

# Texas Military Department Self-Evaluation Report



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Sunset Advisory Commission  
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# Texas Military Department Self-Evaluation Report

## I. Agency Contact Information

A. Please fill in the following chart.

(Texas Military Department)  
Exhibit 1: Agency Contacts

	Name	Address	Telephone & Fax Numbers	Email Address
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<b>Agency's Sunset Liaison</b>	Mr. Bill Wilson	2200 W. 35th St., Austin, Texas 78703	512-782-5688	bill.wilson@military.texas.gov

Table 1 Exhibit 1 Agency Contacts

## II. Key Functions and Performance

A. Provide an overview of your agency's mission, objectives, and key functions.

**Mission:** Provide the Governor and President with ready forces in support of state and federal authorities at home and abroad.

The Texas Military Department (TMD) is a unique state agency where more than 23,000 civilian and military personnel work closely together in service to the Governor, the President and Texans. TMD is prepared to respond to the Governor, unless called upon for a federal mission, and features multiple components to answer the Governor's call for assistance related to emergencies, disasters and other needs in Texas. The TMD is made up of the Texas Army National Guard, Texas Air National Guard, the Texas State Guard and all other directorates and entities under the Adjutant General. TMD's key functions fall under three main objectives: Operations Response, Operations Support, and Community Support. Traditional Guard members account for much of the TMD workforce. Service Members work regular civilian jobs and fulfill their military obligations one weekend per month and two full weeks during the year. Because a traditional Guardsman serves when called, TMD's response capability is immediately scalable to meet the state's needs. Over the past five years, Texas Guardsmen have continually served in deployments overseas in support of the Global War on Terror and other Overseas Contingency Operations. In addition, over that time TMD has maintained a constant presence here at home helping to secure the nation's border and aid in rescue and recovery operations.

Since September 26, 2011, Texas Service Members have continually served in an active combat zone, which equals approximately 5,424 days of continued service. During this period, the Texas Army National Guard has deployed over 600 units. No other state Army National Guard can make these claims. Over the last two years,

the Texas Army National Guard continuously provided the U.S. Department of Defense with trained, ready personnel and units in support of operations worldwide. Currently, Texas supports Operation Enduring Freedom by sending combat and combat service support capabilities to Afghanistan and other areas of responsibility. Unit types include movement and maneuver war fighter units, intelligence personnel, command and control elements, fire support, engineering, and force protection assets.

Major TMD units include the historic 36th Infantry Division (36th ID), based in Austin, which consists of more than 15,000 Soldiers assigned to smaller units across Texas. These Soldiers fill flexible, modular units that can deploy individually or in a variety of configurations to accomplish an assigned mission. This functionality allows for tailored responses to meet the needs of the Governor and the President. The 36<sup>th</sup> Infantry Division notably includes two infantry brigade combat teams, a military intelligence brigade, a sustainment brigade, and a combat aviation brigade.

The two infantry brigade combat teams (the 56th — based in Fort Worth, and the 72nd — based in Houston) each consist of two infantry battalions, an artillery battalion, an engineer battalion (with communication support and military intelligence elements), a support battalion, and a cavalry squadron. These brigades total more than 4,200 Soldiers each.

The 71st Expeditionary Military Intelligence Brigade (71st E-MIB), based in San Antonio, includes 2,300 Soldiers. This brigade provides key information that informs current operations and decisions for future activities. The 71st E-MIB is equipped with advanced communication and intelligence gathering equipment not found elsewhere in the force.

The TXARNG also is the proud home of the 1st Battalion (Airborne) 143rd Infantry — the only airborne infantry battalion in the entire Army National Guard. This 647-Soldier battalion has the capability to deploy almost anywhere in the world with little warning or external support. The battalion is specially trained and equipped to deploy in Air Force aircraft and can be dropped into areas by parachute assault. The battalion is an Associated Unit Pilot (AUP) Program unit, which has a formalized training relationship with the 173rd Airborne Brigade stationed in Vicenza, Italy.

The 36th Combat Aviation Brigade (CAB) is based in Austin and consists of 1,700 Soldiers. The CAB includes: an attack reconnaissance battalion that flies the AH-64 Apache helicopter; a security and support battalion containing three companies that fly the UH-72 Lakota helicopter; an assault battalion that flies the UH-60 Black Hawk helicopter; a general support aviation battalion that flies the UH-60, CH-47 Chinook and the HH-60M, a medical version of the Black Hawk; and an aviation support battalion that has all the specialized tools and personnel needed to maintain the fleet.

The 71st Troop Command (71st TC), based in Austin, is made up of more than 1,700 Soldiers. The 71st TC provides administrative, training, and logistical support to specialized or smaller TXARNG units that are not part of other major deployable units. The command includes sustainment and support personnel, public affairs, medical units and information operations.

In addition to these units, the 71st TC also supports the Special Operations Detachment-Africa and other unique special forces elements. The TXARNG's two special forces companies of the 19th Special Forces Group are skilled in unconventional warfare, counter-terrorism, direct action, foreign internal defense, and special reconnaissance. Each special forces Soldier is prepared to employ these specialized skills or to take part in humanitarian efforts worldwide.

The Texas Air National Guard (TXANG) provides ready forces in support of state and federal missions at home and abroad. The TXANG headquarters is located on Camp Mabry in Austin. The TXANG is composed of approximately 3,200 Airmen who live and work across Texas. The diverse TXANG equipment inventory includes a wide range of weapons from small arms to combat-capable vehicles and aircraft as well as associated ammunition and armaments.

The Texas Air National Guard currently provides the United States with remotely piloted MQ-1B Predator and MQ-9 Reaper to provide armed intelligence surveillance and reconnaissance services. The pilots of these aircraft are located within the United States and are currently operating the unmanned airframes overseas 24 hours a day, seven days a week.

The Texas Air National Guard is organized into three air wings (136th Airlift Wing, 147th Reconnaissance Wing and 149th Fighter Wing), which are self-contained, independent organizations. In addition to caring for its aviation assets, each wing must maintain intelligence operations, cyber protection capabilities, security services, civil engineering, supply, and other roles to support a standalone base.

The 136th Airlift Wing (136AW), based in Fort Worth, flies the C-130H2 Hercules. The airlift and airdrop services provided by the 136AW Airmen allow the deployment of American armed forces anywhere in the world and ensure a continuous supply chain. In Texas, this airlift capability is used to evacuate people from disaster areas, including the caregivers alongside hospital patients still connected to medical equipment.

Within the 136AW is the 254th Combat Communications Group (254CCG). The 254CCG provides initial communications services for deploying Soldiers or Airmen. The 221st Combat Communications Squadron within the 254CCG has proven it can build and operate communications services in austere conditions.

The Texas Air and Army National Guard are viewed as a valuable resource nationwide. As a result, the ever-evolving cyber security, border security, space operations, and manned and unmanned aerial systems missions place Texas in a unique and advantageous position to leverage its wartime capabilities to enhance the state's domestic response capabilities. This self-assessment will address TMD state functions: Operations Response, Operations Support, and Community Support.

Operations Response consists of providing Mission Ready Packages in support of emergencies (i.e. Hurricanes, wildfires, HAZMAT Incidents, etc.) and non-emergencies (i.e. Counter Drug, Border, Cyber, etc.). Mission Ready Packages are pre-coordinated response teams available to address specific incident and recovery requirements. These highly trained Soldiers and Airmen provide many unique skills that can be called upon when needed by the Governor or the Texas Department of Emergency Management. In addition to personnel, TMD can provide military equipment from communications platforms and heavy trucks to tanks, helicopters, and airplanes. The scalable nature of these packages means that the State of Texas can request mission-tailored TMD response capabilities, as needed, that are configured to efficiently support the mission at hand.

Operations Support provides facilities and support for the force. Including Texas Air National Guard and Texas Army National Guard space, TMD maintains more than seven million square feet of facilities. The Construction and Facilities Management Office (CFMO) maintains more than 200 major Army facilities across the state that comprise approximately 5.9 million square feet of space; more than half these facilities were built over 50 years ago and are in need of substantial repairs. The agency has fewer than 50 state employees funded through general revenue to support TMD's state-related administrative efforts. An additional 450 state employees whose salaries the federal government reimburses provide support to the mission.

TMD has a number of established Community Support programs that provide outreach and support to Soldiers, Airmen, and local communities. The agency is focused on providing support for Soldiers and Airmen through behavioral health programs and tuition assistance. In June 2013, the Texas State Legislature appropriated funds for the Texas Military Department to hire full-time behavioral health counselors to address gaps in service not met by the federal government. The counselors are based in Austin, El Paso, Fort Worth, Houston, Weslaco, and Tyler. The State Tuition Assistance Program helps members of the Texas Military Forces who wish to pursue higher education goals. The program, which is unique to the Texas Military Department, is a great tool to prepare Service Members for today's complex environment.

**B. Do your key functions continue to serve a clear and ongoing objective? Explain why each of these functions is still needed. What harm would come from no longer performing these functions?**

All key functions of the Department continue to serve a clear and ongoing objective.

**Operations Response**

TMD brings unique assets to the field in support of state emergency response. In the event of a hurricane or other large-scale event, the TMD can flex and mobilize personnel in numbers that no other state agency can duplicate. The 6<sup>th</sup> Civil Support Team provides a Chemical, Biological, Radiological, and Nuclear (CBRN) response in support of the state. When required to react to no notice Search and Rescue (SAR) missions, the SAR companies bring specialized skill sets that are not available elsewhere. If required, the National Guard under the authority of the Governor may act in a law enforcement capacity greatly increasing the available law enforcement personnel in the event of mass civil unrest. National Guard Soldiers are currently assisting with Border Operations. The Homeland Response Force can respond to large-scale CBRN events if required. Across the full catalogue of Mission Ready Packages, TMD provides unique and varied capabilities to react to threats, incidents and events to safeguard Texans and their property.

**Operations Support**

Supporting all of these efforts on a full-time basis requires resources, facilities, and administration. In steady state operations, this force of 23,000 must have offices, warehouse space, maintenance facilities and flight facilities that are a combination of state owned, federal owned and leased spaces, some involving complex relationships. The CFMO provides for the construction, repairs, and maintenance of all TXARNG facilities and installations. Sustainment of these facilities is an underfunded requirement on both the state and federal levels. Continuing to defer major renovations increases future costs.

In addition to facilities, the force requires administrative and logistical support provided by the TMD Office of the Executive Director (Indirect Administration) and the many Maneuver Area Training Equipment Sites (MATES)



and Combined Surface Maintenance Shops (CSMS) facilities around the state. The absence of these functions would severely impact the ability of the agency to complete its mission.

### **Community Support**

The behavioral health of employees of the TMD is a key factor in the organization's ability to perform to the highest standards and its capacity to meet the state's needs. Moreover, the individuals who answer the call to serve their state deserve appropriate behavioral health support. The focus on behavioral health fosters resilient professionals and families who are mentally and emotionally responsive to change or adverse circumstances. The availability of behavioral health services is critical to TMD Service Members when they complete a mission and integrate back to their regular civilian lives.

The State Tuition Assistance Program remains the only education benefit available to State Guard members who do not have sufficient federal active duty service time to qualify for federal education benefits such as the GI Bill. Additionally, Air National Guard members do not have access to federal tuition assistance for general education requirements. The program aids in recruiting and retention efforts and sets the Texas Guard offerings apart from other reserve components with duty locations in Texas. The program, which is unique to the Texas Military Department, is a great tool to prepare Service Members for today's complex and competitive environment.

TMD supports two youth education programs that are at least 75 percent federally funded. Texas Challenge Academy is a tuition free voluntary resident military academy aimed at 16-18-year-old youth who have or are at risk of dropping out of school. STARBASE is a special DoD school program that teaches economically disadvantaged fifth grade children lessons in Science, Technology, Engineering and Math (STEM) using military resources to inspire the children to those fields.

### **C. What evidence can your agency provide to show your overall effectiveness and efficiency in meeting your objectives?**

At the Governor's call, TMD can assist Texans quickly anywhere in the state where an emergency, disaster or other need occurs. Since October 2015 — and not including Hurricane Harvey response efforts—TMD Service Members have helped evacuate or rescue more than 1,800 Texans from floodwaters alone. From January 2003 until May 2016, TMD Service Members have assisted countless Texans while active in 34 tropical weather missions, 43 flood missions, 29 aviation fire missions, 26 ground wildfire missions, 24 winter weather missions, 70 civil missions, and 32 law enforcement missions. Since January 2013, TMD's Service Members have worked more than 627,000 man-days on state-related responses. TMD resources have also supported Texas Border efforts like Operation Secure Texas. On the federal level, more than 30,000 Texas National Guard Service Members have deployed in the War on Terror and other overseas operations.

In addition to responding to the Governor's call, the agency is also responsible for the utilities, construction, repair and maintenance of Texas Guard military facilities. The agency maintains Texas Air National Guard and Texas Army National Guard facilities that comprise seven million square feet. The Construction and Facilities Management Office maintains over 5.9 million square feet of Army facility space. More than half of the CFMO-maintained structures were constructed more than 50 years ago and are in need of substantial repair. A facility in poor or failing condition deteriorates at an accelerated rate and requires significantly more resources to sustain and maintain in the long run. In 2014, the Adjutant General launched a 10-year plan called the State of Texas Armory (STAR) program to help address the state's facility needs. The Legislature invested \$19 million in

state funds for the 2016-2017 biennium, all of which has been obligated. The state investment gained even greater value when the federal government provided matching funds for the facilities projects. In 2016, TMD funded five facility projects using \$9.7 million in state funds matched by \$16.7 million in federal funds. In 2017, the agency anticipates funding four additional projects with \$9.7 million in state funds matched by an additional \$12.5 million in federal funds. The agency expects projects funded in Fiscal Year 2016 to reach substantial completion by the beginning of calendar year 2018; the 2017 projects should reach substantial completion in early calendar year 2019 as scheduled. The most recent Legislature committed to continuing to fund Star Project by providing money for five additional projects.

The agency has had success securing grants to provide greater support to the state and TMD's Service Members. In 2016, the agency received more than \$4 million in grant funding to assist with border security, communications equipment primarily for use in disaster and emergency situations, sexual assault prevention and response, a crime victim advocacy program, and environmental improvements to facilities to improve energy efficiency and reduce costs.

Through the Master Cooperative Agreement, the TMD contracts with the federal government to provide services to the National Guard. TMD collected nearly \$52 million in federal reimbursement to the state in FY 2016.

**D. Does your agency's enabling law continue to correctly reflect your mission, objectives, and approach to performing your functions?**

Yes. Current statutory authorizations in Texas Government Code and in federal statutes found in Title 32 properly reflect the department's mission, objectives, and approach. The Texas Military Department is a complex agency that requires detailed coordination between all levels of government (federal, state, and local) to maximize efficiency and adaptability in an ever-changing threat environment. TMD's functions range from internal personnel concerns to coordination of response to major natural disasters and deployment to warzones.

Due to its complex nature as an entity that responds to both state and federal directives, the department's mission requires: financial backing and the use of financial systems from both the state and federal legislatures, an understanding of and effective interaction between civilian and military employment policies, active engagement in land acquisition and property management, and a depth of understanding of local, state, and federal policy when managing and manning emergency response teams and efforts. These federal and statewide community support functions are innate elements of the agency. Ongoing support of the primary missions required by the Governor of Texas and the President of the United States are enabled through continuous usage of training for operational readiness, as well as the facilities required for operations, training, and maintenance. Broadly, current statute supports these functions and abilities. The current statutory relevance is largely due to a significant re-write of the agency's enabling statute by the 83<sup>rd</sup> Legislature.

**E. Have you recommended changes to the Legislature in the past to improve your agency's operations? If so, explain. Were the changes adopted?**

Each legislative session TMD works with both the House and Senate to improve agency operations through statutory changes. Historically, Defense committees from both chambers have been supportive and open to assisting with changes necessary to optimize agency effectiveness.

The 83<sup>rd</sup> Legislature enacted a major revamp to TMD's enabling law with the passage of SB 1536. This bill dramatically expanded and clarified the roles and duties of the agency and consolidated its central functions into Texas Government Code, Chapter 437. The evolutionary changes in culture, focus, and structure the agency had been going through to become the department it is today were demonstrated in this legislative action. Agency leadership positions and the overarching role of the agency were collected into a single vision and solidified in statute, better allowing the agency to promote its culture of "putting people first." Prominent changes this bill reflected include the powers and duties of general officer positions, with particular attention placed on the Adjutant General's appointment methodology, term limits, powers and duties, as well as for other leadership roles such as that of the executive director. Long-term archival mechanisms, technological policies, contracting requirements, and reporting procedures were also given clarity and brought into a central housing point in Chapter 437. As TMD has both state and federal employees, SB 1536 brought needed statutory clarity concerning the rights and benefits of state employees, along with expounding language surrounding Service Members reporting under Title 32 (state) or Title 10 (federal) status. Many of TMD's high profile missions require Service Members who are put on state active duty orders. Clear delineation of how that affects a Service Member in both military and civilian capacities (including healthcare, retirement benefits, and legal protections) is laid out in current statute thanks to this legislative re-write. The citizen-soldier persona of many of the agency's employees, as well as of the agency itself, is better expressed and enabled thanks to the changes made in SB 1536 (83R).

In addition to this major change, subsequent minor changes necessary to improve the efficiency and effectiveness of the agency have typically been addressed by the Legislature within one to two sessions. During the 85<sup>th</sup> Legislative Session, several bills passed that improve and clarify agency function and jurisdiction. By maintaining positive relationships with the Legislature, TMD hopes to make additional small statutory changes as needed for optimal function and mission readiness.

**F. Do any of your agency's functions overlap or duplicate those of another state or federal agency? Explain if, and why, each of your key functions is most appropriately placed within your agency. How do you ensure against duplication with other related agencies?**

The Mission Ready Packages provided by TMD are unique in type and kind. The scalable nature of these assets also differentiates them from those offered by other entities TMD partners with such as Texas Task Force 1 (TTF1), DPS, Texas Forest Service, etc. Search and rescue, rotary wing, ground fire suppression, and shelter management are all functions that TMD is uniquely qualified to offer and in a more efficient and effective manner than can be found elsewhere.

The complex and varied nature of the facilities owned, leased and co-occupied by TMD requires that these facilities be managed by TMD. Additionally, the Construction and Facilities Management Office (CFMO) is charged by the National Guard Bureau (NGB) to administer the construction, repairs, and maintenance of all TXARNG facilities and installations on behalf of the Adjutant General (TAG). A cooperative agreement between the state and federal government, called the Master Cooperative Agreement, spells out how the federal funding component relies on a state funding share.

The Construction and Facilities Management Office (CFMO) is responsible for facilities as expressed in Texas Government Code, Section 437.054, which states, "The adjutant general is the decision-making authority on all matters concerning the location and maintenance of military forces and facilities in this state. The adjutant

general may set priorities for the construction, renovation, repair, and maintenance of Texas military forces armories, facilities and improvements owned or leased by this state. The adjutant general in this capacity is a public authority and a body politic and corporate and has all powers necessary for the acquisition, construction, rental, control, maintenance, operation, and disposition of Texas military forces facilities and real property and all associated property and equipment.”

The CFMO office is also responsible for managing the responsibilities as set out in Section 437.155 and 437.163 for real property. The federal real property database for the state is also managed by the CFMO office.

Administration and logistical support are also required to be under the Adjutant General per federal law and NGB Regulations.

While many agencies offer counseling services to military members, Veterans, and/or families, there is a little overlap with any agency that provides such services to TMD’s population. The bulk of clients for the TMD Mental Health (MH) Counseling program come from the National Guard; TMD MH is unique in that its counselors can travel to visit the units and Soldiers where they are: where they work, where they serve, and where they train. Furthermore, as detailed in section VII Mental Health Paragraphs H and I, the TMD MH Counseling program is much more accessible than others, such as the VA or Vet Centers which require Active Service Completion or proof (DD214) to provide services, and can easily provide services to dependents. Because the TMD has military members throughout the entire state, the availability of TMD counselors to travel and provide support to geographically dispersed individuals either at drill or via tele-mental health capabilities offers a unique opportunity to this historically underserved population. Most similar services are limited to their set office locations and hours, whereas TMD counselors are available to meet the needs of the TMD nearly 24/7.

**G. In general, how do other states carry out similar functions?**

The National Guard is present in every state in the nation and is administered federally by the National Guard Bureau. Generally, every state carries out functions similarly. The National Guard serves the call of the President at the federal level and Governor at the state level. Each state Governor is the Commander in Chief of the Guard units in his or her state when those units are not under federal control. In the states, Guard units primarily respond to natural disasters and emergencies. Federal law requires each state to have an Adjutant General to oversee its National Guard. The Guard in every state is supported through a mix of state and federal funds.

**H. What key obstacles impair your agency’s ability to achieve its objectives?**

TMD is a complex organization and is unlike any other state agency. Military Service Members work with civilians to accomplish the agency’s missions. State and federal dollars flow through the agency; TMD Service Members are under control of the Governor unless activated for federal missions by the President. The agency must meet federal and state requirements. It can be difficult to explain the organization and articulate its issues to those who have limited to no experience with the Guard or TMD. This lack of understanding about the organization can present challenges when dealing with the public, partners, legislators, other state agencies, and myriad other entities and organizations.

While the agency achieves its objectives, opportunities exist to accomplish more. Over half the agency’s facilities are more than 50 years old. Many of these buildings are in dire need of repair, and the cost to maintain these buildings rises as they age. Though the state has contributed significant dollars to rehabilitate some of these

facilities, a great amount of work remains. In an era of limited resources, it is important to consider that when the agency receives state funds for facilities projects, the federal government frequently provides matching dollars. For example, in 2016, the state provided \$9.7 million in funding for major facility repairs. The federal government matched that investment by providing an additional \$16.7 million in funds. For the state's \$9.7 million, the state's facilities saw an infusion of \$26.4 million dollars dedicated to repair. When the agency secures state funds that can be matched at the federal level, the benefit to Texas is multiplied. The agency cannot secure federal investment without a state contribution.

Limited staffing resources also present challenges. A core of fewer than 50 general revenue state employees provide state-related indirect administrative support (Finance, Procurement, Human Resources, IT, Audit, and Executive) to an organization of more than 23,000 people. Another 450 state employees, whose salaries the federal government reimburses the state under a cooperative agreement, provide organizational support at the program level.

The agency has a continuing need for a large training facility in the state. The absence of an adequate training area in the region south and east of San Antonio restricts state support mission capability for the coastal and border areas.

TMD partners with a variety of organizations and agencies to provide support to Texans. TMD works with the Texas Department of Public Safety, State Health and Human Services, Texas Workforce Commission, the Texas Veteran's Commission, the councils of government and emergency management districts, local law enforcement agencies, school districts and others. Focusing on and improving these and other partnerships can help TMD better serve the state.

**I. Discuss any changes that could impact your agency's key functions in the near future (e.g., changes in federal law or outstanding court cases).**

One of the unique attributes of the Texas Military Department is its inherent adaptability. Whatever is required of it, the agency finds a way to deliver. However, large scale policy changes and events such as natural or man-made disasters can force the agency to shift its resources significantly to provide the required response. Due to the agency's responsibilities to both the state and federal government, it is subject to oversight and change from multiple regulatory or legislative levels.

One of the most significant changes can come from federal mobilization. A large number of Service Members called up to deploy in the event of a new war or in support of current federal missions could take away personnel and equipment available to fulfill state level missions. TMD's Service Members (excluding State Guard) and its equipment are independently deployable to conflict zones and in support of other states in need, and a deficit in one or both areas could hamper the agency's ability to fully support local law enforcement in a large disaster response here at home.

Federal deployments also impact the full time TMD staff. Most TMD full time employees are Guardsmen who can mobilize on federal active duty status. When they are call upon to deploy, they are no longer available to perform fulltime functions for the agency. These vacancies require the agency to shift deployed full-time staff duties and responsibilities to remaining fulltime staff members for up to a year at a time. The agency also mitigates temporary vacancies with temporary hires and cross leveling personnel from other departments.

Large scale federal mobilizations that require members with specific skillsets could create challenges for specific TMD departments. The agency mitigates this by temporarily promoting subordinate leaders to supervisor roles, and hiring temporary employees. Though this strategy has been successful, it creates hardships on personnel who are asked to take on additional duties, who perform well in their temporary supervisor roles, and then must resume lower paying roles and responsibilities when the deployed members return.

Policy changes at the DoD level can also dramatically influence force makeup as this guidance affects everything from personnel and benefits to equipment and manning levels — dramatically influencing TMD’s ability to recruit and retain Service Members and to procure equipment. This in turn affects the agency’s ability to fully support its numerous state centric missions. Essential state-level missions such as natural disaster response and relief require manning and equipment; effectiveness at these missions relies upon the agency’s ability to recruit and retain members and to be funded at adequate levels from both state and federal funding streams. Without adequate funding for armory and equipment upkeep, Soldiers and Airmen are unable to sufficiently and safely train for missions. A training deficit would hamper the mission’s success before it has even begun and put the life and safety of the Service Member in undue danger.

This delicate balance means that the agency must remain vigilant to potential changes in policy, funding, or mission requirement from the local to federal level to be prepared for any force structure modifications required to quickly respond to requests from the President or the Governor.

**J. What are your agency’s biggest opportunities for improvement in the future?**

An opportunity for improvement that TMD continually faces is effectively explaining the agency to external partners. The complex relationship and multiple public faces of the agency make it hard to communicate TMD’s story to the public, legislators and other agencies. This complex nature and split hierarchical relationship impedes TMD’s ability to build relationships with other state agencies who do not have a direct operational relationship with TMD such as DPS, Texas A&M Forest Service and Texas Task Force 1.

Due to the large number of aging facilities owned by the state and the increasing dual gender troop diversity, many facilities are still not up to code, are not energy efficient, and do not meet Anti-Terrorism Force Protection requirements.

Another issue concerns the appointment schedule for the Adjutant General. Currently, Sec. 437.003 of the Texas Government Code requires the Governor to appoint an Adjutant General to a two-year term expiring February 1 of each even-numbered year. The Legislature maintains confirmation authority of the TAG appointment. Because the Legislature meets in odd-numbered years, a TAG can serve without confirmation for a year or more. The lapse of time between the Governor’s appointment and Legislature’s confirmation process, combined with the short two-year term, can challenge organizational continuity. Changing the statute to increase TAG term of appointment to four years, amending the term expiration date to an even year, or adjusting both, could enhance organizational efficiency.

- K. In the following chart, provide information regarding your agency's key performance measures included in your appropriations bill pattern, including outcome, input, efficiency, and explanatory measures. Please provide information regarding the methodology used to collect and report the data.

(Texas Military Department)  
Exhibit 2: Key Performance Measures — Fiscal Year 2016

Key Performance Measures	FY 2016 Target	FY 2016 Actual Performance	FY 2016 % of Annual Target
<b>Outcomes Measures</b>			
A.1.1.1. Number Texas National Guard Members	23,000	21,803	94.80%
A.1.1.2. Number of State Guard Members	2,300	1,851	80.48%
B.1.1.1. Percent of Facilities That Comply with Texas Accessibilities Standards	35.30%	38.53%	109.15%
C.1.1. Percent of ChalleNGe Academy Graduates Who Obtain a GED or High School Diploma by the End of the Post-Residential Phase of the Program	75.50%	71.00%	94.04%
<b>Output Measures</b>			
A.1.1.2. Number of Workdays Texas National Guard, Air Guard, and State Guard Members Train	34,270	22,481	65.60%
C.1.1.1. Number of Students Who Completed the STARBASE Special Youth Education Program	1,600	1,906	119.13%
C.1.1.2. Number of Students Who Complete the ChalleNGe Special Youth Education Program	400	231	57.75%
<b>Efficiency Measures</b>			
A.1.2.1. Average Cost Per Training Mission	164,060	144,960	88.36%
B.1.1.1. Average Maintenance Cost Per Square Foot of All Buildings	3.45	2.72	78.84%
C.1.1.1. Average Cost Per Student Trained in STARBASE Special Youth Education Program	250	1,272	508.80%
C.1.1.2. Average Cost Per Student Completing the ChalleNGe Special Youth Education Program	14,875	15,413	103.62%
<b>Explanatory Measures</b>			
2.1.1.2. Total Square Feet of All Facilities Maintained by the Department*	6,971,676	7,183,275	103.04%

**Table 2 Exhibit 2 Key Performance Measures**

\*This number includes the Army and Air Facilities the Department maintains. Other references in this document note that the Construction and Facilities Management Office (CFMO) maintains approximately 5.9 million square feet of facility space. CFMO is responsible for Army facilities only.

- L. Please discuss any “high-value data” your agency possesses, as defined by Section 2054.1265 of the Government Code. In addition, please note whether your agency has posted those data sets on publicly available websites as required by statute.**

The agency publishes a variety of material that provides organizational insight. Through its public website, the agency makes available its strategic plan, biennial report, legislative appropriations request, annual audit plan, job vacancies and contracting information. The agency does not, however, post any raw data in an open, searchable format that meets the statutory definition of “high value data set.”

### **III. History and Major Events**

#### **Key Dates in Texas Military Department (TMD) History**

**1823:** Texas military established by Stephen F. Austin

**1835:** The Adjutant General (TAG) recognized in Texas

**1837:** Congress passed an act making the Adjutant General a position elected by the Congress

**1839:** Subsequent Adjutant Generals appointed by the President

**1846:** After annexation, the 1st Texas Legislature provided for an Adjutant General to be appointed by the Governor in "an Act to organize the Militia of the State of Texas." The duties of the Adjutant General included the issuance of all military orders; the maintenance of appointment records, promotions, resignations, deaths, commissions, etc.; the receipt of monthly and annual returns. The Adjutant General also managed muster rolls from the various military units; the keeping of the records of general courts martial; recruitment and enrollment of Rangers and militiamen; and now, the issuing of all bounty and donation land warrants on the basis of military service to the Republic. This last duty assumed by the Commissioner of Claims, pursuant to an Act of the Texas Legislature passed in 1856.

**1870:** The Texas Legislature created the Frontier Forces, the State Guard, Reserve Militia, and the State Police, all of which were commanded by a newly restored State Adjutant General

**1898:** The Spanish-American War saw the nationalization of the Texas Volunteer Guard

**1903:** The Texas Volunteer Guard reorganized as the Texas National Guard

**1905:** Texas Legislature creates the Adjutant General’s Department

**1917:** The Texas National Guard was drafted into federal service, forming the 36th Division, which was to be mobilized during World War II as well

**1935:** Texas Legislature creates Texas National Guard Armory Board to monitor money appropriated by War Department to build armories



**1937:** Texas Legislature expands Armory Board's duties and effectively grants Board authority for Texas National Guard Armories

**1949:** Texas Legislature grants Board authority for federal surplus property released to states

**1997:** Board's name changed to the Texas Military Facilities Commission with expanded role to build, maintain, repair, operate, control, and dispose of National Guard or Texas State Guard properties, including property and equipment associated with real property

**2007:** Texas Military Facilities Commission abolished and its functions transferred to the Texas Adjutant General's Department

**2013:** Texas Legislature changes name of state agency from Texas Adjutant General's Department to Texas Military Department and modernizes the agency's governing statute

**Today:** The Texas Military Department is the executive portion of the Texas Military and consists of all staff directorates and component headquarters exercising control of military forces, facilities, installations, activities and functions under the supervision of The Adjutant General. TAG is the governing officer, policy maker, head of the department (Tex. Govt. Code §437.052), and Commander (CDR) of the Texas Military Forces (TXMF) (Tex. Govt. Code §437.001). TMD is the state agency charged with administrative activities in support of the TXMF (Tex. Govt. Code §437.001). TXMF is the three-branch military of the U.S. State of Texas. It is composed of the Texas Army National Guard, the Texas Air National Guard, and the Texas State Guard. All three branches fall under the command of the Governor. The Army and Air National Guards are under the command of the Governor, unless the President of the United States activates the Guard into federal service by executive order. As for the Texas State Guard, the Governor of Texas has sole control over this force.

**REF:**

<https://tshaonline.org/handbook/online/articles/qnt02>

<http://www.lib.utexas.edu/taro/tslac/30007/tsl-30007.html>

## IV. Policymaking Structure

**A. Complete the following chart providing information on your policymaking body members.**

(Texas Military Department)  
Exhibit 3: Policymaking Body

Member Name	Term / Appointment Dates / Appointed by <i>(e.g., Governor, Lt. Governor, Speaker)</i>	Qualification <i>(e.g., public member, industry representative)</i>	City
Maj Gen Nichols, John F.	2 years/2-1-2018/Governor Abbott	Adjutant General	Spring Branch

Table 3 Exhibit 3 Policymaking Body

**B. Describe the primary role and responsibilities of your policymaking body.**

Under Texas government code Sec. 437.052, the Adjutant General is the governing officer, policy maker, and head of the department. The Adjutant General is responsible to adopt and implement regulations or policies that clearly separate the Adjutant General's responsibilities from the administrative responsibilities of the department's executive director and staff.

**C. How is the chair selected?**

According to statute, the Adjutant General is the policy authority for the Texas Military Department and is appointed by the Governor.

Sec. 437.003. GOVERNOR'S MILITARY APPOINTMENTS. (a) The Governor, with the advice and consent of the senate, shall appoint an adjutant general to a two-year term expiring February 1 of each even-numbered year. The adjutant general is responsible for leading and managing the Texas military forces. The adjutant general is subordinate only to the Governor in matters pertaining to the Texas military forces.

**D. List any special circumstances or unique features about your policymaking body or its responsibilities.**

The Adjutant General (TAG) is the agency's sole policy making authority.

**E. In general, how often does your policymaking body meet? How many times did it meet in FY 2016? In FY 2017?**

TMD updates the TAG during weekly meetings and councils. There are no open meetings like those common to other multi-member state agency boards and commissions. Policies are continually staffed as needed for initiation, updates or changes throughout the year. TMD electronically staffs all policies through relevant offices/directorates.

FY2016: 12 policies were staffed, however none were approved or completed in FY 2016.

FY2017: 14 policies have been staffed with eight approved currently for FY 2017. TMD published one regulation and one pamphlet in FY 2017.

**F. What type of training do members of your agency’s policymaking body receive?**

The TAG receives training annually on numerous subjects including ethics, equal opportunity, and records management, just to name a few. The agency’s General Officer Management Office ensures TMD senior leaders receive state and federally mandated training to ensure integrity and compliance with all policies, regulations and laws. TMD Pamphlet 6-02, Serially Numbered Issuances, contains detailed guidance on processing issuances (policies, directives, instructions, and publications including policymaker rolls and responsibilities).

**G. Does your agency have policies that describe the respective roles of the policymaking body and agency staff in running the agency? If so, describe these policies.**

Yes. TMD published Pamphlet 6-02 which contains policy roles and responsibilities, defines the policy staffing process, and standardizes the effective communication of issuances (policies, directives, instructions, and publications) across all TMD components. TMD Regulation 10-01, Terms of Reference, guides Service Member and employee responsibilities. These guiding documents blend the requirements and definitions of state and federal statutes to enable unified policy efforts within TMD.

**H. What information is regularly presented to your policymaking body to keep them informed of your agency’s performance?**

The agency conducts quarterly Strategic Management Assessment Boards to review specific agency performance measures. This board presents the TAG specific agency performance metrics on internal controls and policy at the state command and program oversight levels. As additional feedback is received for TMD policies, the policy officer ensures it is communicated during weekly senior leader meetings and councils.

**I. How does your policymaking body obtain input from the public regarding issues under the jurisdiction of the agency? How is this input incorporated into the operations of your agency?**

TMD is committed to receiving input from the public. The Adjutant General appoints five public members who are not actively serving in the Texas National Guard and who have experience in architecture, construction management, engineering, property management, facilities maintenance management, real estate services, or real property law to serve on the TMD Real Property Advisory Council. These public council members are appointed to staggered three-year terms, and one is designated to preside over the council.

The agency also leverages its community presence all over the state to engage the public. Public feedback is shared through command channels and presented to senior leaders for consideration during policy decisions. TMD facilitates annual councils to allow the public to speak on issues related to the construction, repair, and maintenance and improvements of facilities under the jurisdiction of the department. TMD also facilitates the public feedback via its public web portal.

**J. If your policymaking body uses subcommittees or advisory committees to carry out its duties, fill in the following chart. In addition, please attach a copy of any reports filed by your agency under Government Code Chapter 2110 regarding an assessment of your advisory committees.**

**(Texas Military Department)  
Exhibit 4: Subcommittees and Advisory Committees**

Name of Subcommittee or Advisory Committee	Size / Composition / How are members appointed?	Purpose / Duties	Legal Basis for Committee
Real Property Advisory Council	8 members, DAG-Army, DAG-Air, Executive Director, five public members, all appointed by the Adjutant General. The public members are appointed to staggered three-year terms. One of the public members of the advisory council is designated presiding officer of the advisory council to serve in that capacity at the pleasure of the Adjutant General. Council term limits and expectations are designated by the Adjutant General.	The council shall meet at least two times each fiscal year to advise the department on: (1) the facility master plan; (2) the long-range construction plan; (3) the selection of architecture and engineering firms; (4) requests for bonding authority for state military facilities; (5) the disposal or sale of department property; (6) surface leases of department property; (7) natural resources management plans; and (8) environmental studies and agreements.	Texas Government Code, Section 437.151

Table 44 Exhibit 4 Subcommittees and Advisory Committees

## V. Funding

**A. Provide a brief description of your agency’s funding.**

The agency is funded through direct federal funding, federally reimbursed payments (funds shown in the agency appropriations as additional estimated spending authority), and general revenue. The federal funds make up 96 percent of the agency budget with 4 percent in general revenue.

**B. List all riders that significantly impact your agency’s budget.**

GAA 84<sup>th</sup> Legislative Session:

2. Capital Budget-\$29,289,030 (FY2016)
8. Federally Funded Projects
9. Appropriation-Billets Receipts-\$258,000
10. Unexpended Balances, Payments to National Guard for State Active Duty
11. Cash Flow Contingency-\$10,000,000
12. Appropriation: Unexpended Balances Bond Proceeds

- 17. Disposition of State Owned Property-\$5,000,000
- 24. Unexpended Balances, State Military Tuition Assistance Program
- 26. ChalleNGe Youth Education Program-\$350,000

Article I-Trusteed Programs within the Office of the Governor, Rider 28: Enhanced Border Security (helicopter \$4.3 million and border cameras \$3 million)

Article V-Department of Public Safety, Rider 53: Operation Secure Texas \$17.3 million

Article IX, Section 17.07. Agency Coordination for Youth Prevention and Intervention Services — Point of reference to Texas Military Department’s involvement in juvenile delinquency prevention and dropout prevention programs (ChalleNGe)

Article IX, Section 17.09 Border Security-Informational Listing; this Informational list details the various amount appropriated throughout the GAA for Border Security

GAA 85<sup>th</sup> Legislative Session:

- 2. Capital Budget-\$22,047,610 (FY2018)
- 8. Federally Funded Projects
- 9. Appropriation-Billets Receipts-\$258,000
- 10. Unexpended Balances, Payments to National Guard for State Active Duty
- 11. Cash Flow Contingency-\$15,000,000
- 15. Disposition of State Owned Property-\$5,000,000
- 20. Unexpended Balances, State Military Tuition Assistance Program
- 22. ChalleNGe Youth Education Program-\$1,906,000- Fund 193, Foundation School Funding

Article I-Trusteed Programs within the Office of the Governor, Rider 23: Enhanced Boarder Security (border cameras installation and regular maintenance \$2 million)

Article IX, Section 17.07. Agency Coordination for Youth Prevention and Intervention Services — Point of reference to Texas Military Department’s involvement in juvenile delinquency prevention and dropout prevention programs (ChalleNGe)

**C. Show your agency’s expenditures by strategy.**

**(Texas Military Department)  
Exhibit 5: Expenditures by Strategy — 2016 (Actual)**

Goal / Strategy	Amount Spent	Percent of Total	Contract Expenditures Included in Total Amount
A.1.1 Operations Response State Active Duty- Disaster	\$25,872,828	15.82%	\$17,121,712.33
A.1.2 Operations Response Federal Training Missions	\$4,091,772	2.50%	\$1,980,214.57
B.1.1 Operations Support Facilities Maintenance	\$97,006,637	59.31%	\$71,954,584.27
B.1.2 Operations Support Debt Service	\$1,237,514	0.76%	\$1,237,514
B.2.1 Operations Support Truck Rebuild Program	\$6,276,647	3.84%	\$5,913,033.78
B.2.2 Operations Support Firefighters-Ellington AFB	\$2,810,015	1.72%	\$1,174,941.44
C.1.1 Community Support Youth Education Program	\$9,953,534	6.09%	\$5,398,659.88
C.1.2 Community Support State Military Tuition	\$2,023,416	1.24%	\$594,133.10
C.1.3 Community Support Mental Health Initiative	\$755,531	0.46%	\$128,988.45
D.1.1 Indirect Administration Indirect Administration	\$13,538,591	8.28%	\$988,281.44
<b>GRAND TOTAL:</b>	<b>\$163,566,484</b>	<b>100.00%</b>	<b>\$106,491,414.25</b>

**Table 5 Exhibit 5 Expenditures by Strategy**

**D. Show your agency's sources of revenue. Include all local, state, and federal appropriations, all professional and operating fees, and all other sources of revenue collected by the agency, including taxes and fines.**

**(Texas Military Department)**  
**Exhibit 6: Sources of Revenue — Fiscal Year 2016 (Actual)**

Source	Amount
General Revenue Fund	\$40,599,113
GR Dedicated-Deferred Maintenance Account No.5166	\$9,781,250
Adjutant General Federal Fund No.449	\$107,578,121
Appropriated Receipts	\$258,000
Current Fund Balance	\$5,000,000
Interagency Contracts-Transfer from Foundation School Fund	\$350,000
<b>TOTAL</b>	<b>\$163,566,484</b>

**Table 6 Exhibit 6 Sources of Revenue**

**E. If you receive funds from multiple federal programs, show the types of federal funding sources.**

**(Texas Military Department)**  
**Exhibit 7: Federal Funds — Fiscal Year 2016 (Actual)**

Type of Fund	State / Federal Match Ratio	State Share	Federal Share	Total Funding
Federal 449/General Revenue	75/25	\$2,295,475	\$6,639,225	\$8,934,700
Federal 449/General Revenue	50/50	\$2,037,091	\$2,037,091	\$4,074,182
Federal 449	100	\$0	\$98,901,805	\$98,901,805
<b>TOTAL</b>		<b>\$4,332,566</b>	<b>\$107,578,121</b>	<b>\$111,910,687</b>

**Table 7 Exhibit 7 Federal Funds**

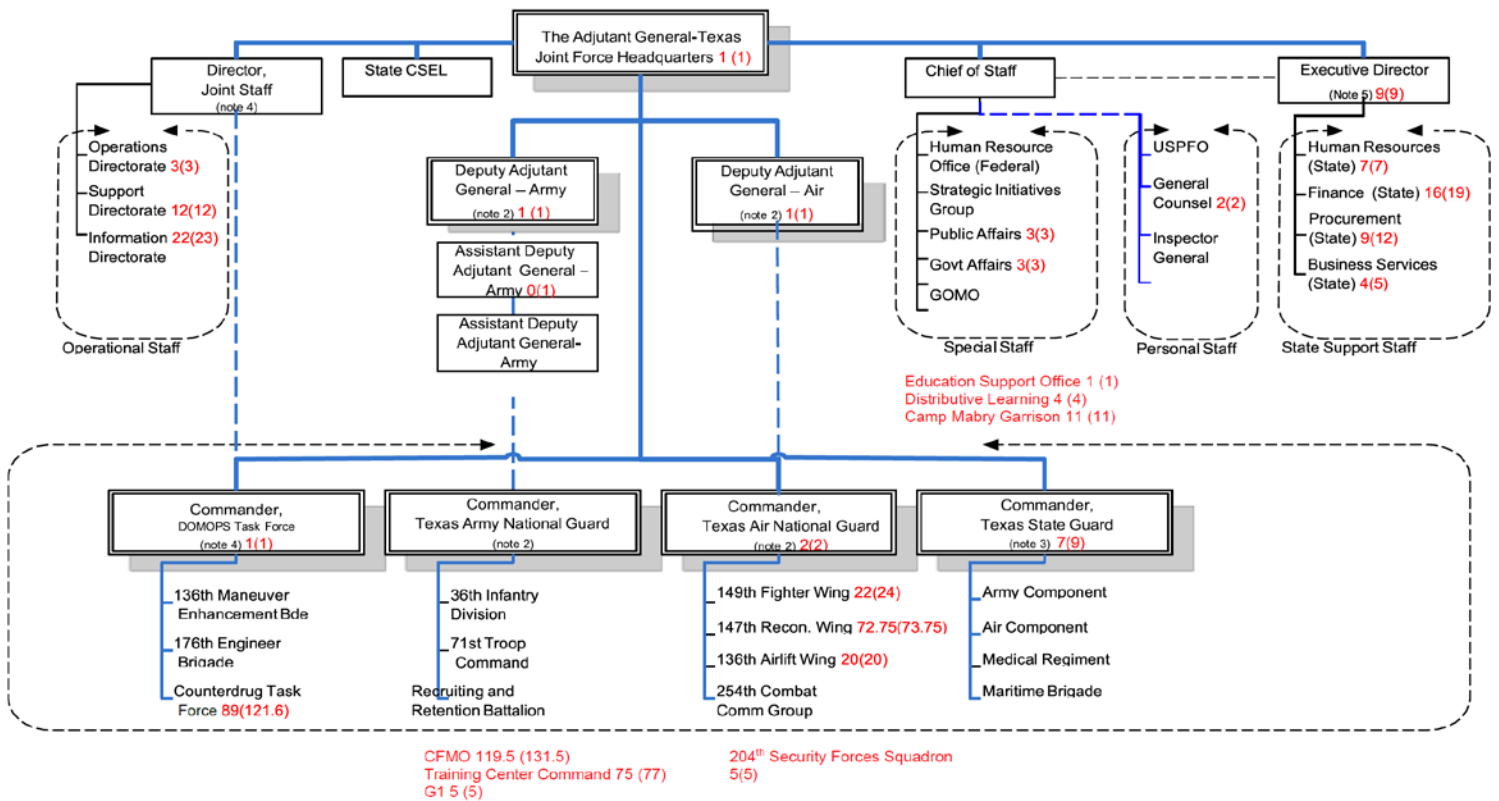
**F. If applicable, provide detailed information on fees collected by your agency.**

Not applicable.

## VI. Organization

- A. Provide an organizational chart that includes major programs and divisions, and shows the number of FTEs in each program or division. Detail should include, if possible, Department Heads with subordinates, and actual FTEs with budgeted FTEs in parenthesis.

### TEXAS MILITARY DEPARTMENT **527.25 (587.85)** as of June 30, 2017



- The Adjutant General is appointed by the Governor and confirmed by the Senate to serve as the governing officer, policy maker, and head of the Texas Military Department (Sec 437.053) as well as the commander of the Texas Military Forces (32 U.S.C.)
- Upon the recommendation of the Adjutant General, the Deputy Adjutants General Army and Air are appointed by the Governor to assist the Adjutant General (Sec 437.057) and may also serve as commanders of their respective National Guard components (32 U.S.C.).
- Upon the recommendation of the Adjutant General, the Commander, Texas State Guard is appointed by the Governor to train and administer the State Guard and provide forces to commander, Domestic Operations for emergency response operations (Sec 437.301)
- The Director, Joint Staff is also designated by the Adjutant General as Commander, Domestic Operations Task Force to provide direction and oversight of Texas Military Forces throughout Texas and FEMA Region VI during emergencies and disasters.
- The executive director, Texas Military Department (Sec. 437.101) serves at the pleasure of the Adjutant General and is responsible for the daily administration of the state agency, administration of state employees including those supporting components of the Texas Military Forces, and ensuring operational compliance with cooperative agreements between the department and the National Guard Bureau



# State Employee Org Chart

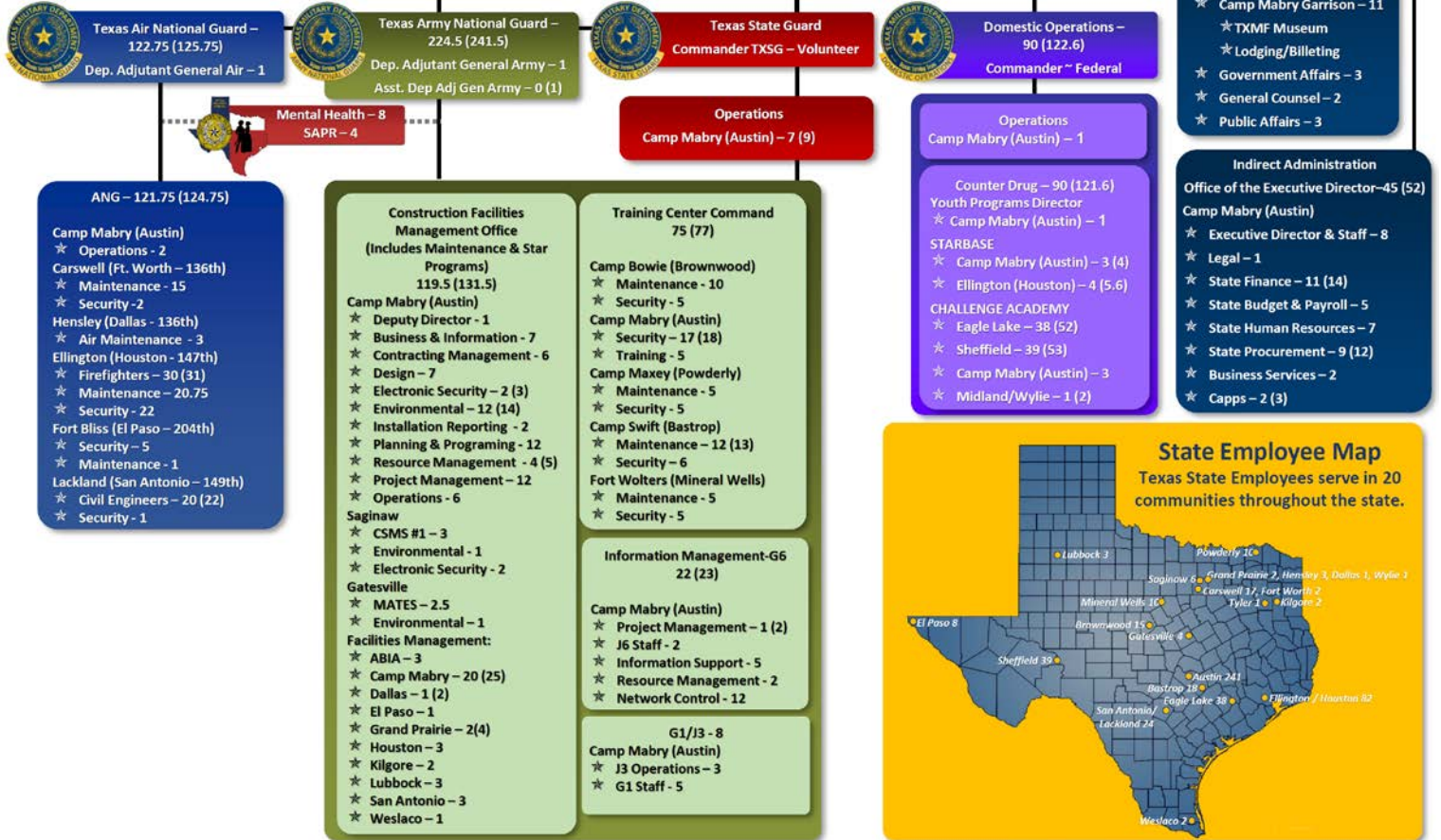
Updated June 30, 2017

Headcount = 529

FTEs = 527.25 (587.85)



## Texas Military Department – Texas Adjutant General – 1



B. If applicable, fill in the chart below listing field or regional offices.

(Texas Military Department)  
Exhibit 9: FTEs by Location — Fiscal Year 2016

Headquarters, Region, or Field Office	Location	Co-Location? Yes / No	Number of Budgeted FTEs FY 2016	Number of Actual FTEs as of June 1, 2016
AIR NATIONAL GUARD-CAMP MABRY	CAMP MABRY	N	2	2
AIR NATIONAL GUARD - CARSWELL-136TH CIVIL ENGINEER SQUADRON	CARSWELL	N	15	15

Headquarters, Region, or Field Office	Location	Co-Location? Yes / No	Number of Budgeted FTEs FY 2016	Number of Actual FTEs as of June 1, 2016
AIR NATIONAL GUARD - CARSWELL-136TH SECURITY FORCES SQUADRON	CARSWELL	N	2	2
AIR NATIONAL GUARD - HENSLEY-136TH CIVIL ENGINEER SQUADRON	HENSLEY	N	3	3
AIR NATIONAL GUARD - ELLINGTON-FIRE FIGHTERS	ELLINGTON	N	31	30
AIR NATIONAL GUARD - ELLINGTON-147TH JRB CIVIL ENGINEER SQUADRON	ELLINGTON	N	20.75	20.75
AIR NATIONAL GUARD - ELLINGTON-147TH SECURITY FORCES SQUADRON	ELLINGTON	N	28	20
AIR NATIONAL GUARD - FORT BLISS-204TH SECURITY FORCES SQUADRON	EL PASO	N	5	4
AIR NATIONAL GUARD - EL PASO-149TH CIVIL ENGINEER SQUADRON	EL PASO	N	1	1
AIR NATIONAL GUARD - LACKLAND-149TH CIVIL ENGINEER SQUADRON	LACKLAND	N	22	21
AIR NATIONAL GUARD - LACKLAND-149TH SECURITY FORCES SQUADRON	LACKLAND	N	1	1
CFMO - BUSINESS & INFORMATION SERVICES	CAMP MABRY	N	8	7
CFMO - BUSINESS MGMT & CONTRACTING	CAMP MABRY	N	5	5
CFMO - DESIGN MANAGEMENT	CAMP MABRY	N	6	6
CFMO - DESIGN MANAGEMENT	FORT WORTH	N	1	1
CFMO - ELECTRONIC SECURITY SERVICES	CAMP MABRY	N	4	4
CFMO - ELECTRONIC SECURITY SERVICES	SAGINAW	N	2	2
CFMO - ENVIRONMENTAL MANAGEMENT	CAMP MABRY	N	14	14
CFMO - ENVIRONMENTAL MANAGEMENT	GATESVILLE	N	1	1
CFMO - ENVIRONMENTAL MANAGEMENT	SAGINAW	N	1	1
CFMO - FACILITIES MANAGEMENT	ABIA	N	3	3
CFMO - FACILITIES DIRECTOR OFFICE	CAMP MABRY	N	1	0
CFMO - FACILITIES MANAGEMENT	CAMP MABRY	N	34	23

Headquarters, Region, or Field Office	Location	Co-Location? Yes / No	Number of Budgeted FTEs FY 2016	Number of Actual FTEs as of June 1, 2016
CFMO - FACILITIES MANAGEMENT	DALLAS RED BIRD	N	2	1
CFMO - FACILITIES MANAGEMENT	EL PASO	N	1	1
CFMO - FACILITIES MANAGEMENT	GRAND PRAIRIE	N	4	3
CFMO - FACILITIES MANAGEMENT	HOUSTON	N	4	3
CFMO - FACILITIES MANAGEMENT	KILGORE	N	2	2
CFMO - FACILITIES MANAGEMENT	LUBBOCK	N	3	2
CFMO - FACILITIES MANAGEMENT	SAN ANTONIO	N	2	2
CFMO - FACILITIES MANAGEMENT	WESLACO	N	1	1
CFMO - ISR SECTION	CAMP MABRY	N	2	2
CFMO - OPERATIONS	CAMP MABRY	N	6	4
CFMO - PLANNING & PROGRAMMING	CAMP MABRY	N	11	11
CFMO - PROJECT MANAGEMENT	CAMP MABRY	N	11	11
CFMO - RESOURCE MANAGEMENT	CAMP MABRY	N	5	5
COMMAND GROUP	CAMP MABRY	N	4	4
GOVERNMENT AFFAIRS	CAMP MABRY	N	3	2
COUNTER DRUG TASK FORCE - YOUTH PROGRAMS	CAMP MABRY	N	1	1
COUNTER DRUG TASK FORCE - CHALLENGE-EAGLE LAKE	EAGLE LAKE	N	53	39
COUNTER DRUG TASK FORCE - CHALLENGE-RECRUITMENT	CAMP MABRY	N	1	1
COUNTER DRUG TASK FORCE - CHALLENGE-RECRUITMENT	MIDLAND	N	1	1
COUNTER DRUG TASK FORCE - CHALLENGE-RECRUITMENT	SHEFFIELD	N	1	1
COUNTER DRUG TASK FORCE - CHALLENGE-SHEFFIELD	SHEFFIELD	N	52	44
COUNTER DRUG TASK FORCE - CHALLENGE-RECRUITMENT	WYLIE	N	1	1
COUNTER DRUG TASK FORCE - STARBASE-AUSTIN	CAMP MABRY	N	5	4
COUNTER DRUG TASK FORCE - STARBASE-HOUSTON	ELLINGTON	N	6	4
EDUCATION SUPPORT OFFICE	CAMP MABRY	N	1	1
G1 - FAMILY SUPPORT SERVICES	CAMP MABRY	N	3	3
G1 - FAMILY SUPPORT SERVICES	EL PASO	N	1	1
G1 - FAMILY SUPPORT SERVICES	FORT WORTH	N	1	1
G1 - FAMILY SUPPORT SERVICES	HOUSTON	N	1	1
G1 - FAMILY SUPPORT SERVICES	TYLER	N	1	1

Self-Evaluation Report

Headquarters, Region, or Field Office	Location	Co-Location? Yes / No	Number of Budgeted FTEs FY 2016	Number of Actual FTEs as of June 1, 2016
G1 - FAMILY SUPPORT SERVICES	WESLACO	N	1	1
G1 - RECORDS	CAMP MABRY	N	5	2
G1 - SEXUAL ASSAULT PREVENTION PROGRAM	CAMP MABRY	N	1	1
G1 - SEXUAL ASSAULT PREVENTION PROGRAM	GRAND PRAIRIE	N	1	1
G1 - SEXUAL ASSAULT PREVENTION PROGRAM	ELLINGTON	N	1	1
DISTRIBUTIVE LEARNING	CAMP MABRY	N	4	4
GARRISON - BILLETING OFFICE	CAMP MABRY	N	4	4
GARRISON - GARRISON HEADQUARTERS	CAMP MABRY	N	1	1
GARRISON - MAIL DISTRIBUTION CENTER	CAMP MABRY	N	3	3
GARRISON - MUSEUM	CAMP MABRY	N	3	3
GARRISON - SECURITY	CAMP MABRY	N	18	17
G6 - INFORMATION MANAGEMENT	CAMP MABRY	N	23	23
DOMOPS - J3	CAMP MABRY	N	3	3
DOMOPS	CAMP MABRY	N	1	1
LOGISTICS - CSMS #1	SAGINAW	N	3	3
LOGISTICS - MATES	GATESVILLE	N	2.5	2.5
OFFICE OF EXECUTIVE DIRECTOR - BUDGET & PAYROLL	CAMP MABRY	N	4	4
OFFICE OF EXECUTIVE DIRECTOR - CAPPS	CAMP MABRY	N	3	2
OFFICE OF EXECUTIVE DIRECTOR - EXECUTIVE OFFICE	CAMP MABRY	N	9	9
OFFICE OF EXECUTIVE DIRECTOR - BUSINESS SERVICES	CAMP MABRY	N	2	2
OFFICE OF EXECUTIVE DIRECTOR - FINANCE	CAMP MABRY	N	15	13
OFFICE OF EXECUTIVE DIRECTOR - HUMAN RESOURCES	CAMP MABRY	N	7	7
OFFICE OF EXECUTIVE DIRECTOR - PURCHASING & CONTRACTING	CAMP MABRY	N	11	11
GENERAL COUNSEL	CAMP MABRY	N	1	1
PUBLIC AFFAIRS OFFICE	CAMP MABRY	N	3	3
TEXAS STATE GUARD	CAMP MABRY	N	9	9
TRAINING CENTER COMMAND - CAMP BOWIE-MAINTENANCE	BROWNWOOD	N	10	10
TRAINING CENTER COMMAND - CAMP BOWIE-SECURITY	BROWNWOOD	N	5	5
TRAINING CENTER COMMAND - CAMP MAXEY-MAINTENANCE	POWDERLY	N	5	5
TRAINING CENTER COMMAND - CAMP MAXEY-SECURITY	POWDERLY	N	5	4
TRAINING CENTER COMMAND - CAMP SWIFT-MAINTENANCE	BASTROP	N	13	11

Headquarters, Region, or Field Office	Location	Co-Location? Yes / No	Number of Budgeted FTEs FY 2016	Number of Actual FTEs as of June 1, 2016
TRAINING CENTER COMMAND - CAMP SWIFT-SECURITY	BASTROP	N	6	4
TRAINING CENTER COMMAND - FORT WOLTERS-MAINTENANCE	MINERAL WELLS	N	5	5
TRAINING CENTER COMMAND - FORT WOLTERS-SECURITY	MINERAL WELLS	N	5	4
TRAINING CENTER COMMAND - GARRISON COMMAND	CAMP MABRY	N	5	5
			598.25	529.25
		Vacancies =	69	

Table 8 Exhibit 9 FTEs by Location

**C. What are your agency's FTE caps for fiscal years 2016–2019?**

<u>FY 16</u>	<u>FY 17</u>	<u>FY 18</u>	<u>FY 19</u>
615	615	569	569

**D. How many temporary or contract employees did your agency have as of August 31, 2016? Please provide a short summary of the purpose of each position, the amount of expenditures per contract employee, and the procurement method of each position.**

Short Description	Expenditures	Program	Procurement Method
Training Specialist III to assist with class instructions for Starbase program	\$37,849.71	STARBASE	Non-automated state contract, TIBH set aside
Engineer VI to assist Design Branch	\$127,371.72	CFMO	Non-automated state contract, TIBH set aside
Natural Resources Specialist I to assist with environmental staff duties	\$14,943.46	ENV	Non-automated state contract, TIBH set aside
Teacher's Aide III - Houston Starbase	\$4,525.12	STARBASE	Non-automated state contract, TIBH set aside
Program Specialist I to support OAG/SAPR grant	\$20,088.20	DSRM	Non-automated state contract, TIBH set aside
Training Specialist IV to assist with class instructions for the Starbase program	\$56,495.97	ENV	Non-automated state contract, TIBH set aside
Administrative Assistant IV to assist general administrative support	\$58,653.26	ENV	Non-automated state contract, TIBH set aside
Environmental Specialists to assist with facility maintenance duties	\$63,786.03	CFMO	Non-automated state contract, TIBH set aside
Environmental Specialists to assist with facility maintenance duties	\$67,830.21	CFMO	Non-automated state contract, TIBH set aside
Administrative Assistant II - Part time position to do administrative tasks	\$2,828.10	STARBASE	Non-automated state contract, TIBH set aside
Temps to assist with Starbase - Houston	\$8,712.60	STARBASE	Non-automated state contract, TIBH set aside
Assistance with implementation of CAPPs	\$26,460.00	DSRM	Department of Information Resources, IT Staffing

**E. List each of your agency’s key programs or functions, along with expenditures and FTEs by program.**

**(Texas Military Department)  
Exhibit 10: List of Program FTEs and Expenditures — Fiscal Year 2016**

<b>Program</b>	<b>Number of Budgeted FTEs FY 2016</b>	<b>Actual FTEs as of August 31, 2016</b>	<b>Actual Expenditures</b>
State Active Duty	1	1	\$25,872,827.76
State Training Missions	12	12	\$4,091,771.66
Facilities Maintenance	351.25	315.25	\$97,006,637.01
Firefighters-Ellington AFB	31	30	\$2,810,015.06
Youth Education Programs	132	104	\$9,953,534.04
State Military Tuition Assistance	1	1	\$2,023,415.81
Mental Health initiative	8	8	\$755,530.69
Indirect Administration	62	58	\$13,538,590.55
<b>TOTAL</b>	<b>598.25</b>	<b>529.25</b>	<b>\$156,052,322.58</b>

Table 9 Exhibit 10 List of Program FTEs and Expenditures

## VII. Guide to Agency Programs

**A.1 Name of Program or Function: Domestic Operations Emergency Response**

**Location/Division:** Camp Mabry, Austin, TX

**Contact Name:** LTC Robert Eason

**Actual Expenditures, FY 2016:** \$7,466,443.29

**Number of Actual FTEs as of June 1, 2017:** Three. Domestic Operations (DOMOPS) has one general revenue state employee and two fully federally reimbursed state employees.

**Statutory Citation for Program:** Texas Government Code, Chapter 437. Response in State Active Duty is Section 437.005.

**B.1 What is the objective of this program or function? Describe the major activities performed under this program.**

Objective: TMD responds in support of civil authorities to protect critical infrastructure and the lives and property of the people of Texas (and FEMA Region VI) from the effects of natural disasters and man-made catastrophes. To aid civil authorities, the TMD emergency response supports the State of Texas Emergency Management Plan through an all-hazards approach.

Major Activities: When the agency receives a State of Texas Assistance Request (STAR), responding to that request becomes TMD's priority. The size of the response task force, the geographic location (within 300 miles) of units and their proximity to the incident, and other factors can affect the response time. Upon receipt of the STAR, the TMD Joint Operations Center (JOC) tasks units to organize MRPs and deploy to the incident site. The first element to respond is the TMD Military District Coordinator (MDC). An MDC is assigned to each Disaster District. The MDC serves as the military point of contact to the Disaster District Coordinator (DDC). MRPs execute missions in support of civil authorities until relieved by the TMD.

Significant Capabilities:

- Aerial Port Operations
- Air Operations Center
- Airfield Operations with Command and Control
- Airlift
- Civil Support Team (chemical, biological, radiological and nuclear reconnaissance)
- Communications
- Cyber Response
- Emergency Management Response Team
- Emergency Medical Support
- Ground Search and Recovery
- Ground Wildfire Suppression
- Homeland Response Force
  - Chemical, Biological, Radiological, and Nuclear (CBRN) Detection and Mitigation
  - Casualty Search and Extraction
  - Decontamination
  - Medical Triage
  - Security
  - Mission Command
- Joint Incident Awareness and Assessment
- Mobile Emergency Operations Center
- Multi-Function Company
- Public Affairs
- Rotary Wing Lift
- Search and Rescue- Ground
- Shelter Operations
- Staging Area Support
- State Operations Center Support
- Tactical Air Control
- Emergency Tracking Network Team
- Transportation
- Water Boat and Dive Operations
- Winter Weather Support

Operation Secure Texas (OST) is a state-funded mission that supports the Texas Department of Public Safety’s (DPS) effort to secure the international border and interdict Trans-National Criminal Organization (TCO) from entering the country.

**C.1 What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

Since 2003, TMD has provided 627,418 man-days of civil support to the State of Texas (not including Hurricane Harvey efforts). The graphic below summarizes DOMOPS Defense Support to Civil Authorities (DSCA) missions dating back to 2003, itemized by event types, and captures total man-days. Since 2003, DOMOPS has supported 18 relief efforts for hurricanes Dolly, Dean, Lillie, Grace, Chris, Frances, Isidore, Erika, Charlie, Gustav, Ike, Humberto, Claudette, Ivan, Rita, Fay, Eduardo, and Katrina.

**What We Have Accomplished**



**Summary of Events 2003 - 2017**

Event Type	# of Events
Tropical Weather	33
Flood Response	43
Wildfire - Aviation	29
Wildfire - Ground	26
Winter Weather	24
Civil Support	70
Law Enforcement	32

**Man-days since 2003 627,418**

- Support Most State Agencies in Disaster Response
- Provide Advice, Planning, Personnel, and Equipment in support of State's designated lead agency
- Provide Command & Control and coordinates all Military Support



**DOMESTIC OPERATIONS TASK FORCE**

**D.1 Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.**

Before Hurricane Katrina in 2005, TMD did not actively plan civil support operations. During events in which the Governor activated the Guard, TDEM tasked the TMD to provide personnel and equipment, but not capabilities. In 2006-2007, TDEM recognized a need for enhanced evacuation planning of Texas coastal regions. TDEM tasked TMD to support the state planning efforts. The resulting coastal evacuation plan identified the need for TMD to provide specific, tailored, and scalable capabilities and led to the development of Force Packages to support specific missions. Force packages eventually evolved into the current Mission Ready Packages (MRPs). TMD has developed a catalog of MRPs, tailored to TDEM-identified capabilities. This catalog identifies each MRP task and purpose, concept of operations, personnel, equipment, and cost per day to the state.



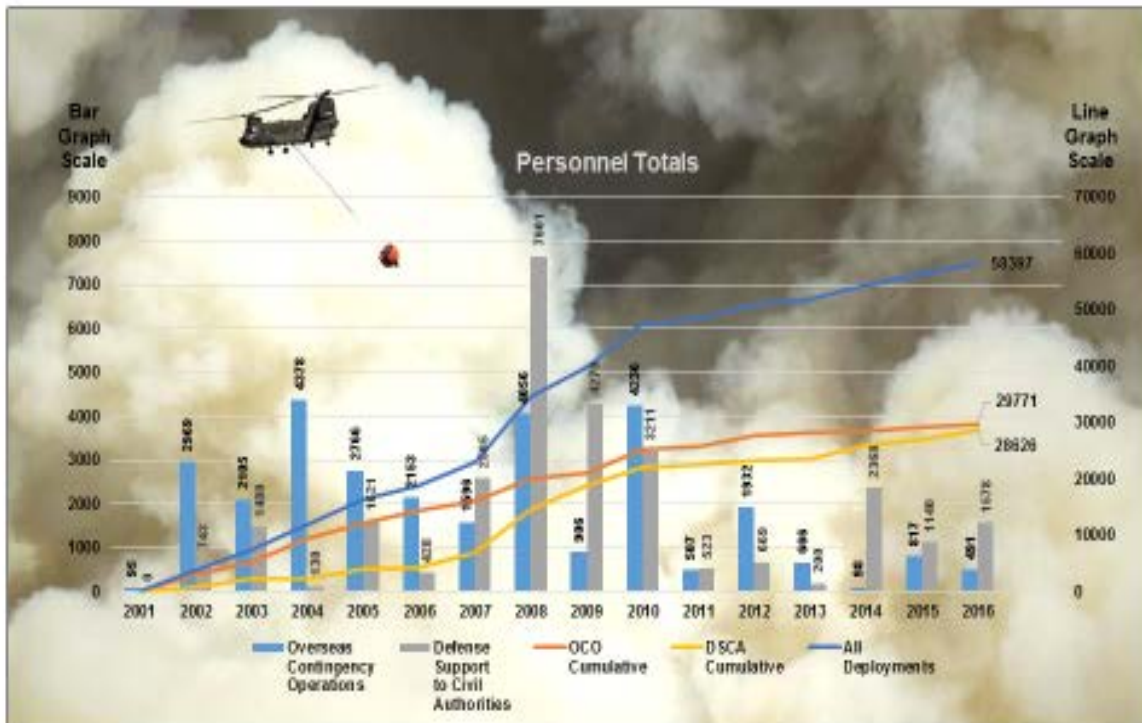
**E.1 Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

At the Governor’s call, TMD can assist Texans quickly anywhere in the state where an emergency, disaster, or other need occurs. Since October 2015, TMD Service Members have helped evacuate or rescue more than 1,800 Texans from floodwaters alone (not including Hurricane Harvey efforts). From January 2003 until May 2016, TMD Service Members have assisted countless Texans while active in 33 tropical weather missions, 43 flood missions, 29 aviation fire missions, 26 ground wildfire missions, 24 winter weather missions, 70 civil missions, and 32 law enforcement missions. Since January 2013, TMD’s Service Members have worked more than 627,000 man-days on state-related responses. TMD resources have also supported Texas Border efforts like Operation Secure Texas. On the federal level, more than 30,000 Texas National Guard Service Members have deployed in the War on Terror and other overseas operations.

There are no qualifications or eligibility requirements.

TMD also affects the citizen Soldiers and Airmen who are called to support a mission. TMD has deployed 58,397 total personnel to support DSCA since 2001. The chart below provides additional details.

## OCO and DSCA Deployments

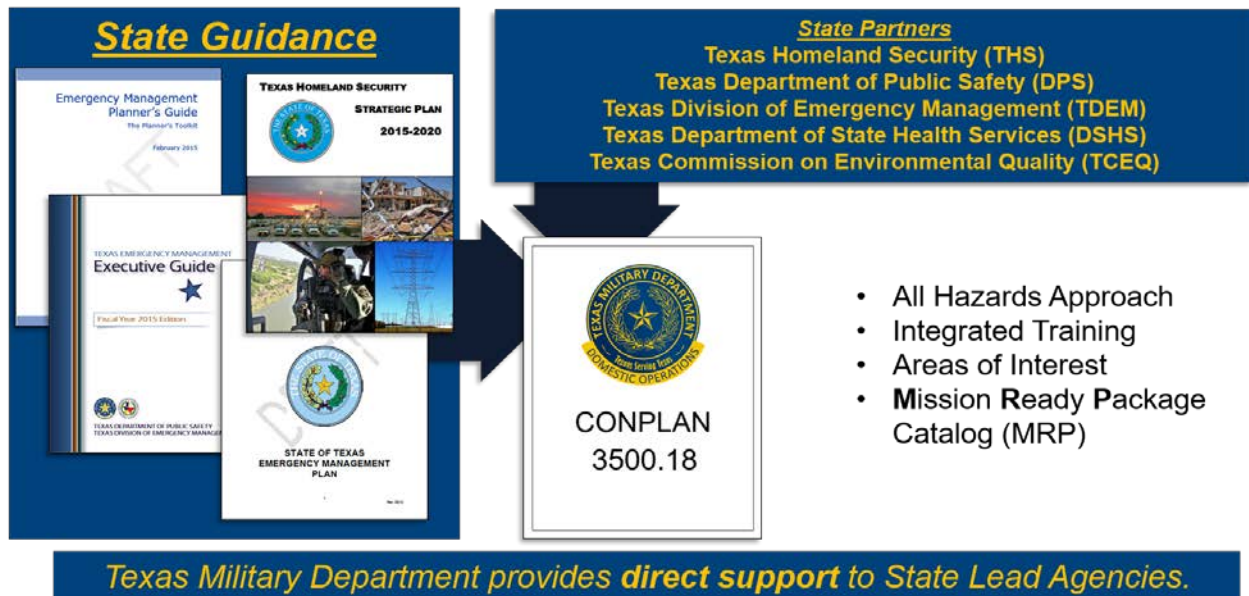


DOMESTIC OPERATIONS TASK FORCE

**F.1 Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

TMD operates in support of the Texas Emergency Management Plan and Texas Homeland Security Strategic Plan, both of which are based on the principles and guidelines of the National Response Framework and the National Incident Management System. Emergency Management in Texas is governed by Texas Government Code, Chapter 418, the sourcing document for the emergency management lead agency in Texas. Texas is divided into seven regions overseen by Regional State Coordinators. The Regions are further subdivided into 30 Disaster Districts overseen by disaster committees chaired by a DPS Captain with support from Disaster District Coordinators. TMD provides a liaison — known as a Military District Coordinator (MDC) — to each Disaster District Committee. If a Disaster District cannot resource support internally, the Incident Manager of the Disaster District sends a request to fill the capability gap to the State Operations Center (SOC). The SOC generates a STAR to TMD. TMD supports 69 specified tasks in the multiple functional Annexes of the State Emergency Management Plan with 47 different Mission Readiness Packages (MRPs).

When a local jurisdiction leader (mayor or county judge) determines that additional support is needed to respond to an incident, a request is sent to that area’s Disaster District Committee (DDC) Chairperson, a Department of Public Safety Officer. The DDC receives the request for support from the local jurisdiction leader and assesses how best to fulfill the request. The request can be denied, support can be provided from within the Disaster District, or the request can be sent to the SOC for additional support. The SOC assesses requests to determine which of the many state agencies is best suited to support the local jurisdiction. The SOC determines which incidents require military capabilities and passes these requests to the TMD.



MRPs are mission tailored, scalable and include everything necessary to conduct a mission, including estimated daily costs for the capability. The primary purpose of the catalog is to communicate TMD civil support capabilities across the full spectrum of emergency management agencies. The MRP template follows the Emergency Management Assistance Compact (EMAC) MRP template (an established template to exchange capabilities from state to state during an emergency when a gap is identified) to include descriptions, unique capabilities,

limitations, key task, and cost. MRPs are validated and certified by the state agencies they support. MRPs are based on seasonal threats and enduring missions. See chart below.

## How We Are Arrayed

Simultaneous MRP Capabilities across regions in support of most likely (MLCOA) and most dangerous (MDCOA) courses of action.

TDEM Region 5		Qty.	
	MRP	MLCOA	MDCOA
DOMOPS	BN Mission CMD	1	1
	Multi-Function Co	1	1
	Ground Trans Co	1	1
	MDC 7	1	1
	Winter Weather	4	0
Army	BN Mission CMD	1	0
	Multi-Function Co	1	1
	Ground Trans Co	0	0
	MDC 1, 2, 3	3	3
	Winter Weather	3	0

TDEM Region 4		Qty.	
	MRP	MLCOA	MDCOA
DOMOPS	BN Mission CMD	0	0
	Multi-Function Co	0	0
	Ground Trans Co	0	0
	MDC 10	1	1
Army	BN Mission CMD	0	0
	Multi-Function Co	3	3
	Ground Trans Co	0	0
	MDC 8, 9, 10	2	2
Air	Security Force	1	1

TDEM Region 3		Qty.	
	MRP	MLCOA	MDCOA
DOMOPS	BN Mission CMD	0	0
	Multi-Function Co	0	0
	Ground Trans PLT	0	0
	MDC19, 20	2	2
Army	BN Mission CMD	0	0
	Multi-Function Co	2	2
	Ground Trans PLT	2	2
	MDC 21, 24	2	2



TDEM Region 1		Qty.	
	MRP	MLCOA	MDCOA
DOMOPS	BN Mission CMD	1	1
	Multi-Function Co	1	1
	Ground Trans Co	1	1
	MDC 4a, 4b	2	2
Army	BN Mission CMD	0	0
	Multi-Function Co	2	2
	Ground Trans Co	2	2
	MDC 5, 6, 22	3	3

TDEM Region 2		Qty.	
	MRP	MLCOA	MDCOA
DOMOPS	BN Mission CMD	2	2
	Multi-Function Co	0	0
	Ground Trans Co	0	0
	MDC 13,14	2	2
Army	BN Mission CMD	0	0
	Multi-Function Co	1	1
	Ground Trans Co	2	2
	MDC 15, 16 c	1	1
Air	MDC 16 b		
	TXSG MDC 16 a, 6 d	1	1

TDEM Region 6		Qty.	
	MRP	MLCOA	MDCOA
DOMOPS	BN Mission CMD	2	2
	Multi-Function Co	1	1
	Ground Trans Co	0	0
	MDC12, 17	2	2
Army	BN Mission CMD	1	1
	Multi-Function Co	3	3
	Ground Trans Co	2	2
	MDC 11, 23	2	2
Air	MDC 18	1	1

**G.1 Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

DOMOPS funding for its emergency mission is provided by the TMD Office of the Executive Director (Indirect Administration). These funds are only used to support emergency missions that TDM has received a STAR request from Texas Department of Emergency Management. This fund does not have pass-through or grant monies.

**H.1 Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

Texas meets emergency response requirements utilizing various programs such as Texas Task Force 1, Texas Department of Public Safety, and Texas A&M Forest Service.

Similarities: TMD, through DOMOPS command and control, utilizes requested MRPs which augment the state’s high profile vehicle capabilities, airlift capabilities, wild fire suppression, and Search and Rescue ground and air capabilities.

Difference: TMD assets are only requested when other state agencies are unable to meet the mission requirement with their available personnel and equipment. TMD provides augmenting personnel, high profile vehicles, rotary and fixed wing aviation capability, night operational capability, Chemical, Biological, Radiological, and Nuclear (CBRN) detection and mitigation, casualty search and extraction, decontamination, medical triage, and security. TMD responds to a disaster when the state requires a surge of hundreds or potentially thousands of personnel, trained to operate specific equipment, with a built-in chain of command and the ability to plan and execute life-saving operations, all while being self-sustaining.

**I.1 Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

The Mission Ready Packages provided by TMD are unique in type and kind. The scalable nature of these assets also differentiates them from those offered by other entities TMD partners with such as Texas Task Force 1 (TTF1), DPS, Texas Forest Service, etc. Search and rescue, CBRN, rotary wing, ground fire suppression, and Shelter Management are all functions that TMD is uniquely qualified to offer and in a more efficient and effective manner than could be found elsewhere.

Duplication of effort is de-conflicted by TDEM. During the assistance request process, the SOC identifies which state agency can best provide support.

**J.1 If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

During civil support operations, TMD works with a myriad of local, state, regional, and federal units of government. These entities include, but are not limited to:

- Federal partners: FEMA (Region VI), US Coast Guard (USCG), Joint Terrorism Task Force (JTTF), US Department of Justice (USDOJ), Joint Task Force-North (JTF-N), National Guard Bureau (NGB), U.S. Department of Homeland Security (DHS), the U.S. Department of Defense (DoD) Office of Homeland Defense, the U.S. Northern Command (NORTHCOM) Office of Inter-Agency Coordination, and the U.S. Army's Forces Command (FORSCOM), National Emergency Response and Rescue Training Center
- State Partners: Texas Department of Public Safety (TXDPS), Texas Division of Emergency Management (TDEM), Texas Parks and Wildlife (TPWD), Texas Task Force One (TTF1), Texas A&M Forest Service, Texas Commission on Environmental Quality (TCEQ), Texas Department of State Health Services (DSHS), Texas Engineering Extension Service (TEEX)
- Local partners: All counties and municipalities in Texas.

**K.1 If contracted expenditures are made through this program please provide:**

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2016;
- the number of contracts accounting for those expenditures;

- the method used to procure contracts
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

See table at end of Section VII for contracted expenditure data for all programs.

**L.1 Provide information on any grants awarded by the program.**

NA

**M.1 Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

Texas Government Code Sec. 418.073 does not initiate emergency procurement capabilities to agencies issued a State of Texas Assistance Request (STAR). This prevents agencies initiating the expedited purchase requests needed to immediately support personnel and equipment that have been requested to support a state response. See Section IX, Major Issues, A.1 for a detailed explanation.

**N.1 Provide any additional information needed to gain a preliminary understanding of the program or function.**

NA

**A.2 Name of Program or Function: Construction and Facilities Management Office (CFMO)**

**Location/Division:** Camp Mabry, Austin, Texas

**Contact Name:** LTC John L. (Les) Davis

**Number of Actual FTEs as of June 1, 2017:** 170

**Actual Expenditures, FY 2016:** \$80,579,054.68

**Statutory Citation for Program:**

- National Guard Regulation (NGR) 420-10, Construction and Facilities Management Operations, dated 11 July 2003
- NG Pamphlet 420-10, Construction and Facilities Management Office Procedures, dated 18 Jul 2003
- NGR 5-1, National Guard Grants and Cooperative Agreements, 28 May 2010
- Interim Chapter 7, NGR 420-10, dated 30 Sep 2015; document substitutes Chapter 13, NGR 5-1 and Chapter 2 in NG PAM 420-10 until NGB revises and publishes revisions of these documents

**B.2 What is the objective of this program or function? Describe the major activities performed under this program.**

The main objective is to maintain all Real Property assets in the Texas National Guard inventory that comprises of approximately 3,153 buildings with 5,917,211 square feet. The inventory includes both state and federal

facilities of which 1,303 are federally owned and 1,850 are state owned. Supporting assets such as parking, roads, fencing, etc. are also maintained and constructed.

**C.2 What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

The CFMO office received 9,995 work orders in FY 16 on the above described properties; 8,029 were completed. Lack of funding or invalid request limited the completion of all work orders. The continued use of aging facilities (average age is 41 years) by TMD Service Members is indication that in the past, even with limited resources, CFMO has maintain facilities in an effective manner.

**D.2 Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.**

The Real Property Inventory for the Texas National Guard consists of both federal and state-owned assets. All are used by members of the Texas Military Department.

The state and federal government provides funding to help maintain these assets because the Guard has state and federal missions.

The mission taking place inside a facility or on the land determines how the federal government will help support and pay toward the maintenance and/or construction of assets.

The maintenance at training sites, which consist of state and federal property, is 100 percent federally funded. The maintenance at Military Vehicle Shops and Aviation locations is 100 percent federally funded, and the real property assets are state and federally owned. The Readiness Centers are funded 50 percent federal 50/percent state for state-owned locations and 75 percent/25 percent for federally owned locations.

**E.2 Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

The CFMO office operations directly affect National Guard Service Members. Without well-constructed and maintained facilities, Service Members have nowhere to train.

**F.2 Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

Nearly all of CFMO activities are governed by one of the following regulations:

- a. NGB-AQ cooperative agreement directives are the CFMO's prime reference on the receipt and use of federal funds. It discusses all areas of authorized activities and establishes certain reporting requirements.
- b. NGR 420-10 discusses responsibilities, office organization and functions, project approval and execution, and personnel.
- c. NGR 415-5 establishes the requirements for building and executing a military construction program.
- d. NGR 415-10 establishes authorizations for Army National Guard facilities construction.

The Army National Guard (ARNG) treats its real estate uniquely among the DoD components. All ARNG facilities are owned by, leased for, or licensed to the states. As a result, the states, and not the federal government, operate and maintain all ARNG facilities. To support the costs of operating and maintaining these facilities, the National Guard Bureau (NGB) transfers funds to the states through a cooperative agreement.

**G.2 Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

Facilities Maintenance receives state and federal funds. The funding formulas are as follows: The state can spend up to 100 percent state funds on state property, however, the federal portion is based on the type of facility and the land on which the facility is located. In the case of Facilities Maintenance, federal dollars that can be contributed are 50 percent on a state armory, 75 percent on a federal armory and 100 percent on logistical facilities. State funding sources include General Revenue, Capital Budget and Sale of Property funds.

**H.2 Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

There are no other agencies that provide services to the Texas National Guard.

**I.2 Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

There is no duplication as no agency performs functions for the Texas National Guard. There are no MOUs or interagency agreements except with the Army Reserves. The National Guard has partnered with the Army Reserves to jointly construct and maintain Reserve Centers that both entities occupy. There is an MOA regarding the use and maintenance of these facilities. At 14 locations, the Army Reserve is the host and pays for all expenses. The Texas National Guard is the host of six and pays for all of the expenses with mostly federal dollars and some state dollars.

**J.2 If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

The CFMO office works with local county and city officials where facilities are located to promote community involvement. CFMO maintenance staff either performs maintenance work or CMFO contracts with local vendors to provide it.

The program works with the federal government through the National Guard Bureau (NGB). In accordance with the Master Corporative Agreement (MCA), the state pays for maintenance up front and seeks reimbursement from NGB for most facility maintenance costs. See item F above for additional information.



**K.2 If contracted expenditures are made through this program please provide:**

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2016;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

See table at end of Section VII for contracted expenditure data for all programs.

**L.2 Provide information on any grants awarded by the program.**

NA

**M.2 Are there any barriers or challenges that impede the program’s performance, including any outdated or ineffective state laws? Explain.**

A lack of understanding of the TMD as a state agency receiving federal support complicates the funding of state facilities. Additionally, the constraints placed upon different construction funding streams by both federal and state regulations require CFMO to maintain facilities that need replacement with new construction or large-scale renovations. This leads to a constantly accumulating maintenance funding gap and a growing backlog of maintenance requirements.

**N.2 Provide any additional information needed to gain a preliminary understanding of the program or function.**

NA

**A.3 Name of Program or Function: State of Texas Armory Revitalization (STAR)**

**Location/Division:** Austin, Texas / CFMO

**Contact Name:** LTC John L. (Les) Davis

**Actual Expenditures, FY 2016:** \$16,427,582.33

**Number of Actual FTEs as of June 1, 2017:** 170

**Statutory Citation for Program:** General Appropriations Act



**B.3 What is the objective of this program or function? Describe the major activities performed under this program.**

CFMO currently maintains approximately 5.9 million square feet of Army facilities. More than half of these facilities were constructed over 50 years ago and now are in need of substantial repairs, rehabilitation, and maintenance to adequately sustain them. Facilities must be modernized and maintained to ensure the readiness of Service Members and the safety of communities. State funding combined with a matching federal share enables the Texas National Guard to ensure its aging facilities meet required building and safety codes and that they become energy efficient to reduce future operating costs.

The TMD implemented the State of Texas Armory Revitalization (STAR) program in 2015 to educate people on the status of the Texas National Guard's aging facilities and the need to bring them to current standards and make them available to the Soldiers for many years to come. Improvements resulting from the STAR program benefit Service Members by providing them safe and reliable facilities from which to conduct training and missions.

**C.3 What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

In FY16-FY17, the agency received \$19 million from the State Legislature to perform extensive renovations to nine locations. These state dollars allowed TMD to secure an additional \$16.7 million in federal matching dollars to apply toward the STAR projects. All funds were obligated within the biennium. These facilities are either state or federally owned with a state share requirement. The federal government will not participate unless state dollars are available.

For the upcoming biennium, TMD will receive \$11 million from the State Legislature to renovate an additional five locations; the agency anticipates receiving an \$11 million federal match.

**D.3 Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.**

When the armories were originally built, units were smaller and composed differently. Communication and electrical needs are vastly different today. TMD's Command needs flexibility to choose mobilization locations based on mission requirements rather than on a facility's ability to function. On the recent Border Mission, female Soldiers had to shower at a neighboring Customs and Border Patrol facility because the armory lacked sufficient facilities for women. As TMD continues to partner with public safety agencies, modernizing facilities is a priority. Therefore, the majority of improvements focus on electrical, mechanical, and plumbing upgrades, Americans with Disabilities Act (ADA) upgrades, and restroom upgrades for gender diversity compliance.

**E.3 Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

An armory's deficiencies can contribute to poor recruitment and retention. Planned exercises and state active duty missions all require a place from which to organize. When responding to natural disasters such as

hurricanes, floods, and ice storms, an armory provides a headquarters in a safe area for responding units. The training and experience Service Members receive at the state level becomes invaluable when these same Service Members deploy on federal missions.

CFMO maintains a total of 3,153 facilities. Of these, 1,850 are state owned and 1,303 are federally owned. CFMO maintains a total of 5,917,211 square feet of facilities with additional supporting facilities such as parking lots, roads, fencing, etc.

The federal government provides funding to help maintain these facilities. The state facilities can be supported exclusively with 100 percent state dollars, 100 percent federal dollars, or a share of 50 percent federal and 50 percent state. The federal facilities may be supported with 100 percent federal dollars or a share of 75 percent federal and 25 percent state.

The level of federal support toward the maintenance and/or construction of facilities is determined by the mission taking place inside the facility.

**F.3 Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

Nearly all of the activities of the CFMO are governed by one of the following regulations:

- a. NGB-AQ cooperative agreement directives are the CFMO's prime reference on the receipt and use of federal funds. It discusses all areas of authorized activities and establishes certain reporting requirements.
- b. NGR 420-10 discusses responsibilities, office organization and functions, project approval and execution, and personnel.
- c. NGR 415-5 establishes the requirements for building and executing a military construction program.
- d. NGR 415-10 establishes authorizations for Army National Guard facilities construction.

The Army National Guard (ARNG) treats its real estate uniquely among the DoD components. All ARNG facilities are owned by, leased for, or licensed to the states. As a result, the states, and not the federal government, operate and maintain all ARNG facilities. To support the costs of operating and maintaining these facilities, the National Guard Bureau (NGB) transfers funds to the states through a cooperative agreement.

**G.3 Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

The funding sources for the STAR program consist of state and federal funds. The funding formulas are as follows: The state can spend up to 100 percent state funds, however, the federal portion is based on the type of facility and the land on which the facility is located. In the case of the STAR program, federal dollars can contribute 75 percent for an armory on federal land and 50 percent for an armory on state land. State funding sources include general revenue dedicated.

**H.3 Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

No other programs provide these services or functions for the Texas Army National Guard. Other Department of Defense (DoD) components, such as the Army Reserve, have similar services provided by the federal government to operate and maintain the facilities for that component. The Army National Guard (ARNG) treats its real estate uniquely among the DoD components. All ARNG facilities are owned by, leased for, or licensed to the states. As a result, the states, and not the federal government, operate and maintain all ARNG facilities. To support the costs of operating and maintaining these facilities, the National Guard Bureau (NGB) transfers funds to the states through a cooperative agreement.

**I.3 Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

NGB regulations govern nearly all CFMO activities. NGB-AQ cooperative agreement directives are the CFMO's prime reference on the receipt and use of federal funds. It discusses all areas of authorized activities and establishes certain reporting requirements.

The National Guard has partnered with the Army Reserves to jointly construct and maintain Reserve Centers that both entities occupy. A Memorandum of Agreement (MOA) is in place regarding the use and maintenance of 20 joint facilities. The Army Reserve is the host and pays for all expenses at 14 of these facilities. The Texas National Guard hosts six of these facilities and pays for all expenses with mostly federal dollars and some state dollars.

**J.3 If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

The program works with the federal government through the National Guard Bureau (NGB). In accordance with the Master Corporative Agreement (MCA), the state pays for maintenance up front and seeks reimbursement from NGB for most facility maintenance cost. See item F above for additional information.

**K.3 If contracted expenditures are made through this program please provide:**

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2016;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

See table at end of Section VII for contracted expenditure data for all programs.

**L.3 Provide information on any grants awarded by the program.**

NA

**M.3 Are there any barriers or challenges that impede the program’s performance, including any outdated or ineffective state laws? Explain.**

The CFMO has been conducting maintenance on facilities for the last 60 plus years. A limit in funding has created the need to address deferred maintenance and renovations through the STAR program. This program allows TMD to focus on an entire facility at once instead of individual maintenance items within the facility.

**N.3 Provide any additional information needed to gain a preliminary understanding of the program or function.**

The lack of new military construction throughout the past nearly ten years has taken its toll on Texas facilities. Despite this, TMD has managed its facility space well. This maximizing effort is reflective of the men and women of the Texas National Guard, their commitment to one another, and their commitment to their local communities. No matter how strong their dedication, without essential monetary investment, the agency will not continue to meet facility standards and the needs of its Service Members in the future.

A modest commitment of funds to sustain the STAR program is critically important. The STAR program is sustainable and provides Texas communities the continued support and protection they need from local and global threats.

**A.4 Name of Program or Function: Texas State Guard**

**Location/Division:** Camp Mabry / Statewide

**Contact Name:** Robert W. Finley

**Actual Expenditures, FY 2016:** \$628,064.45

**Number of Actual FTEs as of June 1, 2017:** 9 Positions

- Director I (Chief of Staff)
- Executive Assistant II (Secretary to General Staff)
- Staff Services Officer III (Operations Officer – J3)
- Staff Services Officer III (Policy and Regulations)
- Staff Services Officer I (Logistic Staff – J4)
- Administrative Assistant IV (Guard Member Staff – J1)
- Administrative Assistant IV (Guard Member Staff – J1)
- Marketing Specialist I (Recruiter – J1)
- Systems Analyst I (IT Staff – J6)

**Statutory Citation for Program:** 32 U.S. Code 109 (c), and Texas Government Code, Chapter 437

**B.4 What is the objective of this program or function? Describe the major activities performed under this program.**

The objective of the Texas State Guard (TXSG) is to gain and maintain the sustained capability of up to 2,300 state military personnel to perform its assigned mission under the direction of the Texas Adjutant General.

The major activities associated with this mission translate into Mission Ready Packages (MRPs). Each MRP is designed to provide assistance to local Texas Emergency Managers during emergencies declared by the Governor – with a primary focus on helping local and state authorities in the event of an inadequate capacity to meet operational needs.

The MRPs assigned to the Texas State Guard require specialized training and, in many cases, certification by state or professional emergency responding agencies. An example would be TXSG Guard Members assigned to Texas Electronic Tracking Network (TETN) MRPs who are trained by subject matter experts from the Texas Division of Emergency Management (TDEM). Similarly, Shelter Operations MRPs must be certified by the American Red Cross. These are simply examples; various MRPs require special certifications.

**C.4 What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also, please provide a short description of the methodology behind each statistic or performance measure.**

In addition to the Legislative Budget Board (LBB) approved measures, TXSG uses a variety of methods to determine how effective and efficient the TXSG is in meeting its objectives. The information below describes some of those methods. TXSG tracks the Guard Members' response to missions assigned by the TAG or Governor. To date, the TXSG has effectively responded to all requests for Guard Member deployments.

Those assignments, since Sept. 1, 2013, have included:

Event / Mission	# Missions	Total Man Days	Total Personnel Assigned
Oral Rabies Vaccination Program (ORVP)	4	551	27
East Texas Medical Dental Outreach (ETMDO)	4	319	76
George Washington Birthday Celebration (GWBC) – Laredo, TX	2	108	18
Operation Lone Star (OLS)	4	4,981	637
Brooks County – Search and Recovery	16	1,710	342
Operation Strong Safety – (now Operation Secure Texas)	3	11,228	66
Military District Coordinator (MDC)	1	12	1
Texas Department of Emergency Management Exercise	2	7,948	277
Weather Related Deployments	15	1,359	152
Texas Military Department Events	9	199	135
Total	59	28,307	1,713

The following table covers personnel assigned to Operation Border Star and Operation Drawbridge. Operation Border Star data is based on 36 approved positions during FY 14 and FY 15, and 48 approved positions during FY 16 and FY 17. Operation Drawbridge data is based on 17 approved positions for FY 16 and 20 approved positions for FY 17.

Event / Mission	# Missions	Total Man Days	Total Personnel Assigned
Operation Border Star (FY 14 – FY 17)	4	61,320	168
Operation Drawbridge (FY16 – FY 17)	4	13,505	37
Total	8	74,825	205

From Sept. 1, 2013 through Aug. 31, 2017, TXSG worked approximately 103,132 man days in support of Texas by providing approximately 1,908 personnel. During the FY 16 – 17, TXSG members trained a total of approximately 2,453 man days at no cost to Texas.

**D.4 Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.**

The Texas State Guard has its roots in Stephen F. Austin's colonial militia. In 1835, Sam Houston annexed all the local militias in Texas to provide a unified military command for the provisional government of the Republic of Texas. After Texas became an independent republic in 1836, the formerly local militias were aligned with the Army of the Republic of Texas. These forces were officially reorganized as the "State Guard" in 1871 during Reconstruction to unify the independent militia companies and regiments throughout the state. Continuing in operation until 1903, it was replaced by the nationalized Texas Army National Guard when the National Guard was mobilized for service in the First World War. Recognizing the need for state troops to replace the National Guard, a law was passed authorizing the formation of home defense forces for the duration of the war.

In 1941, the State Legislature passed legislation leading to the creation of the Texas Defense Guard. Manning was not an issue, as there were already 170 home defense units throughout the state established by local and regional organizations. These units provided the initial cadre of the Texas Defense Guard. In fact, the number of Guard Members responding to the first call for enlistment into the Texas Defense Guard exceeded the total number of Texas National Guard Members federalized in 1942 (17,497).

The Texas Defense Guard, upon its creation, and continuing with its reorganization in 1943 as the Texas State Guard, was organized and trained as infantry per the needs of the state and the nation in wartime. In addition to its military mission, the Texas State Guard participated in riot control, disaster relief and other humanitarian missions as requested by civil authorities.

The federal legislation permitting the establishment of state militias was not renewed after the war, and in August of 1947, the Texas State Guard was demobilized and inactivated. The State Legislature, however, realized the benefit of having such an organization available, and passed legislation in May 1947 reorganizing the Texas State Guard on an inactive status ready for immediate mobilization in case of emergency. The Texas State Guard Reserve Corps was activated in January 1948 and again organized as infantry with additional civil and domestic missions.

With the advent of the Cold War, The Texas State Guard Reserve Corps (TSGRC) was given additional duties — those specific to statewide radio communications and civil defense. By 1951, the TSGRC had 50 fixed radio stations and over 100 automobiles throughout the state – almost all were funded at the personal expense of the operators and heavily used during many natural disasters. With the federalization of the Texas National Guard during the Berlin Crisis in 1961, 71 Texas National Guard Armories were left vacant and a great amount of state property unprotected. To address this, elements of the TSGRC were organized as Texas State Guard Security Units. These units were assigned to the 49th Armored Division and the 11014th Transportation Company, manning their respective armories until these units were returned to their state mission one year later.

In 1965, the State Legislature renamed the TSGRC the Texas State Guard (TXSG) and designated the TXSG as an active member of the Texas Military Forces. In 1968, emphasis from the Adjutant General on riot control, restoration of order, civil defense, and shelter operations, eventually lead to the reorganization of the TXSG as Military Police in the early 1970s.

The TXSG has contributed forces to every TMD response to major natural disasters to strike Texas from the 1950s to present. In 2003 the 4th Brigade in North Texas mobilized to assist in locating and protecting the debris from the destruction of the Space Shuttle Columbia across a debris field measuring hundreds of miles.

The year 2005 proved to be the pivotal point in the evolution of the TXSG during the response to Hurricanes Rita and Katrina. Influenced by the TXSG's short response time to the Columbia Disaster, Governor Rick Perry activated the entire Texas State Guard to respond to the aftermath of Rita and Katrina – the first such TXSG-wide mobilization since WWII. Shelter operations, points of distribution (PODs), tracking of displaced persons, and communications were just a few of the responsibilities that TXSG Guard Members were tasked with, and many Guard Members remained on station for over a month after the last landfall. The experience pointed the way to the transformation of the TXSG in 2006.

In 2006, the Command Staff and the TAG's office performed an overall evaluation of the Texas Military Forces and how it could better use the assets and Guard Members for disaster response. As a result, the TXSG was reorganized at the battalion level, re-tasking one battalion for shelter management, one for displaced Guard Members management, and one for local security and infrastructure protection. In 2008, with the experience gained from this reorganization, as well as the outstanding response to Hurricanes Ike and Gustav, the TXSG was again reorganized as Civil Affairs, the logic being that the Civil Affairs specialty better suited the needs of disaster response, as opposed to the rather limiting role as Military Police.

**E.4 Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

TXSG efforts, including disaster response, affect residents of Texas. There are no qualifications or eligibility requirements.

**F.4 Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

TXSG, headquartered at Camp Mabry in Austin, is divided into a headquarters element, including a Direct Reporting Unit (Engineers) and four field components that serve all of Texas as a supporting program within the Texas Military Department. A Major General, who answers directly to the Adjutant General (TAG), commands the State Guard.

The TXSG has an authorized membership of 2,300 individuals. While the overall force is under the command of a TXSG Commanding General (assisted by a Deputy Commanding General), the day-to-day operations are handled by nine full-time state employees. The full-time to volunteer ratio of 255 to 1 creates a very challenging workload for the limited full-time staff and runs the risk of impacting the overall readiness of the organization.

**G.4 Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

1. TXSG Funding for FY 16 was General Revenue as appropriated by the 84<sup>th</sup> Legislative Session. The program dollars for FY16 were \$1.5 million for training and administrative support.
2. Operation Lone Star funding for salaries and associated cost was appropriated by the 84th Legislative Session. The line item funding is \$300,000.
3. Oral Rabies Vaccination Program salaries and associated cost are paid by DOMOPS. Approximately \$28,000.00 is assigned to the program.

**H.4 Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

TXSG provides mission capabilities not duplicated by TMD's other military branches, including:

- Disaster District Coordinator and Emergency Operations Center Support
- Ground Search and Recovery
- Liaison Officer (LNO Field Support)
- Shelter Operations Team
- Staging Area Support Teams (Enhanced and Basic)
- State Operations Support
- Texas Emergency Tracking Network Team
- Water Boat Operations
- Water Dive Team
- Medical Support
- Chaplain Support
- Judge Advocate General Support
- Public Affairs Office Support



Among all statewide organizations, TXSG's capabilities in shelter operations and the Texas Emergency Tracking Network are unique due to intensive policies and procedures validated by year-round training to certify deployed Guard members. The training, certification and readiness validation provided by TXSG is unmatched. The organization of TXSG capabilities into an MRP Catalogue speeds decision making by state and local authorities. Clarity in the time, cost, capabilities, and the number of trained Guard Members to be deployed provides assurance of expectations during the most stressful times.

There are no other state or local programs that provide the *fully integrated* delivery of fully-trained support under centralized control like those found in the TXSG. This assures cohesiveness in coordinating with the potential for arrival of federal support via the FEMA Incident Command System protocols. All TXSG missions are in response to lead agency recognized needs. TXSG's distinct services are aligned to support and multiply existing responses already in place and to provide immediate surge capacity to meet the needs of the mission locally and statewide.

**I.4 Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

TXSG Mission Ready Packages define tasks in advance that the TXSG is prepared to carry out for the Governor. These MRPs are designed to meet specific needs of the mission not met by others or to provide surge capacity for large-scale events. The TAG assigns these tasks after direct consultation with the TDEM.

**J.4 If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

Operational control of the TXSG MRPs resides with the incident manager or local authority. A deployed MRP is only released at the conclusion of an event by the requesting agency or organization. Coordinating control between local authorities, state authorities, and civilian agencies is achieved through the State Operations Center at Texas Department of Emergency Management.

**K.4 If contracted expenditures are made through this program please provide:**

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2016;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

See table at end of Section VII for contracted expenditure data for all programs.

**L.4 Provide information on any grants awarded by the program.**

NA

**M.4 Are there any barriers or challenges that impede the program’s performance, including any outdated or ineffective state laws? Explain.**

TXSG defines barriers as factors that completely preclude the organization’s ability to perform. The following changes could enhance the State Guard’s ability to perform its overall mission and MRPs:

- Allow TMD members on SAD who are municipal and county employees to receive emergency leave in addition to their 15-day military duty pay (Sec. 437.202, Texas Government Code) to match leave policies already provided to TMD state employees.
- Allow TMD members on SAD who are municipal and county employees to roll over unused military duty time from year to year to use for longer deployments. Extending these protections to TMD county and municipal employees will match leave policies already provided to TMD state employees.
- Allow TMD members on SAD who are municipal and county employees and who have exhausted all military leaves to use earned or accumulated sick and personal leave while on SAD. Extending these protections to TMD members who are county and municipal employees will match policies already provided to TMD state employees and school district employees.
- Provide additional state law employment protections to TXSG members. Current state law provides some employment protections to TXSG members, but employers sometimes single out TXSG members for downsizing after emergency deployments. State statute could be amended to provide all federal protections afforded to the Texas National Guard — specifically, the full protections offered under SCRA and USERRA (Soldiers and Sailors relief protections) — to all TXSG soldiers. This would allow private right causes of actions, cumulative remedies, and attorney's fees to TXSG soldiers who have suffered economic damages.
- Include Supplemental Duty Pay for TXSG personnel deployed on SAD for economic hardship currently available to Texas National Guard Soldiers and Airmen in Section 437.220, Texas Government Code.

**N.4 Provide any additional information needed to gain a preliminary understanding of the program or function.**

Redefining the mission to focus on Civil Affairs, the Texas State Guard follows the FEMA Incident Command Structure (ICS) assisting local agencies. TXSG provides trained, certified, and validated Guard Members to fulfill missions in support of the State of Texas. TXSG Subject Matter Experts (SMEs) are trained by the certifying agency affiliated with their target MRP assignment. SMEs then return to their home station and conduct regional training events. At Annual Training, readiness is validated by the certifying agency.

TXSG Medical Brigade membership is comprised of highly experienced medical professionals in academic and private civilian practices throughout the state. Numerous board-certified surgeons and physicians serve. Exceedingly experienced physician assistants, nurse practitioners, paramedics, EMTs, medical administrators and ancillary medical professionals comprise a diverse medical capacity ready to respond to any need of Texas when disaster strikes.

The TXSG not only provides benefit to Texas through its military status and professional values, but TXSG also contributes to Texas in the training of its Guard Members (many of whom have no prior military service) in the skills of planning, organizational operations, etc. In the home communities where they reside, State Guard Members deliver an immeasurable benefit as they participate in civic and community projects.

When measuring efficiency, TXSG attempts to apply measures of ROI savings on data gathered:

- To ensure continuous and effective functionality and training, the TXSG Headquarters, Commanders, Executive Officers, Staff Sections, Senior Enlisted Advisors, and additional key TXSG Guard Members donate hours above and beyond their normal one to two drill days per month. This volunteer effort is estimated to be 36 hours per month, per person, which totals \$1.4 million each year across the TXSG.
- TXSG Guard Members, who only attend drill one to two days a month to receive the required training and certification, provide approximately \$1.2 million in cost savings to the state for their volunteer and uncompensated efforts.
- The State of Texas, including local agencies, has benefited through Guard Member volunteers participating in Community Service Events where they have provided a cost savings of approximately of \$1.1 million over FY 16 and FY 17 of donated time.
- TXSG HQ J6 is comprised of professional software and hardware engineers and has engineered and built the next generation of Guard Member/Readiness Management System (RMS). The RMS is currently in Phase II, which is expected to be completed by January 2018. The current Guard Member cost savings to the State of Texas, TMD, and the TXSG has been approximately \$3.1 million since project inception.
- TXSG Engineer detachment is comprised of Texas licensed professional engineers. During their drill time, eight TMD facilities were inspected at no cost to the citizens of Texas. Using contracted professional services, the estimated cost would have been between \$30,000 to \$40,000 during FY16-17.

Based on the preceding calculations, between FY16 and FY17, the TXSG has provided a cost savings to the State of Texas, TMD, the TXSG and the citizens of Texas of approximately \$6.8 million.

#### **A.5 Name of Program or Function: Indirect Administration**

**Location/Division:** Camp Mabry

**Contact Name:** Bill Wilson

**Actual Expenditures, FY 2016:** \$13,538,590. These expenditures include \$10 million in a budget rider called "Cash Flow Contingency." The rider allows the agency to use additional general revenue funds pending receipt of federal reimbursement; however, this money does not directly support the Indirect Administration function. Funds are used only to meet temporary cash flow demands and are repaid. This number also includes money dedicated to the Centralized Personnel Plan (CPP). The CPP allows the agency to seek federal reimbursement for specified state employees who support the agency's administrative efforts.

***Number of Actual FTEs as of June 1, 2017: 63***

***Statutory Citation for Program:***

**B.5 What is the objective of this program or function? Describe the major activities performed under this program.**

Indirect Administration is an integral part of the TMD's state efforts in supporting the TXMF and its Service Members. Key leadership, including the TAG, the Deputy Adjutant General (DAG) for Army and the Deputy Adjutant General for Air, are involved in the agency's Indirect Administration efforts.

As discussed earlier, the TAG, appointed by the Governor, is the military Commander of the TXMF. The TAG is responsible for the overall leadership, management, accountability, and operations of the TXMF, including the transportation of troops, munitions, military equipment, and property within the state. The TAG also is the governing officer, policy maker, and head of the TMD.

The Deputy Adjutant Generals are appointed by the Governor to assist the TAG. Both DAGs perform assigned duties specific to their respective component. Each also is included in the TAG's succession plan to perform TAG duties if he/she is deceased, absent or unable to act. On behalf of the TAG, the DAGs meet with state, federal or local elected officials to report component readiness or collaborate required resources. DAGs also may serve in a dual role as Commander of their respective components.

The TAG appoints an executive director as the TMD's administrative head. The executive director is responsible for the daily administration of state support staff's administration, activities and functions assigned by the TAG. The executive director oversees state funded human resources and fiscal processes, correspondence, policy and procedures. The executive director also directs coordination efforts to support TMD initiatives, policies and planning.

The executive director oversees the bulk of employees under Indirect Administration. Approximately 50 civilian state employees provide state-related financial reporting, budgeting, purchasing and contracting, human resources, strategic planning, information resources and more to support Texans in TXMF uniforms.

State Finance employees support all state-funded financial activity to include legislative appropriation requests and other matters related to financial reporting, budget, travel, pay, reimbursements, and accounts payable and receivable. Finance makes sure that the state dollars used to support Texans through the TMD are spent appropriately.

State Human Resources assists state-paid employees and their supervisors. Human Resources provides benefit services and training, and supports TMD managers with key information related to ongoing employment and supervision. Human Resources helps ensure the agency meets its employment obligations and that the right people are in the right place at the right time.

State Purchasing and Contracting employees provide purchasing and contracting support to TMD state-related programs using state procurement procedures. Purchasing and Contracting ensures compliance with applicable state and department procurement guidelines, procedures and laws. Employees help make sure that TMD has the tools necessary to meet the state mission.

State Business Services provides administrative support via information resources, strategic planning and internal audit. Business Services helps ensure that Indirect Administration employees have necessary information resources and that the Adjutant General's strategic vision carries through the state strategic plan. Business Services coordinates internal audit of state-related activities to help leadership improve risk management, internal control and governance processes. Business Services ensures that all required internal audit reporting is filed appropriately and timely.

**C.5 What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

Unlike other programs, there are no specific performance measures associated with Indirect Administration. However, Indirect Administration manages the state-related daily operations, including key leadership decisions, financial reporting, budgeting, purchasing and contracting, human resources, strategic planning, information resources and more, that help ensure that the Texas Military Forces efficiently and effectively answer the call to service.

**D.5 Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.**

Indirect administration's role grew in 2007 when the 80th Legislature passed Senate Bill 1724. The bill abolished the Texas Military Facilities Commission and transferred its responsibilities to the Adjutant General's Department (what is now the Texas Military Department). Before passage of the bill, the Texas Military Facilities Commission had authority to buy and sell land and to construct, maintain, and repair National Guard armories, facilities, and improvements. With transfer of that authority to the Adjutant General, the volume of activity in Indirect Administration — specifically through areas related to procurement, contracting, and finance — grew considerably.

**E.5 Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

Indirect administration affects all state activities associated with the TMD. Performing the functions noted in B above helps ensure the more than 23,000 Texas National Guard Soldiers are ready and able with the necessary resources to deploy quickly when called by the Governor. Although Indirect Administration's work most directly supports the Soldiers, Texans in need during disasters and emergencies, such as floods, wildfires, hurricanes and winter weather, are key beneficiaries of Indirect Administration's activities. The daily state-related support provided by leadership, payroll, finance, human resources, purchasing and contracting, and business services helps ensure the agency's success.

**F.5 Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

As Commander of the TXMF and governing officer, policy maker, and head of the TMD, the TAG is responsible for leading a large, complex organization made up of more than 23,000 individuals. The TAG relies on many

individuals for the Indirect Administration of the organization. The DAGs support the TAG and perform activities assigned by their respective components.

The executive director of the TMD directly oversees nearly 50 state employees conducting state-related operations including finance, human resources, purchasing and contracting, and business services. A deputy executive director helps support overall state-related operations, and each division has a director and associated employees. The breakdown of employees is as follows:

- Executive Director supervises six direct-report employees and is responsible for nearly 50 employees conducting the state-related indirect administrative activity
- Human Resources Director/Deputy Executive Director directly supervises eight employees
- Chief Financial Officer supervises 16 employees
- Procurement Director supervises 10 employees
- Business Services Director supervises four employees and manages and coordinates contracted internal audit team activities

**G.5 Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

Funding is through General Revenue and in a budget rider called “Cash Flow Contingency.” The rider allows the agency to use additional general revenue funds pending receipt of federal reimbursement. Funds are used only to meet temporary cash flow demands and are repaid upon federal reimbursement.

**H.5 Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

No other entity provides similar services for the TXMF population.

**I.5 Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency’s customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

No other entity provides similar services for the TXMF population.

**J.5 If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

Indirect administration works with multiple federal partners. Indirect administration’s work is intrinsically linked to the Army National Guard and Air National Guard throughout TMD activities.

**K.5 If contracted expenditures are made through this program please provide:**

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2016;
- the number of contracts accounting for those expenditures;

- the method used to procure contracts
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

See table at end of Section VII for contracted expenditure data for all programs.

**L.5 Provide information on any grants awarded by the program.**

NA

**M.5 Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

NA

**N.5 Provide any additional information needed to gain a preliminary understanding of the program or function.**

NA

**A.6 Name of Program or Function: Texas Joint Counterdrug Task Force (JCDF)**

**Function:** Counterdrug Operations

**Location/Division:** Various locations (LEAs) throughout Texas; JCDF HQ is located at Camp Mabry, Austin Texas.

**Contact Name:** LTC Miguel Torres, JCDF Commander/ Coordinator

**Actual Expenditures, FY 2016:** \$1,096,308.30

**Number of Actual FTEs as of June 1, 2017:**

218 Total Task Force Members (TFM)

Includes:

108 Durational ADOS TFM (Presidential Budget funded)

110 Contingent ADOS TFM (Congressional Add funded; typically mid-year accessions)

**Statutory Citation for Program:** Section 112 of Title 32 U.S. Code and Section 502 of Title 32 U.S. Code

**B.6 What is the objective of this program or function? Describe the major activities performed under this program.**

The Joint Counterdrug Task Force (JCDF) mission is to support law enforcement partners in the detection, interdiction, disruption, and curtailment of illicit drug trafficking activities utilizing military-unique skills and resources. Military-unique skills are skills and/or core capabilities possessed by the JCDF personnel that

domestic law enforcement lacks or cannot practically replicate with a similar level of expertise. The JCDF leadership teams work closely with Law Enforcement Agency (LEA) Commanders, Agents in Charge and Field Intelligence Managers to ensure that the JCDF supports the needs of the agency and prevents redundancy by following agency training and placement of JCDF members where the agency requires them. Additionally, Texas JCDF works closely with Counterdrug training centers (schools) that enhance basic military training for all mission sets that allows task force members to act as a force multiplier. These schools include training specifically to support Counterdrug Task Force Members and civilian LEAs.

All JCDF operations and activities are based upon a verified threat and valid requests from law enforcement agencies and/or community based organizations supported by law enforcement agencies. Current JCDF objectives and performance metrics were designed to support the National Drug Control Strategy and the DoD Counternarcotic Strategy. Underlying supported strategies are the Southwest Border Counternarcotic Strategy, the Northern Border Counternarcotic Strategy and the Strategy to Combat Transnational Organized Crime.

**C.6 What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

Performance measures the agency uses reflect work performance across the Department of Defense (DoD) Counter Narcotic & Global Threats (CN&GT) performance metrics architecture; meeting requirements to measure JCDF efficiency, capability, and effectiveness of DoD counter narcotics contributions.

For example, FY16 Total Seizure Summary Value: \$1,264,291,860.47 (Current ROI 4164%).

This value includes key performance metrics values for illicit narcotics, currency, weapons/property/auto and total arrests. Using the aforementioned metrics, the Total Seizure Summary Value for FY17 to date June 29, 2017 was \$ 542,084,502.99

JCDF Measures of Performance include the number of cases supported per 321 mandays, the number of targets developed, the number of analytical products produced, the number of finished intelligence products disseminated, the number of threat analysis, information papers produced for LE uses, the number of opiate/opioid related cases supported and various other similar mission related measures

JCDF measures effectiveness by evaluating its performance in several key areas such as the number of analytical products produced resulting in positive search warrant results, the number of analytical products produced, the number of targets dismantled laundering >\$5 million per year and the number of targets disrupted laundering <\$5 million per year.

**D.6 Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.**

The 1989 Defense Authorization Act -Title 32, Section 112 of the US Code- authorizes the Texas National Guard Joint Counterdrug Task Force (JCDF). The Texas National Guard's JCDF has provided unsurpassed, enduring and operational counterdrug support to the combatant commander and the inter-agency enterprise for more than 25 years. The task force's highly skilled Soldiers and Airmen offer the continuity necessary to foster and maintain positive relationships with more than 200 federal, state and local drug enforcement agencies and



community-based organizations across Texas. The task force makes significant contributions to counternarcotic operations along the Texas-Mexico border.

**E.6 Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

Local, state and federal law-enforcement agencies, Texans and Texas Communities, and various community based organizations (CBO).

**F.6 Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

JCDTF has specific mission approval processes for all Counterdrug missions to occur. There are two types of requests.

1. Year-long support (over 30 days)
2. Support for 30 days or less

**The Year Long support request process includes at minimum:**

1. The LEA or CBO letterhead request initiating the operation. When continuous support operations are renewed from year to year, a request for continuation will be secured annually, before the start of the new fiscal year.
2. Deliberate Risk Assessment Worksheet (DRAW). An annual risk assessment is sufficient for operations that continue year round in one location with relatively stable routines. When circumstances change and new risk factors are present, new assessments will be prepared. JCDTF ground and air reconnaissance missions require a separate risk assessment for each mission. Each mission packet will contain a DRAW unless the mission is un-resourced. If this happens, a DRAW will be generated when the support request is filled.
3. The office of record maintains all flight data and mission documents for missions that involve flight operations.
4. An Operations Plan (OPLAN), Operations Order (OPORD), Support Request Form (SRF), or a Standard Operating Procedure (SOP) outlining the nature of the operation. These documents would allow an outside party unfamiliar with the operation to be able to understand the nature of the operation. For instance, daily routine duty in an LEA office should be distinguishable from a remote field operation; continuous year round support should be distinguishable from short term or intermittent support. These are maintained in the office of record mission files for On-Call missions. FTSMCS generated AAR will be accomplished after conclusion of each resourced mission.
5. A Memorandum of Understanding (MOU)/ Memorandum of Agreement (MOA) or MOU Review document signed by LEA/CBO and Counterdrug Commander. (Inter-state MOU/MOAs as applicable). An MOU/MOA sets forth the agreed terms and conditions of support to a Law Enforcement Agency (LEA) or Community Based Organization (COB) by the Texas Military Department Joint Counterdrug Task Force. In general, the Texas Military

Department will provide Counterdrug support to federal, state, and local law enforcement agencies when requested in writing, subject to funding, and when a drug nexus is apparent.

The 30 day or less support request process includes items 1-4 above only. A MOU is not required.

**G.6 Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

The Texas Joint Counterdrug Task Force receives funding from the Secretary of Defense to support drug interdiction and counter-drug activities. In Fiscal Year 2016, Texas received \$19.6 million in federal funds to support the state's drug interdiction.

**H.6 Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

High Intensity Drug Trafficking Areas (HIDTA) are federal information sharing groups that provide regional analytical support. JCDF aligns its analysts with state, local and federal law enforcement agencies to fill support gaps in enforcement groups, tactical diversion groups, and coalition support groups with a state focus. Additionally, the JCDF aerial and ground reconnaissance components provide additional and unique services such as fixed wing surveillance for a police department.

**I.6 Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

Minimizing duplication of efforts is a Counterdrug priority. All mission requests are validated and prioritized through an Operations section at the HQ level. JCDF analysts assigned to the LEAs generally request the support of on-call components surveillance aircraft when LEA assets are not available or non-existent. Again, this is JCDF providing a unique capability without the long coordination periods required for agency-to-agency coordination. Counterdrug provides this support in a timely manner based on year-long standing memorandums of agreements (MOUs) for missions that occur within the state and missions that occur in neighboring states. The documents outline the duration and parameters in which JCDF can operate for requested and approved mission sets.

**J.6 If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

JCDF supports federal, state, and multijurisdictional local law enforcement agencies. JCDF coordinates with federal agencies including the FBI, DEA, Customs Border Protection, Homeland Security Investigations, U.S. Marshall Service. JCDF also maintains active partnerships with state and local agencies including DPS, sheriff and police departments. Multijurisdictional agencies include the following High Intensity Drug Trafficking Areas (HIDTAs):

- West Texas HIDTA (WTX) & South Texas HIDTA (STX): Specific goals include the reduction of regional drug trafficking, money laundering activities, drug-related crime, drug availability, drug-related public

corruption, as well as the identification and prosecution of drug trafficking organization leaders while increasing counterdrug intelligence exchange

- Texas/Oklahoma HIDTA (TEXOMA): to disrupt the market for illegal drugs in the United States by assisting federal, state, and local law enforcement entities to dismantle and/or disrupt drug trafficking organizations (DTOs), with particular emphasis on drug trafficking regions that impact the United States
- El Paso Intelligence Center (EPIC): The center provides access to information with the opportunity to collaborate daily through exchanges with LE analysts and operators, as well as routine engagement with federal, state, local, tribal, and international partners

All the aforementioned LEAs are JCDF current customers; most are long-term customers of more than 20 years.

**K.6 If contracted expenditures are made through this program please provide:**

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2016;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

See table at end of Section VII for contracted expenditure data for all programs.

**L.6 Provide information on any grants awarded by the program.**

NA

**M.6 Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

No state-level issues.

**N.6 Provide any additional information needed to gain a preliminary understanding of the program or function.**

NA

**A.7 Name of Program or Function: TMD Mental Health Counseling**

**Location/Division:** TMD G9 Family Support Services

**Contact Name:** Shandra Sponsler

**Actual Expenditures, FY 2016:** \$755,530.69

**Number of Actual FTEs as of June 1, 2017:** 8

**Statutory Citation for Program:** Adjutant Generals Department: Mental Health Counseling, HB 1025, Sec 31

**B.7 What is the objective of this program or function? Describe the major activities performed under this program.**

The TMD Counseling Team's overall mission is to increase individual and unit readiness and well-being by promoting psychological health and resilience. The team pursues the mission by focusing on strategic support services to leadership, units, and local communities and by providing counseling and consultation services to assist Texas Army National Guard Service Members, their families (SM/FM), and other TMD employees.

Along with providing counseling services, the team builds community networks of state and private providers, attends unit training assemblies, Family Readiness Group meetings, and conferences to market program services, presents on a variety of behavioral health topics, and delivers unit crisis support as needed. Counselors serve all Texas Military affiliated members, Veterans, retirees, their dependents, and TMD employees who experience stress, anxiety, depression, anger, grief, family problems, suicidal ideation and a host of other issues. The counselors work with other Family Support Service programs to assist with comprehensive case management to support other stressors such as unemployment, finances, housing, health, and family issues. To further improve services, Family Support Service Mental/Behavioral Health assets developed the TMD Behavioral Health Team and a 24/7 TXMF Counseling line (512-782-5069).

**Major activities include:**

- Meeting with Service Members and their family members to discover their individual needs
- Developing support plans for individuals and or their families
- Responding to critical incidents and providing postvention care
- Coordinating with TMD unit leadership to support behavioral health awareness, suicide prevention, and wellness promotion plans
- Conducting behavioral health training for TMD
- Providing support through the Counseling Line
- Coordinating with TMD Family Support Services (FSS) programs to offer holistic care to all clients
- Assisting and executing plans for behavioral health assistance to TMD Soldiers and employees during disaster response missions

**C.7 What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

There are various tools to report the effectiveness and efficiency of the TMD Mental Health Counseling program:

1. Monthly performance measure.

Definition: The number of Texas Army and Air National Guard members, families, and Veterans receiving mental health counseling services.

Methodology: The total number of Texas National Guard members, family members, and Veterans who had at least one counseling interaction with the mental health professionals employed by Texas Military Department.

In Fiscal Year 2016, the counseling team provided support to 10,425 individuals.

2. Customer satisfaction survey: Upon receipt of services or completion of counseling services, customers are asked to complete an anonymous satisfaction survey. Some of that feedback is included as follows:

“...is the best counselor I've ever had the pleasure of knowing. She is as insightful as she is kind and makes me take an active interest in recovery from my depression and PTSD. I've now lost over 30 pounds and am on the road to recovery.”

“...did everything to assist Recruiting and Retention RSP Warriors and Team when requested weekend assistance to talk to the team [after the death of a fellow Soldier]. She was very helpful in assisting with other RSP warriors' needs after briefing. There were 5 that took advantage of her time and may have made an impact on their lives. We will be utilizing their services throughout the year to ensure all Soldiers know about these resources. The BH counseling department is a critical asset to the overall TXMF and has made an impact on those that they speak to. We greatly appreciate these services.”

“In the beginning, I was very reluctant to speak with anyone about my issues. Because of my fellow co-workers and their genuine concern for my wellbeing, [my counselor] was an angel that God had provided to me during the lowest part of my entire life. Because of her professionalism and genuine care, helped me to understand that I was not alone and that there is care for individuals like myself.... Because of her commitment to helping me through the darkest time in my military career, she has helped me to have a whole new outlook on life in the military. I truly believe that if [she] had not come along when she did, I would have thrown away the many years that I had invested in the Army. I will forever be thankful for the professionalism, time and patience that she provided to me.”

3. Behavioral Health Report. Each counselor completes an internal report to record interactions with clients. An interaction may occur during an individual counseling session, event, unit drill, command briefing, or psychoeducational training or presentation. Demographics recorded include: type of client (new, ongoing, or short [during which no paperwork was completed for follow on services]), branch of service (Active, Army National Guard, Air National Guard, Other, Veteran, or Civilian), gender, relationship status, type of interaction (face to face, phone, telehealth, or email/text), deployment history (Y/N), Age, case type (emergent, urgent, partially stabilized, stabilized), and insurance type (military, Civilian employer, other, or none). The BH Report

allows the counselors to track client issues or topics discussed. Issues may involve abuse, depression, grief, family, stress, suicidal ideation/attempt, or work-related problems. Furthermore, the report helps track any referrals made to include, but not limited to, a Chaplain, employment support, financial support, peer support, legal support, substance abuse, VA medical center, Vet Center, or a local community counselor. This report allows the team to conduct analysis of higher risk populations to see trends in mental health issues or counseling topics. The highest risk population in the TMD are males, 18-25, typically unmarried, with no deployment experience; this population typically is new to the military, and the Counseling program has begun working with the Recruiting Department to offer these particular members preventative, stress reduction related trainings and presentations and counseling services, should anyone want or need them.

**D.7 Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.**

As recently as 2009, the Texas was in the bottom 10 percent for per capita spending on mental/behavioral health.

In 2009, National Guard Bureau (NGB) funded the Psychological Health program and provided states with contracted Directors of Psychological Health (DPH). At that time, the Texas Air National Guard (ANG) received 4 DPHs — one as a lead and one at each of the three Wings — to serve 3,000 Service Members; the Texas Army National Guard (ARNG) received one DPH to serve almost 19,000 Service Members. In federal Fiscal Years (FFY) 2012 and 2013, TMD Family Support staff responded to more than 2,083 behavioral/mental health crises, inquiries and cases. From 2009-2013, TMD Family Support Services provided requests for additional DPHs for the ARNG during State of the State presentations and provided testimony to the Senate Veterans Affairs and Military Installations (VAMI) Committee requesting support for additional counselors to serve Texas National Guard Service Members and Families.

In 2013, HB 1025, Section 31 created a Mental Health Counseling program for the Texas Military Department. The lead counselor was hired in July and quickly interviewed and hired candidates for Ft Worth, Houston, Tyler, and Weslaco. In 2016, the Legislature approved additional counselors in El Paso and Austin.

In the beginning, counselors met with Service Members and family members either face to face or via telephone to provide services. In 2014, the Counseling Team purchased iPads and a software system that allows them to conduct tele-mental health counseling with clients, creating a more personalized interaction for clients who are geographically separated. The addition of state mental health counselors has greatly increased the quality and scope of mental health services available to the TMD population.

**E.7 Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

- Texas Military Department Members (Army and Air National Guard, State Guard, and Civilian Staff)
- Active Duty (any branch)
- Adult Family Members of Military and Veterans
- Veteran/Prior Military (any branch)
- Service Member's Surviving Family

**F.7 Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

Operationally, the TMD Mental Health Counseling program is nested with the TMD Family Support Services Branch for coordination with military leadership and various related departments. Administratively, the TMD Mental Health Counseling program is nested within the TMD executive director's indirect administrative efforts for human resource and financial management.

A branch manager heads the program. A lead counselor, who is one of seven counselors, serves as program manager. An administrative assistant supports program activities.

In such a large state, seven counselors cannot be everywhere all the time. Complicating matters, every unit within the Texas National Guard does not drill at armories where counselors are located. Counselors provide field or regional services where needed; they travel to geographically dispersed units to provide counseling or psychoeducational training, and they meet Service Members where they are, usually in large groups. TMD Counselors attend Annual Training, a two-week training period many Soldiers attend and during which a number of behavioral health issues arise due to stress.

The TMD Mental Health Counseling program has multiple policies that address program administration. A few of these are listed below.

- **Consent for Treatment:** A form provided to clients that explains the client's rights and what is expected of them; sets expectation of counseling as having an end goal of recovery with particular issue requesting service(s); and includes consent of treatment
- **Assessment and Service Planning:** Outlines the ongoing process of continually assessing client needs and progress towards counseling goals.
- **Child, Elder and Disabled Persons Abuse Reporting:** Outlines the reporting responsibility and how and who to report to when child, elderly, or disabled person abuse or neglect is suspected based on client communication with counselor.
- **Consent, Privacy and No-Show Policies:** Consent policy states that services are voluntary, that clients may withdraw at any time, and that the counseling program does not work with individuals who do not consent to service. Privacy policy states that any personal data collected is not shared unless in the event of suspected harm to self or others. No show policy explains that because services are voluntary and in high demand, after a certain number of missed appointments with no client call ahead, services will be terminated and considered as needed on a follow-on basis.
- **Counseling Line:** Outlines responsibilities for handling counseling line calls.
- **Dealing with Emergencies:** Outlines procedures for dealing with emergencies, such as when to call 911 and/or whom to contact.
- **Duty to Warn Reporting:** Outlines process for counselors to report suspected harm to self or others.

- Referrals to Community Services: Provides guidance about when it may be appropriate or necessary to refer clients to another TMD Counselor or to an external agency and the assessment and planning to be used for determining external referrals.
- Suicidal Behavior and Client Suicide: How to proceed when a client demonstrates or communicates suicidal ideation and how to report appropriately.
- Suspected Drug Overdose: Outlines procedures for when overdose is suspected; includes trying to identify the substance used, how much, and calling 911 or an ambulance for support.

**G.7 Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

State funding - General Revenue: \$755,530.69

**H.7 Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

Veterans Health Administration (VHA): the VHA provides mental health counseling to Service Members and Veterans with a DD214. A DD214 is an official military record that Service Members present to access military supported benefits. Appointments are very difficult to secure, are not as regular as some Veterans may need based on their specific mental health issues, and are not available for those who have not deployed or completed active federal service. Furthermore, the Service Member or Veteran must have a clinically diagnosed need for mental health services. The TMD Mental Health Counseling team provides timely appointments to all clients requesting service and is not limited only to those with actual diagnoses. The TMD team is available for the younger Soldiers who have likely not deployed yet, but who have mental health concerns. VHA counseling is not available to dependents, but TMD Counseling is.

Vet Centers: Administered by the VA, Vet Centers provide easier access to timely counseling services than the VHA. Like the VHA, Services Members or Veterans must have a DD214 to access services. Additionally, for a family member to receive counseling, the Service Member must attend the first counseling session with the family member. Dependents may access TMD Counseling without the Service Member.

Stephen A Cohen Military Family Clinics: These clinics (there are three in Texas with a forth planned to open in November) are very similar to TMD Counseling. They do not require a DD214 and offer ease of access, services to families without a Service Member or Veteran present, and case management services and programs to support holistic needs of the individual or family. Because they are new and privately funded, the clinics' long-range viability is unknown. Furthermore, services must be accessed on-site; while the clinics provide transportation and gas vouchers to get to appointments, this service is only good for those already close to a clinic location (San Antonio, Dallas, El Paso, and in November, Ft Hood area). TMD Counselors can, and often do, travel to meet Soldiers where they drill to provide face-to-face services. TMD Counselors also can provide telephonic and tele-mental health counselling for those who are too geographically disbursed for travel to be economically feasible for either the client or the program.



**I.7 Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

The TMD Mental Health Counseling team offers the other programs listed above as resources for additional services for their clients, should they want them. TMD Counseling also works with representatives from the above programs and agencies to offer services to their clients who are eligible.

**J.7 If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

Texas Army and Air National Guard (federal): Service Members in these federal agencies makeup of the bulk of the counseling team's client base. The National Guard (particularly the Army National Guard) was historically underserved as a population capable of accessing appropriate mental health care. The Texas Military Department requested that the Legislature create a counseling program internal to the agency to serve this unique population.

Texas Veterans Commission Veterans Mental Health Program (TVC VMHP): TMD Counseling works with the TVC VMHP to identify resources and share training opportunities among staff, providers, community-based resources, and clients.

HHSC/ Local Mental Health Authorities (LMHAs): Because of the populations served by LMHAs, when there are clients who may be eligible for LMHA services and who may be better served by those services, the TMD Mental Health Counseling team will coordinate with the local LMHA to provide services.

Veterans Affairs/ Vet Centers: Depending upon the client's needs, TMD Counseling may coordinate additional services with the VA or a local Vet Center for a client to seek additional services through those programs.

**K.7 If contracted expenditures are made through this program please provide:**

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2016;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

See table at end of Section VII for contracted expenditure data for all programs.

**L.7 Provide information on any grants awarded by the program.**

NA

**M.7 Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

State Licensing requirements limit TXARNG Soldiers and families who live in other states from receiving services; traditional Soldiers who live in neighboring states do not have access to TMD Mental Health Counseling when at home. This mainly affects East and West Texas Soldiers who live in Louisiana or New Mexico, but belong to Texas units. To support the mental health needs of those Soldiers, the counselors try to identify other resources within the local area that may be able to help, such as a Vet Center (if eligible).

**N.7 Provide any additional information needed to gain a preliminary understanding of the program or function.**

NA

**A.8 Name of Program or Function: State Tuition Assistance Program**

**Location/Division:** Camp Mabry, Bldg. 15

**Contact Name:** MAJ Brian Hildebrand

**Actual Expenditures, FY 2016:** \$2,023,415.81

**Number of Actual FTEs as of June 1, 2017:** 1

**Statutory Citation for Program:** Texas Government Code, Chapter 437, Sec. 437.226, Assistance for Tuition and Fees

**B.8 What is the objective of this program or function? Describe the major activities performed under this program.**

The primary function of the State Tuition Assistance Reimbursement Program (STRP) is to provide financial assistance through tuition reimbursement to Service Members of the Texas Army and Air National Guard and the Texas State Guard wishing to pursue higher education goals. Educated and well-trained Service Members and employees ensure the organization performs at peak efficiency. The program also aids in recruiting and retention efforts, setting TMD apart from other reserve components with duty locations in Texas.

While there are other programs that assist Guardsmen with these costs, this program helps to fill in gaps left by the other programs, which are designed primarily for active duty Service Members.

**C.8 What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

There is a consistent demand for tuition assistance service among TXARNG, TXANG, and TXSG members. In the 2015-2016 school year, the State Tuition Assistance (State TA) Office received 1,023 applications requesting tuition assistance. These requests were for a cumulative count of 11,941 credit hours. Of these, 753 Texas

Guardsman received a total of 4,921 credit hours approved for funding. The average award amount per person during this school year was \$1,847. The average number of credits per person awarded was six credit hours. A total of 134 awards were approved for more than six credit hours.

During the recent 2016-2017 school year, the number of applications rose slightly to 1,150. These requests were for a cumulative count of 13,301 credit hours. Of these, 793 Texas Guardsman received a total of 5,163 credit hours approved for funding. The average award amount per person during this school year was \$1,823. The average number of credits per person awarded was six and a half. There were 120 awards approved for more than six credit hours.

**D.8 Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.**

This program was originally designed as a tuition waiver program. Tuition awards were paid to the school early in a given semester, taking the responsibility for payment of tuition and fees away from the student applicants. In more recent years, a fault in this model prompted a change in the process.

In some cases, students were withdrawing from or failing classes that were paid with State TA award funds. There was no viable system in place to recoup these funds from the Guardsmen nor the school. The decision was made to delay award payments until after passing grades were verified on a transcript. The program began functioning as a reimbursement program rather than a tuition waiver program. The overall dollar amount of support remained the same, but the timing of the payment changed.

This change has made it more difficult for Guardsmen who have trouble paying the full cost of attendance at the beginning of the semester. However, the delay in time of payment eliminates the situation of State TA making payments for classes that do not qualify for funding because the student withdrew or failed. The delay also allows time for a more accurate review of other financial assistance received by the student, which often does not post to a student's account until later in a semester. This additional review time reduces the chances of overlapping State TA payments on top of tuition payment by other programs. While assistance from multiple programs can be used to cover a semester of classes, two different kinds of assistance cannot pay for the same class.

Beginning with the Fall 2015 semester, participation in the State TA program increased to the point that the existing budget could no longer support all eligible applicants at the maximum allowed award level of 12 credit hours per semester. The increase in participation was largely due to changes in funding rules and an increase in restrictions within the Army Federal Tuition Assistance (FTA) program. Many Texas Guardsmen who were depending primarily on FTA to pay their tuition costs found themselves ineligible to continue receiving these funds until they met the new eligibility requirements. State TA can assist in paying the tuition and fees for Texas Guardsman who fall into these FTA hold periods.

**E.8 Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

The primary function of this program is to provide financial assistance through tuition reimbursement to Texas Guardsman of the Texas Army and Air National Guard and the Texas State Guard. The education and training that this program helps to fund also increases the readiness and effectiveness of the units that are part of the TMD.

**F.8 Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

The process is essentially paperless and includes the following general steps:

1. **Application** forms are submitted by the individual TMD member.
2. **Military Service Eligibility** of each applicant is verified with TXARNG Education Office, TXANG Base Education Training Managers and TXSG Education Liaison. Eligible applicants move forward in the process.
3. **Financial Eligibility** is confirmed with State TA staff working within the TXARNG Education and Incentives Office to review financial records. All eligible requests are assigned a six-credit hour value.
4. **A Review for Increased Awards** is completed after all eligible applicants have been assigned a six-credit value, if funds remain available. When possible, awards are increased up to the value of 12 credit hours, not to exceed \$4,500. As many awards as possible are increased until the budget is depleted of funds.
5. **Official Transcript** is received for each eligible applicant. Grades are recorded and awards are adjusted as necessary so that only passing grades are funded.
6. **Award Packets** are finalized and sent to TMD accounting for payment.
7. **Payments** are issued to the schools and then applied to individual student accounts.

State TA application can be found on the TMD website. It must be completed by interested Service Members and submitted via email to the State TA office inbox. This submission process is essentially the same for TXARNG, TXANG, and TXSG members. The student must comply with the school's rules regarding payment of charges at the beginning of the semester. Usually this means the student must pay out-of-pocket or use loans or other assistance to pay the charges. If the applicant is found eligible, they will receive a State Tuition Reimbursement Program award after the semester is over.

Upon receipt of applications, the State TA Office informs military components of which members have applied for tuition assistance. Applicants' military records are then reviewed and a Military Service Verification checklist is performed to ensure that the applicant meets the program's military service eligibility requirements.

Financial eligibility is also reviewed, including the amount of additional awards an applicant is receiving (not to include loans). If an applicant is found to have all eligible tuition and fees paid with other forms of tuition awards, the applicant is notified that there is no remaining amount eligible for a tuition award. Loans and any out-of-pocket forms of payment are not used to reduce the eligible amount of a tuition award.

Initially, all eligible applicant records are assigned a value of six semester credit hours, not to exceed \$2,250, for the tuition award. Applicants are notified that they will receive a tuition award, but must still submit an official transcript to complete their request.

After all eligible applicants are assigned a six-credit value, if funds remain in the budget, records are reviewed for possible increase up to the value of 12 credit hours, not to exceed \$4,500. Requests are increased until all budget funds are obligated.

As transcripts are received, awards are adjusted as needed so that only passing grades are funded. Any requests that remain incomplete because no official transcript is received will be closed out as unfunded. Both of these actions release previously obligated funds. These funds are used to increase other eligible award requests.

As requests for a given school are completed, TMD works with the universities to ensure that funds for each student are applied appropriately.

**G.8 Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

The State Tuition Assistance Program's biennial budget of \$3 million for 2016-2017 was 100 percent funded through the State of Texas as a standard budget strategy. There are no other sources of funding for this program. In the past, requests for unfinanced requirements (UFR) and exceptional line items to supplement or increase the program's standard budget have been approved. However, neither of these were approved during FY 2016.

**H.8 Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

Other federal and state military programs aside from STRP can assist with education expenses. These programs include the Department of the Army's Federal Tuition Assistance (FTA) and the U.S. Department of Veterans Affairs' (VA) GI Bill Chapters 30, 1606, and 33. The Texas Veterans Commission administers the Hazlewood Act program. Despite the multitude of programs, there are gaps in coverage for many National Guard Service Members. STRP helps to fill in these gaps.

Due to cuts in the Defense budget, the Army Continuing Education System (ACES) has continued to reduce FTA over the past several years. Soldiers (Active Duty, Reserve, and National Guard) are not eligible to begin using this program until one year after completing advance individual training (AIT) or the basic officer leadership course (BOLC). Some Texas Guardsmen may take one or two years to complete the necessary training. Many Simultaneous Membership Program ROTC cadets—this is a cadet who also serves in a National Guard unit — may complete a bachelor's degree program before completing the required training. The Air Force only offers FTA to active duty members. The Texas State Guard (TXSG) does not qualify for FTA at all. The STRP seals a potentially huge gap in available assistance because it only requires Service Members to complete basic training or its ROTC equivalent.

For National Guardsmen, ACES has another design flaw: its payments are based on an active duty (AD) model that allows only 16 credits per year to be paid. This limit works well for an AD members who can take a single class at a time. However, a Guardsman could easily use all 16 credits during a single semester. A Texas Guardsmen eligible for FTA and STRP may use both programs. STRP can pay the tuition and fees that exceed the limits of FTA throughout a given year of study.

The VA currently has three chapters of GI Bill that a Guardsman can become eligible to use. Two — Chapters 30 and 33 — require active duty service. A traditional Texas National Guard Service Member can only gain eligibility after going on a federal deployment (Title 32 and Title 10). It can take several years before a Guardsman can get the required deployment time. Many Guardsmen are already in college before joining the National Guard or State Guard or they plan to begin college soon after joining. STRP provides new Guardsmen assistance in paying for college during the time before they are eligible for GI Bill.

Once a Guardsman gains eligibility for Post 9-11 GI Bill Chapter 33, there is a graduated increase in benefit based on the amount of Title 10 time served. The rates begin at 40 percent for 90 days of qualifying service time; the maximum 100 percent rate is earned after completing 36 months of qualifying service time. Individual deployments are usually for one year or less. Many Guardsmen must serve on multiple deployments before earning the 100 percent pay rate of this benefit. STRP can help Guardsmen cover the tuition and fees that the Chapter 33 did not.

A third GI Bill Chapter — Chapter 1606 — is available earlier in the career for an Army and Air Guardsmen who signs a six-year contract. This benefit does not start paying until a member completes AIT, which for some can be a year or two after entering service. Once a Service Member is fully eligible, the benefit only pays \$369 per month of full-time study, or \$1,476 per semester; for many students, tuition alone can be two or three times this amount per semester.

According to the Texas Higher Education Coordinating Board ([www.collegeforalltexas.com](http://www.collegeforalltexas.com)), the average cost of university resident tuition and fees for one academic year is \$16,854. The average cost including other expenses like room and board is \$31,081. Even at a community college, the average tuition and fee amount is \$2,691, and the total cost of one year of study is \$15,673. STRP can be used before using the GI Bill begins coverage or concurrently with the GI Bill to help fill the gap not paid by the VA.

The Texas Hazlewood Act Exemption is a program that waives tuition and fees at a Texas university or college. Eligibility for this exemption requires Title 10 federal active duty service. For a Guardsmen, this means a deployment is required. It must be a single active duty period over 180 days. Air Guardsmen often have shorter deployment periods, which means they cannot qualify for the exemption. As with Chapter 33, it can take a Texas Guardsman several years to go on a deployment. State TA can provide assistance earlier, which serves as a greater incentive for students to join the Texas National Guard.

**I.8 Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

State TA's process requires reporting of a financial statement for each applicant that shows actual charges for tuition and fees as well as other aid or assistance received by the STRP applicant. The amount of charges eligible for a STRP award is calculated first. Only resident rate or in-district rate for tuition is authorized and only mandatory fees are authorized for a tuition award. After this maximum eligible amount is calculated, the amount of other education benefits received that are applied directly to the payment of tuition and fees is subtracted. This results in the maximum award amount. This calculation looks not only at other military tuition payments, but also at civilian grants and scholarships that are purposed solely to pay for tuition and fees. Therefore, the resulting STRP award amount does not duplicate payment of tuition and mandatory fees already paid by any other programs.

**J.8 If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

This program works with the GoArmyEd office to verify Federal Tuition Assistance payments made to applicants of the State TA program. This information sharing helps eliminate overlapping payments between the Federal and State TA programs.

There is also interaction with the individual colleges and universities that receive this program's tuition award payments. Each semester, financial statements for each student who applies for a State TA award are requested. The use of this financial statement serves to eliminate overlapping payments between State TA and other military and non-military sources of tuition specific benefits.

**K.8 If contracted expenditures are made through this program please provide:**

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2016;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

See table at end of Section VII for contracted expenditure data for all programs.

**L.8 Provide information on any grants awarded by the program.**

Tuition awards are guaranteed to all applicants who meet military service eligibility requirement, have eligible charges for tuition and mandatory fees, and provide by the stated deadline all documents required to determine eligibility.

The specific amounts of awards are not guaranteed. Texas Government Code, Section 437.226 provides the upper limit of "12 semester credit hours in any semester" of tuition and mandatory fees. This establishes semester credit hours as the primary unit of measure for determining approved tuition awards.

**M.8 Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

The need for STRP has gone up over the last four years while the program amount has remained the same, creating budgetary constraints on the assistance available.

Section 437.226 of the Texas Government Code describes the Tuition Assistance program as a "waiver" of tuition and mandatory fees. This needs to be updated to describe the program as a "reimbursement" of tuition and mandatory fees.

**N.8 Provide any additional information needed to gain a preliminary understanding of the program or function.**

NA

**A.9 Name of Program or Function: Texas Military Forces Museum**

**Location/Division:** Camp Mabry, Austin Texas

**Contact Name:** Jeffrey Hunt / LTC Mancuso

**Actual Expenditures, FY 2016:** \$204,231.04

**Number of Actual FTEs as of June 1, 2017:** 3

**Statutory Citation for Program:** Texas Government Code, Chapter 437, Sec. 437.106, Historical Preservation of Records and Property

**B.9 What is the objective of this program or function? Describe the major activities performed under this program.**

The museum preserves the historical records and property for the Texas Army and Air National Guard as well as that of the Texas State Guard. It explores the history of the Lone Star State's militia and volunteer forces from 1823 (date of the first militia muster in Stephen F. Austin's colony) to 1903 when the Congress created the National Guard. The museum tells the story of the Texas Army and Air National Guard and the Texas State Guard from 1903 to the present in both peacetime and wartime.

**C.9 What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

The museum's mission is to tell the story of the Texas Military, therefore its effectiveness has been tied directly to the number of guests who visit the museum annually and to community outreach. The museum's visitation continues to grow year after year. The museum saw over 45,000 guests in 2016. The current trend shows an increase in visitation between eight and 10 percent in 2017. As part of its community outreach, the museum offers free guided tours to educational organizations; the number of tours has increased over the years. As part of the overall visitation, educational outreach or guided school tours have almost doubled since the beginning of 2017 compared to the same period in 2016. From the first of the year through the middle of June, 74 organizations and over 4,700 students have visited the Texas Military Forces Museum. The efficiency of the museum is tied to the responsibilities of the staff. The three-person staff manages and maintains a collection of 250 federal and over 30,000 state-owned three dimensional artifacts. The state-owned collection continues to grow by roughly 1,000 artifacts per year. Staff maintains over 3,000 linear feet of archival material and more than 35,000 photographs that date back to the mid-1800s. Both of these collections are also steadily growing on a yearly basis. The efficiency of this three-person staff could be evaluated relationally to the Bob Bullock Texas State History Museum which hosts an exponentially larger staff to do the same exhibit and educational work as the TXMF Museum's three full time employees.



**D.9 Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.**

The building in which the museum is located is one of the most historic on the post. The building was constructed in 1918 as the dining facility for the School of Automotive Mechanics, the first interagency partnership between the U.S. Army, Texas National Guard and the University of Texas. During the history of Camp Mabry, the building has been used to support essential functions for the Texas Department of Transportation, the Department of Public Safety and numerous military requirements as the size and scope of the National Guard grew during the state's history. The museum was recognized as an established historical holding by the Army's Center for Military History in 1994 and has operated with increasing success each year since.

**E.9 Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

The museum is open to the public and free of charge. Visitors have come from all over the world to visit the museum as a significant tourist attraction in the Austin area.

**F.9 Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

The Texas Military Forces Museum is operated by three full time employees. The director of the museum works for the Garrison Commander who periodically coordinates with the Adjutant General to ensure museum operations are conducted within the organization's mission, vision, and goals. The museum building is maintained using federal funds. State funds provide salaries for three FTEs and a small operating budget typically used for office supplies. TMD has entered into an MOA with a non-federal support organization that conducts fund raising on behalf of the museum. The non-federal support organization is chartered as a 501(c)3 and only supports the museum as requested; it has no decision authority regarding operations, artifacts or exhibits. These funds are used to conduct educational programs, maintain the artifact collection and develop or enhance exhibits that tell the story of the organization.

**G.9 Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

The Texas Military Forces Museum is authorized funding through three means of support. The museum is at Camp Mabry and is funded by the Facilities Inventory and Support Plan (FISP) at 100 percent (meaning that building utilities and maintenance are paid through federal appropriations). Funding allocated to the Texas Military Department allows the agency to pay for salaries of three full time employees and compete with other requirements for additional funding to support museum operations. The Texas Military Forces Museum has a Memorandum of Agreement (MOA) with a non-federal support organization, The Texas Military Force Museum Historical Foundation. This 501(c)3 support organization receives donations on behalf of the museum and allocates those funds to help the museum achieve the Adjutant General's overall mission for the museum. The agreement between the museum and the non-federal support organization is authorized and remains within compliance with Army regulation and that of the State Legislature.

**H.9 Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

There are no other agencies that focus on the Texas Military's history or even include more than incidental information. The Texas Military Forces Museum is unique in its mission.

**I.9 Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

The museum operates on a small budget primarily used to provide office supplies. Funding for events, exhibit expansion/enhancement and artifact maintenance comes from donations from a non-federal support organization. The authorization of this support is governed by state and federal guidelines.

**J.9 If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

The museum has worked with other state agencies on research initiatives and exhibits. These agencies include GLO, the Texas State Historical Commission, The Texas State Preservation Board, the Texas State Capital Visitors Center, The Texas State Archives, and the Bob Bullock Texas State History Museum.

**K.9 If contracted expenditures are made through this program please provide:**

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2016;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

See table at end of Section VII for contracted expenditure data for all programs.

**L.9 Provide information on any grants awarded by the program.**

The Texas Military Forces Museum has not awarded any state or federal grants in the past 10 years.

**M.9 Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

Since 2007, the museum has assumed responsibility for tens of thousands of artifacts that need to be catalogued. Keeping up with cataloguing such a large number of artifacts can be difficult with the museum's small staff.

**N.9 Provide any additional information needed to gain a preliminary understanding of the program or function.**

NA

**A.10 Name of Program or Function: Lodging (Billeting) program**

**Location/Division:** Camp Mabry

**Contact Name:** Anas Jawish / LTC Mancuso

**Actual Expenditures, FY 2016:** \$440,196.34

**Number of Actual FTEs as of June 1, 2017:** 4 FTE plus 2 Part-time employees

**Statutory Citation for Program:** Texas Government Code, Section 437.155(d)

**B.10 What is the objective of this program or function? Describe the major activities performed under this program.**

The Lodging program provides cost effective overnight lodging for Service Members working at Camp Mabry. Service Members may drive eight hours or more to Camp Mabry during a drill weekend or to support disaster operations. Although the program offers only 53 rooms for the more than 23,000 members of the Texas Military Department, the available lodging provides an invaluable service to the organization. Austin typically hosts many events, restricting room availability at local hotels. Lodging at Camp Mabry costs less than half the government per diem rate for the Austin area; the low-cost rooms available at Camp Mabry keep Service Members from stretching their personal budgets to stay in the Austin-area hotels.

**C.10 What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

Lodging effectiveness and efficiency are evaluated using occupancy rate and revenue. The Lodging program has maintained a 79 percent occupancy rate and booked more than 14,250 room nights since September 1, 2016. Lodging has covered all operating costs for employees, contract services and minor updates. For Fiscal Year 2017, the program projects a surplus of more than \$75,000, which will go into the General Revenue account. This money will be used to further enhance the rooms, appearance and maintenance of lodging infrastructure. The more rooms the program has to offer, the more Service Members it can support. Typically, Lodging runs out of rooms on more than one weekend a month.

**D.10 Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.**

After Hurricanes Rita and Katrina, the National Guard began creating more efficiencies to better support local response efforts and protect the citizens of Texas. One of the most important capabilities that Lodging on Camp Mabry offers is the ability to house Service Members during a state emergency or disaster. TMD has become an

integral part of the Texas Division of Emergency Management's disaster planning. When a disaster strikes anywhere in the state, the National Guard provides support to the different Disaster Districts. The ability to provide temporary housing to Service Members at Camp Mabry facilitates an integrated response and reduces the strain on local hotels by area evacuees.

**E.10 Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

As mentioned above, one of the most important capabilities that Lodging on Camp Mabry provides is the ability to house Service Members during a state emergency or disaster. Lodging offers temporary accommodations to military members, retirees and their families. The program also has in place a memorandum of agreement with the Texas Alcoholic Beverage Commission. Under that agreement, TABC receives reduced rate accommodations during its annual new officer training academy. The agreement helps TABC reduce its operating costs.

**F.10 Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

The lodging manager works for the Garrison Commander, who is a member of the Adjutant General's Special Staff. Periodically, the Garrison Commander confirms that the Lodging program's mission and direction are consistent with TAG's organizational goals.

**G.10 Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

The Lodging program is completely funded through program revenue. The program manages three buildings and an RV park that provides 70 spaces for military members and their families. The RV park is \$15 per night; room rates are between \$30-\$50 a night based on the building and accommodations available. The \$511,790 revenue the program received covered all employee expenses and contracted services. In FY 2016, surplus revenue of \$50,578 was reinvested to improve accommodations and update facilities for guests. During the year, the federal support funded some general and emergency maintenance costs of \$4,820 and the total cost of all utilities.

**H.10 Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

There are many hotels in the greater Austin area, but they charge much more for accommodations that are like those available on Camp Mabry. When rooms are in high demand — during the Circuit of the Americas events, Austin City Limits Music Festival, and similar events — the rates at local hotels increase drastically if accommodations are available at all. Camp Mabry Lodging provides accommodations for between \$30 and \$50 per night for Service Members and their families and the rates do not fluctuate through the year. Moreover, no other facility can guarantee lodging during an emergency or disaster response situation.

**I.10 Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

The Lodging program manager has established informal agreements with local hotels to provide off-site accommodations for Service Members when lodging on Camp Mabry is not available.

**J.10 If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

TMD has a memorandum of agreement with TABC granting that agency lodging at Camp Mabry while conducting annual new officer academies. The like services provided by TABC are to train the security officers in law enforcement techniques and aid in maintaining their DPS-Private Security Program commissioning requirements.

**K.10 If contracted expenditures are made through this program please provide:**

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2016;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

See table at end of Section VII for contracted expenditure data for all programs.

**L.10 Provide information on any grants awarded by the program.**

None.

**M.10 Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

Challenges exist with Capital Budgetary caps that prevent some of the larger repairs to be made to the facility. The inclusion of the Lodging program infrastructure in the organization's overall capital limitation prevents the use of the surplus revenue to be applied to needed repairs.

**N.10 Provide any additional information needed to gain a preliminary understanding of the program or function.**

NA

**A.11 Name of Program or Function: Texas Starbase**

**Location/Division:** Texas Starbase-Austin (Camp Mabry, Austin, TX) and Texas Starbase-Houston (Ellington Field, Houston, TX)

**Contact Name:** William Pettit

**Actual Expenditures, FY 2016:** \$665,895.52

**Number of Actual FTEs as of June 1, 2017:** 11 (Austin 4 and Houston 7)

**Statutory Citation for Program:** United States Code, Title 10, Section 2193b

**B.11 What is the objective of this program or function? Describe the major activities performed under this program.**

Starbase is an educational outreach program focusing on STEM fields that is dedicated to enhancing the performance, success, and personal growth of youth. Fifth grade students from Austin and Houston area Title 1 schools attend 25 hours of instruction (5 hours one day a week for 5 consecutive weeks) in a challenging, “hands-on” environment designed to explore STEM real-world applications careers. The curriculum consists of DoD approved STEM academics, computer lab/simulations, and experiments involving STEM principals. Academics are tied back to STAAR and Texas TEKS requirements where applicable to enhance state testing results for the students.

**C.11 What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

The largest single indicator of program success is that school districts continue to send their students to Starbase. While the program is provided at no cost to the district, the school must provide bus transportation and teachers for the days when they have a class. Likewise, over 90 percent of students find their time spent at Starbase to be positive and express a wish to return.

**D.11 Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.**

Although the curriculum continues to evolve based on changes in technology, the overall operation of the program has remained constant (25 hours over 5 weeks). The success of the initial program at Ellington resulted in DoD awarding an additional program at Austin and expanding the Ellington site. Additionally, in June 2017 DoD approved expanding the Austin program with an additional classroom.

**E.11 Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

Starbase serves Title 1 schools as outlined above. More than 90 percent of students are classified as “at risk” (low income, historically underserved, minority population, drop out prone). Historically more than 80 percent

of the students served were from minority populations, and around 30 percent had limited English proficiency or were ESL.

**F.11 Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

Starbase is run from the individual campuses. The site director coordinates with the local school districts to offer/confirm attendance at the individual academies (28 for Austin and 56 for Houston). Academy schedules are generally completely filled by August of each year for the following school year. Funding is provided by DoD through a Congressional appropriation, which completely reimburses the state for salaries and operational expenses.

**G.11 Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

Texas Starbase is funded by the Department of Defense and sponsored by the Texas National Guard. The program is 100 percent federally funded and operates on the federal fiscal year — October 1 through September 30 of the following year. Procurement of supplies and services comply with procedures established by the USPFO for Texas and run through the TMD. The total FY16 Texas Starbase budget was \$895,000 (Texas Starbase Houston - \$545,000 and Texas Starbase Austin - \$350,000). Funding was based on the DoD model (single classroom sites - \$350,000; double classroom sites - \$545,000).

**H.11 Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

NA

**I.11 Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

NA

**J.11 If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

NA

**K.11 If contracted expenditures are made through this program please provide:**

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2016;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

See table at end of Section VII for contracted expenditure data for all programs.

**L.11 Provide information on any grants awarded by the program.**

None. Texas Starbase, Inc. is a non-profit (501(c)3) organization.

**M.11 Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

No.

**N.11 Provide any additional information needed to gain a preliminary understanding of the program or function.**

NA

**A.12 Name of Program or Function: Texas ChalleNGe Academy**

**Location/Division:** Texas ChalleNGe Academy-East (Eagle Lake) and Texas ChalleNGe Academy-West (Sheffield)

**Contact Name:** William Pettit

**Actual Expenditures, FY 2016:** \$7,988,344.50

**Number of Actual FTEs as of June 1, 2017:** 103 (49 Eagle; 54 Sheffield)

**Statutory Citation for Program:** Texas Government Code, Chapter 437, Sec 437.117, Texas Challenge Academy

**B.12 What is the objective of this program or function? Describe the major activities performed under this program.**

The mission of Texas ChalleNGe Academy (TCA) is to reclaim the potential of at-risk youth through education, training, mentoring, and service to the community. This 5½ month residential military academy is sponsored by the Texas National Guard as a tuition free educational program for youth age 16-18 who are disengaged from school. TCA offers academic instruction and, more importantly, provides a structure and discipline to help the



cadets develop personal accountability. The residential phase is followed by a 12-month mentoring program where graduates meet monthly with their trained mentor to ensure they adhere to their post residential action (life) plan.

**C.12 What evidence can you provide that shows the effectiveness and efficiency of this program or function? Provide a summary of key statistics and outcome performance measures that best convey the effectiveness and efficiency of this function or program. Also please provide a short description of the methodology behind each statistic or performance measure.**

More than 70 percent of graduates from the residential phase earn either a high school diploma or GED (or both). All graduates will earn credits which may be transferred back to their home high school so they can continue their education. A Rand Corporation study found that for every dollar spent on ChalleNGe, society at large realizes a \$2.66 return (166 percent return on investment).

**D.12 Describe any important history regarding this program not included in the general agency history section, including how the services or functions have changed from the original intent.**

The seven core components (Academic Excellence, Life Coping Skills, Job Skills, Health & Hygiene, Good Citizenship, Leadership/Followership, Service to Community, and Physical Fitness) have remained the same since the inception of the national program in 1994. In the beginning, only the GED was offered; as the program grew across the country (currently 40 programs in 34 states), it expanded in many states to include credit recovery or the ability to earn a high school diploma. Texas adopted this approach in 2007. All cadets must successfully master the eight core components to graduate from the residential phase.

**E.12 Describe who or what this program or function affects. List any qualifications or eligibility requirements for persons or entities affected. Provide a statistical breakdown of persons or entities affected.**

This program is for at-risk youth, many of whom have abandoned the traditional high school for various reasons. The majority are from low income families and enrollment is diverse (historically 40 percent white, 40 percent Hispanic, 15 percent black and 5 percent other). To be eligible, students must be legal residents of Texas, 16-18 years old at enrollment, drug free, have no felony charges/convictions, no pending court actions, be capable of completing a rigorous physical and mentally challenging program, and must volunteer to attend.

**F.12 Describe how your program or function is administered, including a description of the processes involved in the program or function. Include flowcharts, timelines, or other illustrations as necessary to describe agency policies and procedures. Indicate how field/regional services are used, if applicable.**

The program is individually run from each campus. Students are recruited statewide for attendance. Funding is provided by a combination of federal (75 percent) and state (25 percent) funds for operations. Approximately 72 percent of funding is for salaries (state employees) and the remainder is for operations. The campus has cooks, state certified teachers (provided by local ISDs), case managers, and team leaders who are responsible for the cadets 24/7.

**G.12 Identify all funding sources and amounts for the program or function, including federal grants and pass-through monies. Describe any funding formulas or funding conventions. For state funding sources, please specify (e.g., general revenue, appropriations rider, budget strategy, fees/dues).**

Texas ChalleNGe Academy is funded by the federal government (75 percent) and required state match (25 percent). Total funding for the program is \$6.8 million (\$3.4 million per site), which is comprised of \$5.1 million federal (\$2.55 million per site) and \$1.7 million state (\$850,000 per site). State funding for the FY 2016 was provided by a combination of General Revenue (\$1.4 million - \$700,000 per site) and \$350,000 in Foundation School Funds (\$175,000 per site).

**H.12 Identify any programs, internal or external to your agency, that provide identical or similar services or functions to the target population. Describe the similarities and differences.**

Local schools have "Truancy Recovery" programs as well as alternative education programs which may mirror the ChalleNGe academic program. There are no programs statewide that mirror the overall eight core components central to the program while simultaneously providing a stable, safe, structured, and disciplined environment in which to develop an action plan for each student's future.

**I.12 Discuss how the program or function is coordinating its activities to avoid duplication or conflict with the other programs listed in Question H and with the agency's customers. If applicable, briefly discuss any memorandums of understanding (MOUs), interagency agreements, or interagency contracts.**

The Texas Military Department is a participant in the Rider 17.10 Working Group (comprised of the Department of Family Protective Services, Texas Education Agency, Juvenile Justice Division, and TMD) that coordinates activities to avoid duplication of efforts and submit an annual report to the LBB.

**J.12 If the program or function works with local, regional, or federal units of government, include a brief description of these entities and their relationship to the agency.**

ChalleNGe has just begun coordination with Texas State Technical College (TSTC) to provide the opportunity for ChalleNGe graduates to attend credential level job training courses at TSTC campuses statewide. An initial coordination meeting (7/17/2017) with the Texas Workforce Commission has also been set to discuss related opportunities.

**K.12 If contracted expenditures are made through this program please provide:**

- a short summary of the general purpose of those contracts overall;
- the amount of those expenditures in fiscal year 2016;
- the number of contracts accounting for those expenditures;
- the method used to procure contracts
- top five contracts by dollar amount, including contractor and purpose;
- the methods used to ensure accountability for funding and performance; and
- a short description of any current contracting problems.

See table at end of Section VII for contracted expenditure data for all programs.

**L.12 Provide information on any grants awarded by the program.**

None. The program does have a non-profit (501(c)3) organization (Texas ChalleNGe Academy Foundation) and there is a national non-profit (National Guard Youth Foundation), however, no grants were administered from the ChalleNGe program.

**M.12 Are there any barriers or challenges that impede the program's performance, including any outdated or ineffective state laws? Explain.**

There are no significant state-level barriers.

**N.12 Provide any additional information needed to gain a preliminary understanding of the program or function.**

NA

**O. Regulatory programs relate to the licensing, registration, certification, or permitting of a person, business, or other entity. For each regulatory program, if applicable, describe:**

- why the regulation is needed;
- the scope of, and procedures for, inspections or audits of regulated entities;
- follow-up activities conducted when non-compliance is identified;
- sanctions available to the agency to ensure compliance; and
- procedures for handling consumer/public complaints against regulated entities.

NA - TMD not a regulatory agency

**P. For each regulatory program, if applicable, provide the following complaint information. The chart headings may be changed if needed to better reflect your agency’s practices. Please include a brief description of the methodology supporting each measure.**

**(Texas Military Department)  
(NA)**

**Exhibit 11: Information on Complaints Against Regulated Persons or Entities  
Fiscal Years 2015 and 2016**

	<b>Fiscal Year 2015</b>	<b>Fiscal Year 2016</b>
Total number of regulated persons	NA	NA
Total number of regulated entities	NA	NA
Total number of entities inspected	NA	NA
Total number of complaints received from the public	NA	NA
Total number of complaints initiated by agency	NA	NA
Number of complaints pending from prior years	NA	NA
Number of complaints found to be non-jurisdictional	NA	NA
Number of jurisdictional complaints found to be without merit	NA	NA
Number of complaints resolved	NA	NA
Average number of days for complaint resolution	NA	NA
Complaints resulting in disciplinary action:	NA	NA
administrative penalty	NA	NA
reprimand	NA	NA
probation	NA	NA
suspension	NA	NA
revocation	NA	NA
other	NA	NA

**Table 10 Exhibit 11 Information on Complaints Against Persons or Entities**

**PROGRAM DATA RELATED TO ITEM K**

The following table details information required of question K for programs across the agency. The agency's reporting systems make calculating contracted expenditures by program and distinguishing unique contracting data by program in some areas difficult for fiscal year 2016. The agency recently transitioned to CAPPs, however, so those issues should be resolved in future years. The table includes contract purchase order data rather than expenditure information and groups several programs together (Mental Health, State Tuition Assistance, Texas Military Forces Museum, Billets, Indirect Administration).

Program	Summary of General Purpose	Contracts Combined Total	# contracts	Methods to procure	** Contracts for the purposes of this report are purchases with an estimated value of \$25,000 or more			Method to ensure accountability	Issues
					Vendor Name	Short Description	Amount		
Domestic Operations	Housing, vehicle rental, fuel, supplies	\$3,282,805.70	10	Solicitations, Pre-established state contracts, statutorily exempt	Team Housing Solutions, Inc	Team Housing Solutions, Lodging	\$2,895,559.00	Verification of services prior to service  Vendor Performance Reporting at completion of contact.	None
					Enterprise Rent A Car Company	Rental Vehicles	\$217,261.83		
					Us Bank National Association Nd Voyager	Voyager, Fuel	\$65,534.06		
					JLV Transportation LLC	Support for Operation Strong Safety State Active Duty Mission, Line Haul	\$34,296.06		
					Toshiba Business Solutions-Texas	Support for Operation Secure Texas State Active Duty Mission, Toshiba Copiers for Weslaco	\$22,035.75		
					R S Ellis Inc Dba Southwest Corporation	Camp Mabry Bldg. 32 Construction	\$1,568,753.85		
CFMO — Maintenance and Star Program	Engineering, construction, building maintenance, temporarys and other services; miscellaneous supplies	\$26,841,946.03	153	Solicitations, Pre-established state contracts, Interagency agreements	SMR Construction, Inc	Grand Prairie Star Project Construction	\$1,099,347.58	Verification of services prior to service  Vendor Performance Reporting at completion of contact.	None
					SMR Construction, Inc	Pasadena Star Project Construction	\$714,518.55		
					SMR Construction, Inc	Houston Star Project Construction	\$675,726.95		
					Tejas Premier Building Contractor, Inc.	Austin Fairview Star Project Construction	\$50,533.36		
					TIBH Industries	Temporary Services	\$28,553.20		
Texas State Guard	Temporary services	\$28,553.20	1	Pre-established state contracts			Verification of services prior to service  Vendor Performance Reporting	None	
Joint Counterdrug Taskforce	Uniforms, Supplies, IT Equipment, Fuel, special mission equipment & services	\$588,712.44	7	Solicitations, Pre-established state contracts	Digital Receiver Technology Inc	Digital Camera and surveillance equipment RC26 - DRT	\$ 373,075.00	Verification of services prior to service  Vendor Performance Reporting	None
					US Bank National Association ND Voyager	Voyager, Fuel	\$47,761.41		
					Airbus Helicopters Inc	AIRBUS EC145 (UH72-A) Pilot Transition Class Sept 13-18, 2015 - 3 Students	\$43,498.08		
					Product Envy Inc	Wristbands	\$ 35,500.00		
					Waukesha-Pearce Industries Inc	Heavy Equipment Rental to Support Crackdown Missions	\$31,339.49		

Program	Summary of General Purpose	Expenditures Combined Total	# contracts	Methods to procure	** Contracts for the purposes of this report are purchases with an estimated value of \$25,000 or more			Method to ensure accountability	Issues
					Top 5 Contracts*** by Amount	more	or		
Mental Health, State Tuition Assistance, TXMF Museum, Billets, Indirect Admin	Insurance, auditing, specialized studies, janitorial, hardware, software, goods and services	\$1,995,110.01	37	Solicitations, Pre-established state contracts	Arthur J Gallagher Inc	SORM Property Insurance: APRIL 2016-APRIL 2017	\$191,495.14	Verification of services prior to service  Vendor Performance Reporting	
					McConnell & Jones LP	FY16 Internal Audit Services	\$151,636.00		
					TIBH Industries Inc	FY16 Janitorial Services-Camp Mabry Billets	\$121,243.52		
					Vintage Computer Brokers Inc Dba Vintage IT Services	Leased Hardware and Network Services	\$70,352.05		
Starbase	Temporary staff, IT equipment and services, general supplies	\$117,745.06	4	Solicitations, Pre-established state contracts	University of Texas at Austin	Economic Impact Study for Texas Military Forces	\$50,000.00	Verification of services prior to service	None
					TIBH Industries Inc	Temporary Staff & Instructors	\$37,849.71		
					Apple Computer Inc	Apple Ipads/Computers-Replace Obsolete Technology for Required DoD Lessons/Student Assessment	\$32,844.10		
					TIBH Industries, Inc	Starbase Houston: Janitorial Services	\$24,131.25		
Challenge	Uniforms, equipment supplies, building maint. and repairs, food	\$164,559.30	4	Solicitations, Pre-established state contracts	Apple Inc.	Apple Ipads/Computers-Replace Obsolete Technology for Required DoD Lessons/Student Assessment	\$22,970.00	Vendor Performance Reporting at completion of contact.	None
					Ace Floor Solutions LLC	TCA-EAST: Flooring for Multi-Purpose Room	\$53,425.50		
					Colorado County	TCA-EAST: Electricity	\$51,840.51		
					Austin Ribbon and Computer Supplies Inc	TCA-EAST: Computers	\$33,839.61		
Grand Total		\$33,019,431.74	216		TCA WEST: Emergency Repair to Bay A/C Units		\$25,453.68	Vendor Performance Reporting at completion of contact.	None

## VIII. Statutory Authority and Recent Legislation

- A. Fill in the following charts, listing citations for all state and federal statutes that grant authority to or otherwise significantly impact your agency. Do not include general state statutes that apply to all agencies, such as the Public Information Act, the Open Meetings Act, or the Administrative Procedure Act. Provide information on Attorney General opinions from FY 2011–2015, or earlier significant Attorney General opinions, that affect your agency’s operations.

(Texas Military Department)  
Exhibit 12: Statutes / Attorney General Opinions

### Statutes

Citation / Title	Authority / Impact on Agency <i>(e.g., “provides authority to license and regulate nursing home administrators”)</i>
Tex. Gov’t Code Chp. 431 / State Militia	Provides authority and guidance for structure of the Texas State Militia.
Tex. Gov’t Code Chp. 432 / Texas Code of Military Justice	Statutes regarding the conduct and discipline of individuals serving in the Texas Military Forces.
Tex. Gov’t Code Chp. 437 / Texas Military	Provides authority for appointment of the Adjutant General and the structure of the Texas Military Department as well as the Office of the Executive Director.
32 U.S.C.A. § 102 / General Policy	Federal Statute providing general policy to keep and maintain the National Guard.
32 U.S.C.A. § 108 / Forfeiture of Federal Benefits	Directs States to follow federal requirements or lose federal funds for the National Guard.
32 U.S.C.A. § 314 / Adjutants General	Provides the requirement that each state have an Adjutant General.
32 U.S.C.A. § 315 / Detail of regular members of Army and Air Force to duty with National Guard.	Provides that the Secretary of the Army shall detail commissioned officers of the Regular Army to duty with the Army National Guard of each State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the Virgin Islands. The Secretary of the Air Force shall detail commissioned officers of the Regular Air Force to duty with the Air National Guard of each State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the Virgin Islands. With the permission of the President, an officer so detailed may accept a commission in the Army National Guard or the Air National Guard, as the case may be, terminable in the President’s discretion, without prejudicing his rank and without vacating his regular appointment.
32 U.S.C.A. § 324 / Discharge of Officers; Termination of Appointment	Sets out the general requirements regarding the discharge of an officer of the National Guard.
32 U.S.C.A. § 325 / Relief from National Guard Duty when ordered to active duty	Provides that each member of the Army or Air National Guard who is ordered to active duty is relieved from duty in the National Guard of his or her State, from the effective date of his or her order to active duty until he or she is relieved from that duty.
10 U.S.C.A. § 10501 / National Guard Bureau	Provides authority for the National Guard Bureau to be the agency that communicates with the States regarding the National Guard.

Citation / Title	Authority / Impact on Agency <i>(e.g., “provides authority to license and regulate nursing home administrators”)</i>
<p>38 U.S.C. 4301-4335 / The Uniformed Services Employment and Reemployment Rights Act (USERRA)</p> <p><i>*Similar protections also are provided in Texas Government Code, Section 437.204.</i></p>	<p>USERRA ensures that Service Members are entitled to return to their civilian employment upon completion of service. The law requires civilian employers to reinstate Service Members with the seniority, status, and pay they would have obtained had they remained continuously employed. The law protects individuals from discrimination in hiring, promotion, and retention based on present and future membership in the armed services. Employers must make reasonable efforts to enable returning employees to refresh or upgrade their skills to enable them to qualify for reemployment. Additionally, Service Members are entitled to immediate reinstatement of health insurance for the member and previously covered dependents with no waiting period and no exclusion of preexisting conditions other than those that are military service-related. Employers must reemploy Service Members who are disabled because of their military service in a position most nearly approximating their former position if they can no longer perform that job. To qualify for USERRA reemployment rights, the Service Member must meet the following criteria:</p> <ul style="list-style-type: none"> <li>• Service Member must have left a civilian job;</li> <li>• Service Member must have given notice to the employer that he/she was leaving to perform military service;</li> <li>• The military service must not exceed five years (although there are a few exceptions);</li> <li>• Service Member must have had an honorable discharge; and</li> <li>• Service Member must have reported back to work within the appropriate time constraints.</li> </ul>
<p>Tex. Code Crim. Pro. Art. 5.05 (a-2) Reports and Records</p>	<p>Provides that if a member of the military is involved in a family violence incident, the member’s name shall be reported to the Staff Judge Advocate at Joint Force Headquarters or to the provost marshal of the military installation to which the suspect is assigned. The commanding officer should then be notified. Information report requires information support and tracking at each installation.</p>
<p>National Defense Appropriation Act For Fiscal Year 2017 § 2604. (Public Law 114-328 – 2016).</p>	<p>Appropriates \$4.5 million for construction at Ellington Field.</p>
<p>Robert T. Stafford Disaster Relief and Emergency Assistance Act, § 406(a)(2)(A). (Public Law 93-288 – 2016). 42 U.S.C.A. § 5172.</p>	<p>Provides authority for spending for expenses related to a natural disaster. Those expenses include costs of mobilizing and employing the National Guard for performance of eligible work.</p>

Table 11 Exhibit 12 Statutes

**Attorney General Opinions**

Attorney General Opinion No.	Impact on Agency
<p>RQ-1150-GA, Pending September 2013</p>	<p><b>(Opinion requested on [the impact on department operations of] the apparent conflict between the Department of Defense policy that extends federal spouse and family benefits to same-sex spouses and Texas state law relating to the definition of marriage).</b> <i>At the request of the Adjutant General, this request for an opinion was placed on hold until the Texas Military Forces makes a decision about whether to withdraw or amend the request. Until that time, the Office of the Attorney General will refrain from responding to this request.</i></p>



Attorney General Opinion No.	Impact on Agency
Opinion No. OR2011-05661	<b>(Whether certain information is subject to required public disclosure under the Public Information Act, chapter 552 of the Government Code):</b> <i>If the employees did not timely elect confidentiality, their personal information may not be withheld under section 552.117(a) (1). To the extent the personal information we marked in red is not protected under section 552.117(a) (1), the National Guard must withhold the medical information we marked in green under section 552.101 of the government Code in conjunction with common-law privacy. To the extent the information we marked in red is excepted under section 552.117(a) (1), the medical information we marked in green must be released. The remaining information we marked under section 552.101 in conjunction with common-law privacy must be withheld. Lastly, unless the owners of the e-mail addresses we marked have affirmatively consented to their release, they must be withheld under section 552.137 of the Government Code. The remaining information must be released.</i>
Opinion No. GA-0736	<b>(Whether the Adjutant General and the Assistant Adjutants General may accrue state compensatory leave (RQ-0796-GA):</b> <i>The Texas Adjutant General is a single state officer who governs a state agency and is, therefore, precluded by subsection 659.024(c), Government Code, from accruing compensatory time. The same subsection does not preclude the Assistant Adjutants General from accruing compensatory time. (Requires application by agency human resources department.)</i>
Opinion No. OR2007-03370	<b>(Whether certain information is subject to disclosure under the Public Information Act):</b> <i>[T]he board must withhold the veterans' names and addresses obtained from the VA and the Army National Guard under section 552.101 of the Government Code in conjunction with section 5701 of title 38 of the United States Code. The board must also withhold the veterans' names and addresses but not the zip codes obtained from the Texas Department of Transportation pursuant to sections 730.004 and 730.013 of the Transportation Code in conjunction with section 552.101. The remaining information that is subject to the Act must be released.</i>
Opinion No. OR2007-02045	<b>(Whether certain information is subject to disclosure under the Public Information Act):</b> <i>holding the same as summarized above, OR2007-03370.</i>
Opinion No. GA-0460	<b>(Whether a county attorney may accept appointment as a voluntary ombudsman for the National Committee for Employer support of the Guard and Reserve):</b> <i>A county attorney is not barred by either article XVI, section 12 of the Texas Constitution or the common-law doctrine of incompatibility from simultaneously serving as a volunteer ombudsman for the National Committee for Employer Support of the Guard and Reserve.</i>
Opinion No. GA-0200	<b>(Whether Government Code section 435.013(a) grants exclusive authority to the Texas Military Facilities Commission to construct, repair, and maintain facilities on its property (RQ-0147-GA):</b> <i>The 1997 amendment to Government Code section 435.013(a), which gives the Texas Military Facilities Commission exclusive authority for the construction, repair, and maintenance of state-owned facilities located on Commission property, partially supersedes Attorney General Opinion JM-885 (1988)[<i>infra</i>]. The exclusion of military facilities from the Texas Building and Procurement Commission's duty to manage certain state facilities under section 2165.007 of the Government Code does not authorize the Adjutant General's Department to enter construction, repair, or maintenance contracts that are within the Texas Military Facilities Commission's exclusive authority under section 435.013(a).</i>
Opinion No. JC-0265	<b>(Validity of a regulation of the Texas Air National Guard that relates to "officers lacking in professional qualifications."): </b> <i>An officer could legally be discharged from the Texas Air National Guard for lacking professional qualifications pursuant to a regulation as further defined by a policy letter of the unit commander.</i>

Attorney General Opinion No.	Impact on Agency
Letter Opinion No. 98-038	<p><b>(Whether the Texas National Guard is subject to the Hazard Communication Act, chapter 502 of the Health and Safety Code (RQ-951):</b> <i>The TNG is a unit of the National Guard established by Texas pursuant to state law. As a National Guard unit, the TNG must comply with the requirements established by chapter 6 of the National Guard Regulation 385-10 to meet the OSHA standard. Compliance with chapter 6 in this instance requires compliance with the OSHA standard. Thus, the TNG is required to comply with the OSHA standard even though it is not subject to the OSHA standard by its terms. Accordingly, we conclude that the TNG is not an employer subject to the Hazard Communication Act, chapter 502 of the Health and Safety Code.</i></p>
Opinion No. OR95-131	<p><b>(Whether certain information—military discharge records (DD 214s)—must be disclosed under the Texas Open Records Act).</b> <i>Informal letter ruling: We have examined the documents submitted to us for review. It does not contain any information that is intimate or embarrassing. Moreover, we cannot conceive of the type of information ordinarily found on a DD 214, for example, name, address, dates of service, decorations awarded, military education, and character of service that would be intimate or embarrassing. We conclude, therefore, that the county may not withhold the requested information under section 552.101 of the Government Code.</i></p> <p><b>Footnote 1:</b> <i>We note as well that even if information on the requested DD 214s [was] intimate or embarrassing and of no legitimate public concern, the Open Records Act would not prohibit its release in this instance. Generally, a state agency may transfer information to another state agency or any other governmental body subject to the Open Records Act without violating the confidentiality of the information if the agency to which the information is transferred has the authority to receive it [see, Open Records Decision No.516 (1989)], unless a statute or regulation prohibits such a transfer [see, Attorney General Opinion JM-590 (1986)]. As noted above, we are not aware of any statute or regulation that prohibits transfer of the requested information to the Texas National Guard. Assuming that the Texas National Guard has authority to receive such information, the county would transfer the information to the Texas National Guard without destroying the confidentiality of any of the information that might be protected by common-law privacy.</i></p>
Letter Opinion LO-LBD (ID-21133)	<p><b>(Whether a city may deny military leave to an employee called up by the Texas National Guard for special service):</b> <i>A municipal employee is entitled to the 15-day leave of absence for military duty authorized by section 431.005 of the Government Code, whether the military service for which the employee is called up is annual duty or special service.</i></p>
Letter Opinion No.[DM] 93-72	<p><b>(Whether a member of the state militia is exempt by virtue of Government Code section 431.083 from payment of the optional county motor vehicle registration fee found in article 6675a-9a, V.T.C.S. (ID# 18775):</b> <i>The exemption from any “road or street tax” granted in Government Code section 431.083 to officers and enlisted persons complying with their military duties in the state military forces does not apply to the optional county motor vehicle registration fee provided for in article 6675a-9a, V.T.C.S.</i></p>
Opinion No. DM-148	<p><b>(Re: Authority of the Texas National Guard to obtain liability insurance with federal funds to cover National Guard officers and employees who operate a mobile shooting range for recruitment purposes):</b> <i>The adjutant general, as chief of the Texas National Guard, has authority to obtain liability insurance...The funds to pay the insurance premium are appropriated by article V, section 22(1), of the current General Appropriations Act. Article 6252-19a, V.T.C.S., which requires that the state obtain liability insurance from a company authorized to transact business in Texas, applies only to liability insurance obtained to cover liabilities arising from the use or operation of motor vehicles, power equipment, aircraft, and watercraft, and thus is not applicable in this case.</i></p>

Attorney General Opinion No.	Impact on Agency
Opinion No. JM-1271	<b>(Authority of an employee of the Adjutant General's Department to carry a handgun while in the course and scope of his employment (RQ-2166):</b> <i>A public security officer employed by the Adjutant General's Department may lawfully carry a handgun while performing his official duties on premises under the control of the adjutant general, but not while traveling to and from those premises, without the necessity of obtaining a commission from the Board of Private Investigators and Private Security Agencies.</i>
Opinion LO-89-66	<b>(Whether the Texas National Guard has authority to cooperate with federal customs agents in spot inspections of cargo along the border between Texas and Mexico.):</b> <i>There is authority for the Texas National Guard to assist customs agents in drug interdiction activity. Whether any particular activity comports with the law is a fact question that cannot be resolved in the opinion process.</i>
Opinion No. JM-885	<b>(Construction of certain riders to the current appropriation for the National Guard Armory Board (RQ-1210):</b> <i>The Adjutant General's Department, governed by chapter 431 of the Government Code, has implied authority to build and maintain facilities. Rider 17 to the combined appropriation to the Adjutant General's Department and the Armory Board in the current appropriation act, provides that an appropriation to the Armory Board for construction and maintenance may be spent only through interagency contracts with the Adjutant General's Office (sic), does not violate article III, section 35, of the Texas Constitution. Superseded to the extent inconsistent with GA-0200 (2004).</i>
Opinion No. JM-233	<b>(Whether the Texas National Guard Armory Board may exchange certain property):</b> <i>The Texas National Guard Armory Board may exchange state-owned property for a different property with an established value at least as great as that of the state-owned property which would be exchanged.</i>
Opinion No. MW-372	<b>(Availability of personnel files under Open Records Act):</b> <i>With certain stated exceptions, material in personnel files submitted by the National Guard Armory Board is ordinarily available to the public under the Open Records Act. Overruled to the extent inconsistent with ORD-615 (1993) [DM] that held: Under the court's decision in Texas Dep't of Pub. Safety v. Gilbreath, 842 S.W.2d 408 (Tex App.— Austin 1992, no writ), section 3(a)(11) of the Texas Open Records Act must be interpreted in accordance with the settled construction of exemption 5 of the federal Freedom of Information Act, 5 U.S.C. §552(b)(5), as of the time the Open Records Act was enacted. Consequently, section 9(a)(11) exempts from required disclosure only those internal agency memoranda consisting of advice, recommendations, and opinions that pertain to the policymaking functions of the governmental body at issue. Because the correspondence between university officials at issue here relates solely to an internal personnel matter involving a particular individual, and does not implicate the policymaking functions of the university system, it must be disclosed.</i>
Opinion No. MW-109	<b>Rights of state employees to accrue sick leave when returning to state service after military leave):</b> <i>Under article 6252-4a, V.T.C.S., and 38 U.S.C. 2021, et seq., an employee who is restored to state employment following military service is generally to be considered as having been on furlough or leave of absence, and as such, is entitled to all benefits to which an employee returning from a non-military leave of absence would be entitled, including the crediting of sick leave accrued prior to such military service.</i>
Opinion No. MW-100	<b>(Application of article 6813d, V.T.C.S., to state employees returning after military service and to prior service of National Guard Technicians):</b> <i>The longevity pay benefits provided for in article 6813d, V.T.C.S., are applicable to those individuals entitled to the benefits provided for in article 6252-4a, section 3, V.T.C.T.S. Years of service as a National Guard Technician prior to January 1, 1969, are creditable as years of service as an employee of the state for purposes of longevity pay, as established by article 6813d, V.T.C.S.</i>

Attorney General Opinion No.	Impact on Agency
Opinion No. MW-29	<b>(Rights of the State Employee on Active Duty for Training with the National Guard):</b> A state employee who is engaged in “authorized training for duty” in the state military forces is entitled to receive compensation for up to fifteen (15) working days per year during which he is absent from his regular employment. As to all but those persons excepted thereby, article 6252-4a, V.T.C.S., permits a state agency either to restore a returning member of the National Guard to his former position with the agency, or to another position “of like seniority, status and pay.”
Opinion No. H-1160	<b>(Whether article 6252-26, V.T.C.S., applies to members of the State military forces):</b> The State military forces are covered by article 6252-26, V.T.C.S., as amended by the 65 <sup>th</sup> Legislature. Its protection does not extend to the federal National Guard Technicians supervised by the Adjutant General.
Opinion No. H-782	<b>(Whether the Federal Privacy Act of 1974 applies to the Texas National Guard):</b> The Federal Privacy Act of 1974 applies to the Army and Air Technician Program but not in general to the Texas National Guard while in State status.
Opinion No. E-24	<b>(Questions concerning award of bid for construction of an armory and other work.):</b> Ambiguous invitations and instructions for competitive bids which leave bidding requirements to conjecture prevent competitive bidding. Bids submitted in response thereto should not be accepted.
Opinion No. M-719	<b>(Must the Adjutant General of Texas comply with Federal Executive Order No. 11491 and DoD No. 1426.1, although to do so apparently would conflict with Art. 5154c, V.C.S.):</b> Federal Executive Order No. 11491, DoD directive No. 1421.1 and NGR 51/ANGR 40-01 grant to <u>federal employees</u> who are employed by the Texas National Guard and the Texas Air National Guard as technicians the right to belong to a labor organization that represents them in all matters pertaining to their employment. State employee National Guard technicians paid by the State have no such right, however.
Opinion No. M-329	<b>(Constitutionality of Articles 8.01, 8.03, 8.05 and 8.07, Vernon’s Code of Criminal Procedure, and Section 2 of Article 5783, Vernon’s Civil Statutes, as they may conflict with Article IV, Section 7, Constitution of Texas [relating to mobilizing units of the militia]):</b> Articles 8.01, 8.03, 8.05, 8.07 and 43.26 of the Code of Criminal Procedure, and Section 2 of Article 5783, Vernon’s Civil Statutes, insofar as they grant authority to a sheriff of a county, or a mayor of a city, or a district judge of a judicial district, to call out and issue orders to the state militia or state military forces, including the Texas National Guard, without prior approval of the Governor of Texas, the Chief Executive of the State, are unconstitutional.
Opinion No. M-396	<b>(Whether the Texas National Guard Armory Board can act independently of the State Building Commission in the awarding of construction contracts on the basis of open-market sealed bids for armory construction and related questions.):</b> Pursuant to the provisions of Article 5931-4 and 5931-5, Vernon’s Civil Statutes, the Texas National Guard Armory Board may...The Comptroller of Public Accounts may legally draw warrants, payable from funds in the State Treasury, appropriated to the Armory Board for such purposes in the payment of such services and/or contracts.
Opinion No. M-225	<b>(Re: Whether certain available funds of the Texas National Guard Armory Board, either in the State Treasury or in banks be legally disbursed as cash consideration for lands to be acquired at Camp Maxey):</b> Proceeds received by the Texas National Guard Armory Board in consummating an exchange of land in the Camp Maxey area are to be deposited in the State Treasury. Such monies are not appropriated by the Legislature for the purchase of land and, therefore, none of the appropriated funds may be expended for such purpose. However, monies under the control of the Board not in the State Treasury may be expended for the purchase of land.

Attorney General Opinion No.	Impact on Agency
Opinion No. M-204	<p><b>(Re: Eligibility requirements for membership on the Texas National Guard Armory Board):</b> <i>Under the present reorganization of military units in Texas, the Texas National Guard Armory Board is to be composed of the Commanding Generals of the 71<sup>st</sup> Infantry Brigade (Airborne) and the 72<sup>nd</sup> Infantry Brigade (Mechanized), successors to the 36<sup>th</sup> Infantry Division and 49<sup>th</sup> Armored Division and the Chief of Staff for Air, Texas Air National Guard. Since the Commanding General of the 71<sup>st</sup> Infantry Brigade (Airborne) is ineligible to serve as a member of the Texas National Guard Armory Board by reason of holding the office of District Attorney of Travis County, Texas, the next senior officer in military rank of the 71<sup>st</sup> Infantry Brigade (Airborne) should be certified by the Adjutant General for membership on the Texas National Guard Armory Board, pursuant to the provisions of Article 5931-1, Vernon's Civil Statutes.</i></p>
Opinion No. C-755	<p><b>(Whether the Governor can issue regulations, under the authority of Art. 5780, Sec. 2; Art. 5765, Sec. 4; and under his constitutional authority as Commander-in-Chief, giving the Adjutant General's Department authority to enter into an agreement with the National Guard Bureau and the United States Air Force for the operation of Ellington Air Force Base as the host organization, financed out of 100% federal funds, without going through or being involved with the procedures of Art. 5767, V.T.C.S.)</b> <i>The Governor can issue regulations, under the authority of Art. 5780, Sec. 2, Art. 5765, Sec. 4; and under his constitutional authority as Commander-in-Chief, giving the Adjutant General's Department authority to enter into an agreement with the National Guard Bureau and the United States Air Force Base as the host organization, financed out of 100% Federal Funds, without going through or being involved with the procedures of Art. 5767, V.T.C.S.</i></p>
Opinion No. C-614	<p><b>(Whether certain funds appropriated to the Armory Board can be legally expended for constructing a building addition for the Adjutant General's Department at Camp Mabry under the provisions of Section 6 Paragraph (7) of Article 5767 V.C.S., and related questions.):</b> <i>Funds appropriated to the Texas National Guard Armory Board can be legally expended for constructing an addition to an existing building at Camp Mabry, subject to the approval of the Executive Budget Office, Legislative Budget Board and the Attorney General of the State of Texas, under the provisions of Section 6, Paragraph (7), Article 5767, Revised Civil Statutes of Texas.</i></p> <p><i>When such addition has been completed to the existing building at Camp Mabry and if such original building is under lease to the State of Texas, then this building addition should be leased to the State under the same terms and conditions as contained in the original lease; if such building addition is constructed on property owned by the Armory Board and such addition becomes a part of a building that is fully paid for, free of all liens, debts and other obligations incurred in connection with the construction, then the Armory Board is authorized to donate, transfer and convey such property by appropriate instruments of transfer, to the State of Texas, as provided for in Section 7 of Article 5767, Revised Civil Statutes of Texas.</i></p>
Opinion No. C-242	<p><b>(Re: Whether property in the custody of the Adjutant General is required to be transferred by the Adjutant General to the Texas National Guard Armory Board under the facts submitted):</b> <i>Where armories are constructed on sites at Camp Mabry, Camp Hulen and Camp Wolters, pursuant to the provisions of paragraph (7) of subdivision (b) of Section 7 of Article 5786, Vernon's Civil Statutes, such property becomes the property of the Armory Board as a matter of law, and no formal conveyance by the Adjutant General is required.</i></p>
Opinion No. WW-1502	<p><b>(Re: Whether motor fuel purchased for use of the Texas National Guard is subject to the State excise tax imposed by Chp. 9, Title 122A, Taxation-General, Revised Civil Statutes.)</b> <i>Motor fuel furnished by the U.S. Department of Defense and that purchased by the U.S. Property and Fiscal Officer for use of the Texas National Guard while the Guard is on active and inactive Federal status is exempt from payment of the motor fuel excise tax imposed by Chp. 9 of Title 122A, Taxation-General, Revised Civil Statutes. Also, motor fuel purchased by the State of Texas for use of the Guard while it is on active State duty under Command of the Governor of Texas is subject to this motor fuel tax.</i></p>

Attorney General Opinion No.	Impact on Agency
Opinion No. WW 1477	<b>(Re: Is an employee of the State or a political subdivision thereof, who is a member of a reserve component of the Armed Forces, entitled to be paid his regular salary by his employer while he is on active duty with this reserve unit, so long as such military duty does not exceed fifteen days, even though he is also paid by the Armed Forces for his military duty?)</b> <i>An employee of the State, or a political subdivision thereof, who is a member of a reserve component of the Armed Forces, is entitled, by Article 5769b-1, Vernon’s Civil Statutes, to be paid his regular salary by his employer while he is on active duty with his reserve unit, as long as such military duty does not exceed fifteen days, even though he is also paid by the Armed Forces for his military duty.</i>
Opinion No. WW-792	<b>(Re: Joint Utilization [with Department of Army] of Texas National Guard Armory Board Facilities):</b> <i>The Texas National Guard Armory Board has the authority to enter into any agreement it deems necessary or desirable in connection with or for the use of units of the Texas National Guard. It cannot, under existing law, enter into an agreement whereby National Guard Armories will be utilized by reserve components not connected with the Texas National Guard.</i>
Opinion No. WW-837	<b>(Authority to obtain group insurance for a class of individuals referred to as “Army national Guard Technicians.”):</b> <i>Army National Guard technicians employed pursuant to Title 32, United States Code, Section 709, are not State employees within the meaning of Articles 3.50 and 3.51 of the Insurance Code.</i>
Opinion No. WW-836	<b>(Re: Can a Commissioners Court and the Council or Commission of a city or town appropriate money to pay the necessary expenses of the administrative units of the National Guard and the Texas State Guard Reserve Corps located in their respective cities or towns, under the provisions of Articles 5885 and 5891c, Vernon’s Civil Statutes):</b> <i>The Commissioners’ Court of each county and the Council or Commission of each city or town are legally authorized to pay the necessary expenses of the administrative units of the Texas National Guard and the Texas State Guard Reserve Corps.</i>
Opinion No. WW-394	<b>(Re: Under specified conditions, can the Adjutant General’s Department of Texas be reimbursed for travel funds expended from its appropriation by the Texas National Guard Armory Board for the services rendered by employees of the Adjutant General’s Department in performing inventories in completing required reports on the facility at Eagle Mountain Lake, Texas, conveyed to the State of Texas by Public Law 85-258, Eighty-fifth Congress, and related questions):</b> <i>There is no authority in the current appropriation bill for the Texas National Guard Armory Board to reimburse. . .absent a valid inter-agency contract for services.</i>
Opinion No. S-185	<b>(Construction of Armories):</b> <i>Article 5159a, Vernon’s Civil Statutes, is in conflict with the provisions of the Davis-Bacon Act, 40 U.S.C.A., Section 276a, as applied to the construction of armories by the Texas National Guard Armory Board insofar as its provisions require the prevailing wage rate to be determined by the agency of the State letting the contract, rather than the Secretary of Labor as required by the Davis-Bacon Act, and Article 5159a controls. Ch. 662, P.L. 302, Acts of the First Session of the 84<sup>th</sup> Congress, 1955.</i>
Opinion No. S-189	<b>(Re: Jury service by members of the National Guard under Articles 2135 and 5840, V.C.S.):</b> <i>Members of the Texas National Guard are exempted from jury service during periods of time when they are actually on active duty...Periods when members are actually on active duty include periods of active federal or state service referred to in Articles 5837a and 5838, V.C.S., and periods of training as provided in Articles 5836 and 5837, V.C.S</i>

Attorney General Opinion No.	Impact on Agency
Opinion No. MS-179	<p><b>(Construction contracts for armories; whether the provisions of Article 5159a, Vernon’s Civil Statutes, prescribing the wage scale applicable to the construction of public works on behalf of the State and political subdivisions are applicable to the construction of armories by the Texas National Guard Armory Board let through the State Board of Control pursuant to a contract between the State of Texas and the United States.):</b> <i>It is our opinion that the provisions of Article 5159a apply to the construction of armories by the Texas National Guard Armory Board since it is a contract entered into by an agency of the State of Texas pursuant to the laws of this State for the construction of property belonging to the State of Texas. We are supported in this opinion by the agreement entered into between the Department of Army and Air Force National Guard Bureau and the State of Texas acting by and through the Texas National Guard Armory board, a State agency.</i></p>
Opinion No. MS-168	<p><b>(Authority of the State to enter an agreement with the Secretary of Health, Education and Welfare for the purpose of obtaining Federal Old Age and Survivors Insurance coverage for federally paid civilian employees of the Texas National Guard):</b> <i>We...are of the opinion that the phrases quoted initially by you [from House Bill No. 89, Acts of the 53<sup>rd</sup> Legislature, First Called Session] and to the effect that the State of Texas will never pay any matching contribution and that “participation in the National Security program will cost the State. . . no additional money, . . .” had reference to the actuality of the situation, that is, to the fact that such matching contributions will be paid from Federal funds. These provisions in no wise impede the authorization to enter into the requisite agreement with the Secretary of Health, Education and Welfare and therefore necessarily authorize the assumption of the primary obligation by the State as required by Section 218(e)(1).</i></p>
Opinion No. S-148	<p><b>(Construction of constitutional amendment adopted November 2, 1954, concerning voting by members of the armed forces):</b> <i>The constitutional amendment relating to voting by persons in military service, adopted on November 2, 1954, became effective on November 19, 1954. The amendment is self-enacting and supersedes all conflicting statutes. The amendment removes the voting disqualification against members of the regular military establishment. All persons in military service are now qualified e-lectors if they meet other constitutional requirements. However, a person in military service may vote only in the county in which he resided at the time he entered service. This restriction applies only to persons extended active duty; it does not apply to members of the National Guard and reservists who are not on extended active duty. While absence from one’s place of residence during military service does not of itself cause a loss of residence, it is possible for a person to abandon his old residence and acquire a new one while he is in service. If he does so, and thereby changes the county of his residence, he cannot vote so long as he continues in service, unless he re-establishes his legal residence in the county in which he resided when he entered service. The amendment repealed Section 2a of Article VI of the Constitution of Texas, which waived payment of the poll tax by military personnel as a condition precedent to voting in time of war and for a certain period after its termination. Voters in military service must now comply with the laws relating to payment of poll tax and to obtaining exemption certificates to the same extent and in the same manner as civilian voters. The regular receipt form should be used for their poll tax receipts. Opinion modified and overruled in part by <i>Carrington v. Rash</i>, 85 S.Ct. 775 (1965) that held: A state can impose reasonable residing requirements for voting but cannot, under the Equal Protection Clause, deny the ballot to a bona fide resident because he is a member of the armed services.</i></p>
Opinion No. V-820	<p><b>(The ownership of certain land conveyed to Company “F”, 111<sup>th</sup> Engineer Regiment, 36<sup>th</sup> Division, Texas National Guard, by the City of Houston, following re-organization of said unit.):</b> <i>Property conveyed by a city in 1938 to a unit of the Texas National Guard no longer in existence because of reorganization of the 36<sup>th</sup> Division may be used for armory purposed by such unit as may be designated by proper authority. Article 5781, R.C.S.; Articles 5790, 5885 and 5890b, V.C.S.</i></p>

Attorney General Opinion No.	Impact on Agency
Opinion No. V-116	<b>(Re: Legality of disposition of certain National Guard “Unit Property.”)</b> <i>The Adjutant General is authorized to return Texas National Guard unit property to the units owning such property in instances where such units are included in the reorganized Texas National Guard, and in instances where units are not included in the reorganized Texas National Guard, to distribute such unit property to the unit or units in the reorganized National Guard which reconstitute or replace the non-existent units. The Adjutant General is not authorized to designate any representative or representatives of any non-existent unit for the purpose of selling unit property and holding the proceeds from said sale in trust for a future organization.</i>
Opinion No. V-46	<b>(Re: Appropriate agency to accept title to site for Texas National Guard Armories):</b> <i>The National Guard Armory Board is the proper State Agency to accept on behalf of the State the fee simple title to land donated to the State by private citizens to be used as an armory site by the Texas national Guard. Article 5890b, Sec. 2, subsections (f) and (g), Vernon’s Annotated Civil Statutes.</i>
Opinion No. O-7199	<b>(Re: Legal status of Texas State Guard Post Exchanges.)</b> <i>Your supplemental letter states that you have issued no rules, regulations, or orders governing Post Exchanges. We have found no Texas statutes on the subject. Therefore, we must assume that any enterprises operating under that name are doing so without the sanction or authority of the State of Texas. Even assuming that the general statutes setting up the Texas State Guard impliedly authorize the Governor, through his Adjutant General of Texas, to establish post exchanges as instrumentalities of the State (which question we do not here decide), we understand that no such action has been taken, that no Legislature has recognized post exchanges as State activities, and that whatever action has been taken towards their establishment has been purely voluntary action on the part of individual officers and members of local units of the Texas State Guard. Therefore, having neither statutes nor regulations affording data upon which the legal status of such post exchanges may be determined, we must conclude that they are not instrumentalities or agencies of the State of Texas.</i>
Opinion No. O-5779	<b>(Portion of armed forces now in service of United States Government entitled to vote in coming Texas primary elections, and a related question):</b> <i>[Y]ou are advised, First: that all members of the armed forces in the service of the United States Government, except members of the Regular Army and the Regular Navy, are entitled to vote in the coming primary elections of this State, provided that they are otherwise qualified to vote in such elections. Second: Such voters may vote absentee in exactly the same manner as provided for absentee voting by other voters. That is, they may, (a) vote absentee, in person, at the office of the County Clerk of the county of their residence at any time not more than twenty days prior to Election Day and not less than three days prior thereto. (b) They may vote absentee by mail by making written application for a ballot in the statutory manner. Such application may be made at any time prior to the election, and upon such application ballot may be mailed to the voter by the county clerk at any time not more than twenty days prior to the date of election. The absentee ballot must be case during a period not more than twenty days and not less than three days prior to Election Day.</i>
Opinion No. O-5695	<b>(Right of Adjutant General on behalf of State to enter into lease rental contract with the Texas National Guard Armory Board):</b> <i>[W]e conclude that the Legislature intended that the Armory Board be vested with power to do all that is necessary to provide the State with National Guard Armories. To further this purpose, the Board was authorized to borrow money, to pledge the rents and profits to secure such indebtedness, such profits to be derived by renting Armories to the State within the limitation of current appropriations made to said Board, and the Adjutant General was designated to act as the out the purposes intended. Further that the Adjutant General in executing these lease contracts was to perform a mere ministerial act, and was not vested with any discretion in the matter.</i>



Attorney General Opinion No.	Impact on Agency
Letter Opinion No. 0-3335	<b>(Whether State employee may draw twelve (12) days' vacation pay after drafting into Army (i.e., can such employee draw pay from both the Federal government and the State of Texas during the first twelve (12) days of his service in the regular army?):</b> ...Your question, as we understand it, relates to men who are not in the National Guard nor any of the other exceptions listed in the above constitutional provision. Hence, we are compelled to answer your question in the negative.
Opinion No. O-3693	<b>(Whether a district attorney inducted into the United States Army may continue to receive his salary from the State as district attorney):</b> It is therefore the opinion of this department that the Accounting Officers of this State are prohibited by the Constitution from drawing and paying a warrant for your salary as district attorney while you are serving as an inductee in the United States Army.
Opinion No. O-2769	<b>(Authority of State National Guardsmen to hold and receive pay for their State offices while they are in active military duty in the service of the United States pursuant to presidential order):</b> Questions answered in the negative. You have limited your questions to the situation where a National Guardsman holding an "office" under this State by virtue of the presidential call acquires an "office" in the active military service of the United States, and our opinion above has reference only to that situation. However the following fact situations, we feel, should be considered: 1. Assume that a National Guardsman holding a State "office" by virtue of the presidential call acquires, not an "office" of profit or trust, but a "position" of honor, trust or profit in the active military service of the United States. To this situation, Article 16, Section 12, of the Constitution, does not apply, and the State office would not be forfeited. However, so long as the "position" of honor, trust or profit [is] held under the United States, under Article 16, Section 33, of the Constitution, the accounting officers of the State are prohibited from drawing or paying a warrant upon the treasury for the salary or compensation attaching to the State "office." 2. Assume that a National Guardsman is an "employee" of the State, and by virtue of the presidential call, acquires an "office" or "position" of "honor, trust or profit" in the active military service of the United States. To this situation Article 16, Section 12 of the Constitution does not apply, and the employee of the State would not thereby automatically lose his State employment. However, so long as the "officer" or "position" of "honor, trust or profit" in the active military service of the United States is held, under Article 16, Section 33, of the Constitution, the accounting officers of the State of Texas are prohibited from drawing or paying a warrant upon the treasury for salary or compensation attaching to the State employment.

Attorney General Opinion No.	Impact on Agency
Opinion No. O-2407	<p><b>(Texas National Guard Armory Board—S.B. 427, 46<sup>th</sup> Legislature—General Departmental Appropriation Bill—Repair, upkeep and maintenance Houston Life Guard Armory—Manner of Expending). Is the Texas National Guard Armory Board is authorized to pay out of the above-referenced appropriation for the costs of maintenance, repair, insurance and operating expenses of said Armory when purchases are contracted for under the approval and management of the Armory Board of Control but not that of the State Board of Control?)</b><i>The powers of the Board of Control as [prescribed in House Concurrent Resolution No. 30 of the 46<sup>th</sup> Legislature] are broad and comprehensive and confer upon the Board the power and duty to purchase all the supplies used by each department of the State government, except such supplies as are specially excepted in subsequent Articles, and the Texas National Guard Armory Board comes within the purview of this statute...We are of the opinion the item of insurance does not come within the term “supplies” contained in Article 634...the Texas National Guard Armory Board, by virtue of House Concurrent Resolution No. 30 creating it, is charged with the duty of providing the insurance, and there being no statute to the contrary, it is charged with the further duty of contracting for it...The Armory Board, however, would have no authority to create such a charge...beyond the fiscal year to which the appropriation applies...As a matter of economy it may be unwise for the State to deny to its representatives the power to contract for insurance upon a three or five year basis, but that is for the Legislature and not the Judicial or Administrative Departments of the State...We have several times held that it is the policy of the State to carry its own fire insurance...In the present case, however, House Concurrent Resolution No. 30 makes it the duty of the Texas National Guard Armory Board and its successors “to provide for * * * insurance” upon said property donated by the Houston Life Guard Veterans Association, Inc. The general rule of State policy, resting as it does in resolution only, is not applicable to the present case, since House Concurrent Resolution No. 30 evidences a contrary rule as to this particular property.</i></p>
Opinion No. O-2471	<p><b>(Should an individual employed by the State who was called for a period of 28 days training for a reserve officer in the United States Army be allowed pay from the State for more than the amount of 12 working days which would be termed as his vacation?):</b> <i>Employees are required to perform the duties and render the services as required by the heads of the various departments and when the head of such department makes the affidavit as above mentioned, stating that the employee has performed the duties assigned to him then such employee would be entitled to his compensation as such. It is true that that employees are limited to twelve days vacation exclusive of Sundays and legal holidays without deduction in salary; however, this is where the employee performs no duty or renders no services and is entitled to his compensation notwithstanding that he has performed no duty or rendered no service.</i></p>
Opinion No. O-2883	<p><b>(Authority of county to render financial assistance to National Guard if such Guard unit it called into the United States Army):</b> <i>We believe the Legislature in passing Article 5885, supra, contemplated providing means by which the governing authorities of counties and cities could render financial aid to their local National Guard units established and maintained within their particular localities. We do not believe the power to appropriate governmental funds prevails when the unit for which such appropriation is made is called into the United States Army. If, therefore, the unit for which the item of \$50.00 per month is included in your 1941 Budget has been removed from your county by January 1, 1941, you should not issue your warrant for such item. If such unit is thereafter released from the United States Army during the year 1941 and returns to your county, you would be authorized to resume payment for the remaining months of the year.</i></p>

Table 12 Exhibit 12 Attorney General Opinions

- B. Provide a summary of recent legislation regarding your agency by filling in the charts below or attaching information already available in an agency-developed format. Briefly summarize the key provisions. For bills that did not pass, briefly explain the key provisions and issues that resulted in failure of the bill to pass (e.g., opposition to a new fee, or high cost of implementation). Place an asterisk next to bills that could have a major impact on the agency.**

**(Texas Military Department)**  
**Exhibit 13: 85th Legislative Session**

**Legislation Enacted**

Bill Number	Author	Summary of Key Provisions
HB 1606	Rep. Huberty	Enables TMD to purchase food and beverages for charged military housing, training functions/events, and students participating in the Texas ChalleNGe Academy.
HB 1630	Rep. Dale	Allows TAG to delegate the authority to approve TMD expenditures to the executive director that are under \$10K.
HB 1655	Rep. King, P	Clarifies that for defendants who are members of the Texas Military Forces, incidents of domestic violence are to be reported to the JAG, not JFHQ.
HB 1860	Rep. Cyrier	Gives TAG access to criminal background information on potential employees during the application process without a signed authorization statement from applicants.
HB 1905	Rep. Guillen	Allows TAG to appoint a general officer for several different positions. This particular amendment replaces the government affairs general officer position with one in domestic operations. This position does not require any state funds as it will be funded by the NGB and falls within the allotted number of FTEs for the agency.

Bill Number	Author	Summary of Key Provisions
HB 2486	Rep. Stucky	Expands reemployment rights to all political subdivisions of the state, including cities and counties. Provides that an employee of this state or a municipality, a county, or another political subdivision of this state with at least five full-time employees, rather than a state employee, who is a member of the Texas military forces, a reserve component of the armed forces, or a member of a state or federally authorized urban search and rescue team and who is ordered to duty by proper authority is entitled, when relieved from duty, to be restored to the position that the employee held when ordered to duty.
SB 102	Sen. Hall	As in HB 1905, the Adjutant General is given authority to appoint as general officers one or more assistant deputy adjutant general(s) for army, air, homeland security, and domestic operations.

**Table 13 Exhibit 13 Legislation Enacted 85th Leg**

**Exhibit 14: 84th Legislative Session**

Bill Number	Author	Summary of Key Provisions
HB 2965	Rep. Guillen	The Adjutant General is enabled to hire service members to fill state military administrative support positions within TMD by considering them to be on extended state active duty service.
HB 577	Rep. Flynn	Claims of discrimination by Service Members on state active duty (SAD) orders shall go solely through Texas military forces, and are no longer processed in conjunction with TWC. Also clarifies that Service Members called to SAD are still subject to the readiness and fitness qualifications of the Texas Military Forces.
HB 445	Rep Raney	Requires a notice of available paid leave to be provided to state employees who are also members of the Texas military forces or reserves.

Bill Number	Author	Summary of Key Provisions
HB 1598	Rep. Menendez	Prescribes an oath of allegiance to Texas and to the United States for all members of the Texas military forces other than the Texas National Guard.
HB 2123	Rep. King, P	Members of the Texas military forces who are not full-time or part-time state employees but who have been on state active duty or training for 60 days or more are eligible for state group benefits program. This brings the agency into compliance with the Affordable Care Act.
HB 2152	Rep. Fletcher	Protects specific personal information on Service Members on state active duty or deployed from public records disclosures.
SB 850	Sen. Taylor, V	Protects state military personnel by giving them authority to use deadly force when on SAD.

Table 14 Exhibit 14 Legislation Enacted 84th Leg

**Exhibit 15: 83rd Legislative Session**

Bill Number	Author	Summary of Key Provisions
SB 1536	Sen. Van de Putte	<p>SB 1536 (83R) created a major overhaul of code relating to the Texas Military Department. This bill led to the consolidation of much of Chapter 431, Government Code into a new Chapter 437, under which TMD is now primarily housed. Changes made include the provision setting a Sunset date of September 1, 2019 for the agency.</p> <p>The significant changes to the structure and focus of the agency as it transformed into the Texas Military Forces were denoted in this bill. Agency titles, positions, and the general role of the agency was collected into a single housing point in statute. Powers and duties of general officer positions were detailed, with particular attention placed on the position of the adjutant general’s appointment methodology, term limits, powers, and duties. The same was done for the executive director position. Long-term archival mechanisms, technological policies, contracting requirements, and reporting requirements to the Governor and Texas legislative body were detailed in the new language. The rights and benefits of state employees at TMD were brought into statute, along with clarifying language surrounding Service Members under Title 10 or Title 32. Statutory changes in the bill clarified state active duty (SAD) and how those orders affect a Service Member in both their military and civilian capacities. This includes the health/retirement benefits and legal protections offered to those on SAD orders.</p>

Table 15 Exhibit 15 Legislation Enacted 83<sup>rd</sup> Leg

## IX. Major Issues

### A.1 Brief Description of Issue: Emergency Procurement Authority

Texas Government Code Sec. 418.073 does not initiate emergency procurement capabilities to agencies issued a State of Texas Assistance Request (STAR). This prevents agencies initiating the expedited purchase requests needed to immediately support personnel and equipment that have been requested to assist a state response. Specifically, current statute does not provide TMD automatic statutory emergency procurement authority even when the agency receives a STAR from the Texas Department of Emergency Management.

### B.1 Discussion

Texas Government Code states that procurement rules are waivable when the Governor declares a state of emergency. Typically, these emergency declarations come after the TMD response has already been initiated by the Texas Department of Emergency Management. Using the Governor's emergency declaration as the trigger for procurement process waivers instead of the issuance of the State of Texas Assistance Request prevents TMD from making the expedited purchases it needs to support immediate response activities.

### C.1 Possible Solutions and Impact

Amend Texas Government Code Sec. 418.073 to authorize all state agencies activated for support by Texas Department of Emergency Management (TDEM) through the State of Texas Assistance Request (STAR) process to suspend normal procurement rules to support the agency response and meet the needs of the state. This change will empower activated agencies with immediate, effective, and efficient purchase capability and mitigate unnecessary risk to the lives, property, and security of the citizens of the Texas.

### A.2 Brief Description of Issue: Outdated and Deteriorating Facilities

Outdated and deteriorating facilities need to be modernized and maintained to ensure the readiness of Service Members and the safety of communities.

### B.2 Discussion

The CFMO currently maintains more than 5.9 million square feet of facilities. More than half of these facilities were constructed over 50 years ago and now are in need of substantial repairs, rehabilitation and maintenance to adequately sustain them. The Texas Legislature has invested in the improvement of 14 facilities in the last two sessions for a total of \$30.6M. TMD is requesting continued funding for the remaining facilities.

### C.2 Possible Solutions and Impact

Provide state funding to secure a federal match to maximize the state's ability to reduce maintenance costs of aging facilities. Updating state facilities to become energy efficient will reduce future operating costs to the state. Sustaining TMD facilities in good working condition mitigates risk to the state by addressing serious life, health, and safety issues. These improvements benefit Service Members by providing them a safe and reliable environment to conduct training and missions.

### **A.3 Brief Description of Issue: Modernized, Regionally Dispersed Training Areas**

The TMD requires larger, modernized and regionally dispersed training areas to train and validate unit readiness to conduct current state and federal missions.

#### **B.3 Discussion**

In today's dynamic threat environment, the TMD must meet more stringent DoD training standards including: Squad Assault Course, platoon-sized maneuver lanes, and ranges capable of conducting mounted gunnery through individual crew qualification. The TMD currently owns 4 training facilities: Camp Bowie, Camp Walters, Camp Maxey and Camp Swift. These facilities cannot support vehicle gunnery, squad and platoon collective live fire training tasks because of range size and modernization issues. In previous years, the TMD used active component training areas on Ft. Bliss, Ft. Hood, and Ft. Polk to complete these training requirements. Dedicated National Guard Multi-Purpose ranges no longer exist at these installations and non-mobilizing TMD units are low priority for access to suitable training ranges. This means that TMD units are often unable to access these ranges to complete training requirements.

The real property requirement for each training facility is at least 10,000 acres to allow for current and future training requirements and sustainment areas and a significant capital investment for basic life support. The lack of available compliant training areas for TMD units prevents Commanders from validating unit readiness to execute their current mission set for the state and nation.

#### **C.3 Possible Solutions and Impact**

Amend statutes for TMD to acquire additional land at the Fort Wolters Training Center, Camp Bowie Training Center, and establish a multi-use training center in South Texas. The modernization and rightsizing of TMD training facilities will ensure TMD units are validated and trained to conduct today's mission requirements for the state and nation. Additionally, the availability of a South Texas training site would provide a southern staging and operational base for the State's Emergency Response Plan that could be leveraged as a state multi-agency training site. The costs of this effort could be offset by divesting undersized training areas.

### **A.4 Brief Description of Issue: Statutory Requirement/Authorization to Support State with Cyber Response Capabilities**

There are currently no statutory requirements or authorizations for the TMD to support the state with Cyber response capabilities.

#### **B.4 Discussion**

Currently, the TMD has trained personnel and equipment available to support cyber missions and participate in state cyber response and joint cyber training exercises. TMD is in the process of standing up additional Cyber Units and all will be fully operational by October 2020.

#### **C.4 Possible Solutions and Impact**

Amend statutes to define TMD cyber support requirements to enhance the state's cyber response capabilities.

When activated by the Governor of Texas through a STAR, the TMD cyber forces can perform a range of cyber functions:

**Prevent and Protect.** Review agency cyber policies, processes, and procedures to determine if they align with current best business practices, laws, and regulations. Provide simulation and evaluation assistance for state training exercises.

**Vulnerability assessment and remediation.** Perform vulnerability assessments and remediation to define, identify, and classify the security vulnerabilities in a computer, network, or communications infrastructure. Facilitate remediation activities and assess the ability of the network defenders to detect and respond to malicious network activity.

**Active network defense.** Provide boundary level protection to detect malicious and/or anomalous activity and analyze security events to conduct threat and damage assessments.

**Detect and analyze.** Detect and analyze the cause, entry points, and methodology used on compromised networks and systems, and assist law enforcement agencies when requested.

**Restoration of services.** Provide various specialized skillsets like network engineers, database and hard drive recovery, system administrators, and security analysts to assist agencies with post incident restoration of services.

#### **A.5 Brief Description of Issue: State Licensing Requirements Restrict Out-of-State Client Access to TMD Mental Health Counseling**

Current state licensing requirements for behavioral health services exclude out of state clients from accessing TMD Mental Health Counseling services. For example, TMD members who live out of state may drill once a month with their Texas based unit, but due to current licensing restrictions cannot access services available to them in their home state.

#### **B.5 Discussion**

Traditional Service Members living in neighboring states do not have access to TMD MH Counseling when at home. This mainly affects East and West Texas Service Members who live in Louisiana or New Mexico, but belong to Texas units. To support the mental health needs of those Service Members, the counselors try to identify other resources within the local area that may be able to help, such as a Vet Center.

#### **C.5 Possible Solutions and Impact**

Amend current behavior health state licensing requirements to allow for counseling — at least tele-mental health — across state lines. TMD Mental Health Counseling would be able to provide services for Texas Service Members and families who live in neighboring states. Many East Texas Service Members have stated that they have financial issues even travelling and attending drill with their units. Furthermore, many of those Soldiers are uninsured, so seeking mental health care would be an additional financial burden they cannot bear.

**A.6 Brief Description of Issue: Reclassify State Tuition Assistance Program as Tuition Reimbursement Program**

Reclassify the State Tuition Assistance Program to “the state tuition reimbursement program.” Texas Government Code, Sec. 437.226 describes the Tuition Assistance Program as a “waiver” of tuition and mandatory fees. This language fails to accurately describe the program, creates false expectations of guaranteed assistance, and minimizes upfront financial obligations for eligible members.

**B.6 Discussion**

Since the 2012-13 biennium, State Tuition Assistance Program has seen unprecedented growth in the number of requests received from TMD Service Members faced with shrinking federal education benefits coupled with the escalating cost of college tuition and fees. Between Spring and Fall 2016, the State Tuition Assistance Program experienced a 57 percent increase in the number of requests from TMD Members. The STRP is a vital state investment that allows the TMD to create a diverse and engaged force sustained through effective recruiting and retention programs.

**C.6 Possible Solutions and Impact**

Amend Texas Government Code, Sec. 437.226 to describe the STRP program as a “reimbursement” of tuition and mandatory fees up to 12 credit hours a semester. This will more accurately define the STRP program and set expectations with TMD Service Members and partner institutions that the State of Texas is committed to maintaining a relevant and ready TMD force by supporting Service Members, Veterans and their families.

**X. Other Contacts**

**A. Fill in the following charts with updated information on people with an interest in your agency, and be sure to include the most recent email address.**

(Texas Military Department)  
Exhibit 14: Contacts

**Interest Groups**

*(groups affected by agency actions or that represent others served by or affected by agency actions)*

Group or Association Name/ Contact Person	Address	Telephone	Email Address
National Guard Family Support Foundation	<a href="http://www.txngfoundation.org/">http://www.txngfoundation.org/</a>	(512) 454-1318	office@txngfoundation.org
Texas Coalition for Veteran Organizations	1624 East Anderson Lane Austin, TX 78752	(512) 472-4138	secretary@texascoalitionofveteran sorganizations.org
Texas Military Forces Historical Foundation	P.O. Box 5218, Austin, TX 78703	—	badams@tmfhf.com

Table 16 Exhibit 14 Interest Groups



**Interagency, State, or National Associations***(that serve as an information clearinghouse or regularly interact with your agency)*

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone</b>	<b>Email Address</b>
NGAT – Marvin Harris	3706 Crawford Avenue, Austin, TX 78731	(512) 454-7300	mharris@ngat.org
NGAUS – Matt Pincus	One Massachusetts Avenue, N.W. Washington, D.C. 20001	202-789-0031	ngaus@ngaus.org

**Table 17 Exhibit 14 Interagency, State, and National Association****Liaisons at Other State Agencies***(with which your agency maintains an ongoing relationship, e.g., the agency's assigned analyst at the Legislative Budget Board, or attorney at the Attorney General's office)*

<b>Agency Name / Relationship / Contact Person</b>	<b>Address</b>	<b>Telephone</b>	<b>Email Address</b>
Office of the Governor – Craig Bean	1100 San Jacinto Austin, Texas 78701	512-463-8737	craig.bean@gov.texas.gov
Texas Office of State/Federal Relations – Jerry Strickland	1100 San Jacinto Austin, Texas 78701	512-463-4375	Jerry.strickland@gov.texas.gov
LBB/Angela Isaack	1501 N. Congress Ave	512-463-1037	Angela.Isaack@lbb.state.tx.us
LBB/Matthew Puckett	1501 N. Congress Ave	512-463-2774	Matthew.Puckett@lbb.state.tx.us
CPA/Viri Rodriguez	111 E. 17 <sup>th</sup> Street, Austin	512-936-6137	Viri.Rodriguez@cpa.texas.gov
CPA/Duvan Arsola	111 E. 17 <sup>th</sup> Street, Austin	512-936-4432	Duvan.Arsola@cpa.texas.gov
Texas Department of Emergency Management	5805 North Lamar Blvd. Austin, Texas 78752-4422	512-424-2208	soc@dps.texas.gov
Texas Department of Public Safety	5805 North Lamar Blvd Austin, TX 78752-4431	512-4247-2000	soc@dps.texas.gov
Texas Veterans Commission	Stephen F. Austin Bldg., Suite 800 1700 N. Congress Ave Austin, Texas 78701	512-463-6564	info@tvc.texas.gov
Texas Veterans Commission/ Mental Health Program/ Tim Keesling	400 W. 15 <sup>th</sup> St, Ste 713 Austin, TX 78701	512-956-3438	Tim.keesling@tvc.texas.gov
Texas Veterans Commission/ Texas Coordinating Council for Veterans Services / Justin Coleman	1700 North Congress Avenue Suite 800 Austin, Texas 78701	512-463-8914	justin.coleman@tvc.texas.gov
State Auditor's Office/Classification Analyst/Lara Tai	1501 N. Congress Ave., STE. 4.224, Austin, TX 78701 P.O. Box 12067, Austin, TX 78711- 2067	512-936-9660	Lara.Tai@sao.texas.gov

Self-Evaluation Report

Agency Name / Relationship / Contact Person	Address	Telephone	Email Address
State Auditor’s Office/Audit Manager/Anjelica Ramirez	1501 N. Congress Ave., STE. 4.224, Austin, TX 78701 P.O. Box 12067, Austin, TX 78711-2067	512-936-9602	Anjelica.Ramirez@sao.texas.gov
Office of the Attorney General/Agency Liaison/ Melissa Juarez	P.O. Box 12548, Austin, TX 78711-2548	512-463-2100	Melissa.juarez@oag.texas.gov
State Office of Risk Management//Risk Manager/Christine Wright	William P. Clements, Jr. State Office Bldg., 300 W. 15 <sup>th</sup> St. 6 <sup>th</sup> Fl. Austin, TX 78711 P.O. Box 13777, Austin TX. 78711-3777	512-936-1571	Christine.Wright@sorm.state.tx.us
Texas Health and Human Services Commission/ Statewide Behavioral Health Coordinating Committee Chair/ Trina Ita	4900 N Lamar Blvd, 3 <sup>rd</sup> Floor, MC1151, Austin, TX 78751	512-424-6536	Trina.ita01@hhsc.state.tx.us
Texas Workforce Commission/ Texas Veterans Leadership Program/ Bob Gear	101 E 15 <sup>th</sup> St Rm 122 Austin Texas 78778	512-463-2222	bobby.gear@twc.state.tx.us

Table 18 Exhibit 14 Liaisons at Other State Agencies

## XI. Additional Information

- A. Texas Government Code, Sec. 325.0075 requires agencies under review to submit a report about their reporting requirements to Sunset with the same due date as the SER. Include a list of each agency-specific report that the agency is required by statute to prepare and an evaluation of the need for each report based on whether factors or conditions have changed since the statutory requirement was put in place. Please do not include general reporting requirements applicable to all agencies, reports that have an expiration date, routine notifications or notices, posting requirements, federally mandated reports, or reports required by G.A.A. rider. If the list is longer than one page, please include it as an attachment.

(Texas Military Department)

Exhibit 15: Evaluation of Agency Reporting Requirements

Report Title	Legal Authority	Due Date and Frequency	Recipient	Description	Is the Report Still Needed? Why?
Biennial Report	Texas Gov't Code, Section 437.107	December of each even-numbered year	Governor	Account of all arms, ammunition, and other military property owned by or in possession of this state and its present condition; statement of the number, condition, and organization of the Texas military forces; suggestions important to the military interests and conditions of this state; list and description of all Texas military forces missions in progress; and statement of department plans to obtain and maintain future Texas National Guard missions, including proposed missions consistent with the United States DoD's strategies.	Yes. Report provides key details to the Governor.
Use of Military Property	Texas Gov't Code, Section 437.107	Not later than Sept. 1 of a year in which General Land Office Requests Report	Governor, Lieutenant Governor, Speaker of the House, Legislative Budget Board and Governor's Budget Office	Agency produces report only when General Land Office requests it. The report evaluates the military use of any real property under the management and control of the department.	As long as General Land Office has authority to request the report, the agency stands ready to produce it.
Monthly Internal Audit Report	Rider 22, 2016-2017 General Appropriations Act	Once a month.	Governor, Legislative Budget Board, and State Auditor's Office.	Provide information on internal audit work performed during the period.	Not after Sept. 1. Rider 18 in the 2018-2019 GAA no longer contains a requirement to report monthly.
Quarterly Internal Audit Minutes Reporting	Rider 22, 2016-2017 GAA, Rider 18, 2018-2019 GAA	Quarterly	Governor and State Auditor	Provide minutes of quarterly internal audit committee meetings.	Yes. Required in the GAA.

Table 19 Exhibit 15 Agency Reporting Requirements

**B. Has the agency implemented statutory requirements to ensure the use of "first person respectful language"? Please explain and include any statutory provisions that prohibits these changes.**

TMD treats all its employees with dignity, courtesy, and respect.

**C. Fill in the following chart detailing information on complaints regarding your agency. Do not include complaints received against people or entities you regulate. The chart headings may be changed if needed to better reflect your agency’s practices.**

(Texas Military Department)  
Exhibit 16: Complaints Against the Agency — Fiscal Years 2015 and 2016

	Fiscal Year 2015	Fiscal Year 2016
Number of complaints received	488	624
Number of complaints resolved	469	593
Number of complaints dropped / found to be without merit	12	7
Number of complaints pending from prior years	6	6
Average time period for resolution of a complaint	52.8 days	23.9 days

Table 20 Exhibit 16 Complaints Against the Agency

**D. Fill in the following charts detailing your agency’s Historically Underutilized Business (HUB) purchases.**

(Texas Military Department)  
Exhibit 17: Purchases from HUBs

**Fiscal Year 2015**

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal*	Statewide Goal
Heavy Construction	\$211,204	\$60,301	28.55%	11.2%	11.2%
Building Construction	\$5,165,770	\$3,725,354	72.12%	21.1%	21.1%
Special Trade	\$5,745,794	\$2,019,927	35.15%	32.9%	32.9%
Professional Services	\$78,348	\$70,156	89.54%	23.7%	23.7%
Other Services	\$22,191,850	\$10,031,543	45.20%	26.0%	26.0%
Commodities	\$5,710,504	\$1,025,103	17.95%	21.1%	21.1%
<b>TOTAL</b>	<b>\$39,103,473</b>	<b>\$16,932,386</b>	<b>43.30%</b>		

Table 21 Exhibit 17 HUB Purchases for FY 2015

\* If your goals are agency specific-goals and not statewide goals, please provide the goal percentages and describe the method used to determine those goals. (TAC Title 34, Part 1, Chapter 20, Rule 20.284)

**Fiscal Year 2016**

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal*	Statewide Goal
Heavy Construction	\$825,333	\$395,564	47.93%	11.2%	11.2%
Building Construction	\$11,067,493	\$4,379,020	39.57%	21.1%	21.1%
Special Trade	\$6,481,996	\$2,459,207	37.94%	32.9%	32.9%
Professional Services	\$283,190	\$261,926	92.49%	23.7%	23.7%
Other Services	\$12,811,974	\$4,155,921	32.44%	26.0%	26.0%
Commodities	\$5,302,949	\$1,095,498	20.66%	21.1%	21.1%
<b>TOTAL</b>	<b>\$36,772,938</b>	<b>\$12,747,138</b>	<b>34.66%</b>		

Table 22 Exhibit 17 HUB Purchases for FY 2016

**Fiscal Year 2017**

Category	Total \$ Spent	Total HUB \$ Spent	Percent	Agency Specific Goal	Statewide Goal
Heavy Construction	\$112,705	\$84,550	75.02%	11.2%	11.2%
Building Construction	\$7,424,746	\$3,366,482	45.34%	21.1%	21.1%
Special Trade	\$2,813,147	\$1,675,325	59.55%	32.9%	32.9%
Professional Services	\$173,451	\$76,681	44.21%	23.7%	23.7%
Other Services	\$4,247,030	\$1,681,984	39.60%	26.0%	26.0%
Commodities	\$2,327,979	\$387,964	16.67%	21.1%	21.1%
<b>TOTAL</b>	<b>\$17,099,061</b>	<b>\$7,272,988</b>	<b>42.53%</b>		

Table 23 Exhibit 17 HUB Purchases for FY 2017

**E. Does your agency have a HUB policy? How does your agency address performance shortfalls related to the policy? (Texas Government Code, Sec. 2161.003; TAC Title 34, Part 1, rule 20.286c)**

Though no standalone policy exists, TMD has incorporated a detailed HUB Plan as a part of its Strategic Plan.

**F. For agencies with contracts valued at \$100,000 or more: Does your agency follow a HUB subcontracting plan to solicit bids, proposals, offers, or other applicable expressions of interest for subcontracting opportunities available for contracts of \$100,000 or more? (Texas Government Code, Sec. 2161.252; TAC Title 34, Part 1, rule 20.285)**

TMD follows a HUB subcontracting plan to solicit bids and proposals for subcontracting opportunities.

**G. For agencies with biennial appropriations exceeding \$10 million, answer the following HUB questions.**

**1. Do you have a HUB coordinator? If yes, provide name and contact information. (Texas Government Code, Sec. 2161.062; TAC Title 34, Part 1, rule 20.296)**

TMD does have a HUB Coordinator. Contact Information: Regina B. Durden, Director of Procurement and HUB Coordinator (512) 782-5001 ext 4752; regina.durden@military.texas.gov

**2. Has your agency designed a program of HUB forums in which businesses are invited to deliver presentations that demonstrate their capability to do business with your agency? (Texas Government Code, Sec. 2161.066; TAC Title 34, Part 1, rule 20.297)**

At this time, the agency is in the planning stages of its first agency HUB forum. The first HUB forum is anticipated in the fall of 2017. The agency has participated in past HUB forums sponsored by and/or in collaboration with other state agencies.

**3. Has your agency developed a mentor-protégé program to foster long-term relationships between prime contractors and HUBs and to increase the ability of HUBs to contract with the state or to receive subcontracts under a state contract? (Texas Government Code, Sec. 2161.065; TAC Title 34, Part 1, rule 20.298)**

The agency does not have any mentor-protégé relationships established.

**H. Fill in the charts below detailing your agency’s Equal Employment Opportunity (EEO) statistics.**

(Texas Military Department)  
Exhibit 18: Equal Employment Opportunity Statistics

**1. Officials / Administration**

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	10	10%	7.4%	0	22.1%	10%	37.4%
2016	11	9.1%	7.4%	9.1%	22.1%	54.6%	37.4%
2017	11	18.5%	7.4%	0	22.1%	45.5%	37.4%

Table 24 Exhibit 18 EEO Statistics for Officials/Administration

**2. Professional**

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	152	6.0%	10.4%	17.8%	19.3%	46.1%	55.3%
2016	165	9.7%	10.4%	21.2%	19.3%	46.7%	55.3%
2017	162	10.5%	10.4%	20.4%	19.3%	45.1	55.3%

Table 25 Exhibit 18 EEO Statistics for Professionals

**3. Technical**

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	37	8.1%	14.4%	21.7%	27.2%	32.4%	55.3%
2016	39	12.9%	14.4%	23.1%	27.2%	28.2%	55.3%
2017	24	17%	14.4%	21%	27.2%	17%	55.3%

Table 26 Exhibit 18 EEO Statistics for Technical

**4. Administrative Support**

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	45	22.3%	14.8%	24.5%	34.8%	71.2%	72.1%
2016	48	25%	14.8%	23%	34.8%	65%	72.1%
2017	78	23.1%	14.8%	23.1%	34.8%	62.9%	72.1%

Table 27 Exhibit 18 EEO Statistics for Administrative Support

**5. Service / Maintenance**

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	16	31.3%	13.0%	18.8%	54.1%	50%	51.0%
2016	13	30.8%	13.0%	23.1%	54.1%	53.9%	51.0%
2017	13	31%	13.0%	23.1%	54.1%	69.3%	51.0%

Table 28 Exhibit 18 EEO Statistics for Service and Maintenance

**6. Skilled Craft**

Year	Total Number of Positions	Percent African-American	Statewide Civilian Workforce Percent	Percent Hispanic	Statewide Civilian Workforce Percent	Percent Female	Statewide Civilian Workforce Percent
2015	135	6.0%	10.6%	26.0%	50.7%	2.3%	11.6%
2016	114	8.8%	10.6%	24.6%	50.7%	2.7%	11.6%
2017	112	8.1%	10.6%	25.9%	50.7%	2.7%	11.6%

Table 29 Exhibit 18 EEO Statistics for Skilled Craft

**I. Does your agency have an equal employment opportunity policy? How does your agency address performance shortfalls related to the policy?**

TMD has an EO/EEO policy. Violation of EO/EEO policy may result in corrective or administrative actions, or disciplinary action under the Texas Code of Military Justice (TCMJ).

## **XII. Agency Comments**

No additional comments.



# Attachments List

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## Attachments Relating to Key Functions, Powers, and Duties

1. Agency's enabling statute.
2. Annual reports published by the agency from FY 2015–2017.
3. Internal or external newsletters published by the agency from FY 2016–2017.
4. List of studies that the agency is required to do by legislation or riders.
5. List of legislative or interagency studies relating to the agency that are being performed during the current interim.
6. List of studies from other states, the federal government, or national groups/associations that relate to or affect the agency or agencies with similar duties or functions. Provide links if available.

## Attachments Relating to Policymaking Structure

7. Biographical information (e.g., education, employment, affiliations, and honors) or resumes of all policymaking body members.
8. Agency's most recent rules. If lengthy, please provide electronically or just the citation to the Administrative Code.

## Attachments Relating to Funding

9. Agency's Legislative Appropriations Request for FY 2018–2019.
10. Annual financial reports from FY 2015–2016.
11. Operating budgets from FY 2015–2017.

## Attachments Relating to Organization

12. If applicable, a map to illustrate the regional boundaries, headquarters location, and field or regional office locations.

## Attachments Relating to Agency Performance Evaluation

13. Quarterly performance reports completed by the agency in FY 2015–2017.
14. Any recent studies on the agency or any of its functions conducted by outside management consultants or academic institutions.
15. Agency's current internal audit plan.
16. Agency's current strategic plan.
17. List of internal audit reports from FY 2013–2017 completed by or in progress at the agency.
18. List of State Auditor reports from FY 2013–2017 that relate to the agency or any of its functions.
19. Any customer service surveys conducted by or for your agency in FY 2016–2017.