



State of New Jersey
DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
POST OFFICE BOX 340
TRENTON, NEW JERSEY 08625-0340

CHRIS CHRISTIE
Governor
Commander-in-Chief

24 April 2013

☆
MICHAEL L. CUNNIFF
Brigadier General
The Adjutant General

Mr. David Rosen
Legislative Budget and Finance Officer
Office of Legislative Services
State House Annex, P.O. Box 068
Trenton, New Jersey 08625-0068

Dear Mr. Rosen:

This letter is in response to a request made by the Chairman of the Senate Budget and Appropriations Committee, Senator Paul Sarlo to this Department. A question was posed by Senator Loretta Weinberg during DMAVA's Senate Budget hearing. Our reply is attached to this letter.

If your office or Legislators have any further inquiries, please do not hesitate to make us aware and we will expedite our reply.

Sincerely,

A handwritten signature in black ink that reads "Michael L. Cuniff".

MICHAEL L. CUNNIFF
Brigadier General, NJANG
The Adjutant General

Cc Senator Paul A. Sarlo, Chairman
Senate Budget and Appropriations Committee

Question: Please explain the rules and regulations governing the use and rental of an armory by the community in which it is housed or by any other entity.

The National Guard is a community-based organization and under state and federal statute, portions of its armories may be leased or rented for nonmilitary purposes. However, under statute, nonmilitary use of armories cannot be supported at a cost to DMAVA or the federal government.

Standard Use Agreements of an Armory: Under N.J.S.A. 38A: 12-5 “The Adjutant General may lease, rent or permit the use of any armory or other military and veterans' facility, or any part thereof, for nonmilitary purposes, under such restrictions and for such compensation, if any, as he may by regulation prescribe.” NGR 5-1 Grants and Cooperative Agreements, Chapter 6 references Title 10 USC, 18236(c) and permits the rental of State owned, federally supported readiness centers for other than military use, so long and income received from such rentals is used to support maintenance. It further requires, as a condition of continued Federal support, the state match portion of the Master Cooperative Agreement be increased by the amount of all identifiable incremental costs, such as utilities, dumpsters, refuse, and employee overtime, et cetera. Certain areas within and at Armories are made available for use by the local government and other entities on a non-interrupt basis to the military mission.

During a State of Emergency: The Atlantic City and Jersey City armories were used as public shelters during Super Storm Sandy. Sheltering members of the public during emergencies creates command and control challenges for National Guard commanders. During emergencies, the primary purpose of the armories is for use as a staging area for Soldiers and Airmen and as the location of National Guard tactical operation centers. The armories are also used to house mobilized Soldiers and Airmen. In addition, the use of National Guard armories to shelter residents of the three DMAVA Veterans Homes is part of the department's emergency contingency plans. Challenges that arise when armories are used as emergency public sheltering facilities include lack of adequate co-ed bathrooms and showers as well as limitations on the preparation and service of meals. The armories are also ill-equipped for the shelters of displaced residents' pets. The best use of armories when needed to assist civil authorities in responding to large numbers of displaced persons would be as an emergency collection point for transfer to more suitable facilities.