

Good afternoon. I am Brigadier General Ray Shields the Director, Joint Staff for the New York National Guard. I work for The Adjutant General – Major General Patrick Murphy and am responsible for all aspects of planning, preparedness, and executing National Guard Civil Support Operations within New York. I have been in this position since July 2012.

Maintaining Army National Guard personnel readiness and training, family readiness, equipment readiness, and facility readiness are key to saving lives; protecting property; and mitigating suffering when the citizens of New York need assistance. My discussion today is focused on National Guard Civil Support Operations and the requirement to maintain a strong, ready, and responsive National Guard. When emergencies strike we cannot be unprepared, ill-equipped, or unable to rapidly respond – time is of the essence.

As a primer to our discussions today, we would like to play a short five minute video. **(PLAY VIDEO)**

The New York National Guard falls under the umbrella of the Division of Military and Naval Affairs (DMNA) which is a State executive agency. DMNA

manages the Army and Air National Guard, the Naval Militia, and the all-volunteer New York Guard.

DMNA's mission is to provide fully capable land, air, and naval military forces and facilities executing global missions across unified air and land operations in support of our communities, state, and nation.

As you saw from the video, the New York National Guard – and more specifically the New York Army National Guard – is the Governor's primary response force for domestic emergency response. The New York Army National Guard plays a significant role by providing personnel, equipment, military skills, experience, and facilities in support of Civil Support Operations.

New York City is the center of gravity for terrorists and their desire to attack the United States. The national significance of Wall Street as the financial capital of the nation requires the New York National Guard be always ready and always there.

Governor Andrew Cuomo in his 2013 State of the State address said it best "throughout the hurricanes – whether it's Hurricane Sandy or Irene from last year – if you ask any community, any elected official,

any citizen in any community, who or what was the core of the rescue operation, what was the core of the volunteer operation, they will say nine times out of ten the National Guard. The National Guard was our main weapon, our main asset in providing recovery for communities across the state. We're blessed with young men and women who believe in this state deeply, believe in their service.”

As you know all emergencies are local. The local elected Chief Executive is responsible for emergency planning, response and recovery operations within his or her jurisdiction. The National Response Framework outlines response efforts building from the local level through the county to the state and eventually to the federal government. The National Response Framework recognizes the significant capabilities the National Guard brings to bear during Civil Support Operations.

The Division of Military and Naval Affairs reports through New York State's Deputy Secretary for Public Safety, along with the Division of Homeland Security and Emergency Services (which oversees the Office of Emergency Management), the New

York State Police, the Division of Criminal Justice and several other smaller public safety related agencies.

Our primary partner is the Division of Homeland Security and Emergency Services through their Office of Emergency Management. The state's Comprehensive Emergency Management Plan and the state's Homeland Security Strategy rely heavily on the capabilities of the New York National Guard. During a Civil Support Operation, especially an emergency response situation The Adjutant General is normally onsite with the Governor and other senior state officials assessing and directing the state's military forces to speed the response and recovery efforts.

The United States Constitution authorizes the "Militia of the Several States." The Militia Act of 1903, better known as the Dick Act, redefined the State Militias into the National Guard. It codified the circumstances under which the National Guard could be federalized and authorized the expenditure of federal funds to pay for equipment and training. In return, the National Guard organized its units along the same lines as the regular Army, and took steps to meet the same training, education and readiness requirements as active duty units.

When not under federal control, each Governor is the commander-in-chief of his or her National Guard. States can employ their National Guard under state control for state purposes at state expense.

Governors, as commanders-in-chief, can directly access and utilize the Guard's federally assigned aircraft, vehicles and other equipment so long as the federal government is reimbursed for the use. This is the authority under which governors activate and deploy National Guard forces in response to natural disasters and man-made emergencies.

Governors activate the National Guard in State Active Duty. Soldiers and Airmen remain under the command and control of the Governor. The federal Posse Comitatus Act does not apply under state active duty status or when activated in a federally funded Title 32 status, thus allowing the National Guard to assist with law enforcement activities.

The New York Army National Guard with just over 10,000 Soldiers, is the largest component available to the Governor for Civil Support Operations.

The Army National Guard provides the state with critically needed organized, trained and skilled Soldiers in large quantities. This mass of equipment and personnel allows the Governor to quickly and effectively save lives, protect property, and mitigate suffering.

The New York Army National Guard has capabilities to support all ten of the National Guard Bureau's essential domestic operations capabilities. These capabilities are what Governor Cuomo and the people of New York rely on during Civil Support Operations. Specifically:

(1) Aviation/Airlift – we provide mission command for aviation activities through the HQs 42<sup>nd</sup> Combat Aviation Brigade. Our aircraft include Army Guard CH-47, UH-60, and LUH-72s providing heavy lift, transport, search and rescue, and surveillance capabilities. The Air National Guard provides C-17, C-130, MQ-9 and HH-60 aircraft.

(2) Mission Command and Command and Control (C2) – our primary mission command and

Dual Status Command headquarters is the 42<sup>nd</sup> Infantry Division with their robust command and control capabilities. We also have four other Army brigade level headquarters and five air wing headquarters capable of commanding Joint Task Forces across the state. We have divided New York State into six Joint Areas of Operation each with a brigade or wing Commander responsible for Civil Support Operations. In addition, the Joint Forces Headquarters operates a J-3 directorate to oversee Civil Support Operations along with a 24/7 Joint Operations Center.

(3) Chemical, Biological, Radiological, Nuclear (CBRN) – the New York Army National Guard forms the headquarters of the Federal Emergency Management Agency’s Homeland Response Force better known as the HRF. Our HRF is multi-state between New York and New Jersey and is a joint organization as we have elements of the New York Air National Guard assigned to medical and fatality recovery. In addition to the HRF, New York has two full-time Civil Support Teams – one in the New York City area and the other outside Albany at the 109<sup>th</sup> Air Wing in Schenectady. The HRF and the Civil Support Teams are critical elements of New York State’s and the City of New York’s CBRN response plans.

(4) Engineering – our Engineer Battalion along with our Engineer Company from the 27<sup>th</sup> Infantry Brigade Combat Team provide equipment and skilled Soldiers available for disaster response efforts and are used during almost every disaster response.

(5) Medical – our Medical Command and the 466<sup>th</sup> Area Support Medical Company form the backbone of our Army National Guard's medical capabilities.

(6) Communications – the 101<sup>st</sup> Signal Battalion combined with our emergency communications equipment provide New York with a significant capability for emergency communications. Specific civil support communications equipment operated by the New York National Guard includes three Joint Incident Site Communications Capability suites, three Mobile Emergency Response Centers, and a Mobile Emergency Communications Operations Center. In addition, we operate a ten station high frequency Military Emergency Radio Network.

(7) Transportation – Our three transportation companies combined with the forward support companies of the 27<sup>th</sup> Infantry Brigade Combat

Team and the distribution company of the 42<sup>nd</sup> Aviation Brigade provide a significant transport ability for emergency response operations. Working with the New York State Office of Emergency Management and New York City Emergency Management we have identified dozens of pre-scripted mission requests focused on transportation and logistical requirements.

(8) Security – Military Police units of the New York Army National Guard outfitted with their non-lethal equipment sets satisfy several requirements of the State’s Comprehensive Emergency Management Plan. These units are also available for general purpose response operations when not focused on security augmentation tasks.

(9) Logistics – Our 369<sup>th</sup> Sustainment Brigade and its associated transportation and logistical units combined with the 27<sup>th</sup> Infantry Brigade Combat Team’s support battalion are integral to accomplishing our pre-scripted mission sets. During Super Storm Sandy our logistical operations not only supported our military forces of more than 6,000, but also operated logistical support areas and point-of-distribution centers directly supporting the needs of the state’s citizens.

(10) Maintenance – our network of 18 maintenance facilities across the state staffed by full-time, dual-status technicians provide us with an immediate response capability and 24/7 maintenance during emergencies.

A recent addition to Civil Support Operations is cyber network defense. The New York Army National Guard has requested to be fielded with a Cyber Protection Team split between New York and New Jersey. This team will provide the Governor with a cyber-emergency response capability to help mitigate the effects of a cyber-attack within the state. If approved, this unit will be a significant addition to our civil support capabilities.

The New York National Guard's civil support abilities are not just limited to the federal equipment provided to our units. Our Citizen Soldiers and Airmen are the key to every emergency response we undertake. Their military occupational skills, leadership training, and the civilian and military experience is the foundation of our response capabilities. We utilize the federal readiness requirements for our Soldiers and Airmen combined with their training and experience to rapidly respond to the needs of the people of New York. To emphasize again, the mandated military occupational skills training of our

Soldiers and Airmen is the foundation to the National Guard's ability to accomplish almost any task assigned.

I want to illustrate some of New York's more significant Civil Support Operations.

In 1979 the National Guard responded when employees of the Department of Corrections went on strike at four state prisons. In total more than 6,000 National Guard personnel – primarily Military Police were used for the month long strike.

The 1998 northern New York ice storm paralyzed the North Country. Hundreds of National Guardsmen and women provided route clearance; food, water, and fuel deliveries; and assisted dairy farmers install and operate emergency generators.

The terrorist attack on the World Trade Center of 11 September 2001 marked our most historic response to a terrorist disaster. More than 2,500 National Guardsmen and women worked for months to provide onsite security; distribute materials and supplies; and to help operate a missing persons' center from the Lexington Avenue Armory.

Following the 9/11 attacks, almost immediately the 27<sup>th</sup> Infantry Brigade Combat Team assumed responsibility under Noble Eagle to secure airports and nuclear power stations throughout New York. Entire battalions were armed and deployed for 45 days at a time. Eventually this mission transformed into Joint Task Force – Empire Shield which today is focused on anti-terrorism augmentation in the New York City transportation infrastructure with 500 service members on State Active Duty.

Our first experience with a pre-planned Dual Status Commander came in 2004 when the Republican National Convention was held in New York City. For this event we provided some 1,500 service members for missions ranging from mission command; security augmentation; emergency communications; to logistical support.

Following the devastating effects Hurricane Katrina in 2005 the New York National Guard deployed more than 400 personnel to Gulf Coast through the Emergency Management Assistance Compact to assist with aviation, communications, and logistical missions.

In April 2007 the New York City area was hit by one of the strongest nor'easters in memory, which

dropped almost eight inches of rain in Central Park. We activated more than 1,300 service members to assist with storm response.

September 2011 saw the Hudson Valley and Southern Tier of New York hit by both Hurricane Irene and Tropical Storm Lee. Small towns along the foothills of the Catskill Mountains were devastated. Response and recovery efforts included some 3,200 service members.

Hurricane Irene and Tropical Storm Lee proved to be a valuable learning experience for the New York National Guard when just a year later Super Storm Sandy struck. From October 2012 through February 2013 more than 6,200 military personnel were deployed throughout New York City, Long Island, and the lower Hudson Valley. This was our first use of a no notice Dual Status Commander – Brigadier General Mike Swezey – who is here with us today. The storm response included some 650 Title 10 personnel performing specific dewatering missions and power-restoration activities and another 800 Soldiers from eight states through the Emergency Management Assistance Compact. Response missions included all the National Guard Bureau's essential ten capabilities. Some of the more unexpected tasks included operating polling stations

during the November Presidential election; pumping more than 500,000 gallons of fuel for New York City's emergency vehicle fleet; and conducting health and welfare checks on more than 100,000 residences just to name a few.

June 2013 saw the Herkimer floods. We deployed 200 Engineers with heavy equipment and Military Police personnel to assist with flood recovery and stream-bank reconstruction.

During Super Bowl 48 in February 2014, more than 250 service members were on duty in New York City to augment security operations in and around Times Square.

Most recently in November 2014 the New York National Guard responded to two back-to-back storms in the Buffalo area. More than 1,150 Army and Air service members assisted with snow removal from roofs, roads, and driveways; traffic control; and logistical distribution operations.

As you can see, the New York National Guard is heavily engaged when disaster strikes. However, our civil support capabilities are being eroded. In FY-2015 our ability to send Soldiers to their required military occupational specialty training and

necessary leadership schools was degraded by some 40%. If this trend continues into FY-2016 and beyond, our pool of qualified Soldiers will decrease and our ability to provide effective responses for Civil Support Operations will be hampered.

The continued reduction in our full-time staffing federal technicians and active guard reserve Soldiers, especially in our ground and aviation maintenance programs, impedes our ability to properly keep vital equipment available and ready for emergency response.

Immediate readiness of response forces such as the HRF which have extremely short mobilization windows, will be degraded if funding for manning and training continues to be reduced as they have over the past two fiscal years. The reduction in HRF manning increases response times and decreases readiness.

Projected reductions of New York Army National Guard force structure will diminish our ability to mission command across functional response capabilities such as aviation, logistical support, and security augmentation operations.

Thank you for your time and attention this afternoon. A strong, organized, trained, fully-equipped, and ready National Guard is a key component of New York State's emergency response plans. The New York National Guard must always be prepared for response and recovery operations in New York City - the nation's financial capital and most populace metropolitan area – as well as the rest of our great state.

If you have any questions, we would be glad to answer them.

Thank you,