



MG Ansel M. Stroud Jr., President, NGAUS

PRESIDENT'S MESSAGE

KEEPING THE MILITIA SYSTEM ALIVE AND WELL

In the course of making an NGAUS video tape for distribution to the field explaining what the Association is doing at the national level, one of the points we make is that the Militia system is alive and well in 1987.

It is important to reemphasize that message not only because of developments in 1986—particularly the enactment of the Montgomery Amendment—but also as a lead-in to our celebration September 17 and December 7 this year of the signing and beginning of the ratification of the U.S. Constitution, which contains the Militia Clause.

Reflection on the original intent and meaning of the Militia Clause is a worthwhile project for Guardsmen because it is this section of our supreme law of the land that gives us our legal reason for being. The United States is frequently referred to as a "Militia nation" when the subject being discussed is our historical distaste for large standing armies. This also partially explains the taxpayers' low threshold of pain for Defense spending and the fact that in 200 years we have had military conscription in peacetime only during the 1950s and 1960s.

As has been the case for most of the 20th century, a major task of the NGAUS is resisting attempts to weaken this Militia system, something we frequently call "state control of the National Guard in peacetime." In this decade alone, there have been three such attempts. The first was an effort to gain command and control over our AGR force based on an Army judge advocate general's opinion that full-time personnel on "active duty" had to be under title 10 (active component) jurisdiction rather than title 32 (National Guard) jurisdiction. Had this view ultimately prevailed, it would have meant—in effect—that our AGR

force was under the command and control of the regulars rather than the governors and adjutants general.

The second was last year's original attempt to repeal a part of the statutory basis for a governor's command of his National Guard organization as it pertained to overseas training. This proposal was superceded in Congress by the Montgomery Amendment, which states that a governor may not withhold permission for a Guard unit of his to train overseas on the basis of "location, purpose, type or schedule" of such training. This fits with the Constitution's Militia Clause because the Militia Clause provided

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state control of the Guard in peacetime based on training to the "discipline" established by Congress. This means the states train the Guard in peacetime, but to federal standards.

Currently, we are addressing another facet of the "control of the AGR" issue. This is the selection and rotation policies governing the AGR portion of the Guard's full-time force. One proposal that has surfaced is for the active Army to select and assign Guard AGR personnel, leaving little or no control over such selection and assignment to the adjutants general.

There are numerous flaws to such a strategy, not the least of which is the

fact that it would be unconstitutional to require a state to commission any officer against its will. It seems to me that the Constitution says quite clearly that appointment of officers of the National Guard is left specifically and solely to the states.

But even if a legal way to do this were found, such a policy would be unwise. One of the great strengths of the National Guard is its stability. Guard soldiers serve many years in the same units, sometimes an entire career spanning several decades. It is this cohesiveness and intimate knowledge of the habits, personalities and inclinations of one's colleagues that gives the citizen-soldier Guard member the same readiness edge that is acquired by our active component colleagues through full-time duty.

As an example, two master sergeants serving together on a JCS exercise were comparing notes. The active Army NCO had been in his unit 18 months, or about 375 training days. The Army Guard NCO had been with his unit 23 years, or a minimum of 897 training days (based on 39 days a year). [Of course, most Guard NCOs soldier 50 or 60 days a year.]

Criticism of the Guard's AGR assignment policy misses the mark. We don't need the active components' rotation policy that moves people every three or four years. It creates turmoil for them, but it would create chaos for us, who are used to and committed to stability, retention and long-term unit relationships. That is our strength, and we must fight to maintain it.

NOTE: The state-by-state NGAUS membership statistics discussed in last month's *President's Message* can be found in tabular form on Page 8 of this issue.

National Guard

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COVER:

Being a new troop doesn't come easy to anyone, but a good drill sergeant and some honest physical training will develop anyone into a fighting soldier. The 10-year-old Pre-Rep Training Program in Washington develops more than 900 Guardsmen each year. Photo, SFC Joe Zambone. Cover Design, Johnson Design Group.

FEATURES

Pre-Rep Training Tempers Steel Soldiers 16
Brand new recruits have great adjustments to make when they enter military service. Culture shock hits everyone. To lessen the blow, the 10-year-old Pre-Rep Training Program of the Washington Army National Guard has reduced the number of "No Gos" and produced more soldiers.



McLain Enters Leavenworth Hall of Fame 22
LTG Raymond S. McLain is the first citizen-soldier to be inducted into the Fort Leavenworth Hall of Fame. The Oklahoma Guardsman made a name for himself and the National Guard in two wars and a border conflict. History tells all in this article written by the general's son.



GLOBAL SHIELD '86: Readiness Tested 26
The 170th Air Refueling Group, New Jersey Air National Guard, participated in the NORAD GLOBAL SHIELD exercise to determine if SAC, TAC and MAC units can meet wartime operational readiness requirements. The 170th AREFG came out on top again.



Theology and the Military are Compatible 32
Col Carroll Anderson, chaplain for the Minnesota Air National Guard and a Lutheran minister, discusses theology and its relationship to combat and the individual soldier. The two are joined according to Martin Luther and GEN George Washington.



What Do Chaplains Do Besides Pray? 34
Military chaplains have a history of performing more missions than just offering prayers, which most certainly are needed by many during combat. They are also advisers to their commanders, counselors to their soldiers and soldiers who perform many heroic missions during combat.



DEPARTMENTS

President's Message	2
Washington Tie-Line	4
Views from the Field	6
Newsbreaks	10
GuardStars	12
Capital Focus	14
Pentagon Paragraphs	36
People	38
Posting	42
Publisher's Notebook	46

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