 by mid-October, and by early December nearly all out-of-state guardsmen were gone.<sup>7</sup> This event led then-chief of National Guard Bureau (CNGB) Lieutenant General H. Steven Blum to promise concerned governors that the National Guard would balance better in the future between meeting its Global War on Terrorism requirements with allowing governors to retain enough of their guardsmen to address domestic emergencies. This balance resulted in a quarter of the guard overseas, a quarter preparing for overseas duty, and the remainder available on-hand for governors' use in domestic emergencies.<sup>8</sup> Katrina provided a case in point of the governors' concern, as Louisiana's largest guard unit, the 256th Infantry Brigade Combat Team, had been in Iraq when Katrina struck, resulting in Louisiana relying even more heavily than normally on out-of-state guard support. In perspective, 80,000 guardsmen were deployed when Katrina struck, with roughly 50,000 committed to Katrina at its peak, which meant 130,000 guardsmen were engaged between Katrina and overseas missions, not counting wildfires, post-9/11 critical infrastructure security missions,

or other domestic uses for the guard in 2005.<sup>9</sup> However, the guard made it work in 2005, establishing the precedent, one that was exceeded in 2020.

Guardsmen can be used with state managed, federally funded Title 32, the federally managed and federally funded Title 10, or the state-funded, state-managed state active-duty status. The balance of 2020 saw guardsmen responding to various domestic missions, such as the wildfires, and did not account for those at the border in a mission that straddled the line of domestic response or national security, crossing over between the various statuses. In addition to these historically common domestic uses for the guard force, although unheard of in their cumulative use in 2020, the Year of the Guard also has seen new domestic demands placed on the force as the Army Guard's cyber units have been placing more soldiers on duty for an ever-expanding mission at the state and regional level.<sup>10</sup> This potentially is a window into even more increased domestic demands placed on the largest element of the Department of Defense's reserve component.

During this year, many individual guardsmen contributed to multiple different missions throughout the year. Minnesota's 1st Armored Brigade Combat Team of the 34th Infantry Division not only conducted civil unrest response and managed the impacts of COVID-19 but also was the first Army unit to restart large-scale training with its modified rotation at the National Training Center at Fort Irwin, California, in 2020.<sup>11</sup> Many of the same guardsmen have been activated periodically during the last 24 months for a variety of missions. Florida's adjutant general (Major General James O. Eifert) voiced this concern, stating, "I can tell you it's almost impossible to not have people who have not done all of those things." This was supported by Texas's adjutant general (Major General Tracy R. Norris) saying many of her troops would do at least two if not three of the various missions that year.<sup>12</sup> Even in some ironic cases, guardsmen who were laid off in their civilian job due to budget cuts were activated in the same position in their National Guard uniformed capacity, such as police officers who were also Army military police.<sup>13</sup>

Jensen emphatically stated as he took over as DARNG that the Army Guard "is as relevant and necessary across an array of missions than we ever have been, both domestic missions and our overseas missions in support of the National Defense Strategy." He reaffirmed the chief of staff of the Army's promoted priorities and claimed his top priorities are people first and developing leaders.<sup>14</sup> With an ongoing demand to not only support continuing overseas commitments that go far beyond a now-ended Afghanistan mission to include Europe, the Pacific, Africa, and the remaining additional Middle East deployments, can the National Guard sustain more years like 2020 and the growing precedence being set for increased domestic guard use? This includes balancing the guard's pivotal role in preparedness and national security readiness for great power competition and fulling its role in deterrence. The issues appear to be budgetary, but it goes beyond just fiscal dollars for readiness and training and goes into time commitments for an all-volunteer, part-time force with another

full-time job, that potentially identifies a looming personnel crisis in the midst of a budgetary one.

Governors in all 50 states; Washington, DC; and the territories activated their guard for COVID-19 responses. More than 44,500 troops were used in the pandemic response with the numbers peaking at 47,100 in May 2020.<sup>15</sup> Their efforts included running community-based testing sites, supporting medical capacity, providing logistical and transportation support, assisting state emergency operations centers, manning call centers, distributing food and supplies, building temporary facilities such as field hospitals, and assisting in cleaning and sanitizing spaces.<sup>16</sup> Then-CNGB General Joseph L. Lengyel noted the double-edged effects of calling up National Guard medical personnel in that it would take them out of their civilian medical professions only to then reuse them in their medical soldier roles.<sup>17</sup> Lengyel asserted that guard forces supporting local and state law enforcement authorities conduct activities that active-duty forces lack legal authority to do—this largely refers to the Posse Comitatus Act of 1878.<sup>18</sup>

However, this interpretation comes with limitations. It can be interpreted to only apply to National Guards operating in their state under their parent state's governor, not of National Guards operating in another state; in this case, their legality is the same as an active-duty formation under the Posse Comitatus Act. Legal arguments are made that under an Emergency Management Assistance Compact (EMAC), states can operate within another state while still under the jurisdiction, laws, and authority of its home state's governor. This assertion has rarely been tested, in most cases, even under EMACs between states, outside National Guards do not conduct law enforcement activities without approval from the DOD; they only provide assistance and support to law enforcement. A stricter interpretation holds that once a guard force is employed outside its parent state, legally its authorities are no different than an active-duty force; however, the resourcing, pay and benefits, other administrative aspects, and its chain of command remain different, even if its authority does not.<sup>19</sup> This then becomes a deeper discussion on the legal authority differences between SAD, when there is no legal question Posse Comitatus does not apply, and Title 32 federally funded guard activities under governor control when outside the guardsmen's home state. Even as the guard provided massive support to federal, state, and local pandemic response efforts, it was far from the only large-scale domestic crisis the guard was called out for in 2020.

The racial protests, counterprotests, violence, and instability across much of the nation in mid-2020 saw multiple states activate and use their National Guards in support of local law enforcement. Where the National Guard typically takes a supportive, backseat role, in some cases, the guard was used to convey what was meant to be a more acceptable, neutral face to the response. The protests reached a pinnacle in June, seeing 24 National Guards employed, including those from Arizona; Arkansas; California; Colorado; Florida; Georgia; Illinois; Indiana; Kentucky; Michigan; Minnesota; Nevada; North Car-

olina; Ohio; Pennsylvania; South Carolina; South Dakota; Tennessee; Texas; Utah; Virginia; Washington; Washington, DC; and Wisconsin.<sup>20</sup> Many of the individuals responding to this call were the same ones who were on pandemic response. In many cases, even this was not their last activation, but many of the same faces in the pandemic response and the civil unrest were those in the south and southeast a few months later conducting hurricane relief efforts or out west fighting wildfires across California.

Lieutenant General Jensen indicated the increase in hurricanes and span of wildfires in recent years suggests a growing demand for National Guard support, inherently placing a higher demand on soldiers' service outside of their federally mandated training.<sup>21</sup> Approximately 2,000 troops from California and other states were called to duty to fight wildfires burning in an area the size of Connecticut. Army Guard aviation support included helicopters and crews with support from more than 10 states, including California, Arizona, Idaho, West Virginia, Utah, Wyoming, Wisconsin, Mississippi, and Oklahoma. Even international support arrived to assist in fighting the fires from Canada, Israel, and Mexico.<sup>22</sup> The whole guard is affected by this, including the Air National Guard. For example, the 2020 fire season resulted in the specialized 152d Airlift Wing of the Nevada Air Guard having their longest activation since the U.S. Department of Agriculture's Forest Service airborne firefighting system for Lockheed C-130 Hercules was introduced in 2016. The 2020 fire season saw all four military units supporting the airborne firefighting system used from across four different states: Nevada, California, Colorado, and Wyoming.<sup>23</sup>

As of September 2020, 1,400 guardsmen (including more than 1,000 in the Army Guard) supported the northern and central California wildfire response.<sup>24</sup> The assistant adjutant general of California (Major General Matthew P. Beevers) claimed, "This type of flying builds readiness. Our crews aren't simply doing laps around Fort Hood banking hours. This flying absolutely ensures that lives will be saved in the war fight."<sup>25</sup> While on a linear spectrum of flying laps to get required flight hours or flying firefighting support, the latter is more dynamic for training—this obscures the point that guard aviation should always prioritize creative ways to build readiness while meeting flight hours aside from laps, such as in the return to great power competition and peer conflict, aviation units should be aligning their flight hours with training of ground units, or even more so, there should be a line of volunteering units to fill the guard's slots for combat support and combat service support units at the Army's combat training centers instead of the Army Guard trying to convince units to participate in these opportunities. In this manner, not only do they get a minideployment exercise experience of packing, loading, and shipping equipment to the combat training center but also get to train in the apex readiness developing exercises available. Instead, leaders champion domestic response as if it is better preparation for wartime missions, which is difficult to argue when there is a lack of a thinking opposing force in a domestic response. Instead, leaders should be maximizing the best available training for the growing peer competition rather than

focusing on how domestic responses that are nothing like the anticipated future combat environment are better than the training their units would otherwise be doing. Though it may take more coordination, time, and effort—possibly even between states—to achieve this sort of maximized training, it would reap appreciable dividends. The use of guard units for domestic response should not be portrayed as better training than they would normally have. It should be done in extremis, while their normal training is the best possible for preparing them for the next fight. Training with incidental benefits, a common method to justify guard units conducting domestic response in lieu of their federal mission training, occurs only when that training is complemented by their domestic response, not because the domestic response is better training. If that is the case, then the training in the first place is a problem to be rectified.

There are a few unit types, aviation being one of them, which have domestic response employments that are relatively aligned with their operational deployment tasks, as compared with a ground combat unit conducting COVID-19 testing points, or hurricane response, which is nothing like their federal mission. However, even these units' training could be better emphasized to support preparedness for major combat operations and only used for domestic responses sparingly and when absolutely necessary as a last resort. Without this exigency it is not a balanced trade for the majority of guard units; it is a categorical readiness and training loss for those units to conduct domestic operations at the expense of their operational mission training, and this should be a concern with the rising demands on so many guard units for domestic operations.

National Guard presence on the southwest border is nothing new. Dating back to the 1916–17 border security deployment of the U.S. Army and the Army National Guard, which resulted in General John Pershing's pursuit of the Mexican outlaw Pancho Villa, the guard has had a presence. From May 1916 to February 1917, nearly 110,000 Army guardsmen patrolled the southern border and simultaneously gained experience and trained for their upcoming contributions to the U.S. effort in the First World War.<sup>26</sup> Even as recently as the 2005–6 Operation Jump Start under President George W. Bush saw guardsmen on the southwest border. The operation lasted more than two years from 15 June 2006 until 15 July 2008 and included volunteers (no involuntary activations) from all 50 states, five territories, and Washington, DC. Cumulatively, this included more than 30,000 guardsmen, with roations of 6,000 on the border the first year, dropping to 3,000 for the second year. The vast majority of these, more than 80 percent, came from the Army Guard, while it is notable Air guardsmen were needed as well due to the operational demands placed on the National Guard globally.<sup>27</sup> The latest iteration began in 2019 under President Donald J. Trump with these border deployments continuing under the current administration of President Joseph R. Biden Jr. More than 4,000 troops remained on through 2021, with a slight reduction to 3,000 approved to remain on into fall of 2022, the fourth year of the mission, indicating an ongoing requirement that is continuing to be

shifted to a fully guard-supported task.<sup>28</sup> When taken in totality, it was closer to 5,600 troops on the southwest border mission in 2020, with 2,600 active-duty troops supported by 2,450 National Guard troops and an additional 600 active-duty troops sent “to help address health protection measures” due to COVID-19.<sup>29</sup> In a developing controversy, these federal missions are different from the additional state-level missions ongoing in Arizona and Texas where they are using their own troops, in the case of Texas even outside state National Guard troops, to buttress the federal southwest border mission, with South Dakota’s National Guard deployment gaining controversy from its funding source.<sup>30</sup> Additionally, the guard provided support to law enforcement at both the Milwaukee, Wisconsin, Democratic Convention and the Charlotte, North Carolina, Republican National Convention.<sup>31</sup> While some National Guard support to local law enforcement for these sorts of events, and even others such as the Super Bowl is not unheard of, when these normal domestic guard activations are added to true emergency response uses of the guard domestically, the cumulative effect is debilitating.

While 2020 was a tough year for the nation and an unprecedented year for the National Guard domestically, it may be less excessive going forward as it only fed off the steady, growing precedence of using the National Guard for other issues. Even the demanding year of 2020 has barely slackened into 2021 as approximately 26,000 guardsmen from the 50 states; 5 territories; and Washington, DC, stood on duty for President Biden’s inauguration. While typically every guard has ceremonial representation at each inauguration, this was far more than normal—more than all the troops deployed in Iraq, Syria, and Afghanistan combined. Another 8,700 guardsmen were on duty in their home states on that date for possible civil unrest support, with 23,000 still supporting COVID-19 responses across the nation. Another 34,000 were overseas, on the southwest border mission, or activated for other missions.<sup>32</sup> Even into 2021, more unprecedented requests on the guard were made, such as the Massachusetts’s governor using more than 200 guardsmen to fill a school bus driver shortage.<sup>33</sup> In similar cases, the New Mexico governor called on guardsmen to fill substitute teacher vacancies, and multiple states have started using guardsmen to fill nonmedical staff positions in hospitals and long-term elderly care facilities.<sup>34</sup> These are more recent, clear examples of the use of guardsmen as an easy answer to a state’s problem, whether it is a lack of nurses, school bus drivers, or teachers due to labor shortages, poor pay, or COVID-19 fears. Even if the guardsmen are not the correct fit, they are an expedient tool of policy for the state government that is readily available as long as there are either state funds for SAD or Title 32 federal funds, as is common. Additionally, sometimes these abnormal requests are not fulfilled, such as when Arizona suggested the idea that 135 of their guard be used to support their chronically understaffed prison system in Maricopa County. Though this request was later rescinded, the sheriff’s office still indicated future interest in their use.<sup>35</sup> All this use, cumulatively



adding up, comes with implications that leaders, professional decision makers, and policy makers should understand.

### **Implications of Extensive Use**

Balancing dual missions is not unprecedented. It occurred during the Global War on Terrorism with its own border mission, homeland security missions, and hurricane and wildfire responses, notably Hurricane Katrina. Even before that, the National Guard has a long history of domestic use. However, the levels of use steadily increased over time with the guard becoming not a last resort but a chief reliance of the state and national domestic emergency response, the levels of which have become unprecedented in recent years. This occurred in tandem with a declining budget as the national deficit is seen by some as the biggest national security threat.<sup>36</sup>

The imbalance of the National Guard's duality in mission and two masters—one the state governor and the other the president—is not unprecedented, only this time the tables have turned. As recent as 2005, the state governors, through their adjutants general, expressed their concerns to the NGB about the perceived overextension of the guard for its wartime mission at the expense of having their forces at home for emergencies. This led to a compromise, balancing the ratio of guard units deployed, those mobilizing or demobilizing from a deployment, and those readily on-hand for governors to use for domestic response. The 2005 compromise between governors and the NGB resulted in NGB's stated goal of ensuring there were guard forces available for states' domestic emergencies.<sup>37</sup> In this case, the careful balance shifted in the direction of extensive guard use overseas, limiting the state's use during emergencies. Now, the predominance of guard use being used domestically has turned this imbalance.

The current problem set is even more complex since its high tempo is in fact domestically oriented, not overseas as with the war on terrorism, with the prioritization now shifting from opposing Title 10 use for the sake of Title 32 to now fencing off Title 32 preparedness and availability for federal and national strategic purposes. Additionally, soon there could become a focus for preserving use for inside a home state and a decline in the ability to honor EMACs for intrastate support due to the possibility of not having the capacity and capability for their own state's needs. At a time when domestic crises have shown the interrelated nature of crises across state lines, this could be troubling. Likewise, the integral roles of guard forces in defense strategy means their readiness and availability for their federal mission still remains a priority. While they may not have been deployed as much as during the past two decades, the part played in great power competition, deterrence, and plans requires a certain degree of protection from overuse domestically at the cost of their overseas use preparedness. This is not to say the guard tempo is too high—it has been high for more than two decades, but it is what it is high for and what implications a precedence of

this sets for a future that may return to another period of high demand overseas, when local, state, and national government became accustomed to the domestic reliance on the guard.

## **Fiscal Concerns**

The four-month-long guard mission to the Capitol cost more than \$500 million from the National Guard's operations and maintenance budget, and without emergency reimbursement from Congress will result in cuts to training, leading to unavoidable dips in readiness. Recently confirmed Army secretary Christine Wormuth stated, "Without these resources, the Guard . . . will find themselves with training issues." Secretary of Defense Lloyd J. Austin echoed the secretary's concerns that lacking reimbursement for funds spent on the Capitol response mission, impacts to the guard's ability will be felt in training and preparation. Particularly mentioned was readiness in aviation and ground vehicle units.<sup>38</sup> This fiscal resourcing crisis was mitigated by a last-minute emergency spending bill passed by Congress for the guard's capitol response budget deficit on virtually the last day before it curtailed the guard's end of fiscal year actions.<sup>39</sup> Even as this budgetary crisis was averted at the last minute, Capitol Police requested guard support again in September 2021 in preparation for additional public demonstrations in Washington, DC, reinforcing the perceived reality of an uninhibited, continually growing reliance of the guard for domestic response, at the expense of its dual mission.<sup>40</sup>

The Capitol response incident placed both Congress and the National Guard in an unwinnable position of precedence. On one hand, Congress would not want to establish precedence that the guard can answer any and every call made for it, spending its budget with a guarantee that when it proposes the bill and threatens a default in operations and training that Congress will automatically pay. On the other hand, the National Guard does not want to accept a precedence that when it answers a call for domestic emergency support, it does so without knowing that it will have the fiscal resources to still maintain its standard operations, training, and maintenance rates for the fiscal year. However vibrant the fiscal implications are from the use of the guard, it is not the only concern with the constant, consistent, and increasing use of the force.

The COVID-19 response is a variation on the fiscal theme. The National Guard COVID-19 support to the Federal Emergency Management Agency (FEMA) has been one of the largest and continuous of the recent Title 32 domestic response missions. States using Title 32 federal funds for COVID-19 response had variations of 75–100 percent reimbursement by FEMA. Recently, FEMA extended all states' qualified Title 32 COVID response costs to 100 percent refunded until 1 April 2022. As of January 2022, it resulted in \$2.7 billion in reimbursements.<sup>41</sup> Here, FEMA has borne the fiscal costs of the National Guard COVID-19 response, resulting in minimal budgetary issues for the guard's use of Title 32 funds for COVID-19; however, it still illustrates that fiscal concerns are only part of the problem. The COVID-19 response beyond

Title 32 or SAD costs has consumed guardsmen's time, impacting their civilian pursuits and training readiness. The National Guard simply putting money toward the problem only addresses some concerns, though absolutely critical ones, as the National Guard is an entity inherently designed to be a mostly part-time force and only occasionally and intermittently activated as a full-time force. It is balancing this time between preparing for the federal overseas mission and the domestic state response mission that is imperative. There is only so much time each year a guardsmen can, or is required to, serve without a presidentially authorized involuntary mobilization.

### **Issues of Citizen-Soldiers' Time**

Beyond just fiscal issues, extensive guard use leads to other areas of potential concern and importance to note for leaders, civilian, and uniformed personnel. Monetary resources are only one aspect. It is easy for an active component and even full-time guardsmen to realize that money is not a sole solution, however visceral it may seem to be in public debates. There is a balance for citizen-soldiers that no matter how much money is available, they no longer are available. This is a fact of their part-time nature. Once they have accumulated their statutorily required service for a year, the only two methods to continue use are compulsory activations or through voluntary conditions. If the leadership decides, or legally cannot, activate them involuntarily for an event then they cannot be forced to; likewise, if they cannot be convinced to volunteer then they will simply not be available for use or training. Then if, or, even when the training resources are reimbursed for units to achieve their federally expected readiness levels, servicemembers could decline attendance without voluntary participation, directly influencing a unit's ability to achieve a specified readiness level due to the percentage of overall unit participation or absence of key billet holders, such as an incomplete staff, command team, or key small unit leaders. Similarly, if domestic responses are comprised of ad hoc formations made up of volunteers from diverse donor units, then those units conducting training without their servicemembers while they are volunteering for domestic responses face the same issues of achieving stipulated readiness requirements due to manning and key position vacancies during the training. This is a critical consideration in how, who, and for what length guard units are selected, used, and manned for domestic responses that reflect the organization's responsibilities for readiness and availability for the broader federal requirements and role in the national strategy. There comes a time when for a guardsmen no amount of money can incite them to conduct more training and spend more time away from family and employers; if so, they would have been in the full-time military.

In light of this concern, the White House's budget proposal of even the slight reduction of 500 guardsmen for the Army Guard and a status quo for the Air Guard is notable. While not a major decrease, at a time of increased utilization at the end of more than two decades of continuous operational de-

ployments and growing requirements for readiness in great power competition, the guard seeks increases to balance increasing domestic use with overseas obligations, not a decrease in personnel. General Daniel R. Hokanson, successor as CNGB to General Lengyel, makes clear this comes at the end of a year with more guard troops activated than at any other time since the Second World War. Hokanson stated this added up to 21 million days of activation for the guard. Hokanson voices many shared concerns with the fatigue of the guard as another factor for desiring an increase in the force.<sup>42</sup> By one account, more than one-third of these days were for domestic response with an estimation that more than 8.4 million of those days were for domestic responses in 2020.<sup>43</sup>

## **Recruiting and Retention Impacts**

Understandably, this raises potential future recruiting and retention questions. This story remains clouded as effects of this only manifest in waves years afterward regarding retention. On its face, this seems a possibly misplaced concern with the Army Guard meeting its retention mission in 2020. Job security of the multiple, repeated, and enduring activations may have impacted this, but recovering economies and balancing returning to work with intermittent military service may not hold into the near future when those activated repeatedly in 2020 begin to face reenlistment and extensions.<sup>44</sup> Connect this with a tightening budget resulting in the Army Guard eliminating retention bonuses in 2021—this does not affect Air Guard bonuses or Army Guard initial enlistment bonus program for new recruits—it impacts keeping the experienced soldiers, the ones repeatedly activated during the last couple years. Retention officers in some states emphasized that the benefits and bonus programs are key drivers for reenlistments in uncertain times, even as those programs are facing restrictions and termination due to fiscal restraint.<sup>45</sup>

This may not be a major concern immediately with the Army Guard repeatedly exceeding its retention goals since 2019, but its sustainability is questionable without bonuses and cumulative fatigue if the force is not grown and tempo maintains or, worse, increases.<sup>46</sup> Additionally, regarding initial recruits, some recruiters indicated that the guard's highly visible response to the racial justice protests served as a double-edged sword. A recruiter stated the individual's cultural and political views played a far more powerful role in their decisions to enlist after those events.<sup>47</sup> In another example, the use of volunteers for the southwest border mission has negatively affected morale, impacting retention and even recruiting. This is aside from exacerbating the training readiness by the method of taking volunteers from various units to fill the border mission unit with a volunteer-only unit for the mission. In this case, the Missouri Army National Guard unit, made up of elements from 34 other guard units, faced a challenging mobilization to the border resulting in poor experiences and negative press due to how it was formed, used, and the quality of life.<sup>48</sup>

On 29 January 2022, the satirical site *Duffle Blog* posted an article “Amid Omicron Surge, National Guard Called Up to Man entire DOD” in typical

fashion mocking the extensive use of National Guard efforts supporting domestic response.<sup>49</sup> Though satire is of course not fact, it can be a reflection of society and the existence of the article on the overuse of the guard illustrates some of the feelings and perspectives held on this subject by those in uniform.

The Florida adjutant general spoke to his state congress on the issue of use. He told them, “You can only go back to that well so often because these are volunteers. . . . How much are their employers and families going to be willing to allow this to continue with the demand that it’s put on our soldiers?” He emphasized that the year included pandemic response; two deployments to Washington, DC; hurricanes; support to law enforcement; and overseas deployments stressing his force in 2020 into 2021. Adding troops could alleviate how often the same troops are used. Although it may start with volunteers, at some point they become volun-told individuals. Some recommended solutions include discussions on force growth, increased health care benefits through extension of TRICARE to the whole reserve component force, better pay management between the various guard authorization codes, and less restricted access to benefits such as the GI Bill for domestic service or activities under Title 32.<sup>50</sup>

The current DARNG, General Jensen, stated, “The culture of the Army is to say yes, and we are going to continue to be tasked by our states and by our nation, and we’re going to say yes.”<sup>51</sup> In light of this, the guard has certainly answered its call, as it has done for centuries of dedicated service both at home and abroad many times simultaneously and will continue to uphold this tradition, but at what potential cost is the concern here. The last years have been taxing on the nation and its citizen-soldiers. Beyond a pat on the back for their efforts, implications of this use must be considered, weighed, and addressed by professional leaders with these concerns mitigated. As the next crisis looms, and some of the current ones endure into seemingly ongoing crises, lessons should be gleaned. Lessons on priority of use, force balance (i.e., when can the burden be shared beyond just the guard component to achieve the same ends and end-strength discussions?), legislative procedures for fiscal certainty for readiness, training, maintenance, and balancing talent management for both initial recruitment and retention. Professor of public service at the State University of New York at Albany, retired Brigadier General F. David Sheppard stated, “the use of the military is an absolute last resort for anything.”<sup>52</sup> As of June 2021, 67,000 guardsmen remained activated domestically and overseas as continued domestic requests for guard support to local, state, and national government continue.<sup>53</sup>

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