
Defense Report

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Governors Battle Courts and Congress for Control of Guard

The tug of war over control of the National Guard continues, despite the recent judicial ruling that governors have no constitutional authority to withhold consent for overseas training. The issue has bubbled to the surface with a handful of governors trying to stop Guard units from their states from deploying on training missions to Honduras. Those missions are necessary because of increasing reliance on the Guard and the Reserves as integral parts of our front line defense forces and by the Defense Department's decision that Central America is to be one of the National Guard's primary mobilization responsibilities.

Several state governors who are openly opposed to the Reagan Administration's Central America policies, withheld or threatened to withhold consent for troops from their states to participate in such training. In light of this, Congress made it illegal for governors to withhold consent for Guard training simply because they object to the location or purpose of such duty. About a dozen governors, claiming the law interfered with their constitutional role in training the militia, took their case before a federal court in St. Paul, Minn., but the judge there ruled against them.

Now, while the court dismissal is being appealed, the Senate Armed Services Committee has added an amendment to the pending Defense Authorization Act that would authorize the states to withhold consent for overseas training, but would also allow the President to order the units to training, *if the President certifies to the governor that such training is required for national security*. That measure has not passed the Senate, is not included in the House bill, and would surely never be signed by President Reagan.

While all these political machinations are running their course, the National Guard Bureau and several Defense Department officials have aired serious consideration of withholding federal support from the Guard in states where governors refuse to allow units to participate in scheduled overseas training.

These same Defense leaders are publicly questioning the wisdom of spending \$8 billion annually in support of the Guard only to see its training and preparedness stifled at the whim of a few jack-a-dandy politicians.