

109TH CONGRESS  
2D SESSION

# S. 2303

To ensure that the one half of the National Guard forces of each State are available to such State at all times, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2006

Mr. BAUCUS introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To ensure that the one half of the National Guard forces of each State are available to such State at all times, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. ONGOING AVAILABILITY TO STATES OF MIN-**  
4       **IMUM NATIONAL GUARD FORCES.**

5       (a) FINDINGS.—Congress makes the following find-  
6       ings:

7               (1) Homeland defense is the most important  
8       mission of the Department of Defense.

1           (2) Participating in the fight against terrorism  
2       abroad while carrying out homeland defense mis-  
3       sions has left the National Guard stretched too thin.

4           (3) The Air National Guard is currently pro-  
5       viding more than 50 percent of the airlift capability  
6       in the Global War on Terrorism.

7           (4) More than 50 percent of the land combat  
8       forces in Iraq are Army National Guard forces, and  
9       more than 85 percent of the Army National Guard  
10      units available for mobilization for the war in Iraq  
11      have been so mobilized.

12          (5) Proposed modifications in the force struc-  
13      ture of the Armed Forces could have adverse effects  
14      on Army National Guard armories and Air National  
15      Guard wings.

16          (6) Army National Guard Brigade Combat  
17      Teams and their supporting units in Idaho, Lou-  
18      isiana, Minnesota, Mississippi, North Carolina,  
19      Pennsylvania, Tennessee, and Washington provide  
20      trained and disciplined rapid response forces in sup-  
21      port of State military and law enforcement require-  
22      ments. Such support is essential to ensure that each  
23      State fulfills its homeland defense, homeland secu-  
24      rity, and military recruitment responsibilities.

1           (7) The National Guard supports a structure,  
2           equipment, and end strength that mirrors the reg-  
3           ular components of the Armed Forces and facilitates  
4           security missions both abroad and at home, includ-  
5           ing the response to natural and man-made disasters.

6           (8) Ninety percent of the troops who responded  
7           to Hurricane Katrina were members of the National  
8           Guard.

9           (9) The end-strength of the National Guard has  
10          been reduced by more than 100,000 members and is  
11          lower than at any time in recent history even though  
12          the National Guard is currently sustaining the high-  
13          est continuous personnel tempo and operations  
14          tempo since World War II.

15          (10) The militia, and the principle of the cit-  
16          izen-soldier protecting our security which it reflects,  
17          is one of the foundations of the United States as a  
18          nation.

19          (b) AVAILABILITY TO STATES OF MINIMUM NA-  
20          TIONAL GUARD FORCES.—The forces of the Army Na-  
21          tional Guard and Air National Guard available to each  
22          State at all times shall be equivalent to not less than 50  
23          percent of the aggregate forces of the Army National  
24          Guard and Air National Guard, respectively, of such  
25          State. Upon the request of the Governor of a State, the

- 1 Secretary of Defense shall transfer Army National Guard
- 2 or Air National Guard forces to the State in order to en-
- 3 sure that the requirement of this subsection is met.

