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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - RIMPAC 94. (1 page)	04/13/1994	P1/b(1)
001b. cable	re: Change to Critical Cancellation Date (CCD) for RIMPAC 94. (1 page)	03/03/1994	P1/b(1)
001c. cable	re: Exercise (RIMPAC 94) Significant Military Exercise Brief. (3 pages)	03/03/1994	P1/b(1)
002a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - EASTERN CASTLE 94-3. (1 page)	04/14/1994	P1/b(1)
002b. cable	re: Part I Significant Military Exercise Brief. [Eastern Castle 94-3] (2 pages)	03/24/1994	P1/b(1)

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RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or
financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President
and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of
personal privacy [(a)(6) of the PRA]

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2201(3).

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information [(b)(4) of the FOIA]
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financial institutions [(b)(8) of the FOIA]
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concerning wells [(b)(9) of the FOIA]

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

April 16, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH:

ROBERT BELL *RB*

FROM:

KEITH HAHN *KH*

SUBJECT:

Defense Proposed Report on Accessibility of
Reserve Component Forces

Tab II provides the results of a senior-level review group established by Secretary Aspin last September to look into the requirement to have timely access to Reserve forces. As noted in the cover letter to the SASC, the report outlines the issues DoD faces in improving access to reservists in major regional conflicts (MRCs), domestic emergencies and peace operations; in encouraging expanded use of Reserve component forces; and in expanding the use of volunteers.

Two proposals from the report are highlighted for consideration. DoD proposes extending the current 90-day call-up authority (with a possible 90-day extension) to 180 days (with a 180 days extension). It also proposes allowing the Secretary of Defense to activate limited numbers of reservists -- up to 25,000 to facilitate transportation and mobilization of subsequent mobilizations, if necessary, and to more quickly respond to emerging crises.

An underlying assumption in these proposals is the increased reliance on Reserve forces contained in the Bottom-Up Review. This requires expanded access to Reserves for timely response to MRCs and peace operations, as well as for domestic emergencies.

Concurrences by: Jeremy Rosner *JR* and Alan Kreczko *AK*RECOMMENDATION

That you sign the memorandum at Tab I concurring in the proposed Defense report.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

MEMORANDUM FOR JANET R. FORSGREN

FROM: WILLIAM H. ITOH

SUBJECT: Defense Proposed Report on Accessibility of
Reserve Component Forces

The National Security Council staff concurs in the proposed
Defense report.

2937

URGENT

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503

April 15, 1994

LEGISLATIVE REFERRAL MEMORANDUM

LRM #M-1314

TO: Legislative Liaison Officer -

JUSTICE - Sheila F. Anthony - (202)514-2141 - 217
TRANSPORTATION - Tom Herlihy - (202)366-4687 - 226
NSC - William H. Itoh - (202)395-3723 - 249
FEMA - John P. Carey - (202)646-4105 - 327
LABOR - Robert A. Shapiro - (202)219-8201 - 330

FROM: JANET R. FORSGREN (for) *Janet R. Forsgren*
Assistant Director for Legislative Reference

OMB CONTACT: Melissa COOK (395-3924)
Secretary's line (for simple responses): 395-7362

SUBJECT: DEFENSE Proposed Report on Accessibility of
Reserve Component Forces

DEADLINE: 9:30am April 18, 1994

COMMENTS: This is for an Apr. 19th hearing before the S. Armed Services Committee. Therefore, if we do not hear from you by the deadline, we will assume that you concur with the DOD report.

OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

Please advise us if this item will affect direct spending or receipts for purposes of the the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.

CC:
Jim Fish
Wendell Waites
Chris Bertram
Chris Heiser
Carole Kittl
Joe Lackey
Tim Keating
Janet Forsgren

OASD/RA

TEL: 1-703-693-5371

Apr 14, 94 9:26 No. 005 P. 034



THE SECRETARY OF DEFENSE

WASHINGTON, DC 20301-1000

Honorable Sam Nunn
Chairman
Committee on Armed Services
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

As a result of the Bottom-Up Review, the Department of Defense (DoD) is relying more heavily on National Guard and Reserve forces. A critical issue for the Department since then--and a top priority for me--has been making sure the Services and the combatant commanders (CINCs) have timely access to Reserve component forces when needed.

Last September, then Secretary Aspin established a senior-level group to review Reserve access issues. The attached report, "Accessibility of Reserve Component Forces," is the product of their work.

The report outlines the issues DoD faces in improving access to reservists in major regional conflicts (MRCs), domestic emergencies, and peace operations; in encouraging expanded use of Reserve component forces; and in expanding the use of volunteers. You will find in the report a full set of actions to address these issues: proposed legislation; revisions in DoD policies; program initiatives; and study initiatives.

This report is particularly timely because of your deliberations on the President's proposals to amend Title 10 United States Code, Section 673b--namely an extension of the duration of Reserve call-ups to 180 plus 180 days, and the Secretary's authority to activate up to 25,000 reservists. These two changes are key to DoD's policy of placing greater reliance on reservists.

The 180/180 Proposal

During Operation Desert Shield/Storm, the current 90-day call-up authority (with a possible 90-day extension) proved inadequate. For example:

- The Department could not rely on Army National Guard combat forces because of the time needed to make them available.
- Reservists did not have realistic expectations about the length of their service. Many were called up for a short tour (less than 90 days) and wound up serving more than a year.

The Department's proposal to extend Reserve activations under Section 673b to 180 plus 180 days, in conjunction with other DoD initiatives, would fix these problems. It would give combatant commanders confidence in relying on Reserve component forces; it would bring activation periods in line with post-mobilization preparation times; and it would be fairer to reservists by giving them a more realistic expectation of their obligation when activated.

In addition, the Accessibility Report recommends actions to protect reservists, their families, and their employers, to ensure that the greater reliance being put on Reserve personnel would not cause them undue hardship. Finally, DoD will redraft its demobilization guidance to ensure that reservists are not retained on active duty beyond the time their service is essential.

The 25,000 Call-up Proposal

Operation Desert Shield/Storm confirmed the need for the earliest access possible to a limited number of reservists. The difficulty, however, is that the President and his advisors must always take time to address sensitive domestic and foreign policy concerns before deciding to call up the National Guard and Reserve in an evolving crisis. For example, they must consider the international impact of U.S. statements and actions; they must confer with possible coalition partners and key neutral nations; they must coordinate with the Congress; and they must consider the possible implications of deploying military personnel overseas--both Active and Reserve.

All three actions will--in practical terms--take considerable time to carry out. In Operation Desert Shield, for example, three weeks elapsed between the Iraqi invasion of Kuwait and the Presidential decision to order reservists to active duty under Section 673b. In those weeks prior to activation of Reserve component units and individuals, DoD had to adapt its plans for the use of Active forces and place unexpected reliance on individual Reserve volunteers--especially in the areas of transportation and mobilization.

Although the Persian Gulf experience was successful, we do not want to rely on such improvisations in a future crisis, especially with smaller Active forces. We must obtain earlier access to a limited number of Selected Reserve units, particularly those that will help pave the way for the rest of the force to deploy.

The Department's proposal to amend Section 673b to allow the Secretary of Defense to activate limited numbers of reservists--up to 25,000--would fix this problem by allowing the activation of units needed to prime the transportation and mobilization pipelines while the Presidential decisionmaking process unfolds. Limited Reserve activations could also deter hostile actions in the early days of a crisis, without prejudicing the decision on whether to activate large numbers of reservists for a contingency operation.

The 25,000 Secretarial call-up authority would in no way diminish the Congressional role in the use of military force. The current provisions of Section 673b or 673 would still need to be used if a crisis escalated into an MRC.

I hope you and your committee will begin deliberating soon on the President's proposals. They are needed if we are to make good on our commitment for greater reliance on Guard and Reserve forces. I am available to your committee to discuss the merits of the proposed changes to Section 673b, as well as the other actions discussed in the report.

Similar correspondence has been sent to the Honorable Strom Thurmond.

Sincerely,

Accessibility of Reserve Component Forces

Department of Defense

April 1994

04/13/94 08:50 005

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EXECUTIVE SUMMARY

Background

In September 1993, the Department of Defense (DoD) established the Senior Level Working Group on Accessibility to identify major issues in accessing Reserve components (RC). This report presents the results of the working group's analysis and deliberations. It :

- Compares access to the RC in the Cold War and post-Cold War eras.
- Describes the role of the RC in federal and state missions, and reviews the provisions of law that govern access to the RC.
- Discusses existing and expanded uses of reserve volunteers.
- Summarizes the actions needed to ensure access to the needed capability.

Access in the Cold War. During the Cold War, U.S. defense strategy was focused on deterring a global war with the Soviet Union and its Warsaw Pact allies. Guard and Reserve forces were expected to mobilize and deploy quickly, and to perform combat and combat support roles over the duration of a conflict. Because of the potentially grave consequences of a Warsaw Pact attack on NATO, there was little doubt that Reserve components would be available for that purpose. Title 10 USC 673b, passed in 1976 and amended in 1980 and 1986, provided additional flexibility to make reservists available for supporting operations short of war or national emergency.

Access in the Post-cold War Era. With the end of the Cold War, attention has shifted to four new dangers: regional conflicts; proliferation of nuclear weapons and other weapons of mass destruction; threats to democratization and reform in the former Soviet Union; and dangers from a weak U.S. economy. The Bottom-Up Review identified a strategy and force structure to meet post-cold war needs and gave the Reserve components broad responsibilities in a full range of situations: war and contingency operations; domestic emergencies; and peace operations.

War and Contingency Operations

Given a clear threat to vital U.S. interests, or a situation which could escalate into a major conflict, there is little question that Reserve components would be ordered to active duty. As in the past, the Guard and Reserve would provide significant forces, many deployed within the first months of a conflict. The key questions in the post-Cold War era for war and contingency operations relate to the duration of activation and early and assured access.

Duration of Activation (the 180 plus 180 day proposal): *Do current laws and procedures authorize the use of reservists for adequate periods of time, given post-mobilization train-up times and the likely duration of post-cold War conflicts?*

Under Section 673b, reservists may be ordered to active duty for 90 plus 90 days. In the Gulf War, two problems arose with the use of this call-up authority:

- The CINC could not rely on Army National Guard combat forces because of the time needed to make them available.
- Reservists did not have realistic expectations about the duration of their service. Many planned on short tours (less than 90 days) and wound up serving much longer.

The President's proposal to extend reserve activations under Section 673b to 180 plus 180 days would fix this problem. It would give the combatant commanders (CINC) confidence in relying on Reserve component forces; it would make call-up durations consistent with post-mobilization preparation times; and it would be fairer to reservists by giving them a more realistic expectation of their obligation when activated.

In addition, the Accessibility Report recommends actions to protect reservists, their families, and their employers, to ensure that the greater reliance being put on Reserve personnel would not cause them undue hardship. Finally, DoD will redraft its demobilization guidance to ensure that reservists are not retained on active duty beyond the time their service is essential.

Early and Assured Access (the 25,000 authorization): *Do current laws and procedures allow us--in practical terms--to access reservists in the earliest days of evolving military operations?*

Operation Desert Shield/Storm confirmed the need for the earliest access possible to a limited number of reservists. The difficulty, however, is that the President and his advisors must always take time to address sensitive domestic and foreign policy concerns before deciding to call up the Guard and Reserve in an evolving crisis. For example, they must consider the international impact of U.S. statements and actions; they must confer with possible coalition partners and key neutral nations; they must coordinate with the Congress; and they must consider the possible implications of deploying military personnel overseas--both Active and Reserve.

All these actions will--in practical terms--take considerable time to carry out. In Operation Desert Shield, for example, three weeks elapsed between the Iraqi invasion of Kuwait and the Presidential decision to order the RC to active duty under Section 673b. In those weeks prior to activation of Reserve component forces, DoD had to adapt its plans for the use of Active forces and place unexpected reliance on individual reserve volunteers--especially in the areas of transportation and mobilization.

Although the Persian Gulf experience was successful, we do not want to rely on such improvisations in a future crisis, especially with smaller Active forces. We must obtain earlier access to a limited number of Selected Reserve units, particularly those that will help pave the way for the rest of the force to deploy.

The Department's proposal to amend Title 10 USC 673b to allow the Secretary of Defense to activate limited numbers of reservists--up to 25,000--would fix this problem by allowing us to call up the units needed to prime the transportation and mobilization pipelines while the Presidential decisionmaking process unfolds. Limited reserve activations also could help to deter of hostile actions in the early days of a crisis, without prejudicing the decision whether

to activate large numbers of reservists and actually go to war. (As discussed below, this call-up authority would also provide for the availability of a limited number of reservists when reliance on volunteers for peace operations would not suffice.)

Domestic Emergencies

The National Guard has provided, and will continue to provide, the primary means of responding to domestic emergencies. Governors of each state have direct authority over their Guard forces and can activate them at any time for state emergencies. Only if more support is required than a state's Guard can provide would it be necessary to request assistance from the Guard organizations in other states, or from Federal resources other than the Guard. DoD intends to give additional management attention to this issue.

Peace Operations

Many of the specialized skills needed for peace operations are found primarily in the Reserve components. The Defense Planning Guidance projects an expanded Reserve component role in supporting "non-traditional" missions, such as peacekeeping and humanitarian assistance operations. The Accessibility Report identifies actions that DoD must take to support the forces identified in the Bottom-Up Review and satisfy the Defense Planning Guidance.

First, for peace operations, maximum consideration will be given to the use of reserve volunteers. All of the Services currently use some Reserve volunteers for operational missions--the actions DoD intends to take will explore whether we can do even better, to access the necessary reserve capabilities.

Second, when volunteerism is deemed inadequate for any operation, DoD will look to Section 673b, specifically the Secretarial authority we are seeking to activate up to 25,000 reservists, to ensure access to the necessary Reserve capabilities.

DoD Policy Guidance

New DoD policy guidance, addressing access to the Guard and Reserve across the three categories of missions discussed in the paper, is as follows:

- For major regional conflicts (MRCs) and major domestic emergencies, access to Reserve component (RC) units and individuals through an order to active duty without their consent will be assumed.
- For lesser regional conflicts, lesser domestic emergencies, and peace operations where RC capabilities could be required, maximum consideration will be given to voluntary access to RC units and individuals before seeking an order to active duty without their consent.

Conclusions

This report proposes a range of actions to implement the Bottom-Up Review decision to place greater reliance on the Reserve components in carrying out national security objectives. These actions are intended to achieve the following results:

- Expand RC access for MRCs and peace operations. The key legislative actions needed are:
 - Approval of an extension of duration of activation in Section 673b to 180 plus 180 days, to provide adequate support to the CINCs and fairness to reservists.
 - Approval of Secretarial 25,000 call-up authority, to provide early access to some Selected Reserve capabilities.
- Expand RC access in domestic emergencies.
- Encourage expanded use of reservists by actions to protect reservists, their families, and their employers.
- Expand the use of volunteers--units and individuals.

SECTION I: INTRODUCTION

A. OVERVIEW

In September 1993, the Department established the Senior-Level Working Group on Accessibility to identify major issues pertaining to accessibility of Reserve components. The group included senior officials in the Office of the Secretary of Defense; the Assistant Secretaries of the Services responsible for Reserve affairs; representatives from the Joint Staff, Forces Command (FORSCOM), and the U.S. Transportation Command (TRANSCOM); the Chief of the National Guard Bureau; and the chiefs of the seven Reserve components. An action officer working group, with representatives from each of the organizations listed above, supported the Senior-Level Working Group.

The process involved preliminary deliberations by the Action Officer Working Group, with the Senior-Level Working Group then providing executive oversight and guidance, through periodic meetings covering each of the following steps:

- Identification of Reserve roles and missions;
- Identification of accessibility requirements to support them;
- Analysis and discussion of these requirements;
- Comparison of requirements against current legislation and policies;
- Identification and discussion of shortfalls; and
- Formulation of actions for legislation, policy revisions, programs, and formal studies.

This report, based on the results of the Senior-Level Working Group's analysis and deliberations, addresses how to improve access to the Reserve Components (RC) – units and individuals. It lays the basis for changes that are needed to support the new military strategy, to implement the results of the Bottom-Up Review (BUR), and to respond to the Defense Planning Guidance (DPG).

Access to the RC today is governed by a set of laws and policies put into place during the Cold War. Not surprisingly, some changes are needed to ensure that our forces can respond to the new security requirements of the post-Cold War world.

Changes described in this paper flow from characteristics of the new security strategy and from a conscious decision in the Bottom-Up Review to rely more heavily on RC in the future, while assuring equitability to Reservists, their families, and their employers. The changes include new legislative proposals, new DoD policies, program initiatives, and study initiatives. (See Appendix B for a summary of these actions.)

Before describing what's needed for the post-Cold War world, it is helpful to recall how things were in the Cold War – namely, the role of the Reserve components in support of the defense strategy and issues relating to their accessibility.

B. ACCESS TO RC IN THE COLD WAR

In the Cold War, RC forces were designed to augment U.S. active-duty forces in defeating a global threat from the Soviet Union. The primary scenario included defending NATO against a Warsaw Pact (WP) attack. Against a WP conventional attack, NATO intended to defend conventionally as far forward as possible, but if necessary to resort to the use of nuclear weapons to prevent a defeat. The Guard and Reserve role was to mobilize both support and combat forces, and to deploy them quickly.

In the event of a WP attack on NATO, three provisions of Title 10 of the U.S. Code would have provided access to large numbers of reservists:

- Section 672(a) – "Full Mobilization" – gives access to the total Reserve, but would require a declaration of war or national emergency by Congress.
- Section 673 – "Partial Mobilization" – gives access to 1,000,000 people in the Ready Reserve, but would require the President to declare that a national emergency existed.
- Section 673b – "Selected Reserve; order to active duty other than during war or national emergency," [also known as the "Presidential Selected Reserve Call-Up (PSRC)"] – gives access to 200,000 members in the Selected Reserve, and would only require the President to notify Congress that he was making the call-up. (This is the provision that President Bush used on August 22, 1990 in response to the Iraqi invasion of Kuwait.)

Since a WP attack on NATO was widely viewed as likely to lead to a declaration of war, and certainly to a declaration of national emergency, there was little doubt about access to the RC in this situation.

In planning for other threats during the Cold War, the assumption was that if U.S. and NATO forces could meet the Warsaw Pact threat, then any other contingency could be treated as a "lesser included case." Some argued that this assumption could be flawed with regard to accessibility of the Reserve components. As a result, Congress expanded the authority given to the President to order Reserve units to active duty without their consent by the passage of Title 10 USC 673b in 1976, and amendments in 1980 and 1986. During this period, the major role of the RC in lesser contingencies was in airlift, refueling, and air defense, and there was little doubt about access to the RC for these missions following enactment of Section 673b.

C. ACCESS TO RC IN THE POST-COLD WAR ERA

With the end of the Cold War, the focus of U.S. defense planning shifted to four new dangers: regional threats; proliferation of nuclear weapons and other weapons of mass destruction; threats to democratization and reform in the former Soviet Union; and dangers from a weak national economy.

To respond to the new dangers, plus the continuing challenges of domestic emergencies, the Guard and Reserve were given broad responsibilities in a full range of situations: war and contingency operations; domestic emergencies; and peace operations. As Figure 1 shows, many types of missions are associated with each category of operation, and some missions fall into more than one category.

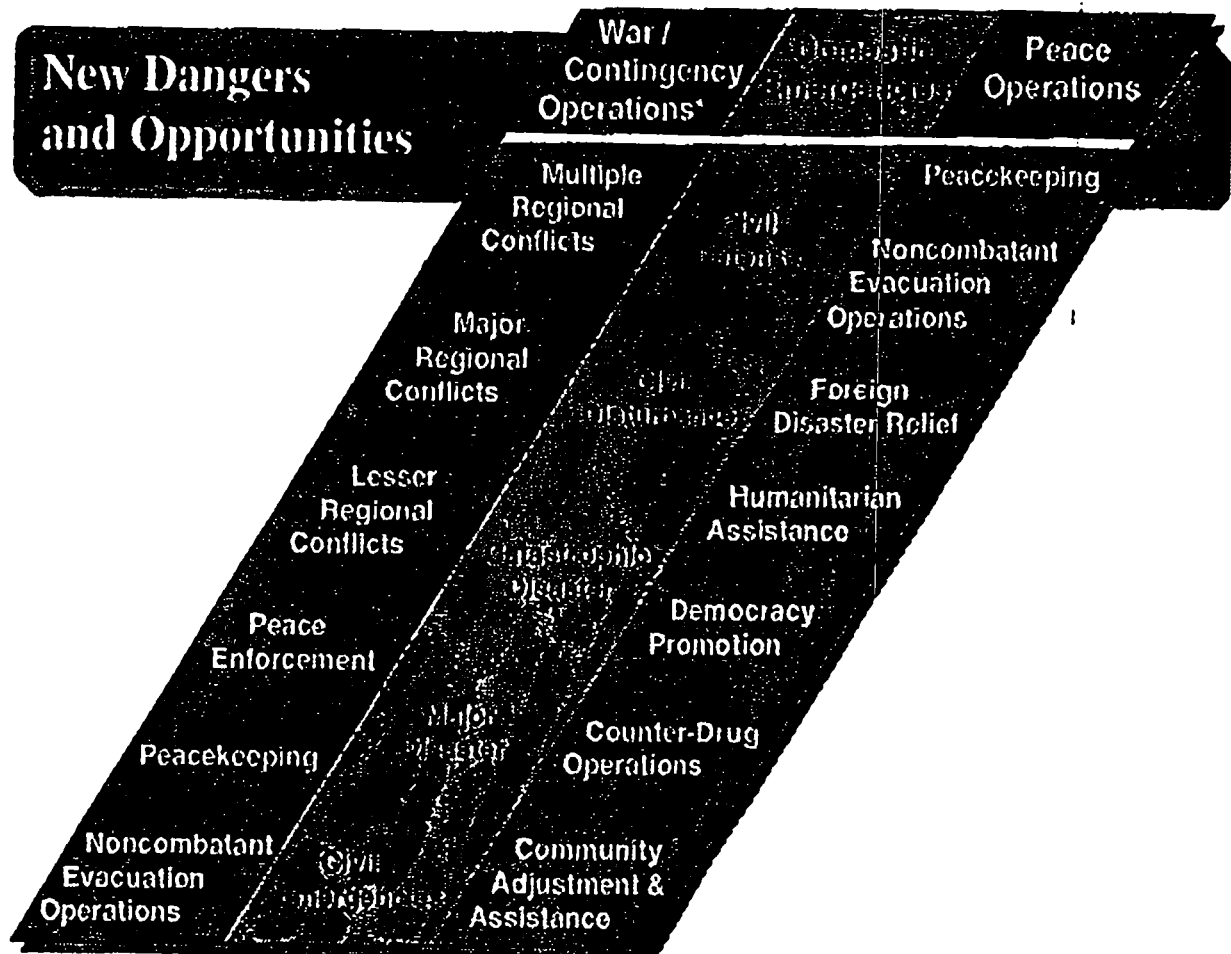


Figure 1: DoD Missions in the Post-Cold War Era

Gaining access to Guard and Reserve personnel without their consent for any mission is a sensitive matter. It has the potential to disrupt the lives of reservists, their families, and their employers or customers. Reserves have only been called up six times for non-domestic emergencies since World War II--the Korean War, the Berlin crisis, the Cuban missile crisis, the Vietnam War, the Pueblo/Korean crisis, and the Gulf War--all situations where vital U.S. interests were perceived to be threatened.

At the same time, our strategy recognizes the increasing role of the Reserve components in the full range of situations:

- **Wars and contingency operations.*** In the case of an unambiguous threat to vital U.S. interests, there is little question that RC units and individuals would be ordered to active

* Title 10 USC 101(a)(13) defines a *contingency operation* as "a military operation that (A) is designated by the Secretary of Defense as an operation in which members of the armed forces are or may become involved in military actions, operations, or hostilities against enemy of the United States or against an opposing military force; or

duty without their consent. The only problem in accessing Reserve forces in these situations would be early in a crisis, when the full nature of the threat could be ambiguous yet some Reserve forces would still be needed.

- **Domestic emergencies.** The Army and Air National Guard (and any State Defense Forces) in each state can be ordered into service for state missions by the Governor. Little objection has been raised to this type of activation or to Congressionally approved state-to-state compacts for Guard forces. The issue of employing Federal resources in a domestic emergency, and access to Reserve components other than the Guard for these missions, is relevant only if the available Guard capabilities are overwhelmed and Federal assistance is requested.
- **Peace operations.** Peace operations comprise a wide variety of missions and operations. The status in which reservists are accessed for these operations will depend on a variety of considerations: the nature of the operations, RC capabilities required, other military operations underway, etc. The challenge is to create a policy for accessibility that will enable the tailoring of the right force to accomplish the mission. An issue for DoD is deciding upon the kind of operations in which reservists can prudently be assumed to be ordered to active duty without their consent.

D. OUTLINE OF THE PAPER

The next section (Section II) discusses in greater detail the role of the RC in federal and state missions, and the provisions of law under which Reserve forces can be accessed. (Appendix A provides more details on the statutory authorities for accessing the RC.) Section III discusses current and expanded uses of volunteers. The final section (Section IV) summarizes the changes needed to ensure access to the capability needed, namely:

- **To expand RC access in major regional conflicts (MRCs) and peace operations:**
 - Provide the SecDef with authority for early access to 25,000 Selected Reservists;
 - Extend RC mission limits in Title 10 USC 673b to 180 + 180 days;
 - Provide access under Title 10 USC 673b to a Selected Reserve Augmentee account of selected individuals with critical skills;
 - Improve access to Intelligence and Special Operations Forces (e.g., Civil Affairs and PSYOPS) by consideration of an increase in full-time support;
 - Review the adequacy of plans and procedures for accessing RC forces.
- **To expand RC access in domestic emergencies:**
 - Expand state-to-state compacts for cross-border Guard response;
 - Eliminate ambiguities in Title 10 USC 672(b) for 15-day involuntary access;
 - Expand planning in all the Reserve components for use of volunteers in major domestic emergencies.
- **To encourage expanded use of reservists:**
 - Protect reservists serving on active duty for 30 days or less and their families;
 - Assess a range of programs to encourage employer support for reservists;
 - Assess a range of approaches to mitigate problems for activated reservists and their families;
 - Plan legislative relief to exempt certain RC volunteers serving on active duty beyond 180 days from Service end-strength ceilings.
- **To expand use of volunteers:**
 - Promulgate a DoD policy that reflects maximum consideration for use of volunteers;
 - Initiate a study to determine how access to RC capabilities could be expanded through greater reliance on volunteers;
 - Plan, fund, and assess expanded use of Army RC volunteer units;
 - Examine expanded use of volunteers in Reserve components of the Department of Navy.

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SECTION II: REQUIREMENTS IN THE POST-COLD WAR ERA

Missions assigned to the Reserve Components (RC) and access to these forces are discussed in this section in three broad categories: war and warfighting contingencies; support for domestic emergencies; and support for peace operations. Figure 1 (on page 3) showed the types of missions associated with each.

A. WAR AND CONTINGENCY OPERATIONS

The RC role, as stated in DoD's Bottom Up Review, is quite broad:

"During regional contingencies, Guard and Reserve forces will continue to provide - as they have in the past - significant support forces, many of which would deploy in the early days of a conflict. Reserve component combat forces will both augment and reinforce deployed active forces and backfill for active forces deployed to a contingency from other critical regions."

Guard and Reserve support forces, especially in the Army, will be indispensable to a U.S. response to any MRC. Some Guard and Reserve forces will be needed to support even one MRC, but they will be particularly critical in deterring or responding to a second threat to U.S. interests in another area.

In addition to Reserve Component units and personnel augmenting and reinforcing in a theater of operations, some RC forces will be activated and employed to sustain the CONUS base of operations. Some of these RC forces will be needed very early (e.g. to support the deployment operations and to help mobilize augmenting and reinforcing forces). Some will be needed later to backfill for Active force deployments, especially to continue medical support for forces remaining in CONUS and families of Active and Reserve personnel deployed abroad.

Legislative authorities developed in the 1970s and 1980s, for ordering Reserve components to active duty without their consent, were designed for crisis situations short of a national emergency as well as contingency operations in an escalating crisis environment. Title 10 USC 673b, added in 1976, provided early access to 50,000 (later 200,000) Selected Reservists for 90 days (with a 90 day extension possible). These existing authorities are still responsive to requirements for adequate forces to participate in a major regional contingency, with the three exceptions discussed below.

Early access to critical RC capabilities. Title 10 USC 673b (PSRC) was designed for situations short of a national emergency, but it has been invoked only once--in the Persian Gulf crisis. In Cold War planning and in the Gulf War, it was used as a precursor to partial mobilization. Title 10 USC 673b authorizes the President to call-up the Selected Reserve for any operational mission. However, it was not invoked during Grenada in 1983, Panama in 1989, and Somalia in 1992, supporting the perception that it has evolved into a *de facto* mobilization authority. Considering a call-up under 673b would raise sensitive domestic and foreign policy concerns that require time to resolve before the President could be expected to decide on when large numbers of reservists should be ordered to active duty.

While the Presidential decision process is going on -- similar to the situation faced in the first weeks of Desert Shield -- small but significant numbers of Reserve forces would be needed to support immediate crisis responses associated with preparing the mobilization base and the deployment of forces.* A Secretary of Defense authority to call up Selected Reserve units would ensure accomplishment of these most time-sensitive missions and would contribute to deterring hostile actions in the evolving crisis. It would also allow the President time to determine whether and when significant numbers of Reserve members should be ordered to active duty.

As shown in Figure 2, the DoD requested SecDef authority for up to 25,000 Reservists would support these requirements. It would also support the requirements for a limited number of Reservists when reliance on volunteers for peace operations would not suffice.

U.S. TRANSCOM Ready Mobility Force - 10,530 RC Members			24,460
Air Mobility Command	Strategic Airlift Squadrons Aircraft Maintenance Squadrons Aerial Port Squadrons Tanker-Airlift Control Flights	107 Units	8,000 Unit Personnel 60 IMAs
Military Sealift Command	CONUS Naval Reserve Units OCONUS Naval Reserve Units	24 Units	500 Unit Personnel
Military Traffic Management Command	Transportation Terminal Units Port Security Units Deployment Control Units Railway Service Unit	20 Units	1,900 Unit Personnel 70 IMAs
Other - 13,930			
Army [3,780]	Medical Professional Filler (PROFIS) Backfill		1,800 Personnel
	Army Mobilization Station Support		1,400 Personnel
	Special Operations Forces		180 Personnel
	Army HQ Augmentation IMAs		400 Personnel
Navy [7,150]	Command, Control & Surveillance		2,350 Personnel
	Battlespace Dominance		1,550 Personnel
	Sustainment		3,250 Personnel
USMC [3,000]	Provisional Support Bns		2,200 Personnel
	Stations of Initial Assignment (SIA)		800 Personnel

Figure 2. Illustrative Early Access Requirement - Wartime Contingency

* United States Transportation Command (USTRANSCOM) requires early access to Reserve components "to prime the transportation pipeline." Over 10,000 Reservists in units would be required to support strategic mobility; e.g. to put in place the infrastructure to prepare units for movement, to open the Seaports of Embarkation (SPOEs), to provide aircrews and maintenance support for CONUS Aerial Ports of Embarkation (APOEs) and OCONUS enroute support. The Army, Defense agencies, the other Services, and the supporting commands require early access to RC units and members to set up and operate Crisis Action Teams (CATs), deploy civil affairs teams, deploy special operations forces, establish mobilization bases, surge logistics medical support.

The 90 day limitation in 673b. Title 10 USC 673b limits the duration of activation to 90 days, plus a 90 day extension. In the Cold War, the planned early transition to partial mobilization in a NATO-Warsaw Pact confrontation would have prevented any impact on operations from these time limits. In a post-Cold War crisis, like the Gulf War, the transition to partial mobilization could be late. Since the most ready Guard combat brigades are likely to need 90 days of post-mobilization training, they would have limited use if activated under 673b. Combat Support and Combat Service Support units activated under 673b would also have limited use, after factoring in the time for alert, mobilization, deployment, redeployment, and demobilization. One lesson from Operation Desert Storm was the importance of a longer activation under 673b. To provide flexibility in use of RC units, the 90 day period needs to be extended to 180 days + 180 days.

The need for individual fillers. Title 10 USC 673b provides no access to trained Reservists in the Individual Ready Reserve (IRR). These reservists are needed to bring deploying units to full operational strength. In the Cold War, the planned early transition to partial mobilization would have made the IRR available early. Without access to the IRR, the Services would take personnel from units that might deploy later, even though this could hurt the personnel readiness of the later deploying units. To avoid this impact on personnel readiness, the Army has proposed a new category** under DoD Directive 1215.6 ("Uniform Reserve, Training and Retirement Categories") to provide earlier access to RC individuals to fill early deploying units (AC and RC). The Department is working on specific requirements (e.g., eligibility criteria, benefits and entitlements), the management actions to ensure a viable and effective program, and the increase needed in Selected Reserve end-strength. Assuming successful resolution of remaining issues, the Army could begin this program in FY 96.

B. DOMESTIC EMERGENCIES

While under state control, units and members of the National Guard have in the past, and will in the future, provide the first line of defense to support local authorities responding to domestic emergencies. The Governors of each state have direct access to the Guard forces in that state. (Under Title 10, sections 3500 and 8500, the Army and Air National Guard can also be federalized to repel invasion, suppress insurrections and enforce federal laws.)

If the Guard forces in a state were overwhelmed by the extent of the domestic emergency (e.g., if some of their forces were deployed overseas, or the state Guard did not possess the specific needed capabilities), it would be logical to seek access to the Guard from other states and to request federal assistance. However, access to these two sources of help are currently limited, as described below.

** Members of the Army would serve in this new category for 12 to 18 months after being released from their initial term of active service. Enlistment contracts and appropriate officer agreements would be amended to acknowledge an obligation to serve in this new category if their skills are needed. Individuals assigned to this category would not be required to train during the period of their assignment. However, they would be subject to involuntary activation under Title 10 USC 673b ("Presidential Selected Reserve Call-up").

Access to Guard Forces Across State Lines. Guardsmen need to retain all of their legal rights when they are used in a domestic emergency in a neighboring state. To do this, the Southern Governors Association (SGA), an organization of nineteen states, acted in September, 1992 to develop a compact that would authorize, under their respective state laws, interstate participation among its members. The compact received endorsement by the Governors of all nineteen states, but must be ratified by Congress. The General Accounting Office noted the value of such a compact in its findings on the Hurricane Andrew response. Senate Bill S.1697 (Mikulski) and House Bill H.R.3399 (Borski) both have language to encourage the National Guard Bureau to take action on an interstate compact initiative.

Access to Federal Assistance. Under Title 42, section 5142, the President may direct any Federal agency to utilize its available resources (personnel, equipment, supplies, facilities, *et al.*) in support of state and local disaster relief efforts.*** However, Reserve components other than the Guard must be accessed under some other code in order to be available for such use.**** Statutes available to secure access to Reserve components other than the Guard are 10 USC 672(d) (voluntary service); or 10 USC 673 (partial mobilization); or, subject to legal review and clarification, 10 USC 672(b) for up to 15 days. To improve access to Reserve components other than the Guard, two steps are being taken:

- ASD/RA will seek General Counsel clarification of the ambiguity in 672(b) about ordering reservists to active duty without their consent for 15 days.
- The Reserve components other than the Guard will develop plans for expanded use of volunteers.

*** The military role in disasters is support to a lead Federal agency (usually the Federal Emergency Management Agency - FEMA). During a disaster relief operation declared by the President, DoD can be tasked by Emergency Support Teams (ESTs) on the national level, Regional Operations Centers (ROCs), and the Federal Coordinating Officer (FCO) in the disaster area. Should a Joint Task Force (JTF), commanded by a General Officer, be formed to augment the relief effort or provide an initial response, the JTF Commander may be authorized by the Supported CINC to work with the FCO, and serve as the DoD representative in charge.

**** Members of the Coast Guard Ready Reserve may be involuntarily called to active duty in support of domestic emergencies by the Secretary of Transportation under the provisions of 14 USC 712. When so activated, they may be required to serve up to thirty days in any four-month period and up to sixty days in any two-year period.

C. PEACE OPERATIONS

RC Play a Wide Range of Roles in Peace Operations

Our reservists have unique skills which are relevant for the conduct of peace operations. Humanitarian assistance, peacekeeping, or other peace operations involve a broad and substantial interaction between U.S. military forces and the people/government of that country. A successful peace operation often is measured by the ability to create a stable environment, to achieve support for that process by the local population/government, and to assist that population/government to assume control of its own future. The skills needed to do this are not normally found in the active forces (e.g., city managers, public work professionals, banking, commerce, and agriculture experts, health systems and disease prevention experts). Reservists can fill the gap between initial stability/security operations by conventional military forces and the assumption of public and private organizations—operations by local, regional, and international.

Reservists have traditionally supported Active forces in executing a broad range of peace operations. While on active duty for training, Guard and Reserve units have supplemented Active forces assigned to the Unified Combatant Commands; e.g., medical and engineering assistance in USSOUTHCOM, USEUCOM's operations in Sub-Saharan Africa. Reservists made critical contributions in post-hostility operations (Panama and Kuwait), disaster relief (Bangladesh), and humanitarian assistance (displaced Haitians, Cameroon epidemic). Units and members of the Guard and Reserve have also supported DoD's Military-to-Military Contact programs with full time members of Liaison Teams stationed in Eastern Europe and with contact teams to meet requests of foreign nations.

Other Guard and Reserve forces have performed contributory support operations to make effective use of Total Force capabilities. Contributory support may be provided as a by product of Reserve Component training (weekend or annual) or as additional voluntary support by reservists while on Active Duty for Special Work (ADSW). Current examples include supplementing USAREUR's maintenance force, augmenting Air Mobility Command flight and maintenance crews, and providing CONUS air movements for the Navy. Excellent language skills and intelligence resources are part of the valuable expertise residing in the Reserve component which routinely contribute to the Total Force on a daily basis.

In the future, peace enforcement, peacekeeping and humanitarian operations will stress the capabilities of U.S. forces. The FY 1995-1999 Defense Planning Guidance (DPG) anticipates a larger Reserve Component role in support to such operations.

Historically, peace operations have been prolonged engagements that often required personnel (and unit) rotations and a significant amount of logistical and lift support. These operations frequently include handling large numbers of refugees, coordinating and distributing humanitarian aid, serving as liaison with local officials, and augmenting command staffs for civil-military matters (e.g., coordinating with private volunteer organizations, non-governmental organizations and officials). Where infrastructure is insufficient for public needs, the means could be provided to disseminate public information to the people in order to counter psychological operations impeding friendly operations, and to restore internal security capabilities.

Getting Access to Needed Capability in Peace Operations Will Take Innovation

As the RC roles and missions expand, the RC becomes a greater asset than just a force held in readiness for use in wartime. Consequently, ordering the RC to active duty without their consent, other than during war and contingencies, is a recurring theme in DoD planning because of the need to rely on RC capabilities for certain peace operations.

The Department's concept for implementing the new strategy includes:

- Looking to active forces to provide for the response to Lesser Regional Conflicts (LRCs) with few exceptions, (e.g. some specialized Reserve component assets, especially combat service support, Psychological Operations, and Civil Affairs units).
- Looking to active forces to bear primary responsibility for the initial response to peace enforcement, peacekeeping, humanitarian and disaster relief operations overseas, with sufficient forces most needed (such as civil affairs, civil engineers, medical, and logistics support units) available in the active component for these missions.
- Looking to the Reserve components to take on a larger role in these non-traditional missions (e.g., individual volunteers—including selected key specialties where possible; units to provide a rotational base for active forces deployed abroad for prolonged periods).
- Pursuing ways to expand Reserve component participation in these operations using both individual volunteers and unit deployments.

Many of the specialties for peace operations require training and experience found heavily within the RC.

Air Operations Rely on Extensive use of Reserve Components

Several key Air Force capabilities are heavily dependent on RC forces.

- **Weather, Aerial Spray, and Tactical Reconnaissance Squadrons. 100% of these capabilities are in the Air Reserve Components.**
- **Aerial Refueling provides enroute and theater capabilities. 54% of the KC-135 tankers and 43% of the KC-10s are in the RC.**
- **Theater Airlift provides intertheater airlift support. 65% of the theater airlift capabilities are in the RC.**
- **Strategic Airlift. 58% of the strategic airlift crews are in the RC.**

The next section (Section IV) shows how the Air Force is expanding its reliance on volunteers – units and individuals.

Special Operations Forces (SOF) Are an Area of Concern

The RC play an important role for Special Operations Forces.

- Special Forces (SF) activities include direct action, security missions, tactical CA and PSYOP, conducting special recon and assessments and rudimentary stability or Foreign Internal Defense (FID) measures. *40% of the SF assets are in the RC.*
- Civil Affairs (CA) activities include civil-military operations, host nation coordination activities, refugee operations, humanitarian aid coordination and distribution, liaison with local and United Nations officials, restoration activities, post-hostility operations, and support of civil-military matters (i.e. coordination with private volunteer organizations, non-governmental organizations and officials, etc.). *97% of the CA force is in the RC.*
- Psychological Operations (PSYOP) include the means for dissemination of public information to the populace, public diplomacy efforts, and influencing the behavior of foreign target audiences up to and including Psychological Warfare. In war and in operations other than war, countering hostile propaganda and disseminating friendly force campaign objectives are viable missions. *75% of the PSYOP is in the RC.*
- Special Boat Units (SBU) conduct riverine and patrolling activities. *50% of the SBU personnel are in the RC.*

Seeking access to the RC without their consent for peace operations raises concerns for the National Command Authority (NCA) in the decision process—domestic concerns as well as concerns over the perceived political signal abroad. Thus, it is appropriate to examine the range of alternatives for getting access to these specialized capabilities. At least three alternatives could satisfy the demands of the Bottom-Up Review and the Defense Planning Guidance, and provide the capabilities needed in peace operations:

- Place sufficient capabilities in the Active component to ensure the initial response requirements of the DPG are met. One problem is that many of the skills needed by SOF are hard to sustain in the Active force.* A fundamental question that must be answered is "to what degree should capabilities to conduct operations other than war reside in the Active components?" Use of Active force could still involve some reliance on RC individual volunteers, but would reduce reliance on the RC units for smaller peacetime missions.
- Expand the existing RC voluntary programs for units and individuals to provide assured access to Reserve components for certain peacetime needs. In situations where Reserve component volunteers could fulfill stated requirements, maximum consideration would be given to using volunteers in the Reserve component before seeking authority to order reservists to active duty without their consent. Expansion of

* One approach is to have Active personnel participate in a Civil/Military Fellowship Program — similar to the "Business-Industry-Education (BIE)" programs found in secondary and higher education — to help them acquire skills and experiences unique to the civil sector.

RC volunteer programs would be undertaken carefully, so that military planners would have confident expectations concerning the availability of RC forces, whether accessed voluntarily or not. (The next section of the paper reviews the existing Air Force and Army programs for volunteers and describes initiatives which would increase the capabilities that volunteers--units and individuals--could provide.)

- Rely on ordering RC to active duty without their consent. The existing basis is the Presidential authority to order RC members to active duty without their consent under Title 10 USC 673b (PSRC). The authority under 673b has been used only once--during Operation Desert Shield. The intent of Congress in passing Public Law 96-584 (673b authority) was to improve overall U.S. military flexibility to meet any operational mission. The use of 673b in peace operations has become more ambiguous by decisions in the 1980s and early 1990s not to order reservists to active duty under 673b for Panama, Grenada, and Somalia. The proposed 25,000 Secretary of Defense Selected Reserve call-up authority could provide for the availability of a limited number of reservists with specialized capabilities (e.g., for civil affairs and psychological operations units) when reliance on volunteers for peace operations would not suffice.

SECTION III: VOLUNTEERS

A. THE PROBLEM

All of the Services use Reserve component volunteers on active duty during peacetime and in situations leading to major conflicts such as Operations Desert Shield/Storm. The draw-down of the Active forces, and the need for RC to meet expanded missions, however, present difficult issues for military planners considering the use of RC volunteers:

- How far can we rely on RC volunteerism?
- How can we reduce the adverse impact from using volunteers?
- How far should we go in relying on RC volunteerism?

In the face of uncertainties about these issues, DoD planners are naturally reluctant to assume reliance on RC volunteers and prefer instead to assume that the RC will be available by ordering them to active duty without their consent. Volunteerism may not necessarily produce unity of command, unit integrity, the best possible people, or the right mix of skills. Reservists who volunteer (especially more than once) are often subjected to career and family pressures which an order to active duty might obviate. Moreover, volunteerism may not be reliable enough to allow such Reserve units to be included in plans and force lists on which commanders must depend. Some insight into how far we can rely on volunteerism, and the existing impediments, is provided by formal Air Force and Army programs which comply with current laws and directives, and which expand the use of volunteers.

B. SERVICE USE OF VOLUNTEERISM

1. Air Force RC Volunteerism

Voluntary access to Air National Guard and Air Force Reserve members is gained through memoranda of agreement (MOA) with units for access to the Air Force Reserve, with states for access to Air National Guard, and directly with individuals. Volunteers currently make extensive contributions to Air Force operations:

- 67% of the Bosnian airdrop and airland sorties;
- 30% of the Somali airland sorties in the past year;
- 30% of the total strategic airlift of the Air Mobility Command (AMC);
- 43% of the support from AMC KC-135 tankers and 26% from the KC-10s;
- The average Air Reserve Component (ARC) crew member participated more than 123 days last year and the average non-crew member participated over 75 days.

Volunteers are used by the Air Force in several ways. Individual units are used in deployments with limited duration. Multiple units are used in rotations to cover longer commitments. A "Rainbow Coalition" can be used in either way. It uses one unit as the core to provide leadership, equipment, and support functions. Segments of two or more other units are used to round out the coalition.

The Air Force programs funds for both RC training and active duty augmentation. About 2,000 man-years are programmed for augmentation by the Air Reserve Components (ARC). This augmentation occurs in the following way:

- The supported CINC identifies the required capability.
- The Major Command (MAJCOM) determines the appropriate AC-RC use.
- The RC polls units for availability and assists the MAJCOM to build force packages.
- The MAJCOM coordinates deployment through the appropriate command channels.

Several lessons have been learned by the Air Force from their experience over the past three years with expanded reliance on volunteers:

- MOAs and MOUs are needed for quick-reaction forces;
- More member and family protection is needed for RC members on active duty tours of less than 31 days and in hostile areas;
- Employer incentives are needed to support Reserve component participation;
- A contingency operations fund is needed for RC O&M funding, mandays, travel, and per diem.

2. USAR Project Prime

One focus of the USAR Project Prime (Priority Reserve Initiatives in Mobilization Enhancement) is readiness of units in the Army Reserve Contingency Force Pool (CFP). The intent is to structure and maintain them at the highest authorized readiness level.

A second focus of Prime is on access to individual volunteers from the Individual Ready Reserve (IRR). It targets critical military skills needed in the CFP and pre-identifies personnel in the IRR with those skills. The Army Reserve is considering possible incentives for IRR participation, including 1) bonus dollars; 2) retirement points; 3) priority for training; 4) professional military education priority; 5) intensive career management; 6) priority assignment of quality IRR soldiers to Selected Reserve units or individual mobilization augmentee positions.

To date, Project Prime has not been tested or used to provide access to individual volunteers.

3. ARNG Project Standard Bearer

Standard Bearer is an Army National Guard initiative to access units and individuals voluntarily. The challenge addressed by this program is to develop procedures to access selected Army National Guard units which could be needed during a contingency.

The *operational unit program* identifies fifty-three (53) Army National Guard CFP units that sustain the highest state of deployability and are available in a volunteer status to support a deployment for any contingency operation the President directs. These units come from Contingency Force Pool One (CFP-1), and can deploy within seven days of notification.

The *humanitarian support unit program* involves non-CFP units. Individual unit members make a volunteer commitment to be available within 72 hours of notification and to serve up to 45 days. There are currently 89 humanitarian support units. Nineteen of these units

from 18 states, are currently accessible within 72 hours: 4 Public Affairs Detachments; 1 Air Ambulance Company, 2 Aviation Companies (UH60 & CH47); 2 PSB Medical Companies; 1 Combat Support Company (water & POL); 2 Combat Engineer Companies; 2 Transportation Companies; and 5 Military Police Companies.

The *operational integration program* is designed to expand the Army's ability to do peacekeeping and overseas presence missions. Active and Reserve components are mixed and tailored to meet Army requirements for a force ranging from individuals, through companies and battalions, to complete task forces. This program includes Army National Guard volunteers willing to be activated for 12 months (e.g., for the Multinational Force and Observer (MFO) mission in the Sinai). The concept is similar to the Canadian Plan: *Operation Legion*.

Standard Bearer has not been tested or used to provide volunteer units for any military operation. Ten ARNG units were offered to support the rotation base for Somalia, but were not used. However, members of Standard Bearer units are currently supporting three voluntary missions in Somalia: teams are training Pakistani personnel on M60A3 tanks and AH1 helicopters, and a team is helping prepare AH1 helicopters for redeployment to the U.S.

C. PROPOSED INITIATIVES

1. Policy guidance on RC accessibility and the role of RC volunteers

The following policy guidance will clarify for the Services and the CINC's military planners what RC accessibility to assume and the role for volunteers in the post-Cold War world in planning and programming forces:

- For major regional conflicts (MRCs) and major domestic emergencies, access to Reserve component (RC) units and individuals through an order to active duty without their consent will be assumed.
- For lesser regional conflicts, lesser domestic emergencies, and peace operations, where RC capabilities could be required, maximum consideration will be given to voluntary access to RC units and individuals before seeking an order to active duty without their consent.

2. Reduce uncertainty on how far we can rely on volunteers

Study initiative. To address the issue of how we can increase our confidence in expanded reliance on RC volunteerism, the ASD/RA will conduct a study of the following questions:

- *What are the potential requirements for RC volunteers for critical peacetime needs?*
- *What are the alternative concepts* for more easily accessible RC units (e.g., the "Hot Unit" concept in which individuals have signed contracts agreeing to deploy voluntarily with their unit)?*

* One idea to be considered is the "hot unit" concept in which individuals have signed a contract agreeing to deploy with their unit. Reservists would join these units knowing that they were planned to support a peace

- *How can special requirements for access to Intelligence, Civil Affairs, and PSYOPS be met?*
- *What funding levels are required to assume increased reliance on RC volunteers?*
- *What supporting legislation is necessary to accommodate increased reliance on RC volunteers?*
- *What DoD policies must be established and implemented to meet expected peacetime needs for RC volunteers?*

Program Initiative. Project Prime and Project Standard Bearer are Army initiatives that would capitalize on RC volunteerism. The Army will program funding for these activities (similar to those used by the Air Force for use of Air Reserve Component volunteers), will begin selected use of RC volunteer units, and will assess the viability of this concept for a range of operational missions.** The Department of the Navy will examine the value of similar programs for its Reserve components.

3. Encourage expanded use of volunteers

Several existing impediments to the use of volunteers must be eliminated if DoD is to rely on expanded use of volunteers. These impediments would also be important to eliminate in the case of ordering RC to active duty without their consent.

Protect RC members on active duty less than 31 days (and their families). Increasing the use of short-term volunteers makes it important that reservists and their families are protected should a reservist's duty result in injury, illness or disease.*** A proposed change to DoD Directive 1241.1 (Reserve Components Incapacitation Benefits) would keep on active duty any reservist incapacitated while serving on an active duty order specifying a period of 30 days or less, in two cases: 1) where the period of incapacitation is expected to extend for more than 30 days past the expiration of the member's orders; or 2) where it is anticipated that the reservist will be processed for disability retirement or separation.

- This change ensures that where a reservist's incapacitation is expected to last more than 30 days after release, the reservist is kept on active duty. Individual reservists are currently entitled to medical treatment for any injury, illness or disease incurred while

operation, if one came up during a designated year. The responsibility to be a hot unit would be limited (e.g., to a year), and would be rotated among several such units. Personnel in hot units could receive special benefits or considerations.

** The Army plans to increase the funding that supports these kinds of activities from 45 man-years to approximately 500 man-years in FY95.

*** Currently, medical benefits for dependents of Reservists commence when a member is ordered to active duty (including active duty for training) for a period of more than 30 days. Today, a Reservist who is temporarily incapacitated while serving under orders specifying a period of 30 days or less receives (1) the pay and allowances that he would receive if serving on active duty and (2) necessary medical care related to the incapacitation. Since the member is not on active duty, however, the member does not receive retirement credit for the period of incapacitation and the member's dependents are not eligible for medical in the military system.

serving on active duty, so the only additional cost would be for any other health care the member elected to receive in a military treatment facility.

- Most family members who would receive medical coverage under the proposed policy change would continue to receive care under their existing health care plan and, at most, use CHAMPUS as secondary insurance.

Encourage employer support. An employer seeking to minimize costs from employees' absences may discourage Reserve participation through job-related discrimination practices. Conflicts between civilian employment and Reserve component military duty account for about one-third of all personnel losses by the RC. These losses increase DoD recruiting and training costs and reduce RC readiness. ASD (Reserve Affairs) is studying a range of proposals for employer encouraging employer support for Reservists to reduce these training and readiness costs.

Mitigate problems for Reservists and their families. The Persian Gulf Conflict provided the first combat-related test of the family support programs developed over the past decade. These programs proved to be uneven at best, lacking a clear sense of the need, structure, and mission required. After-action reports, survey data and subsequent personal contact with reservists and their families showed the importance to total force readiness of on-going family support and family readiness programs.

Approximately 45 percent of Reserve officers and 55 percent of enlisted members who were activated for the Persian Gulf Conflict experienced reduced income or increased expenses associated with their activation. A high percentage of those experiencing the largest losses were self-employed, small-business owners, or professionals in private practice.

DoD is addressing a wide range of proposals for mitigating problems for Reservists and their families. A Reserve Family Readiness Committee has been formed to focus attention in this area. Also, recognizing the need to prepare families to manage better in the absence of a reservist's spouse, the DoD is reviewing Guard and Reserve family programs as part of its Corporate Information Management initiative. Finally, DoD is studying the feasibility of ways to mitigate the financial impact of activation. Our goal is to ensure that effective family support structures and other programs are in place so as to free National Guardsmen and reservists to concentrate on mission accomplishment.

Provide relief from Active component end-strength limitations for RC members on active duty more than 180 days. RC volunteers on active duty for more than 180 days count against Active end-strength. This statutory requirement could reduce Service incentives to use sizable numbers of RC volunteers for periods longer than 180 days. A simple way to eliminate this disincentive would be to have a DoD policy to request legislative relief on a case-by-case basis, e.g., counter drug operations, the Army's Multinational Force and Observer (MFO) missions.

SECTION IV: ISSUES AND ACTIONS

A. EXPAND RC ACCESS IN MRCs AND PEACE OPERATIONS

1. Issue: Need for assured early access to some Selected Reserve capabilities

- Support proposed legislative change for a SecDef 25K call-up authority.
- Expand use of RC volunteers (Individuals and units). See Subsection D on page 21 for specific actions.

2. Issue: Restrictive RC mission limits (90+90 days) in 10 USC 673b

Support requested change to 180 + 180 days.

3. Issue: 10 USC 673b gives no access to members of the IRR

Establish, by policy, a special category of Selected Reserve Augmentee (SRA) consisting of individuals released from the Active component and the Selected Reserve with service obligation for up to 18 months. This commitment would be written into the initial enlistment contract. Reservists in the SRA would get no pay or pre-mobilization training, but would have access to commissary, PX, Morale & Welfare, etc. This program would require future budgets to request higher end-strength ceilings for a Service's Reserve component, but would not require additional funding.

4. Issue: Need for better access to Intelligence, Civil Affairs, and PSYOPS forces

- The Army should address how to provide enough trained people in the Active component to meet the guidance in the DPG, and whether a Civil/Military Fellowship Program could help sustain these unique skills in peacetime. (This would not reduce the need for SOF units in the RC).
- The Army should consider establishing RC units whose members agree to frequent activation for necessary periods as a condition of membership. The entire unit would be called up to meet larger requirements or would be used as a pool for volunteers to supplement active duty personnel if the needs were smaller.

5. Issue: Need to ensure that legislative changes and new policy guidance for accessing RC forces are taken into account in developing operational plans and procedures

- The Joint Staff and OSD will review plans and procedures for accessing RC forces in support of our national military strategy.

B. EXPAND RC ACCESS IN DOMESTIC EMERGENCIES

Issue: Limits on use of some RC in support of Domestic Emergencies

- Expand state-to-state compacts for cross-border National Guard responses.
- Eliminate ambiguities in Title 10 USC 672(b) about ordering reservists to active duty without their consent for a 15 day period.
- Expand planning for use of volunteers from Reserve components other than the Guard; e.g. in conjunction with Title 10 USC 672(d) and 672(b).

C. ENCOURAGE EXPANDED USE OF RESERVISTS

1. Issue: Protect RC members serving 30 days or less and their families

Change Policy in DoD Directive:

"Members serving on active duty under orders specifying a period of 30 days or less who incur or aggravate and injury, illness, or disease shall, with the members consent, be retained on active duty and treated as specified in paragraph F.2. of this Directive in those cases where:

- (a) The period of incapacitation is expected to extend for 30 or more days past the termination date of active duty specified in their orders, or
- (b) It is anticipated that they will be processed for disability retirement or separation."

2. Issue: Encourage employer support for reservists

ASD(RA) will study a range of approaches to encourage employer support for reservists.

3. Issue: Mitigate the problems experienced by activated reservists and their families

ASD (Reserve Affairs) will study a wide range of proposals for mitigating problems experienced by activated reservists and their families.

4. Issue: Provide relief from Active component end-strength limitations for RC members on active duty more than 180 days

DoD will examine the need for case-by-case legislative relief for RC volunteer end-strength for extended operations (e.g., counter drug operations, Army's plan for an MPO battalion for the Sinai).

D. EXPAND USE OF VOLUNTEERS

1. Issue: No DoD policy on RC accessibility and the role of RC volunteers

Define DoD policy for planning and programming forces:

- For major regional conflicts (MRCs) and major domestic emergencies, access to Reserve component (RC) units and individuals through an order to active duty without their consent will be assumed.
- For lesser regional conflicts, lesser domestic emergencies, and peace operations, where RC capabilities could be required, maximum consideration will be given to voluntary access to RC units and individuals before seeking an order to active duty without their consent.

2. Issue: Uncertainty among military planners about relying on RC volunteers

- ASD (Reserve Affairs) will initiate a study by a research center of how to expand reliance on volunteers for operational missions.
- The Army will plan and program funds for expanded use of RC volunteer units and assess the viability of this concept for a range of operational missions.
- The Department of the Navy will examine expanded use of volunteers in its Reserve components.

Accessibility of Reserve Component Forces

Appendices

Department of Defense

April 1994

APPENDIX A: CURRENT LAWS FOR ACCESSING RC

A. OVERVIEW

B. DESCRIPTION OF AUTHORITIES

Title 10, Chapter 39 – Active Duty.

- Section 672 – Reserve components generally
- Section 673 – Ready Reserve
- Section 673b – "Selected Reserve; order to active duty other than during war or national emergency"

Title 10, Chapter 15 – "Insurrection"

- Section 331 – "Federal aid for State Governments"
- Section 332 – "Use of militia and armed forces to enforce Federal authority"
- Section 333 – "Interference with State and Federal Law"

Title 10, Chapter 341 – "Active Duty"

- Section 3500 - "Army National Guard in Federal Service: call"

Title 10, Chapter 841 – "Active Duty"

- Section 8500 - "Air National Guard in Federal Service: call"

Title 14, Chapter 21 – "Coast Guard Reserve and Auxiliary"

- Section 712 – "Active duty for emergency augmentation or regular forces"

Title 42, Chapter 68 – "Disaster Relief" [REPEALED]

- Subchapter III, Section 5142

Title 10, Chapter 11 – "Reserve Components"

- Section 270 – "Ready Reserve: training requirements"

Title 32, Chapter 5 – "Training" [Pertains only to the National Guard]

- Section 502 – "Required drills and field exercises"

C. ASSESSMENT OF AUTHORITIES FOR WAR AND CONTINGENCIES

- Title 10 USC 672(a) - "Full Mobilization"
- Title 10 USC 673 - "Partial Mobilization"
- Title 10 USC 673b - "Selected Reserve; order to active duty other than during war or national emergency"
- Title 10 USC 672(d)

D. ASSESSMENT OF AUTHORITIES FOR DOMESTIC EMERGENCIES

- Title 10 USC 673 - "Partial Mobilization"
- Title 10 USC 673b - "Selected Reserve; order to active duty other than during war or national emergency"
- Title 10 Chapter 15
- Title 42 USC
- Title 14 USC Section 712
- Title 10 USC 672(b)
- Title 10 USC 672(d)

E. ASSESSMENT OF AUTHORITIES FOR PEACE OPERATIONS

- Title 10 USC 673b - "Selected Reserve; order to active duty other than during war or national emergency"
- Title 10 USC 672(d)
- Title 10 USC 270(a)
- Title 10 USC 672(b)

A. OVERVIEW

Figure A-1 displays the "Spectrum of Emergencies" and related "Level of Response." Roles and missions of the Reserve components (RC) extend to all these emergencies. The levels of response in the figure represent essentially all of the statutory authorities currently available for accessing Reserve component forces.

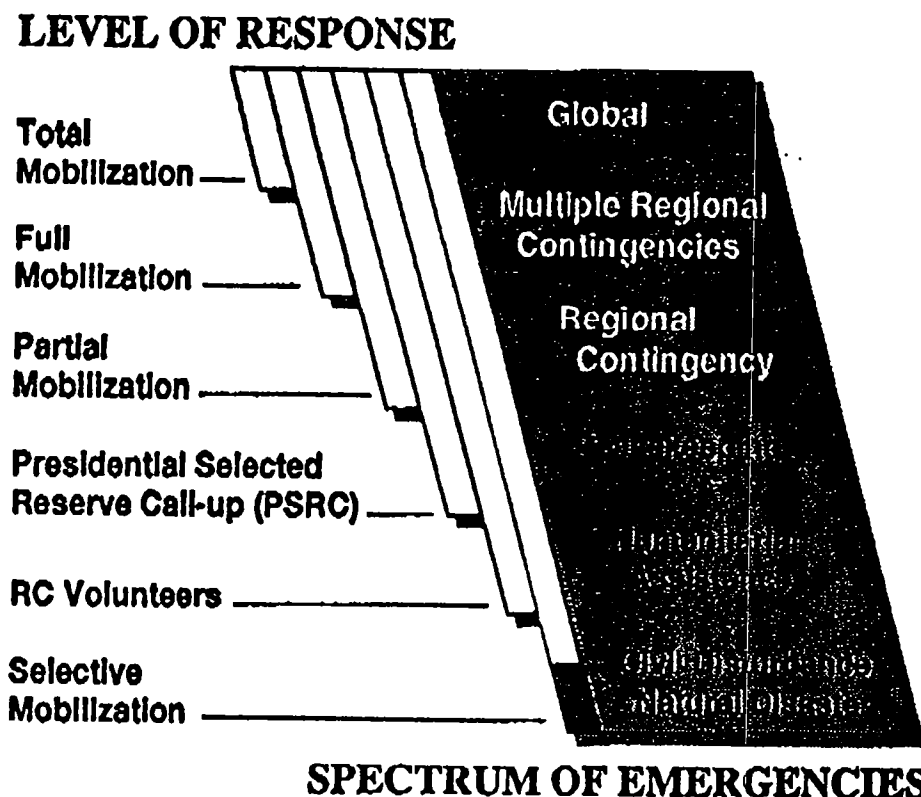


Figure A-1: Emergencies and Responses

Before examining each of these authorities two points need to be addressed.

- First, Figure A-1 displays a continuum of requirements which appear graduated in intensity. But, each is separate and may present itself simultaneously with others. Reserve components may be required for more than one of these operations at once.
- Second, the statutes are listed in order of increasing scope from bottom to top, but this does not imply that one is a precursor to another. In fact, any one can be used separately without invoking any of the others; and, more than one authority can be used at the same time without violating the intent of the others.

B. DESCRIPTION OF AUTHORITIES

Figure A-2 shows a general description of all legislative authorities currently available for accessing the Reserve Component. Each authority is described briefly below.

Title 10, Chapter 39 - "Active Duty."

There are twenty-five sections in Chapter 39 including authorities for extending service during war (Section 671a) and when Congress is not in session (Section 671b). Nineteen sections pertain to handling of the Reserve components on active duty. Five sections address activating or mobilizing units and members of the Reserve components.

- **Section 672 - "Reserve components generally."** This section includes authority for the greatest access to the Reserve components (672(a) - "Full Mobilization") and the least (672(d) - "Volunteerism").
 - Paragraph 672(a) authorizes ordering units, and individuals not assigned to units, to active duty without their consent in time of war or national emergency, for the duration plus six months. The level of Reserve component mobilization authorized by 672(a) ("Full Mobilization") is essentially the same as any additional national mobilization actions ("Total Mobilization").
 - Paragraph 672(d) authorizes the Service Secretaries to activate members of the Reserve components with their consent ("Volunteers"). This authority was used by all Services in mid-August 1990 to support the initial U.S. response to the Iraqi invasion of Kuwait.
 - Paragraph 672(b) authorizes involuntary activation of any number of Reservists for not more than 15 days per year. Although the purpose of this paragraph is generally thought to be for training, there is no stated purpose in the text (Title 10, Section 270(b) states the annual active duty training requirements for Reserve component members).
- **Section 673 - "Ready Reserve"** is generally referred to as the "Partial Mobilization" statute. In time of national emergency declared by the President or otherwise authorized by law, it authorizes ordering to active duty, without their consent, up to 1,000,000 members of the Ready Reserve for up to 24 consecutive months. This statute allows involuntary access to the Individual Ready Reserve (IRR), as well as the Selected Reserve. This authority was used by President Bush on 18 January 1991 to support Operation DESERT STORM.
- **Section 673b - "Selected Reserve; order to active duty other than during war or national emergency"** [also known as the Presidential Selected Reserve Call-up (PSRC)], authorizes involuntary activation of the Reserve component without declaration of war or national emergency for operations other than domestic disasters, accidents, or catastrophes. Up to 200,000 Reserve component members may be activated under this authority at any one time. Their service must be other than for training, and the length of service is not more than 90 days, but extendible for an additional 90 days. This authority was used by President Bush on 22 August 1990 to support Operation DESERT SHIELD.

Title 10 Chapter 39 Section 672(a) "Full Mobilization"	• Requires declaration of War or National Emergency by the Congress • Requires Congress in Session	• All Reservists including members in an inactive status and retired members • No number limitation stated • Duration of War or Emergency + 6 Months
Title 10 Chapter 39 Section 673 "Partial Mobilization"	• Requires Declaration of National Emergency	• Ready Reserve • Not more than 1,000,000 • 2 year duration
Title 10 Chapter 39 Section 673b "PSRC"	• Requires Presidential notification of Congress • No Declaration of National Emergency	• Only Selected Reserve (No IRR) • Not more than 200,000 • 90 + 90 day duration
Title 10 Chapter 39 Section 672(d) "RC Volunteers"	• Requires consent of individual RC member • Governors must consent to Guard activation	• All Reservists • No number limitation stated • No duration stated
Title 10 Chap 15 Sec 3500 & 8500 "Guard Only"	• On request of state legislature or governor, President may call militia into federal service • To suppress insurrection, enforce federal laws	• No declaration of national emergency • Guard only (Militia) and "armed forces" • No number limitation • No duration stated
Title 42 Sec 5142 "Available Assets"	• President may direct • "Available" personnel, equipment, supplies, facilities, and other resources (activated under some other Title/Section)	• No number limitation • No duration stated
Title 14 Sec 712 "Coast Guard Only"	• Transportation Secretary may direct • All rights / benefits of active duty	• Coast Guard only • 30 days within 4 month period • 60 days within 2 year period
Title 10 270(a) & 672 (b) Title 32 502 (a)	• Requires Governor's consent for Guard (672(b)) • Limited to short duration missions	• 48 scheduled drills per year • Up to 15 days active duty for training per year

Figure A-2: Current Legislative Authorities

Title 10, Chapter 15 - "Insurrection."

This chapter authorizes the President to call the Militia (National Guard) into Federal service. These provisions apply only to the National Guard.

- **Section 331 - "Federal aid for State Governments,"** is authorized upon request by the legislature or governor of a state whenever there is insurrection against the state government. The President is authorized to call into Federal service the number requested by the state and use them to suppress the insurrection.
- **Section 332 - "Use of militia and armed forces to enforce Federal authority,"** enables the President to call the militia into Federal service whenever he decides that there exists unlawful obstructions, combinations, or assemblages, or rebellion against the authority of the United States in any state or territory. The President may call into Federal service the militia of any state, and use the armed (active) forces to enforce those laws and suppress the rebellion.
- **Section 333 - "Interference with State and Federal Law,"** authorizes the President, to use the militia or the armed forces or both in any state to suppress insurrection, domestic violence, unlawful combination, or conspiracy if necessary to ensure equal protection under Federal Law.

Title 10, Chapter 341 - "Active Duty." This chapter covers the Army National Guard.

- **Section 3500 - "Army National Guard in Federal Service: call,"** authorizes the President to call into Federal service any members and units of the Army National Guard whenever the United States, the U.S. Territories, Commonwealths, or possessions are invaded or in danger of invasion by a foreign nation; whenever there is a rebellion or danger of rebellion against the authority of the United States; or, when the President is unable with the regular forces to execute the laws of the United States.

Title 10, Chapter 841 - "Active Duty." This chapter covers the Air National Guard.

- **Section 8500 - "Air National Guard in Federal Service: call,"** authorizes the President to call into Federal service members and units of the Air National Guard under the same conditions and for the same purposes as Chapter 341 Section 3500 above.

Title 14, Chapter 21 - "Coast Guard Reserve and Auxilliary"

- **Section 712 - "Active duty for emergency augmentation of regular forces,"** authorizes the Secretary of Transportation to order members of the Coast Guard Ready Reserve to active duty without their consent in a domestic emergency. They may be used for not more than 30 days in any four month period and not more than 60 days in any two year period to augment the Regular Coast Guard forces in time of serious natural or manmade disaster, accident, or catastrophe.

Title 42, Chapter 68 - "Disaster Relief" [REPEALED]

- **Subchapter III, Section 5142,** authorized the President to direct any Federal agency to use its available personnel, equipment, supplies, facilities, and other resources to support State and local disaster assistance efforts. The President had the latitude to prescribe rules and regulations to carry out these provisions. However, Reservists would have to be activated under some other authority to be "available" for use under this statute.

Title 10, Chapter 11 - "Reserve Components"

- **Section 270 - "Ready Reserve: training requirements,"** sets in law the annual training requirements for the Ready Reserve. Paragraph 270(a) requires Ready Reserve members to participate in at least 48 scheduled drills or training periods and to serve on active duty for training not less than 14 or more than 30 days. (Requirements described in this section are often confused with provisions in Title 10 Section 672(b) which authorizes involuntary activation of Reserve component members for not more than 15 days per year.)

Title 32, Chapter 5 - "Training," [Pertains only to the National Guard]

- **Section 502 - "Required drills and field exercises,"** sets into law the annual training requirements for the National Guard similar to those for the Ready Reserve described in Section 270 above: assemble for drill in instruction 48 times each year, and participate in training at encampments, maneuvers, outdoor target practice, or other exercises, at least 15 days each year.

C. ASSESSMENT OF AUTHORITIES FOR WAR AND CONTINGENCIES

The assessment below concentrates on the four provisions displayed in Figure A-3.

	RESPONSIVENESS	FLEXIBILITY	SUFFICIENCY	EQUITABILITY
672(a) "Full Mobilization"	- Highest political threshold - Least responsive - Requires declaration of War or National Emergency by the Congress -- time - Requires Congress in Session	Appropriate only for very major contingencies or war	- All Reservists including members in so inactive status and retired members - No number limitation stated - Duration of War or Emergency + 6 Months	
673 "Partial Mobilization"	- High political threshold - Low responsiveness - Requires Declaration of National Emergency -- time	Appropriate to MRCs	- Not more than 1,000,000 - Ready Reservists 2 year duration	
673b "PSRC"	- Substantial political threshold - No Declaration of National Emergency	- Appropriate as a "bridge" during MRCs or for LRCs - No IRR - Limited duration	Not more than 200,000	
672(d) "Volunteer"	- No political threshold - Requires consent of individual RC member - Governors must consent to Guard voluntary activation	Doesn't assure C/ unit integrity	- All Reservists - No number limitation stated - Uncertain yield - No duration stated	

Figure A-3: Authorities Appropriate for War and Contingencies

- Title 10 USC 672(a) - "Full Mobilization" - In terms of responsiveness, it has the highest political threshold: Congress must be in session and declare a national emergency. Once invoked, there is complete flexibility. It is sufficient since no number limitation is stated, all Reserve components are included, -- even members on inactive status or retired status may be activated if Reserve and National Guard members on active duty are not sufficient -- and the period of activation is for the duration of the conflict plus six months.
- Title 10 USC 673 - "Partial Mobilization" - In terms of responsiveness, it has a high political threshold, since 673 requires a declaration of national emergency. Once invoked, there is substantial flexibility. It is sufficient in that it includes all Ready Reserve for two years and allows up to 1,000,000 people to be activated.
- Title 10 USC 673b - "Presidential Selected Reserve Call-up" - In terms of responsiveness, there is an important political threshold, but 673b can be invoked by the President without declaration of national emergency. It has limited flexibility: duration of activation is limited to 90 days, plus a 90 day extension; only 200,000 Selected Reservists can be called; and no access is available to the Individual Ready Reserve (IRR). (Without the IRR to fill individual vacancies in units, cross-leveling from other units is needed which would degrade their ability to deploy later.) Implementing the Presidential Selected Reserve Call-up (673b) will take time (about three weeks following Iraq's invasion of Kuwait), yet even earlier access to critical mobility forces in the RC is required.

- Title 10 USC 672(d) allows access to Reserve component members who volunteer. There is no political threshold and it is used extensively during peacetime. The Governors must consent to Guard activation under this statute, but that consent has been given freely. It applies to all of the Ready Reserve, and there is no limitation on number or duration as long as the Service has budgeted funds to pay for it.

D. ASSESSMENT OF AUTHORITIES FOR DOMESTIC EMERGENCIES

Figure A-4 displays the statutes included in the assessment below.

	RESPONSIVENESS	FLEXIBILITY	SUFFICIENCY	EQUITABILITY
673 "Partial Mobilization"	• High political threshold • Requires Declaration of National Emergency • Requires Time	• Only for very major contingencies	• All Ready Reserve • Not more than 1,000,000 • 2 year duration	
673b "PASC"	• 673b(b) Precludes use of SELRES to perform domestic missions			
Chap 15 of Title 10	• High political threshold • On request of state legislature or governor, President may call militia into federal service • No declaration of national emergency	• To suppress insurrection, enforce federal laws	• No number limitation stated • Militia and "armed forces" • No duration stated	
Title "42"	• Low political threshold • President may Direct • RC members must be activated under some other Title / Section.	• Substantial flexibility	• No number limitation stated • "Available" personnel, equipment, supplies, facilities, and other resources • No duration stated	
Title 14 Sec 712		• Coast Guard only	• 30 days within 4 month period • 60 days within 2 year period	• All rights / benefits of active duty
Title 10 Sec 672(b)	• Low political threshold	• Requires Governor's consent for Guard (672(b)) • Utility limited to predictable, short duration missions	• Up to 15 days active duty per year	
Title 10 Sec 672(d) "Volunteers"	• No political threshold • Requires consent of individual RC member • Governors must consent to Guard voluntary activation	• Doesn't assure C / unit integrity	• All Reservists • No number limitation stated • Uncertain yield • No duration stated	• Perception that employers / families are less supportive • Protection for Reservist and families while on duty 30 days or longer

Figure A-4: Authorities Appropriate for Domestic Emergencies

- Title 10 USC 673 - "Partial Mobilization" - has a high political threshold, since it requires declaration of a national emergency. Once invoked, there is substantial flexibility since it includes all Ready Reserve for two years and allows up to 1,000,000 to be activated.
- Title 10 USC 673b - "Presidential Selected Reserve Call-up" - precludes the use of reservists for any functions authorized by Chapter 15 or Sections 3500 or 8500, and so Federal Reserve components cannot be used for domestic emergencies under this authority.

- Title 10 Chapter 15 - is limited to suppressing insurrection, rebellion, domestic violence, or unlawful assemblage. It has a high political threshold since it must be requested by the state legislature or Governor (if legislature is not in session) and involves Presidential call of the militia into federal service. This statute does not require declaration of national emergency. It is sufficient, if the number of Guard members (militia) is sufficient, since there is no number or duration limitation stated.
- Title 42 USC Section 5142(a) - authorizes the President to direct "available" personnel equipment, supplies, facilities, and other resources. Although there is substantial flexibility, Reserve component members must be accessed under some other title and section (Title 42 is not sufficient by itself to activate Reserve component members).
- Title 14 USC Section 712 - authorizes the Secretary of Transportation to order to active duty units, unit members, individuals of the Coast Guard Ready Reserve without the consent of the member with specific conditions:
 - Not more than thirty days in any four-month period or sixty days in any two-year period;
 - Satisfies, on day-to-day basis, annual training requirement but does not satisfy active duty obligation;
 - Provides all rights and benefits of active duty (pay, allowances, retirement credit).
- Title 10 USC 672(b) - has a low political threshold and can be invoked by the Service Secretaries (with the appropriate Governor's approval for Guard members). Flexibility is limited due to uncertainty of Congressional intent. No number limitation is stated but the statute applies only to Reservists in an active status and the duration is for up to 15 days per year.
- Title 10 USC 672(d) - allows access to volunteers. There is no political threshold and it is used extensively during peacetime. The Governors must consent to Guard activation under this statute, but that consent has been given freely. It applies to all of the Ready Reserve and has no limitation on number or duration.

E. ASSESSMENT OF AUTHORITIES FOR PEACE OPERATIONS

Figure A-5 displays the statutes included below in the assessment of peace operations.

	RESPONSIVENESS	FLEXIBILITY	SUFFICIENCY	EQUITABILITY
673b "PSRC"	- Substantial political threshold - Requires Presidential action + time - No Declaration of National Emergency	Flexibility limited (No IRR, duration)	- Not more than 200,000 - Only Selected Reserve (No IRR) 90 + 90 day duration	
672(d) "Volunteers"	- No political threshold - Requires consent of individual RC member - Governors must consent to Guard voluntary activation	Doesn't assure C/ unit integrity	- All Reservists - No number limitation stated - Uncertain yield - No duration stated	
10 USC 270(a) / 672 (b) 32 USC 502 (a)	Low political threshold	- Requires Governor's consent for Guard (672(b)) - Utility limited to predictable, short duration missions	Typically 48 scheduled drills and 15 days active duty for training per year	

Figure A-5: Authorities Appropriate for Peacetime Operations

- Title 10 USC 673b – "Presidential Selected Reserve Call-up" – has the same characteristics and effects as those described under War and Contingencies. It would fully support all peace operations, but there is a substantial political threshold in invoking this authority.
- Title 10 USC 672(d) – allows access to Reserve component members who volunteer. There is no political threshold and it is used extensively during peacetime. The Governors must consent to Guard activation under this statute, but that consent has been given freely. It applies to all of the Ready Reserve and has no limitation on number or duration.
- Title 10 USC 270(a) – authorizes training for Reservists other than the Guard and its use for other purposes is questionable. The duration is limited to 48 scheduled drills per year and up to 30 days of active duty for training per year. National Guard training requirements are essentially the same and are set out in Title 32 USC 502.
- Title 10 USC 672(b) – authorizes Reserve call-up by the Service Secretaries (with the appropriate Governor's approval for Guard members). Flexibility for use is currently limited due to Service uncertainty about Congressional intent. No number limitation is stated but the statute applies only to the Selected Reserve and the duration is for up to 15 days per year.

APPENDIX B: SUMMARY

A. LEGISLATIVE PROPOSALS

- **Initiatives for 103rd Congress**
 - Increase duration of RC access under Title 10 USC 673b to 180 + 180 days
 - Provide a SecDef 25,000 authority for access to RC for 90 days
- **Proposals Requiring Further Development**
 - State-to-state compacts for use of Guard forces
- **Recurring Requests for Statutory Authorities**
 - Examine need for case-by-case relief from active end-strength limits for RC volunteers on extended duration operations [Part of authorization process]
 - Include request for increased end-strength ceilings as needed for Reserve components to accommodate a new category of non-drilling individuals to fill vacancies in mobilizing and deploying units [Part of the authorization process]

B. NEW DOD POLICIES

- Establish a special category of non-drilling individuals as part of the Selected Reserve
- Eliminate ambiguities in Title 10 USC 672(b) regarding access involuntarily for a 15 day period
- Change DoD Directive to protect RC members serving for 30 days or less and their families
- Provide DoD policy guidance on RC accessibility and the role of volunteers (units and individuals)

C. PROGRAM INITIATIVES

- Reserve component to expand planning for use of volunteers for large domestic emergencies
- Army to plan and fund expanded operational use of RC volunteer units

D. STUDY INITIATIVES

- **ASD/RA study how to expand reliance on RC volunteers (units and individuals)**
- **ASD/RA study approaches to encourage employer support for Reservists and to mitigate problems for activated Reservists and their families**
- **Army assess the effectiveness of its expanded use of RC volunteer units**
- **Army assess ways that the active component can improve support to Special Operations Forces (SOF)**
- **Navy examine expanded use of volunteers in its Reserve components**
- **Joint Staff and OSD review plans and procedures for accessing RC forces in support of our national military strategy**

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2895

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

April 16, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH:

ROBERT BELL *RB*

FROM:

KEITH HAHN *KH*

SUBJECT: Significant Military Exercise RIMPAC 94

Attached at Tab I is a proposed memorandum to the Executive Secretary, Department of Defense, concurring in military exercise RIMPAC 94. At Tab II Defense recommends approval and State concurs.

RIMPAC 94 is a large-scale biennial sea control and power projection fleet exercise conducted in a multi-threat environment with assets from the U.S., Australia, Canada, Japan and the Republic of Korea. It is scheduled to be held in the area from the Midway Island group to the main Hawaiian Island group from May 25 - July 6.

The critical cancellation date is May 4, 1994.

Concurrences by:

sl Stanley Roth and *W* Morton Halperin

RECOMMENDATION

That you sign the memorandum at Tab I concurring in the exercise.

Attachments

Tab I Memorandum for Signature

Tab II Incoming Correspondence

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By *VL* NARA, Date *10/3/2006*

2016-052-F

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Declassify on: OADR

~~CONFIDENTIAL~~

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

MEMORANDUM FOR COL. ROBERT P. MCALEER
Executive Secretary
Department of Defense

SUBJECT: Significant Military Exercise RIMPAC 94

The National Security Council staff concurs in military exercise RIMPAC 94.

William H. Itoh
Executive Secretary

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - RIMPAC 94. (1 page)	04/13/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 264

FOLDER TITLE:

Chron File - April 1994 #1 [6]

2016-0152-F

vz4564

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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001b. cable	re: Change to Critical Cancellation Date (CCD) for RIMPAC 94. (1 page)	03/03/1994	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 264

FOLDER TITLE:

Chron File - April 1994 #1 [6]

2016-0152-F
vz4564

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P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001c. cable	re: Exercise (RIMPAC 94) Significant Military Exercise Brief. (3 pages)	03/03/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 264

FOLDER TITLE:

Chron File - April 1994 #1 [6]

2016-0152-F
vz4564

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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2894

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

April 16, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH:

ROBERT BELL *RB*

FROM:

KEITH HAHN *KH*

SUBJECT: Significant Military Exercise EASTERN CASTLE 94-3

Attached at Tab I is a proposed memorandum to the Executive Secretary, Department of Defense, concurring in military exercise EASTERN CASTLE 94-3. At Tab II Defense recommends approval and State concurs.

EASTERN CASTLE 94-3 is a combined U.S./Jordanian engineering exercise which will complete two projects previously started in the vicinity of Zarka, Jordan -- a close combat training range and a special forces training camp. The exercise will take place May 24 - August 10 and involve a total of 700 U.S. personnel.

The critical cancellation date is April 28, 1994.

Concurrences by: David Sattenfield *DS* and Morton Halperin *MH*

RECOMMENDATION

That you sign the memorandum at Tab I concurring in the exercise.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By *RZ* NARA, Date *10/31/16*

2016-0152-F

~~CONFIDENTIAL~~

Declassify on: OADR

~~CONFIDENTIAL~~

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20508

MEMORANDUM FOR COL. ROBERT P. MCALEER
Executive Secretary
Department of Defense

SUBJECT: Significant Military Exercise EASTERN CASTLE 94-3

The National Security Council staff concurs in military exercise
EASTERN CASTLE 94-3.

William H. Itoh
Executive Secretary

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002a. memo	For Executive Secretary, National Security Council. Subject: Significant Military Exercise - EASTERN CASTLE 94-3. (1 page)	04/14/1994	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 264

FOLDER TITLE:

Chron File - April 1994 #1 [6]

2016-0152-F

vz4564

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM, Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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002b. cable	re: Part I Significant Military Exercise Brief. [Eastern Castle 94-3] (2 pages)	03/24/1994	P1/b(1)
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COLLECTION:

Clinton Presidential Records
National Security Council
Defense Policy and Arms Control (Robert Bell)
OA/Box Number: 264

FOLDER TITLE:

Chron File - April 1994 #1 [6]

2016-0152-F

vz4564

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RR. Document will be reviewed upon request.

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b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

April 16, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH:

ROBERT BELL *RB*

FROM:

KEITH HAHN

SUBJECT:

Commerce Draft Bill Marine Navigation Trust Fund
Act of 1994

The draft Commerce bill amends the Water Resources Development Act of 1986 to transfer funds out of the Harbor Maintenance Trust Fund to the Marine Navigation Trust Fund. The amount transferred would equal the increase (0.01 percent) in the Harbor Maintenance Trust Fund port use fee which was to be used for the Department of Commerce's nautical charting and associated marine navigational safety programs related to commercial navigation.

Concurrences by: Eileen Clausen *EC* and Jeremy Rosner *JR*RECOMMENDATION

That you sign the memorandum at Tab I concurring in the draft Commerce bill.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

MEMORANDUM FOR JAMES J. JUKES

FROM: WILLIAM H. ITOH

SUBJECT: Commerce Draft Bill Marine Navigation Trust Fund
Act of 1994

The National Security Council staff concurs in the draft Commerce bill.

**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503**

April 14, 1994

LEGISLATIVE REFERRAL MEMORANDUM

**LRM #D-725
DRAFT #601**

TO: Legislative Liaison Officer -

**DEFENSE - Samuel T. Brick, Jr. - (703)697-1305 - 325
TRANSPORTATION - Tom Herlihy - (202)366-4687 - 226
TREASURY - Richard B. Carro - (202)622-1146 - 228
CORPS ENGINEERS - Susan Bond - (202)272-0030 - 239
NEC - Sonyia Matthews - (202)456-6722 - 429
NSC - William H. Iton - (202)395-3723 - 249
USTR - Fred Montgomery - (202)395-3475 - 223**

FROM: JAMES J. JUKES (for)
Assistant Director for Legislative Reference

OMB CONTACT: Jeffrey WEINBERG (395-3457)
Secretary's line (for simple responses): 395-3454
Jeffrey PAYNE (395-3914)

**SUBJECT: COMMERCE Draft Bill Marine Navigation Trust
Fund Act of 1994**

DEADLINE: NOON April 18, 1994

**COMMENTS: Expedited review is needed so that the bill can be
considered at a subcommittee markup on Tuesday, April 19th.**

**OMB requests the views of your agency on the above subject before
advising on its relationship to the program of the President, in
accordance with OMB Circular A-19.**

**Please advise us if this item will affect direct spending or
receipts for purposes of the the "Pay-As-You-Go" provisions of
Title XIII of the Omnibus Budget Reconciliation Act of 1990.**

CC:

**Ken Schwartz
Harry Meyers
Jeff Payne
Bruce Long
Jim Kazel
Ed Rea
Art Stigila
Bob Damus**

RESPONSE TO LEGISLATIVE REFERRAL MEMORANDUM

You may also respond by (1) calling the analyst/attorney's direct line (you will be connected to voice mail if the analyst does not answer); (2) sending us a memo or letter; or (3) if you are an OASIS user in the Executive Office of the President, sending an E-mail message. Please include the LRM number shown above, and the subject shown below.

FROM:		(Date)
		(Name)
		(Agency)
		(Telephone)

The following is the response of our agency to your request for views on the above-captioned subject:

_____ Concur _____
 _____ No objection _____
 _____ No comment _____
 _____ See proposed edits on pages _____
 _____ Other: _____
 _____ FAX RETURN of _____ pages, attached to this
 _____ response sheet _____

SENT BY:

4-14-B4 2:50PM

DOC/OGC/OAOC-L&R

202 385 8108: # 5/ 8

Honorable Albert Gore, Jr.
President of the Senate
Washington, D.C. 20510-0010

Dear Mr. President:

Enclosed are six copies of a draft bill --

The Marine Navigation Trust Fund Act of 1994,
together with a Statement of Purpose and Need and a Section-by-
Section Analysis.

This draft bill would transfer funds from the Harbor
Maintenance Trust Fund to a new Marine Navigation Trust Fund to
support the National Oceanic and Atmospheric Administration
nautical charting and marine navigational safety programs and
activities, and for other purposes.

We have been advised by the Office of Management and Budget
that enactment of this legislative proposal would be in accord
with the program of the President.

Sincerely,

Ronald H. Brown

Enclosures

SENT BY:

4-14-

2:51PM :

DOC/OGC/OAGC-LER-

202

31

15/8

A Bill

To amend the Water Resources Development Act of 1986, as amended, to provide for the transfer of funds from the Harbor Maintenance Trust Fund to a new Marine Navigation Trust Fund to support nautical charting and marine navigational safety programs and activities, and for other purposes.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Marine Navigation Trust Fund Act of 1994."

Sec. 2. AUTHORIZATION FOR TRANSFER OF CERTAIN AMOUNTS INTO THE MARINE NAVIGATION TRUST FUND

(a) Section 210 of the Water Resources Development Act of 1986 (33 U.S.C. § 2238) is amended --

(1) by redesignating paragraph (b) as paragraph (c);

and

(2) by adding a new paragraph (b) as follows:

"(b) Trust fund transfer

"There shall be transferred out of the Harbor Maintenance Trust Fund and into the Marine Navigation Trust Fund created by section 9511 of the Internal Revenue Code of 1986, as amended, amounts equal to 8 percent of the fees collected pursuant to section 4461 of the Internal Revenue Code of 1986 during calendar year 1994 and each subsequent year, and any accrued interest on such amounts."

(b) Section 9505 of the Internal Revenue Code of 1986, as amended, (26 U.S.C. § 9505) is amended by adding a new subsection at the end to read as follows:

4-14-94 : 2:52PM :

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202 385 81 :# 0/ 9

2

"(d) Transfers from Harbor Maintenance Trust Fund. --
"Amounts in the Harbor Maintenance Trust Fund shall be
available for making transfers to carry out section 210(b)
of the Water Resources Development Act of 1986, as amended,
by section 2(a) of the Marine Navigation Trust Fund Act of
1994."

Sec. 3. CREATION OF MARINE NAVIGATION TRUST FUND

(a) IN GENERAL. -- Subchapter A of chapter 98 of the
Internal Revenue Code of 1986, as amended, is amended by adding
after section 9510 the following new section:

"Sec. 9511. MARINE NAVIGATION TRUST FUND

"(a) CREATION OF TRUST FUND. -- There is hereby established
in the Treasury of the United States a trust fund to be known as
the 'Marine Navigation Trust Fund', consisting of such amounts as
may be --

"(1) transferred to the Marine Navigation Trust Fund
from the Harbor Maintenance Trust Fund pursuant to section
210(b) of the Water Resources Development Act of 1986, as
amended by section 2 of the Marine Navigation Trust Fund Act
of 1994,

"(2) credited to the Marine Navigation Trust Fund as
provided in section 9602(b) of the Internal Revenue Code of
1986 (26 U.S.C. § 9602(b)); or

"(3) appropriated to the Marine Navigation Trust Fund.

SENT

4-14-94 2:52PM

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202

31 :# 7/ 9

3

"(b) EXPENDITURES FROM MARINE NAVIGATION TRUST FUND. --

Amounts in the Marine Navigation Trust Fund shall be available, to the extent provided in advance in Appropriations Acts, to the Department of Commerce for making expenditures to carry out nautical charting and marine navigational safety programs and other related activities of the National Oceanic and Atmospheric Administration as determined by the Secretary to be related to commercial navigation including --

- "(1) the nautical charting program,
- "(2) marine tides and circulation programs,
- "(3) charting survey ship support, and
- "(4) marine weather services."

(b) CLERICAL AMENDMENT. -- The table of sections for subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by adding after the item relating to section 9510 the following new item:

"Sec. 9511. Marine Navigation Trust Fund."

(c) EFFECTIVE DATE. -- The amendments made by this Act shall take effect on October 1, 1994.

SENT BY:

4-14-94 : 2:58PM :

DOC/000/DAOC-L&R-

202 395 3109: 8/ 8

STATEMENT OF PURPOSE AND NEED

The Water Resources Development Act of 1986, P.L. 99-662, established the harbor maintenance fee, a charge on the value of commercial cargo transiting U.S. ports. This fee is the primary source of receipts in the Harbor Maintenance Trust Fund and may be used for specified purposes. The purposes include financing certain harbor operating and maintenance costs related to commercial navigation.

In January 1991, the harbor maintenance fee was increased pursuant to the Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508). A portion of the increased fee was intended to provide funds to the National Oceanic and Atmospheric Administration's nautical charting and related marine navigational safety programs. However, no authority was provided to expend the additional amounts in the Harbor Maintenance Trust Fund for this purpose.

The Administration's budget proposal for fiscal year 1995 calls for financing a portion of NOAA's programs from the Harbor Maintenance Trust Fund receipts. The draft bill would create the Marine Navigation Trust Fund and transfer from the Harbor Maintenance Trust Fund into the new fund amounts collected and intended for use by NOAA. Only such amounts collected beginning on January 1, 1994 and thereafter will be transferred. In addition, the draft bill provides that amounts in the Marine Navigation Trust Fund may be used only in connection with activities related primarily to commercial navigation. This would include aspects of nautical charting, marine navigational safety programs, and other related NOAA activities.

SENT

4-14-94 : 2:53PM :

DOC/OCG/OAOC-L&R-

202 393 31 :# 8/

SECTION-BY-SECTION ANALYSIS

Section 1 provides that this Act may be called the "Marine Navigation Trust Fund Act of 1994."

Section 2(a) amends the Water Resources Development Act of 1986, as amended, to transfer funds out of the Harbor Maintenance Trust Fund to the Marine Navigation Trust Fund. The amount transferred would equal the increase (0.01 percent) in the Harbor Maintenance Trust Fund port use fee which was to be used for the Department of Commerce's nautical charting and associated marine navigational safety programs related to commercial navigation. (Expressed as a percentage of the total fees collected, the NOAA portion would equal 8 percent.) The increased port use fee was enacted as part of the Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508). Consistent with the President's Budget Request for fiscal year 1995, the bill would provide for the transfer of all monies collected beginning after January 1, 1994 pursuant to the 0.01 percent increase in the port use fee as well as any interest earned by these monies.

Section 2(b) is a technical amendment to the Harbor Maintenance Trust Fund provisions in the Internal Revenue Code of 1986. It permits transfers from such fund to the Marine Navigation Trust Fund as provided in section 2(a).

Section 3(a) establishes the Marine Navigation Trust Fund. The fund will consist of a portion (8 percent) of the port use fees imposed pursuant to title 26 United States Code, section 4461. Consistent with the fiscal year 1995 budget request, only amounts collected after January 1, 1994 will be transferred to the Marine Navigation Trust Fund. These fees, initially deposited into the Harbor Maintenance Trust Fund, will be transferred to the Marine Navigation Trust Fund pursuant to section 2 of this bill. The trust fund will also contain: (1) interest generated by trust fund monies invested by the Secretary of the Treasury; and (2) such sums as may be appropriated. The trust fund would be available, to the extent provided in advance in Appropriations Acts, to finance the Department's nautical charting and marine navigational safety programs and other related activities of the National Oceanic and Atmospheric Administration. These programs and activities include nautical chart data base maintenance, chart compilation, charting survey ship support, and acquisition of data concerning marine weather, tides and currents. Trust fund monies may also be expended to promote the safety of life and property in the marine environment. However, expenditures from the fund must be related to commercial navigation activities.

Section 3(b) is a conforming amendment to a table of the Internal Revenue Code of 1986.

Section 3(c) provides that the amendments made by this bill would take effect on October 1, 1994.

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

April 16, 1994

ACTION

MEMORANDUM FOR WILLIAM H. ITOH

THROUGH:

ROBERT BELL *Rab*

FROM:

KEITH HAHN *kh*

SUBJECT:

Proposed Report on High Performance Computing and Communications FY 1995 Implementation Plan

Attached at Tab II is the High Performance Computing and Communications (HPCC - "hip-sea") Program FY 1995 Implementation Plan. While this program pre-dates the National Information Infrastructure (NII) effort, it has now been subsumed to be an integral part of that effort. It is also closely monitored by national security communications organizations and groups, such as NSA, NSTAC and NSTISSC, to ensure that we maintain the ability to provide secure communications to national decisionmakers.

The majority of this report has limited impact on national security concerns. However, it does suggest that DOE and NSA can contribute more to: secure information resources discovery and retrieval, intrusion detection, multi-realm cross authentication, secure electronic commerce and other potential commercial applications associated with high speed computers.

Concurrence by:

° Jeremy Rosner *JR*RECOMMENDATION

That you sign the memorandum at Tab I concurring in the proposed report.

Attachments

Tab I Memorandum for Signature
Tab II Incoming Correspondence

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20506

MEMORANDUM FOR JAMES J. JUKES

FROM: WILLIAM H. ITOH

SUBJECT: Proposed Report on High Performance Computing and
Communications FY 1995 Implementation Plan

The National Security Council staff concurs in the proposed report.

**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503**

2853

April 11, 1994

LEGISLATIVE REFERRAL MEMORANDUM

LRM #M-1294

TO: Legislative Liaison Officer -

**COMMERCE - Michael A. Levitt - (202)482-3151 - 324
DEFENSE - Samuel T. Brick, Jr. - (703)697-1305 - 325
EDUCATION - John Kristy - (202)401-2670 - 207
ENERGY - Bob Rabben - (202)586-6718 - 209
HHS - Frances White - (202)690-7760 - 328
FEMA - John P. Carey - (202)646-4105 - 327
EPA - Thomas C. Roberts - (202)260-5414 - 326
NASA - Jeff Lawrence - (202)358-1948 - 219
NEC - Sonyia Matthews - (202)456-6722 - 429
WSC - William H. Itoh - (202)395-3723 - 249
NSF - Lawrence Rudolph - (703)306-1060 - 248
OSTP - Roselis D'Allessandro - (202)456-6011 - 288**

FROM: JAMES J. JUKES (for) *Ji*
Assistant Director for Legislative Reference

OMB CONTACT: Steve ISAKOWITZ (395-9807)

**SUBJECT: Proposed Report on High Performance Computing
and Communications FY 1995 Implementation
Plan**

DEADLINE: NOON April 15, 1994

**COMMENTS: Please focus on pages 1 - 34. The rest of the
report consists of agencies' plans.**

**OMB requests the views of your agency on the above subject before
advising on its relationship to the program of the President, in
accordance with OMB Circular A-19.**

**Please advise us if this item will affect direct spending or
receipts for purposes of the the "Pay-As-You-Go" provisions of
Title XIII of the Omnibus Budget Reconciliation Act of 1990.**

CC:

**Mike Nelson
Tom Kalil
Katie McGinty
Mike Gentile
Jonathan Baker, CEA
Jack Fellows
Steve Isakowitz
Louisa Koch
Jonas Neihardt**

**Jeff Payne
Bruce McConnell
Sarah Horrigan
Arnie Donahue
Greg Henry
Jill Blickstein
Mark Kramer
Emily Pelton**



FY 1995 Implementation Plan

Draft Version:
April 8, 1994

OFFICIAL USE ONLY

National Coordination Office for HPCC

EXECUTIVE OFFICE OF THE PRESIDENT
Office of Science and Technology Policy

April 8, 1994

John H. Gibbons, Ph.D.
Director
Office of Science and
Technology Policy
Executive Office of the President
Old Executive Building
Washington, DC 20500

Dear Jack:

I am proud to convey to you the Implementation Plan covering FY 1995 for the High Performance Computing and Communications initiative.

This document covers in detail the plans the agencies have formulated to implement the overall objectives of the initiative. These objectives were embodied in the FY 1995 Annual Report entitled "High Performance Computing and Communications: Technology for the National Information Infrastructure" (the Blue Book). The Blue Book accompanied the President's budget, with your endorsement and that of the Communications and Information Council of the National Science and Technology Committee.

Several elements of the Implementation Plan are different this year from its predecessors and are, to my mind, improvements. The detail with which the budgetary commitments have been described is substantially greater than before. The organization of the material is according to a format of Accomplishment and Objectives that was worked out with considerable OMB guidance and help. This document covering up through FY 1995 budget will be made available to the public.

On behalf of all the HPCC agencies, the fine professionals who serve in these agencies, and the many helpers and advisors from industry, academia, and the public, please accept my thanks for your leadership of this effort.

Respectfully yours,



Donald A. B. Lindberg, M.D.
Director

Enclosure

HPCC FY 1995 Implementation Plan

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High Performance Computing and Communications Program

FY 1995 Implementation Plan

Draft: April 8, 1994

1. Executive Summary

This document contains the implementation plan for the High Performance Computing and Communications Program (HPCC) for FY 1995. The plan is based on the President's request of \$1,154 M for HPCC. The implementation of the HPCC Program is carried out by 10 federal agencies (ARPA, NSF, DOE, NASA, NIH, NSA, NIST, NOAA, EPA, and ED). This plan covers both HPCC-base activities that were in place prior to the beginning of the official HPCC Program in FY 1992 and activities begun as a part of the Program's new funding. To date, the HPCC Program has accomplished extraordinary results relative to the goals set out in 1992. This plan focuses on the efforts needed to continue to meet those goals.

This plan also covers a recently added component activity (IITA - Information Infrastructure and Technology Applications) to provide the basic research and technology development that will contribute to making the National Information Infrastructure vision a reality. This plan identifies the new activities for IITA and adjusts the previously defined four HPCC components to support these additional goals and objectives.

Computing and communications are ongoing, strategic enabling technologies. Timely progress in these technologies

- Expands scientific and technical knowledge and capabilities,
- Enhances U.S. industrial competitiveness, and
- Improves the quality of life for the general public.

The current federal HPCC Program provides additional stimulation and coordination to accelerate progress in critical areas of the field.

The success of the HPCC Program is measured both in terms of tangible numerical metrics as well as less tangible influences on the direction of industrial practices and the general public. Examples of the former include sustained computer performance, network communication bandwidth and deployment, and data storage capacity, and indeed these are used by the Program to gauge progress in the developing technologies. But they do not tell the whole story. A less obvious benefit of the Program is the way it has accelerated progress by encouraging the early use of advanced information technology. This has helped industry to maintain its competitive edge and has enhanced the public's well-being. HPCC will continue its success as long as it provides significant enabling technology improvements that are used by industry and the public.

To date, the HPCC Program has shown considerable progress, both in terms of numerical metrics and "in-use" measures. In the High-Performance Computing Systems (HPCS) component, several companies (supported in part by HPCC) have demonstrated 100 gigaops class modules and systems. In the broader picture, the computing industry and users have recognized that high performance systems of the future can and will be scalable; this recognition represents a significant change in the commonly accepted wisdom in less than three years.

The National Research and Education Network (NREN) component continues rapid expansion in the number of site connections and use of the Interagency Internet. Over 100 new connections to