NATIONAL GUARD BUREAU

Report on the Feasibility of Establishing National Guard Units in American Samoa and the Commonwealth of the Northern Mariana Islands

8/19/2015

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National Defense Authorization Act, Fiscal Year 2014 (H. R. 3304—83, SEC. 515), requires the Secretary of Defense to report to Congress findings on the feasibility of establishing National Guard units in American Samoa and the Commonwealth of Northern Mariana Islands. This is the final report.

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1. Executive Summary.

The National Guard Bureau (NGB) has completed its study into the feasibility of stationing National Guard units in American Samoa and the Commonwealth of the Northern Mariana Islands (CNMI). Establishing National Guard units in both territories is feasible; however, major steps are necessary to reach that endstate.

Before any National Guard units are established in either jurisdiction, the executive branches of the respective territories, in coordination with the Department of the Interior, must ensure the necessary authorizations for a militia are enacted in territorial law. Initial reviews indicate that the CNMI has territorial laws in place that support the establishment of an organized militia, whereas American Samoa does not. Additionally, numerous definitions within Titles 10, 32, and 37 of the U.S. Code would have to be amended for any newly established units.

The territories' ability to recruit, maintain, and sustain units is limited. Demographic analysis indicates that American Samoa and the CNMI can support 2-3 company sized elements of 120 Service members each, totaling 240-360 Service members. The United States Army Reserve (USAR) currently has 390 Soldiers in American Samoa and analysis indicates it cannot support additional military structure. However, the CNMI has 110 USAR Soldiers and analysis indicates it can support an additional 1-2 company sized elements.

Force allocation across all states and territories is problematic. There are several costing frameworks to consider. Selecting the framework to transfer force structure from one state or territory to American Samoa or the CNMI will have an impact on the donor state or territory's ability to accommodate the National Guard Bureau's "Essential Ten" homeland capabilities. Additionally, converting USAR to National Guard may require a force structure swap and have a similar impact on "Essential Ten" for the donor state converting to USAR.

2. Background.

Section 515 of the National Defense Authorization Act (NDAA) for Fiscal Year 2014, Public Law 113-66, 127 Stat. 754, called for the Secretary of Defense to determine the feasibility of establishing National Guard units in American Samoa and the CNMI and to notify congressional defense committees of the results of the feasibility determination. This section further called upon the Secretary to consider the allocation of force structure and manpower; funding required for pay, benefits, operations, and missions; existing and

required infrastructure; ability to meet the National Guard's "Essential Ten" homeland defense capabilities; manpower (military, technicians, and full time support) requirements; and ability to sustain operations and readiness. The NDAA lists the "Essential Ten" as aviation, engineering, civil support teams, security, medical, transportation, maintenance, logistics, joint force headquarters, and communications.

3. Assessment

a. Overview

The feasibility study addresses several questions that pertain to matters of force structure, funding requirements, and military policy. The study also identifies two specific legal issues that the Department of Defense (DoD) must address in its response. These legal issues are:

> (1) A determination of whether the executive branches of American Samoa and the CNMI, in coordination with the Department of the Interior, have enacted and implemented statutory authorization for organized militia as a prerequisite for establishing units of the National Guard; and a description of any other steps that such executive branches must take to request and carry out the establishment of a National Guard unit.
>
> (2) A list of any amendments to Titles 10, 32, and 37 of the U.S. Code (U.S.C.) which would have to be enacted by Congress to provide for the establishment of units of the National Guard in American Samoa and the CNMI.

Accordingly, the following paragraphs provide a preliminary legal analysis of these two issues regarding the suitability of existing territorial laws and any required amendments to the U.S. Code.

b. Territorial Laws.

Our legal review of the respective territorial laws has determined that the executive branch of the CNMI has adequately enacted and implemented statutory authorization for an organized militia as a prerequisite for establishing a unit of the National Guard (Annex H). American Samoa has not. However, full analysis of the relevant laws will require legal expertise in not only the constitutions of American Samoa and the CNMI, but also their respective domestic statutes, administrative codes, and judicial opinions.

Thus, coordination with the Attorneys General of American Samoa and the CNMI would be necessary to provide the basis for reaching conclusions on these matters. Additionally, coordination with the General Counsel of the Office of Insular Affairs at the Department of Interior would be essential, owing to the authorities ascribed under U.S. law to the Secretary of the Interior with respect to administration of the Pacific insular areas of the United States[1].

c. Amendments to the U.S. Code.

Notwithstanding any limitations to establishing a National Guard imposed by the territorial laws of American Samoa and the CNMI, several provisions of the U.S. Code would require amendment so that these two territories would have legal parity with the three existing U.S. territories (Guam, Puerto Rico, and the U.S. Virgin Islands).[2] With respect to the titles identified in the feasibility study—specifically, Titles 10, 32, and 37—the required amendments would at a minimum include adding specific references to American Samoa and the CNMI to relevant provisions pertaining to the National Guard.

d. Recruitment and Sustainment.

(1) According to the 2010 census, American Samoa has a population of 55,519, with a median age of 22.4. Of that population, 12,978 are of military age (18-34 years old)[3]. Within the military age category, 2,985 are eligible for military service.

(2) There are currently over 2,000 community college students in American Samoa. There are 3,849 students enrolled in school between the ages of 15-17. Of the population over 25 years of age, 82% have graduated high school, and 9.9% have at least a bachelor's degree. Of the entire population, 57% of individuals in American Samoa are considered impoverished.[4]

(3) The Commonwealth of the Northern Mariana Islands has a population of 53,883, with a median age of 33.4 years[5]. Of that population,

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[1] 48 U.S.C. § 10

[2] The Office of Insular Affairs of the Department of Interior defines a U.S. territory as: "An unincorporated United States insular area, of which there are currently thirteen, three in the Caribbean (Navassa Island, Puerto Rico and the United States Virgin Islands) and ten in the Pacific (American Samoa, Baker Island, Guam, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Atoll, the Northern Mariana Islands and Wake Atoll)." U.S. Department of Interior, Office of Insular Affairs, "Definitions of Insular Area Political Organizations," *available at* http://www.doi.gov/oia/islands/politicatypes.cfm (last visited Apr. 18, 2014).

[3] http://www2.census.gov/census_2010/10-Island_Areas_Detailed_Cross_Tabulations/American_Samoa/

[4] http://americansamoa.gov/index.php/2012-04-25-19-44-32/2012-04-25-19-52-04/departments/commerce

[5] http://www2.census.gov/census_2010/10-Island_Areas_Detailed_Cross_Tabulations/CNMI/

11,057 are of military age (18-34 years old)[6]. Within this group, 2,543 are eligible for military service.

(4) Of the population over 25 years old, 82% of the CNMI population has graduated high school, and 20% has at least a bachelor's degree. There are 3,669 students in grades 9-12 and 1,803 college students. Of the entire population of the CNMI, 52% are considered impoverished.[7]

(5) The USAR currently has units in both territories. Elements of the 100th Battalion, 442nd Infantry Regiment, are in Pago Pago, American Samoa, and in Saipan, Commonwealth of the Northern Mariana Islands. American Samoa has USAR Infantry, Engineer, and Mortuary Affairs units. The end-strength of those units is approximately 390 Soldiers. The Commonwealth of the Northern Mariana Islands has USAR Infantry and Quartermaster units, for an end-strength totaling 110 Soldiers.

(6) According to NGR 601-1, Paragraph 6-16, on lead generation, recruiters need 20-25 generic leads to enlist one Soldier into the Army National Guard (ARNG). Recruitment efforts of another island territory (U.S. Virgin Islands) indicate that recruiters would need 30 generic leads to enlist one Soldier in American Samoa or the CNMI. The demographic data available indicates that the populations of American Samoa and the CNMI could respectively support 2-3 company-sized elements. A company is approximately 120 people. Sustaining another company-sized element in American Samoa could present a challenge given the current number of USAR Soldiers stationed there unless component conversion (USAR-ARNG) is considered. NGB analysts estimate the CNMI could support 1-2 company sized National Guard elements in addition to the USAR personnel currently stationed on Saipan. This does not take into account the command structure (The Adjutant General, United States Property and Fiscal Office (USPFO), Associated Staff, etc.) that would accompany National Guard units based in these locations. These positions and their associated military rank structures are a significant planning factor when looking at feasibility. Furthermore, mission analysis for both Territories indicates that the requirements are more suitable to Army than Air Force capabilities.

e. Strategic Relevance

(1) On November 17, 2011, President Obama addressed the Australian Parliament and outlined America's renewed commitment to the Asia-Pacific region. The President emphasized regional security and stability; economic growth and prosperity for allies and economic partners; and protection of

[6] http://www2.census.gov/census_2010/10-Island_Areas_Detailed_Cross_Tabulations/CNMI/
[7] http://gov.mp

human rights. The President will achieve his goals through a mix of strong military presence, expanding and forging economic partnerships, and increased engagements and sanctions.[8]

(2) The 2012 Strategic Planning Guidance further states: "The U.S. military will continue to contribute to security globally, *we will of necessity rebalance toward the Asia-Pacific region.* Our relationships with Asian allies and key partners are critical to the future stability and growth of the region."[9]

(3) American Samoa and the CNMI play an important role in America's pivot to the Asia-Pacific region. Both territories fall within the U.S. Pacific Command (USPACOM) Area of Responsibility (AOR). The close proximity of the CNMI to Guam makes CNMI a logical extension of the U.S. military presence in that corner of the region. Guam has nearly 6,000 Active Duty military personnel.[10] The National Guard, a key part of the joint force team, contributes nearly 1,500 Army National Guard and Air National Guard personnel to that number.[11] The Soldiers, Sailors, Airmen, and Marines on Guam combine to make a formidable joint force as a part of the larger USPACOM. As the U.S. grows its military presence on Guam and the region, opportunities may exist to leverage the close proximity of CNMI.

f. Historical Defense Support to Civil Authorities

(1) Since 1966, there have been 11 federally declared disasters in American Samoa. The territory is subject to typhoons, flooding, heavy rainfall, and tsunamis (see Annex A).

(2) The 2009 tsunami disaster left 34 dead, displaced 2,200 people, and left widespread destruction. Power outages and lack of communication hampered recovery efforts. The Hawaii National Guard (HING) deployed elements of its Civilian Emergency Response Force Package, Civil Support Team, and Command & Control to provide assistance to local authorities. The HING contingent came under the command and control of the Ninth Regional Support Command of the U.S. Army Reserve Pacific and worked closely with the USAR units stationed in the territory.

(3) There have been 14 federally declared disasters for CNMI since 1976. Typhoons are its biggest threat (see Annex B).

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[8] http://www.whitehouse.gov/the-press-office/2011/11/17/remarks-president-obama-australian-parliament
[9] http://www.defense.gov/news/defense_strategic_guidance.pdf
[10] https://www.dmdc.osd.mil
[11] https://fmsweb.army.mil/

g. NG JFHQs-State

Department of Defense Directive 5105.83, "National Guard Joint Force Headquarters-State," establishes in each state or territory a NG JFHQs-State. A NG JFHQs-State provides command and control of local National Guard forces; provides expertise and situational awareness to DoD authorities for Federal and state-level activities; develops coordinated plans with appropriate authorities; maintains interoperable communications to enhance command and control; and participates in Federal domestic preparedness planning, training, and exercises. A NG JFHQs-State consists of The Adjutant General of the State or Territory and associated staff elements. Staff elements include human resources, intelligence, operations, logistics, public affairs, resource management, and others as needed. On average, NG JFHQs-State throughout the 54 states and territories typically number 90 to 110 personnel each. By comparison, the territories of Guam, Puerto Rico, and U.S. Virgin Islands have the following National Guard NG JFHQs-State totals in support of the corresponding force structures[12]:

	NG JFHQs-State	Army National Guard	Air National Guard	Total
Guam	178	1,210	445	1,655
Puerto Rico	321	7,286	1,232	8,518
U.S. Virgin Islands	138	781	65	846

The 9th Mission Support Command and the 100th Battalion, 442nd Infantry Regiment provide the command and control structure for the USAR units stationed on American Samoa and the CNMI.

h. Capabilities Based Assessment (CBA)

The CBA identified tasks and evaluated the available military capability to perform those tasks within the context of the most likely disaster scenario, Hurricane/Typhoon (National Planning Scenario (NPS) 10) for American Samoa and the Commonwealth of the Northern Mariana Islands. The capability shortfalls identified in the task were then mitigated based on availability of military and Federal agency capabilities in the region. The summary of the assessment was that although American Samoa and the Commonwealth of the Northern Mariana Islands do not have sufficient military capabilities within each respective territory to respond to a major storm, there are sufficient military capabilities within the Pacific Region that could respond within reasonable timelines to reduce human suffering and provide adequate Defense Support of Civil Authorities. In fact, because of the distributed demographics

[12] https://fmsweb.army.mil

within each respective island chain, it is beneficial to have humanitarian assistance support that is based outside respective territories.

4. Costing Frameworks

Based on the above assessment, it is feasible to establish National Guard units on American Samoa and the CNMI. In order to estimate costs, there are several costing frameworks to consider.

a. Costing Framework 1—Maintain the Status Quo

Maintain the current USAR structure on both territories. The territories request military support through appropriate DoD channels. Other Federal assistance remains the same.

The USPACOM commander has the necessary military force at his disposal to respond quickly and decisively to any natural disaster throughout the AOR. If a natural disaster is imminent, then the commander can prepare units for possible deployment and reduce overall response times. The 2009 tsunami response highlighted the joint, multi-component, and interagency response capabilities of the Nation. The National Defense Act for Fiscal Year 2012 streamlines the process by which governors request Reserve forces, providing easier access to the USAR forces on American Samoa and CNMI.

b. Costing Framework 2—Convert USAR Units to National Guard

Inactivate the USAR units currently in the territories and subsequently activate as National Guard. In order to maintain USAR endstrength, the National Guard would either transfer a corresponding number of units to the USAR or the USAR would activate new units elsewhere.

National Guard units would leverage facilities and equipment currently maintained by the USAR. There would be increases in the number of full-time support personnel required to maintain a National Guard headquarters and units capable of responding to the respective Governors and DoD.

c. Costing Framework 3—Transfer Existing National Guard Units

Inactivate desired National Guard units in their current States and reactivate the same units in the Territories. This Costing Framework comes at a price to other States and Territories. No new force structure is added to the

National Guard. Since the territories have the limited ability to sustain and maintain their current force structure totals, the USAR would have to inactivate units on American Samoa and the CNMI to allow personnel to transfer to the National Guard.

d. Costing Framework 4—Activate New National Guard Units

Increase the endstrength of the National Guard to account for the new requirements. National Guard units would be in addition to USAR forces already in the territories.

This is the costliest of all costing frameworks. The DoD must build new facilities to accommodate the additional force structure and equipment on the territories.

5. Cost Analysis

a. Cost Overview

The costs discussed in this section are the additive costs to DoD given the current structure of the National Guard. The costs were calculated using approved DoD and Army cost factors as well as comparisons to actual expenditure data. Some cost data are based on Hawaii due to the limited amount of data available for American Samoa and the CNMI. There will be logistical nuances that add to costs for each territory. Cost estimates are expressed in Fiscal Year 2015 dollars. Actual implementation of a selected Costing Framework could drastically change these estimates. Elements of consideration include the following: force structure, training, facilities, equipment, operations, and sustainment.

b. NG JFHQs-State Costs:

The major additive cost to adding National Guard structure will be the addition of a NG JFHQs-State. Full time Active Guard Reserve (AGR) Soldiers cost approximately $115,000[13] per year for pay and allowances. A NG JFHQs-State would require 40-60 personnel to operate at a cost of $4.6 million to $6.9 million per year. The NG JFHQs-State would need a facility to conduct operations. Many factors necessary to develop a more accurate cost estimate for a facility are not available at this time. However the National Guard average

[13] ARNG PA&E Cost Factor Handbook, 2014, 16

per square foot for military construction is $205[14]. Therefore, an 18,000 square-foot facility, roughly the size of a battalion headquarters, is $3.7 million.

c. Military Construction

Military construction costs for National Guard unit armories would depend on the implementation framework selected. Costing Framework 2 would not incur costs for the construction of unit armories. Implementation Strategies 3 and 4 would require new facilities. The most recent comparison data to use is the construction of the USAR facility in American Samoa. In the 2002 military construction appropriations bill, the USAR was appropriated $19.7 million[15] for a new armory. Adjusted for inflation based on the consumer price index (CPI), this equates to $25.3 million in 2013 dollars. This armory supports the USAR population of approximately 300 personnel. The National Guard facilities would incur similar costs.

d. Recruiting and Retention

Recruiting and training of Soldiers for National Guard units would also depend on the costing framework selected. Costing Framework 2 would be cost neutral with the assumption that the USAR unit types remained the same and the Soldiers converted to Army National Guard. Implementation Strategies 3 or 4 incur costs related to recruiting Soldiers and sending them through the initial entry training requirements. The Army National Guard currently spends approximately $11,000 per Soldier for recruiting and retention. This includes costs for recruiters, marketing, and advertising. Training costs depend on many factors, including military specialty and rank. As an example, it would cost $1.7 million for pay and travel to send 100 Soldiers from either territory to a continental U.S. (CONUS) location such as Fort Lee, VA, for 90 days of training.

e. Unit Activation

Costing Framework 4 requires activating new National Guard units. In addition to new facilities, recruiting, and initial training, the costs of yearly operations and sustainment needs consideration. According to the Army's FORCES[16] cost model, a National Guard Light Infantry company of 130 Soldiers costs $3.2 million annually if located in Hawaii. Activating a new unit requires procurement of new equipment sets. Equipping a new unit of this type would initially cost $8.8 million.

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[14] ARNG PA&E Cost Factor Handbook, 2014, 16

[15] http://www.gpo.gov/fdsys/pkg/CRPT-107hrpt246/pdf/CRPT-107hrpt246.pdf

[16] https://www.osmisweb.army.mil/

6. Insight

Combining Costing Frameworks 1 and 2 is a cost-effective and less turbulent way to address the needs of the territories. Although this does not address the Governors' need for direct access to a military force, it does provide the necessary support system. Military forces currently in the territories and within the USPACOM AOR continue to provide domestic response capabilities. Anticipation of weather-related events can shorten response times. Other Federal agencies can assist in drug interdiction and illegal immigration that is a major concern for the territories.

Costing Framework 2, Convert USAR Units to National Guard, provides the best concept to stationing on the territories. Similarly typed units would occupy the same facilities vacated by the USAR. This will result in construction cost savings. Joint Force Headquarters would be in addition to the National Guard units established on the territories.

7. Conclusion

The Department of Defense is facing significant endstrength reductions as a result of the 2011 Budget Control Act. The National Guard may see a reduction from 350,000 to 315,000 by Fiscal Year 2019. Nonetheless, the Department is committed to the security of American Samoa and the Commonwealth of the Northern Mariana Islands. When Defense Support to Civil authorities is required in those jurisdictions it will be provided. The territories should fully leverage the whole of government to mitigate domestic incidents, natural disasters, security issues, and maritime incursions.

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Annex A: Disaster Declarations for American Samoa[17]

Date	Incident Description	Declaration Type
9/29/2009	Earthquake, Tsunami, and Flooding	Major Disaster Declaration
2/18/2005	Tropical Cyclone Olaf, including High Winds, High Surf, and Heavy Rainfall	Major Disaster Declaration
1/13/2004	High Winds, High Surf and Heavy Rainfall Associated With Tropical Cyclone Heta	Major Disaster Declaration
6/6/2003	Heavy Rainfall, Flooding, Landslides, and Mudslides	Major Disaster Declaration
12/13/1991	Hurricane Val	Major Disaster Declaration
2/9/1990	Hurricane	Major Disaster Declaration
1/24/1987	Hurricane Tusi	Major Disaster Declaration
3/24/1981	Typhoon Esau	Major Disaster Declaration
11/9/1979	Flooding, Mudslides, Landslides	Major Disaster Declaration
9/30/1974	Drought	Major Disaster Declaration
2/10/1966	Typhoon, High Tides	Major Disaster Declaration

[17] http://www.fema.gov/disasters/grid/state-tribal-government/80?field_disaster_type_term_tid_1=All

Annex B: Disaster Declarations for the CNMI[18]

Date	Incident Description	Declaration Type
11/8/2005	Typhoon Nabi	Major Disaster Declaration
8/26/2004	Flooding, High Surf, Storm Surge, and High Winds as a result of Super Typhoon Chaba	Major Disaster Declaration
7/29/2004	Flooding, High Surf, High Winds, and Wind-Driven Rain associated with Typhoon Tingting	Major Disaster Declaration
12/11/2002	Super Typhoon Pongsona	Major Disaster Declaration
8/6/2002	Typhoon Chata'an	Major Disaster Declaration
12/24/1997	Typhoon	Major Disaster Declaration
12/8/1997	Typhooon	Major Disaster Declaration
2/5/1990	Typhoon Koryn	Major Disaster Declaration
1/20/1988	Typhoon Roy	Major Disaster Declaration
11/3/1987	Typhoon Lynn	Major Disaster Declaration
12/10/1986	Typhoon Kim	Major Disaster Declaration
11/27/1980	TyphoonDinah	Major Disaster Declaration
8/18/1978	Tropical Storm Carmen	Major Disaster Declaration
6/17/1976	Typhoons Pamela, Therese	Major Disaster Declaration

[18] http://www.fema.gov/disasters/grid/state-tribal-government/82?field_disaster_type_term_tid_1=All

Annex C: Capabilities Based Assessment

National Guard "Essential Ten"[19]

Table 1. National Guard "Essential Ten" Capabilities
Aviation
Command and Control (C2)
Chemical, Biological, Radiological, Nuclear, and high-yield Explosives (CBRNE) Response
Engineering
Medical
Communications
Transportation
Security
Logistics
Maintenance

[19] National Guard Regulation 500-1/ANGI 10-8101, Emergency Employment of Army and Other Resources, National Guard Domestic Operations, 13 June 2008. The regulation differs from the NDAA in that the regulation identifies the capabilities "Command and Control" and "CBRNE Response" instead of JFHQ State and CSTs.

National Response Framework Emergency Support Functions (ESFs)[20]

Table 2. Department of Homeland Security Emergency Support Functions
#1 – Transportation
#2 – Communications
#3 – Public Works and Engineering
#4 – Firefighting
#5 – Emergency Management
#6 – Mass Care, Housing, and Human Services
#7 – Resource Support
#8 – Public Health and Medical Services
#9 – Urban Search and Rescue
#10 – Oil and Hazardous Materials Response
#11 – Agriculture and Natural Resources
#12 – Energy
#13 – Public Safety and Security
#14 – Long Term Community Recovery
#15 – External Affairs

[20] http://www.fema.gov/national-preparedness-resource-library

Tasks vs. Capabilities Matrix

High to Moderate Risk to Mission: High probability of mission failure	Acceptable Risk to Mission: Moderate to low probability of mission failure	Low Risk to Mission: Low probability of mission failure

Task	"10"	Description	Measures	Hurricane/ Typhoon	Existing Capability	Military Capability in Region (response within 96 hours)	Risk Assessment	Notes
SN 5.5.3.3	C2, Comms	Provide a Common Operational Picture (COP)		X				
		To provide an integrated capability to receive, correlate, and display, functional and operational pictures of systems and networks and the integrated view(s) of networks that display network health, security status, and information sources. (CJCSI 6510.01, DODD 5105.19, DODD 8500.1, DODD O-8530.1, JP 0-2, JP 2-01, USSTRATCOM Joint Concept of Operations for GIG NetOps)	M1- 80 Percent of availability of the theater information grid (TIG) integrated COP delivery to the Global NetOps Center (GNC).					Existing USAR provides sufficient C2 and Comms with moderate risk to mission within the first 72-96 hours of a major or catastrophic storm. Since major storms path/trajectory is generally predictable within 72-96 hours of land fall, this allows for pre-positioning of regionally military forces both sea / land based from to support a rapid response that would quickly increase military C2 and Comms capabilities and lower risk to mission .
SN 6.3.1	C2	Assemble Forces		X				
		Assemble unit members and resources at home station and provide readiness status of personnel, equipment, and training. JP 3-35, JP 4-05, JP 4-10	M1 3 Days To assemble forces.					Since major storms path/trajectory is generally predictable within 72-96 hours of land fall, this allows sufficient time for assembly of military forces.
			M2 - 100 Percent Of OPLANs contain RC personnel to support plan.					Since major storms path/trajectory is generally predictable within 72-96 hours of land fall, this allows sufficient time for assembly of military forces.
			M4 - 100 Percent Of OPLANs identify RC personnel for mobilization and deployment (e.g., medical, dental, security, mob station staff).					Since major storms path/trajectory is generally predictable within 72-96 hours of land fall, this allows sufficient time for assembly of military forces.
			M5 - 100 Percent Of OPLANs identify RC personnel to deploy (e.g., units and individuals required by supported and supporting combatant commanders and included in TPFDD).					Since major storms path/trajectory is generally predictable within 72-96 hours of land fall, this allows sufficient time for assembly of military forces.

Task	"10"	Description	Measures	Hurricane/ Typhoon	Existing Capability	Military Capability in Region (response within 96 hours)	Risk Assessment	Notes
ST 4	C2, Log	Sustain Theater Forces.		X				
		To perform logistic support activities in the theater required to sustain the force. Logistic support activities will aid in the execution of theater strategy, campaigns, joint and multinational operations, using all available resources (Service, civilian, host nation (HN)). JP 3-0, JP 3-07, JP 3-35, JP 4-0, JP 4-09, CJCSI 3110.03, CJCSM 3122.03	M3- 70 Percent Of required logistics, in place to support campaign (at execution). M4 - 90 Percent Of planned sustainment delivered to theater customers (during execution).					Since major storms path/trajectory is generally predictable within 72-96 hours of land fall, this allows sufficient time for obtaining required supplies and sustainment.
ST 7.2	C2, Log	Maintain Force Readiness		X				
		Maintain force readiness of theater forces and theater deployable forces, units, weapons systems, or equipment to deliver the outputs for which they were designed in executing strategy and campaigns. JP 4-05, JP 5-0, CJCSI 3401.02, CJCSI 3500.01, CJCSI 3500.02, CJCSM 3500.04, DODD 7730.65, DODI 7730.66	M1 Scale (Unclassified) 70 Percent Description (Unclassified) Of military authorizations filled. M2 Scale (Unclassified) 70 Percent Description (Unclassified) Of civilian authorizations filled. M3 Scale (Unclassified) 70 Percent Description (Unclassified) Of combatant command's force structure trained to meet JMETL requirements.					Readiness levels are sufficient for existing and available forces.
ST 8.4	C2, Log	Assist Other Department of Defense (DOD) and Government Agencies: (Unclassified)		X				
		To provide specified support to other combatant commands, DOD agencies, and other governmental departments or agencies operating within continental United States (CONUS) or an outside the continental United States (OCONUS) theater. Support could be to US government (USG) agencies assisting US or foreign citizens, on US territory, in foreign states, or in international waters in accordance with US law. This support could include intelligence, intercepting and detaining illegal immigrants, logistic, medical, command, control, communications, and computers (C4), and security support, counterdrug operations, combating terrorism, counter proliferation, and noncombatant evacuation operations (NEO). (JP 0-2, JP 1-0, JP 3-0, JP 3-07, JP 3-08, JP 4-08)	M2 Scale (Unclassified) 96 Hours Description (Unclassified) To respond to US agency request for logistics support. M3 Scale (Unclassified) 100% Description (Unclassified) Of US agencies receiving communications systems support from combatant command. M4 Scale (Unclassified) 100% Description (Unclassified) Of US agencies receiving logistics support from combatant command.					Command Arrangements Type of relationships or procedures set up among forces and their staffs for the effective management of forces and accomplishment of the mission. Joint Command Authority A commander's degree of authority over assigned forces. Combatant Command (command authority) (COCOM) Operational Control (OPCON) Tactical Control (TACON) (support)

Task	"10"	Description	Measures	Hurricane/ Typhoon	Existing Capability	Military Capability in Region (response within 96 hours)	Risk Assessment	Notes
ST 8.4.5	C2, Comms, Log, EN, AVN, TRANS, SEC, Maint	Coordinate Defense Support of Civil Authorities (DSCA)		X				
		Coordinate defense support of civil authorities (DSCA) in response to requests for assistance from civil authorities for domestic emergencies, law enforcement support, and other domestic activities, or from qualifying entities for special events. JP 3-08, JP 3-27, JP 3-28, JP 3-35, JP 3-57, DODD 3025.18	M1 Scale Hours Description 24 For DOD to respond request from Federal Emergency Management Agency (FEMA) for assistance. M3 Scale (Unclassified) 4 Days Description (Unclassified) Before federal troops are present and responding to disaster or disturbance.					USAR units provide initial support, deployment of regional T10 forces provide additional capabilities within 96 hours
OP 1.1.2	C2, Log, Trans	Conduct Intratheater Deployment and Redeployment of Forces within the JOA.		X				
		To conduct relocation or movement of operational forces by any means or mode of transportation within a joint operations area (JOA) preparatory to deploying the force into combat formation in support of the joint force commander (JFC's) plan. Accordingly, deployment must support the commander's desired employment dispositions. This task includes generating and dispersing operational forces. Redeployment may be a combat or administrative movement from deployed position in the JOA to home bases or other taskings. Extraction pertains to combat movement of personnel, units, and materiel from positions in the immediate vicinity of enemy forces to designated areas. (CJCSM 3500.05, JP 3-35, JP 4-0)	M1- 90 Percent Of cargo requested delivered.					Existing military forces would use organic transportation and/or territorial or private assets to move between islands until regional military forces arrive.

Task	"10"	Description	Measures	Hurricane/ Typhoon	Existing Capability	Military Capability in Region (response within 96 hours)	Risk Assessment	Notes
OP 1.1.3	C2, Log, Trans	Conduct JRSOI in the Joint Operations Area.		X				
		Conduct reception, staging, onward movement, and integration of units, personnel, equipment and materiel. JP 1 0, JP 3-33, JP 3-35, JP 4-01.5, CJCSM 3122.01, CJCSM 3122.02, CJCSM 3122.03	M14 4 Days Description (Unclassified) To begin unloading of ships upon arrival in theater. M17 90% Description (Unclassified) Of throughput actually achieved. M19 4 Days Description (Unclassified) Forces en route to final destination from staging area or port of debarkation (POD). M20 30 Days Description (Unclassified) To accomplish with the joint force.					Existing USAR units have sufficient capability to conduct initial JROSI planning functions: regional forces capability to operate "from the sea" mitigates increased need for greater JROSI capacity.
OP 4.4.3.3	C2, Med	Manage Health Services Resources in the Joint Operations Area.		X				
		To manage the joint operations area (JOA) medical resources to provide effective and consistent treatment of wounded, injured, or sick personnel so as to return to full duty or evacuate from the JOA JP 4-0, JP 4-02, JP 4-02.1, JP 5-00.2, CJCSM 3500.05	M10 96 Hours To establish liaison between joint force surgeon and joint force component surgeons. M12 4 Days Description (Unclassified) To publish estimates of medical sustainment and anticipated resupply requirements (after arrival of joint force headquarters (HQ) medical staff).					Existing USAR units have sufficient medical capacity to treat unit personnel; regional forces can augment with additional medical treatment capacity with 96 hours.
OP 4.5.1	Log, Trans , Aviation	Provide Movement Services		X				
		Move personnel, equipment, and supplies to sustain campaigns and / or major operations and to provide transportation resources for moving the forces that execute those operations. JP 4-0, JP 4-01, CJCSI 3126.01A	M2 48 Hours Description (Unclassified) For joint movement center (JMC) to begin operation (upon arrival in-theater). M6 80 Percent Description (Unclassified) Of scheduled transport movements accomplished on-schedule. M9 24 Hours Description (Unclassified) To provide the JMC initial requirements after arrival in-theater. M12 80 Percent Description (Unclassified) Of supplies and equipment moved arrived by required delivery date (at destination)					Existing military forces would use organic transportation and/or territorial or private assets to move between islands until regional military forces arrive.

Task	"10"	Description	Measures	Hurricane/ Typhoon	Existing Capability	Military Capability in Region (response within 96 hours)	Risk Assessment	Notes
OP 5.1	C2, Comms	Integrate Information: (Unclassified)		X				
		Integrate information on military objectives, adversary operational forces and centers of gravity, friendly operational forces, terrain, and weather. JP 1, JP 2-0, JP 3-0, JP 3-13, JP 3-33, JP 6-0	M1 4 Hrs Description (Unclassified) Since latest information collected. M2 96 Hrs Description (Unclassified) To establish connectivity with component intelligence agencies, combatant command and national intelligence agencies (after arrival). M3 60 min Description (Unclassified) To process and disseminate status information (to subordinate units). M5 100% Description (Unclassified) Of critical information acquired and disseminated to subordinate commanders. M6 100%					Existing military forces would use organic communication systems to provide strategic, operational and tactical communications connectivity; additional military C2 and communications could be provided within 96 hours.
OP 5.5	C2	Command and Control Joint Force Headquarters: (Unclassified)		x				
		Command and control designated joint and multinational forces under the duly authorized, single, joint force command (JFC). JP 1-0, JP 3-0, JP 3-08, JP 3-33	M2 Hours To form joint force staff (from activation order).					Command Arrangements Type of relationships or procedures set up among forces and their staffs for the effective management of forces and accomplishment of the mission. Existing USAR forces do not have the capacity to establish and operate a JTF HQ; however, this could be mitigated by appropriate regional planning or coordinating/planning with NGB J3/7. There are fly-away JTF packages both within the region and available to the CNGB that could provide JTF HQ capabilities within hours - 24 to 48 hours or prepositioned prior to land-fall if threat
OP 5.5.6	C2	Establish or Participate in Task Forces.		X				
		To establish, or participate in, a functional or single service task force established to achieve a specific limited objective. This task force may be single service, joint, or multinational. JP 3-0, JP 3-33, CJCSN 3500.05A	M1 4 days For joint force to be dissolved (following achievement of end state). M8 24 Hrs To provide directive or mission (after decision taken to stand up subordinate functional or single Service or task force).					Existing forces provide sufficient capacity within initial 24/48 hours to provide TF capabilities.

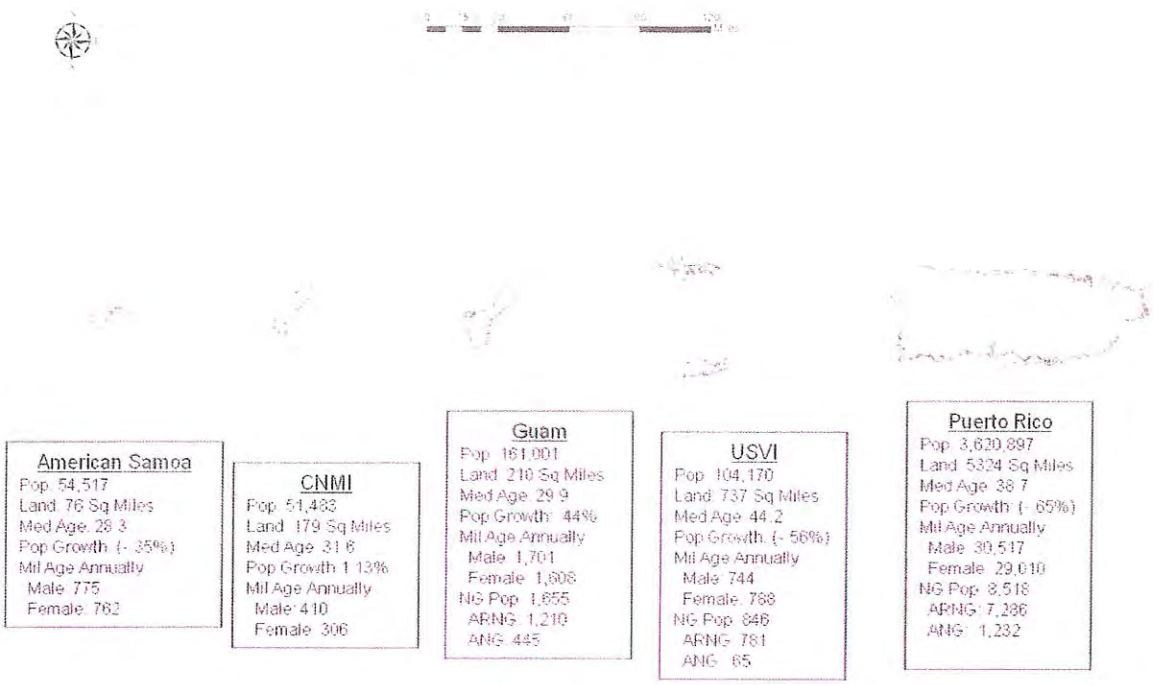
Annex D: Costs

Costing Frameworks	Additional Costs to DoD Per Location
Costing Framework 1—Maintain the Status Quo	No Additional Costs to DoD
Costing Framework 2—Convert USAR Units to National Guard	JFHQ – $4.6M to $6.9M annually
	Military Construction for JFHQ - $3.7M
Costing Framework 3—Transfer Existing National Guard Units	JFHQ – $4.6M to $6.9M annually
	Training for new personnel - $1.7M annually until full strength
	Military Construction for JFHQ - $3.7M
	Military Construction for Armory - $20M
Costing Framework 4—Activate New National Guard Units	JFHQ – $4.6M to $6.9M annually
	Training for new personnel - $1.7M annually until full strength
	Operations and Sustainment for 3 companies - $9.6M annually
	Equipping 3 companies – 26.4M
	Military Construction for JFHQ - $3.7M
	Military Construction for Armory - $20M

Annex E: Costing Frameworks

	PRO	CON
Costing Framework 1—Maintain the Status Quo	No realignment of Reserve Component forces (USAR to National Guard)	Options for military service remain Active Components and USAR
	No reallocation of National Guard force structure	No organic military capabilities to respond immediately to natural disasters
	Active and Reserve Component force structures remain the same	Response times of USPACOM and USAR impacted by coordination through DoD
	No additional funding required	
Costing Framework 2—Convert USAR Units to National Guard	Governors have military capability to respond immediately to disasters	Reduces USAR force structure
	Economic boost due to addition of full-time support personnel	Increased National Guard force structure and costs
		Requires additional military manpower to man Joint Force Headquarters in addition to unit requirements
		Inability of territories to meet increased recruitment requirements
Costing Framework 3—Transfer Existing National Guard Units	Governors have military capability to respond immediately to disasters	Reduces capabilities of other States or territories
	Economic boost due to addition of full-time support personnel	Increased National Guard costs
	No growth in National Guard force structure	Requires additional military manpower to man Joint Force Headquarters in addition to unit requirements
		Inability of territories to meet increased recruitment requirements
Costing Framework 4—Activate New National Guard Units	Governors have capability to respond immediately to disasters	Requires additional military manpower to man Joint Force Headquarters in addition to unit requirements
	Economic boost due to addition of full-time support personnel	Increased National Guard force structure and costs
		Inability of territories to meet increased recruitment requirements

Annex F: Comparatives



Annex G: Excerpt H. R. 3304—83

National Defense Authorization Act for Fiscal Year 2014

SEC. 515. FEASIBILITY OF ESTABLISHING A UNIT OF THE NATIONAL GUARD IN AMERICAN SAMOA AND IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

(a) DETERMINATION REQUIRED.—The Secretary of Defense shall determine the feasibility of establishing—

(1) a unit of the National Guard in American Samoa; and

(2) a unit of the National Guard in the Commonwealth of the Northern Mariana Islands.

(b) FORCE STRUCTURE ELEMENTS.—In making the feasibility determination under subsection (a), the Secretary of Defense shall consider the following:

(1) The allocation of National Guard force structure and manpower to American Samoa and the Commonwealth of the Northern Mariana Islands in the event of the establishment of a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands, and the impact of this allocation on existing National Guard units in the 50 States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and the District of Columbia.

(2) The Federal funding that would be required to support pay, benefits, training operations, and missions of members of a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands, based on the allocation derived from paragraph (1), and the equipment, including maintenance, required to support such force structure.

(3) The presence of existing infrastructure to support a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands, and the requirement for additional infrastructure, including information technology infrastructure, to support such force structure, based on the allocation derived from paragraph (1).

(4) How a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Island would accommodate the National Guard Bureau's "Essential Ten" homeland defense capabilities (i.e., aviation, engineering, civil support teams, security, medical, transportation, maintenance, logistics, joint force headquarters, and communications) and reflect regional needs.

(5) The manpower cadre, both military personnel and fulltime

support, including National Guard technicians, required to establish, maintain, and sustain a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands, and the ability of American Samoa and of the Commonwealth of the Northern Mariana Islands to support demographically a unit of the National Guard at each location.

(6) The ability of a unit of the National Guard in American Samoa and the Commonwealth of the Northern Mariana Islands to maintain unit readiness and the logistical challenges associated with transportation, communications, supply/resupply, and training operations and missions.

(c) SUBMISSION OF CONCLUSION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall notify the congressional defense committees of the results of the feasibility determination made under subsection (a). If the Secretary determines that establishment of a unit of the National Guard in American Samoa or the Commonwealth of the Northern Mariana Islands (or both) is feasible, the Secretary shall include in the notification the following:

(1) A determination of whether the executive branch of American Samoa and of the Commonwealth of the Northern Mariana Islands has enacted and implemented statutory authorization for an organized militia as a prerequisite for establishing a unit of the National Guard, and a description of any other steps that such executive branches must take to request and carry out the establishment of a National Guard unit.

(2) A list of any amendments to titles 10, 32, and 37, United States Code, that would have to be enacted by Congress to provide for the establishment of a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands.

(3) A description of any required Department of Defense actions to establish a unit of the National Guard in American Samoa and in the Commonwealth of the Northern Mariana Islands.

(4) A suggested timeline for completion of the steps and actions described in the preceding paragraphs.

Annex H: CNMI National Guard Act

TITLE 1: GOVERNMENT
DIVISION 10: MILITARY AFFAIRS
§ 10101. Short Title.
This Act may be cited as the "Northern Mariana Islands National Guard Act."
Source: PL 13-32, § 1.
Commission Comment: PL 13-32 took effect November 25, 2002 and contained the following severability clause:
Section 12. Severability. If any provision of this Act or the application of any such provision to any person or circumstance should be held invalid by a court of competent jurisdiction, the remainder of this Act or the application of its provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

§ 10102. Militia.
(a) The militia of the Commonwealth shall consist of every citizen of the United States who is eighteen years old or older and under forty-six years of age.
(b) The militia shall be composed of two classes: the organized militia and the unorganized militia.
(1) The organized militia shall consist of the following:
(A) The federally organized and recognized national guard;
(B) The remainder of the organized militia shall be known as the Commonwealth defense force.
(2) The unorganized militia shall consist of those members of the militia who are not members of the national guard. The unorganized militia shall be subject to active military duty only when called or ordered into the service of the Commonwealth for such period as required. They may be assigned to existing organizations of the Commonwealth national guard, or the Commonwealth defense force, or otherwise as required.
Source: PL 13-32, § 2.

§ 10103. Exemptions.
The following are exempt from military duty:
(a) All persons exempt from military duty under the laws of the United States;
(b) The members of any regularly organized fire or police department;
(c) Justices and clerks of courts of records;
(d) Practicing physicians, officers, and assistants of hospitals, prisons, and jails whose services are declared by the governor to be necessary for the general health, welfare, or protection of the community;
(e) Persons determined to be mentally incompetent and felons convicted and not pardoned;
(f) All persons who because of religious beliefs claim exemption from military service.
Source: PL 13-32, § 3.

§ 10104. Composition.
The Northern Mariana Islands national guard shall consist of the national guard and other organizations and units authorized by the laws of the United States or the regulations issued thereunder for the national guard.
Source: PL 13-32, § 4.

§ 10105. Command.
The governor shall be the commander in chief of the forces comprising the militia. The governor is authorized to promulgate such rules, regulations and forms therefore as are not inconsistent with law, and to carry into full effect the law relative thereto. The rules, regulations, and forms shall have the force of law.
Source: PL 13-32, § 5.

§ 10106. Organization and Recognition of Units.
The governor may organize the national guard in accordance with their strength as authorized from time to time and in conformity with the tables of organization prescribed by the United States Secretary of Defense.
Source: PL 13-32, § 6.

§ 10107. Adjutant General: Appointment.
The adjutant general shall be the executive head of the militia. The adjutant general shall be nominated and, by and with the advice and consent of the senate, appointed by the governor, for a term to expire at the end of the term for which the governor was elected. The adjutant general may perform as executive head of such other agency or department of the Commonwealth as the governor may deem appropriate and consistent with the duties and responsibilities of the adjutant general. No person shall be eligible for appointment as adjutant general unless the person holds or has held a commission of at least a field grade officer, federally recognized as such, or its equivalent in the national guard, state defense force, or other branch of the armed forces of this or any other territory or state of the United States, or in the armed forces of the United States or a reserve component thereof and has served as a commissioned officer in one or more of the armed services for at least ten years.
Source: PL 13-32, § 7.

§ 10108. Adjutant General: Rank and Salary.
The adjutant general shall have the grade of a general officer. The salary of the adjutant general shall be commensurate with the active-duty pay and allowance fixed by the tables of the regular armed forces of the United States.
Source: PL 13-32, § 8.

§ 10109. Adjutant General: Duties.
The adjutant general shall perform such duties as are prescribed by law and

such other military duties consistent with the regulations and customs of the armed forces of the United States as required by the governor. The adjutant general shall supervise all of the forces comprising the military components of the Commonwealth. The supervisory power shall include the command, discipline, training, and recruiting of the armed forces of the Commonwealth military operations, distribution of troops, inspections, armament, military education and instruction, fiscal operations, administration, and supply. The adjutant general is authorized to confer the powers of police officers, including the power to arrest, to those engaged as security guards for national guard and civil defense facilities provided that such powers shall remain in force and effect only while the security guards are in the actual performance of their duties as security guards.
Source: PL 13-32, § 9.

§ 10110. Administration.
The adjutant general shall from time to time make and publish such orders and regulations, not inconsistent with law, as are necessary to bring the organization, armament, equipment, and discipline of the organized militia to a state of efficiency as nearly as possible approaching that of the regular armed forces of the United States. The adjutant general shall attest all commissions issued to military officers, appointments issued to warrant officers, maintain personnel records, superintend preparation of all letters and reports required by the United States from the Commonwealth. The adjutant general shall have charge of the Commonwealth military reservations, armories, and all other property of the Commonwealth used for military purposes. The adjutant general shall take an inventory at least once each year of all military stores, property, and funds under the adjutant general's jurisdiction. The adjutant general shall be the official custodian of the military records of all persons from the Commonwealth who served in the armed forces of the United States during times of war or grave national emergency, including those records which are turned over to the Commonwealth by the federal agency of selective service. The records shall be preserved perpetually in accordance with rules and regulations established by the adjutant general. The adjutant general shall make an annual report of the operations of the adjutant general's department.
Source: PL 13-32, § 10.

§ 10111. Staff for Military Components: Organization.
(a) The headquarters staff of the national guard shall be composed of the national guard component, which shall include a selective service section. The headquarters shall be staffed by such officers, warrant officers and enlisted personnel, in the grades and branches of service as may be authorized by the United States Secretary of Defense.
(b) The national guard shall be organized and equipped as prescribed from time to time by the United States Secretary of Defense.
(c) The inactive national guard consists of officers, warrant officers, and enlisted personnel transferred to it from the national guard in accordance with

regulation promulgated by the secretaries of defense. Members shall be assigned appropriately within the Commonwealth headquarters for administration only, and attached to an active unit or organization for potential assignment and service with the unit or organization.
Source: PL 13-32, § 11.