

State Defense Forces and Homeland Security

ARTHUR N. TULAK, ROBERT W. KRAFT,
and DON SILBAUGH

As US Northern Command (NORTHCOM) assumes responsibility within the Department of Defense for the homeland security and homeland defense missions, it does so with few assigned forces. While the “Forces For” apportionment to NORTHCOM is still being finalized, they will in any case be meager in comparison to the scope of the task and the assigned area of responsibility. The paucity of forces available to NORTHCOM will require more economical approaches to force-building for contingency operations in support of homeland security missions. While the National Guard is ideally positioned and suited for homeland security, it may not always be available in adequate numbers if called to active federal duty in support of military operations overseas. In addition to the forces the National Guard may provide, State Defense Forces¹—military forces created, funded, and controlled solely by the individual states, and already integrated into the emergency management operations of more than 20 states—are a potential force-provider for homeland security operations.

NORTHCOM finds itself in a position familiar to the other regional combatant commands in that it must interact with the numerous sovereign nations in its area of responsibility and develop appropriate Theater Security Cooperation Plans (TSCP). The NORTHCOM area of responsibility encompasses Mexico, Canada, the Caribbean nations, and the European possessions in the Caribbean. NORTHCOM also has responsibility for the territories of Puerto Rico and the US Virgin Islands, and for the 49 US states on the North American continent. In this respect, the individual states are somewhat like the sovereign nations, in that each state or territorial government controls certain military forces and other pertinent manpower resources within its boundaries.² Just as NORTHCOM must develop a TSCP for the sovereign nations in

its area of responsibility, so must it develop security cooperation plans for homeland security contingency operations with each of the US states and territories in its area.

Friendly forces available to NORTHCOM to conduct its homeland security mission—principally the National Guard elements—largely belong to the state governors, with the military components under the control of the state's Adjutant General (AG).³ In 28 states, the AGs are also the directors of the state's emergency management agency or directorate, with control over all emergency management components, both civilian and military.⁴ Within the military departments of 23 states and the Territory of Puerto Rico are the additional State Defense Forces (SDFs), which, like the state or territorial National Guard, are under the command of the governor through the Adjutant General. Thus SDFs constitute a third tier of military forces (the first two are federal forces, both active and reserve, and the dual-status National Guard forces, which may be either under federal or state control).

State Defense Forces, controlled and funded by the state or territory, are composed of volunteers who are paid only when called to state active duty by the governor. Nearly half of the governors have standing SDFs, while all the remaining states have the authority to raise such forces. It is therefore important for the NORTHCOM staff to understand State Defense Force capabilities and limitations, and to keep in mind appropriate roles and missions for these forces as they work through the state AGs to develop contingency plans for the next terrorist attack or disaster. According to the United States Commission on National Security/21st Century, chaired by former Senators Gary Hart and Warren Rudman, such an attack is most likely to occur when the United States is involved in a conflict overseas, in which the National Guard units of a state may be employed, making the potential contributions of the State Defense Forces all the more significant.⁵

Lieutenant Colonel Arthur N. Tulak, USA, is assigned to the J-39 Information Operations Cell at Pacific Command Headquarters, Camp Smith, Hawaii. His previous assignment was as the Division Information Operations Officer for the 82d Airborne Division in Bagram, Afghanistan, and his earlier assignments included tours with the 87th, 8th, 27th, and 29th Infantry Regiments.

Lieutenant Commander Robert W. Kraft, USN, is the staff intelligence officer with Carrier Air Wing Seven. He was previously assigned overseas in consecutive joint billets as the Chief of Target Development/Information Operations Targeting, Headquarters USEUCOM, and the Operations Officer at Joint Intelligence Center, USPACOM, Japan.

Major Donley Silbaugh, USAF, is a Ballistic Missile Defense Plans & Policy Officer (J-5B) for US Strategic Command, Peterson Air Force Base, Colorado. His previous assignment was Chief, Space Control Stan/Eval for the 21st Operations Group at Peterson Air Force Base.

State Defense Forces include both land and naval elements and are state-controlled military forces that may not be called to federal service. Five states—Alaska, New Jersey, New York, Ohio, and Wisconsin—have as part of their state military forces a State Naval Militia, similarly administered by their State Military Department.⁶ SDFs vary in size, composition, assigned missions, and capabilities, but all share a responsibility to provide the state with capabilities to respond to disasters, both natural and man-made, including terrorist attacks or subversive acts.⁷ SDFs can enhance homeland security effectiveness and should therefore be integrated into NORTHCOM’s planning and preparation for homeland security operations.

Homeland security may be generally classified as preventive measures to deter attacks against the nation, and consequence and crisis management to deal with the aftermath of a terrorist or subversive attack.⁸ SDFs can play an important role in enhancing the ability of the state through planning, coordination, and rehearsals during times of normalcy in order to bring effective organizations and their capabilities to bear in times of crisis.

Relying on States and Localities for Initial Response

The national homeland security strategy assigns to the states and localities the “primary responsibility for funding, preparing, and operating the emergency services in the event of a terrorist attack.”⁹ In the wake of the 11 September 2001 attacks, General William F. Kernan, then Commander of Joint Forces Command, outlined the role of the military in homeland security and proposed an order of response to domestic emergencies “that starts with the first-responders, then the National Guard, and finally the reserves and active components.”¹⁰ Unfortunately, the first-responder civilian forces under gubernatorial control are largely nonstandard from state to state, employ varying procedures, are organized according to the preferences of the local and state governments, and in most cases cannot communicate effectively intrastate, let alone interstate.¹¹ As the Hart-Rudman report notes, for example, “With few exceptions, first-responder commanders do not have access to secure radios, telephones, or video conferencing capabilities that can support communications with county, state, and federal emergency preparedness officials or National Guard leaders.”¹²

The variances of local and state first-responder organizational structures, procedures, communications architectures, and interoperability levels across the nation will impose organizational limitations on NORTHCOM planners as they develop contingency plans for military support. Such variances will require the identification of technological and procedural bridges and capabilities within each state and territory that will enable command, control, and communications, and which will permit some degree of stan-

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standardization in NORTHCOM plans for contingency support. The scale of planning required of NORTHCOM is significant considering that before the terrorist strikes on 9/11, only four states had contingency plans in place to respond to a significant terrorist attack.¹³

SDFs and the National Guard comprise the state military forces available to the governor in this order of response, following the municipal and county first-responders to the scene of an attack or disaster. SDFs represent a significant potential at the state level for providing trained personnel who can easily integrate with active and reserve component military forces in times of crisis, particularly since they share a similar culture, rank structure, organization, and regulatory procedures.¹⁴ Since SDFs are not required to train for a combat role to support the Army or Navy, they can focus exclusively on homeland security tasks in support of their state or territorial governor—an option not available to the Air and Army National Guard forces, which must train for their combat roles in the event they are called into service for the nation. The law authorizing the states and any territory, as well as Washington, D.C., to form and maintain state military forces (Title 32, US Code, section 109[c]), specifies that such forces “may not be called, ordered, or drafted into the armed forces,”¹⁵ and as such remain under state or territorial control.

With the significant reduction in forces in the active components since the end of the Cold War, the nation is now markedly more reliant on reserve component forces to conduct operations abroad in fulfilling its foreign policy. Indeed, the increased reliance on reserve and National Guard forces dates back to the end of the Vietnam War, but has become more pronounced in the past decade. The National Guard is unique among these reserve component forces in that it may be considered a dual-apportioned force, that is, a force included in more than one combatant command, as these units have both state and federal missions. National Guard units are included in the war plans of every combatant command. Furthermore, National Guard units have been activated and deployed intact, up to the division level, to conduct peacekeep-

ing operations as part of the Stabilization Force (SFOR) in Bosnia¹⁶ and the Multinational Force and Observers (MFO) in the Sinai.

When the United States has to fight a major theater war, the reserve components have to be called up in substantial numbers just to fill the force requirements for that theater and to ensure preparedness to deal with a possible second front. That leaves the state governors with fewer options to deal with the consequence management aspects of natural disasters and terrorist attacks, and to provide the required response to increased levels of readiness necessitated by a change in the National Alert System. Additionally, the recent experience of state governments with reserve component mobilization shows that it significantly depletes the ranks of first-responders, since police, firefighters, and emergency service personnel are often members of the reserve forces.¹⁷ Recognizing these challenges, the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, chaired by James Gilmore, recommended to the Secretary of Defense that NORTHCOM develop “plans across the full spectrum of potential activities to provide military support to civil authorities, *including circumstances when other national assets are fully engaged or otherwise unable to respond*, or when the mission requires additional or different military support.”¹⁸

This change in the paradigm of how the nation has viewed its internal security situation militarily has resulted in a dramatic change of focus for the Department of Defense, which is studying intently the question of how to provide support to civil authorities to enhance their homeland security posture and capabilities while fighting the global war on terror abroad in multiple theaters of operations. This shift has also resulted in a change of mission for the State Defense Forces, which are now focusing more than ever on how to support the state to protect its citizens from threats to the homeland such as terrorism and weapons of mass destruction. Given the dual-apportioned character of the National Guard, some see the State Defense Forces as the ultimate guarantor to the states and territories to handle state-specific missions in the event the National Guard is federalized.¹⁹

Role of the Militia in Homeland Security

As President Bush has pointed out, “The National Guard and reservists will be more involved in homeland security, confronting acts of terror and the disorder our enemies may try to create.”²⁰ Recognition of the increased role of the militia—the National Guard and State Defense Forces—in homeland security was also clear in the reports of two advisory panels of experts convened to review preparations for homeland security, the Hart-Rudman Commission and the Gilmore Panel, both of which recommended

that the National Guard take on homeland security as its primary mission and be reorganized, trained, and equipped for such tasks. The Gilmore Panel recommended further that certain National Guard units be designated, trained, and equipped for homeland security “as their exclusive missions.”²¹ Two private associations, the National Guard Association of the United States (NGAUS) and the Association of the United States Army (AUSA), both oppose this idea. The NGAUS argues that while National Guard units could perform homeland security roles, their primary purpose is to remain interoperable with the Army in order to be employed in regional contingencies, and their training and organization should reflect that purpose.²² State Defense Forces, on the other hand, have no combat mission and may focus exclusively on homeland security.

Both the Hart-Rudman Commission and the Gilmore Panel argued that homeland security demands specialized training and recommended that the Secretary of Defense require units to undergo such training. Both panels noted that while the National Guard will comprise the bulk of forces provided to NORTHCOM in the event of a crisis, those forces “will most likely be trained for warfighting, not necessarily for homeland defense or civil support missions.”²³

State Defense Forces, on the other hand, encourage specialization in emergency management training for units and leaders. Many SDF personnel are certified for emergency management and planning through courses offered by the Federal Emergency Management Agency (FEMA) and its Emergency Management Institute.²⁴ The SDFs place great importance on this specialized skill set, and certification in emergency management training is often a prerequisite for duty in the state Emergency Operations Center and for promotion. The State Guard Association of the United States (SGAUS) offers a Military Emergency Management Specialist badge to SDF personnel who have completed this training, providing a national standard of competence.²⁵ Having such highly specialized and qualified personnel available to serve in the state Emergency Operations Center provides a vital procedural bridge between the military forces, local first-responders, and state and federal agencies responding to the crisis, as they can operate effectively in both military and civilian environments.

In the event of a crisis or terrorist attack, states and localities will respond with their available military and civilian assets in accordance with their emergency management plans. When circumstances pose military requirements that exceed the capabilities of the National Guard and State Defense Forces, the governor may appeal for federal assistance. The introduction of federal military forces does not require the federalization of the National Guard, unless the task is specifically a part of homeland defense, in

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which case these state military forces would be integrated into the military chain of command under Title 10 of US Code to defend against aggression. State Defense Forces, on the other hand, “may not be controlled or commanded by federal authorities, and missions are identified only by appropriate state officials, [i.e.] the State Adjutant General . . . [who] is not considered a federal authority.”²⁶ The lead federal agencies for crisis management and consequence management are the Federal Bureau of Investigation and FEMA, respectively.²⁷ NORTHCOM will likely provide support to these lead federal civilian agencies through Joint Force Headquarters – Homeland Security (JFHQ HLS) or its subordinate Joint Task Force – Civil Support (JTF-CS).²⁸

If the emergency prompting the employment of state military forces is declared a disaster at the federal level, then state National Guard soldiers may transition from a state active duty status to a Title 32 status, which is federally funded, nonfederal duty status, to perform state duty. State Defense Forces would remain in state active duty status in any case. Only in the case of a declaration of martial law or in the execution of homeland defense operations against an aggressor would State Defense Forces conceivably be under the direct control of the federal military.²⁹

As previously noted, the state Adjutant General is frequently the senior official in the state responsible for emergency management and will run the state Emergency Operations Center during a crisis, after a natural disaster, or in the aftermath of a terrorist attack. In those states where the AG is not the director of the state emergency management agency or directorate, he is often the governor’s primary adviser for military emergency response.³⁰ Since the AGs and the state military headquarters (State Area Command, or STARC) do not mobilize for war, they should be viewed as available for the homeland security mission.³¹ At the state level, the AGs have responsibility for consequence management preparations as part of the state’s emergency response plan, and are responsible for “supporting community readiness exercises designed to test local planning and preparation.”³²

During a crisis in which state military forces are employed, the AGs will command and control state military forces, and conduct operations through the STARC headquarters. Below the STARC are the unit armories and subordinate brigade headquarters distributed throughout the state or territory through which the Adjutant General extends his command and control to assigned National Guard and State Defense Force units. This ready-made command and control system in the STARC and supporting facilities available to the Adjutant General, as well as the unique federal/state status of the National Guard and the state status of the State Defense Forces, uniquely qualifies this structure to serve as NORTHCOM's primary force provider of military support to local first-responders and civilian authorities.³³

State military forces under the control of the Adjutant General may assist neighboring states in responding to natural disasters and homeland security mission where bilateral agreements exist.³⁴ This is made possible through the national standardization of tactics, techniques, and procedures, as well as organizational culture, rank structure, and unit organization, all of which greatly facilitate effective integration with federal military units, as well as with state forces in other states.³⁵ The procedures, culture, and training of National Guard soldiers and units, to which the SDFs adhere, are common across the nation, and provide a framework for standardized models of command and control for NORTHCOM contingency planning at the state level.³⁶ Both the newly created Department of Homeland Security and NORTHCOM can work through the AGs to coordinate state contingency planning for homeland security missions employing state military forces.

Procedures for federal command and control of state military forces have evolved through such civil support operations as the support for the Olympic games in 1996 and 2002. In providing support to the 1996 Olympic games, the US Army (then designated as the DOD executive agent) used the First US Army as the controlling headquarters under which it formed a Response Task Force (RTF) headquarters. The RTF headquarters, which directed all military support operations, was "designed specifically to work with federal, state, and local civilian officials supporting the event."³⁷ In this operation, the Army operated with parallel chains of command for federal and state military forces.³⁸

For the 2002 Olympic games in Salt Lake City, DOD formed the Combined Joint Task Force – Olympics (CJTF-O). To facilitate tactical direction of state military forces, a series of memorandums of agreement was completed between the various state AGs, CJTF-O, US Joint Forces Command, and the National Guard Bureau, which gave the CJTF-O Commander "tasking authority" over the Title 32 forces in his area of operations.³⁹ The memorandums of agreement developed with the AGs of 11 states for CJTF-O

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provide a solid model for homeland security contingency planning. NORTHCOM’s JFHQ-HLS could employ this approach for using state military forces on state status under the tactical direction of a Title 10 Joint Task Force commander.⁴⁰ Using this model would mean that NORTHCOM’s JFHQ-HLS would not “command” the state’s National Guard forces called to active duty by the governor, nor its SDFs. Rather, the result would be a combined organization achieving unity of effort via tasking authority through the state Adjutant General.

Expanding the Role of State Defense Forces

SDFs participate in the planning and preparation for state responses to natural disasters and terrorist attacks, and they participate in joint and interagency exercises to be ready for such contingencies. Tasks supporting homeland security constitute the *raison d’être* for SDFs and drive the development of their mission-essential task list. Through their AGs, governors set State Defense Force missions and provide the resources needed to enable them to accomplish those missions.

The primary contributions SDFs offer to NORTHCOM lie in providing personnel specialized in emergency management to support contingency planning, preparation, and coordination, and to operate the command, control, and communications (C3) facilities set up in response to crises. SDF personnel man duty stations in the state Emergency Operations Centers and state Joint Operations Centers, and SDFs are capable of providing C3 facilities and headquarters in the field. Most SDFs provide manning at fixed C3 facilities, but some also have the ability to man mobile command posts.

Probably the ultimate example of the contributions in the arena of mobile C3 capabilities that SDFs can offer is found in the South Carolina State Guard, which operates the South Carolina Emergency Communications Vehicle (ECV). The ECV is a state-of-the-art vehicle which provides the technological bridges and communications—including satellite communications—to link together the various C3 systems used by the local first-responder forces, state and federal emergency management agencies, and the

military command post. The ECV provides short-term emergency telephone and radio dispatch capability in a forward disaster area.

SDFs have a long history of service to their states, including many recent examples relevant to today's threat conditions.⁴¹ Over the past two decades, SDFs have been called to state active duty in support of several environmental disasters and terrorist attacks, including the following: the *Exxon Valdez* oil spill recovery operation in 1989 (Alaska Naval Militia); tornados in Tennessee in 1993 (Tennessee State Guard); the TWA Flight 800 crash into New York Harbor in 1996 (New York Guard and Naval Militia); winter storms that same year (New York Guard, Virginia State Defense Force, Oregon State Defense Force, and Maryland Defense Force); the 2001 terrorist attack on the World Trade Center (New York Guard, Naval Militia, and New Jersey Naval Militia);⁴² and as part of Operation Noble Eagle, the coastal patrol and maritime homeland security operation around the United States, including critical infrastructure protection of the Alaskan oil pipeline (Alaska State Defense Force).⁴³

A superb example of how state military forces are already integrated into the consequence management aspects of homeland security in states where they serve can be seen in the actions of the New Jersey Naval Militia in response to the 2001 World Trade Center attack. After the terrorists struck, the New Jersey Naval Militia's Disaster Medical Assistance Team and Chaplain Corps were both mobilized at Staten Island, New York, to assist survivors and rescue workers in support of Task Force Respect, while other Naval Guardsman transported some of the evidence collected from Ground Zero to Manhattan's Chelsea Pier and Staten Island.⁴⁴ New Jersey Naval Militia also were activated to participate in Operation Noble Eagle, with the Naval Guardsmen taking on a multitude of tasks. They provided 24-hour staffing for the New Jersey National Guard's Joint Operations Center at Fort Dix, New Jersey; provided boat crews to support the rescue and recovery efforts in New York City with ferry services across the Hudson River; provided the waterborne security which allowed for the opening of the George Washington Bridge; relieved State Marine Police crews; and provided waterborne security for New Jersey's nuclear power plants. They also augmented the US Navy's waterborne security forces at US Naval Weapons Station Earle, where boats crewed by Naval Militia sailors performed picket boat duty to patrol the security zone, helping to protect US Navy and Coast Guard ships while munitions were being loaded.⁴⁵

Our focus thus far has been on the land and naval components of State Defense Forces. Obviously, to conduct homeland security operations, a governor may also call to state duty the Air National Guard with its wide range of transport, reconnaissance, and fighter capabilities. However, like

their land component counterparts, units of the various state Air National Guards are earmarked for combat operations and are included in the war plans for the regional combatant commands. Consequently they may not be available to the states when needed. Alaska, New York, Texas, and Virginia have SDFs with air components,⁴⁶ but there are other aerial forces NORTHCOM can call upon for homeland security operations in the event that the Air National Guard forces are not available in times of crisis, and where the SDF lacks its own aviation component. NORTHCOM also can draw upon the resources of the Civil Air Patrol and, in some cases, the aviation elements of the US Coast Guard Auxiliary.

While not an organ of any state, the Civil Air Patrol, the congressionally designated civilian auxiliary to the US Air Force, is already integrated into state emergency management operations in each of the 50 states, Washington, D.C., and the territories of the Virgin Islands and Puerto Rico. The Civil Air Patrol “through its emergency services program, maintains the capability to meet requests of the Air Force and assist federal, state, and local agencies . . . [with] aircraft, vehicles, communications equipment, and a force of trained volunteers for response to natural and man-made disasters or national emergencies.”⁴⁷ Among the missions the Civil Air Patrol can perform in support of homeland security is the task to “man designated positions at state and local communications and emergency operations centers.”⁴⁸ This means that NORTHCOM will likely encounter Civil Air Patrol personnel at the various state Emergency Operations Centers during crisis response operations. Accordingly, the Civil Air Patrol and its capabilities should be considered as one of the aviation components available to NORTHCOM as it works with states to develop contingency plans for homeland security contingencies.

Conclusion

State Defense Forces are already integrated at the state level in the emergency management and consequence management plans of the several states and territories that maintain such forces. Given the dual-apportioned character of the National Guard to fulfill both its federal mission in support of the National Military Strategy and its state missions of civil support and disaster assistance, SDFs represent a valuable additional component for homeland security and homeland defense contingency planning and operations. State Defense Forces can provide a pool of specially trained personnel to assist in homeland security planning and command and control. State Defense Forces can provide key technological and procedural bridges to link NORTHCOM to local first-responders and state and federal agencies during

operations. As NORTHCOM continues to develop its operating picture and establish contacts and working arrangements with the State Area Commands and AGs, it will find itself working with State Defense Force personnel. Since NORTHCOM will be looking to the states and territories for first-responders and initial forces, it is important that its planning staff consider State Defense Forces and integrate them into contingency planning for regional and state responses for homeland security. NORTHCOM should ensure that future contingency planning efforts for homeland security operations fully incorporate the valuable capabilities that State Defense Forces can provide.

NOTES

1. State Defense Force is a generic term. The actual title is the prerogative of the individual state. See National Guard Regulation 10-4, *Organizations and Functions: State Defense Forces, National Guard Bureau, and State National Guard Interaction* (Washington: US Department of the Army, 21 September 1987), p. 2. SDFs also have been described as “Home Guards” and “Home Defense Forces” and, depending on the state, are officially known as National Guard Reserves, State Military Reserves, State Guards, State Military Forces, Militia, and Naval Militia. The term Home Guard was used in reference to the organized State Defense Forces of several states during World War I, many of which had the term in their official name. See Barry M. Stentiford, *The American Home Guard: The State Militia in the Twentieth Century* (College Station: Texas A&M Univ. Press, 2002), p. xi. The term also was used to describe the organized auxiliary “Local Defence Volunteers,” established in May 1940 and employed for the defense of Great Britain during World War II. Today, the term is used only for purposes of comparison of present-day SDFs to their earlier American manifestations and foreign counterparts. See George J. Stein, “State Defense Forces: The Missing Link in National Security,” *Military Review*, 64 (September 1984), 3-4. A list of SDFs includes the following:

Alabama State Defense Force, <http://www.alsdf.org>
Alaska State Defense Force, <http://www.ak-prepared.com/asdf>
California State Military Reserve, <http://www.militarymuseum.org/CASMR.html>
Connecticut State Militia, <http://www.ct.ngb.army.mil/militia/militia.asp>
Georgia State Defense Force, <http://www.dod.state.ga.us/SDF/>
Indiana Guard Reserve, <http://go.to/igr>
Louisiana State Guard
Maryland Defense Force, <http://www.mddefenseforce.org/>
Massachusetts Military Reserve
Michigan Emergency Volunteers
Mississippi State Guard, <http://groups.msn.com/MississippiStateGuard/>
New Jersey Naval Militia, <http://www.njnavy.com/>; and New Jersey Army State Guard
New Mexico State Defense Force
New York Guard and New York Naval Militia, <http://www.dmna.state.ny.us/>
Ohio Military Reserve, <http://www.ohio.gov/ohmr/>; Ohio Naval Militia, http://www.sgaus.org/hist_onm.htm
Oregon State Defense Force, <http://www.mil.state.or.us/SDF/index.html>
Puerto Rico State Guard
South Carolina State Guard, <http://www.scsrg.org/>
Tennessee State Guard, <http://home.att.net/~dcannon.tenn/TNSG.html>
Texas State Guard, <http://www.agd.state.tx.us/agdmain/state/stateindexframe.htm>
Virginia Defense Force, <http://www.virginiadefenseforce.org/home>
Washington State Guard, http://www.washingtonguard.com/State_Guard/

2. The White House, *Unified Command Plan* (Unclassified, Secret Appendix Detached), 30 April 2002, with Change 1, 30 July 2002, p. 7.

3. In Rhode Island and the District of Columbia, the position is known as the “Commanding General,” but has the same functions.

4. Michael Doubler, “Guarding The Homeland: The Army National Guard and Homeland Security,” A Role of American Military Power Monograph, Association of the United States Army, Arlington, Va., December 2002, p. 31. See also Bruce M. Lawlor, “Military Support of Civil Authorities—A New Focus for a New Millennium,” p. 6, <http://www.homelandsecurity.org/journal/articles/Lawlor.htm>.

5. The United States Commission on National Security/21st Century, Gary Hart and Warren Rudman Co-Chairmen, *Road Map for National Security: Imperative for Change* (Washington: GPO, 31 January 2001), p. 25, hereinafter cited as the Hart-Rudman Report.

6. California also has established a Naval Militia, but has not yet manned the organization. For a history and descriptions of naval militia forces, see W. D. McGlasson, "Naval Militia," in *National Guard Magazine*, November 1984, pp. 12-14, 39. For recent examples of naval militia, see Naval Mobile Construction Battalion Twenty-Seven (NMCB 27), "NMCB 27 Hosts Naval Reserve Center Conference at Naval Air Station Brunswick," http://www.seabee.navy.mil/nmcb27/news_01-03_hosts_naval_reserve_cent.htm.

7. SDFs vary widely in size. The smallest is Michigan's, which is currently under reorganization and has a cadre of 15 members, while New York and Puerto Rico have very large SDFs, the latter having over 1,500 members. See Roger Brown, William Fedorochko, and J. Schank, RAND Research Report MR-557-OSD, "Assessing the State and Federal Missions of the National Guard," study sponsored by the Office of the Assistant Secretary of Defense for Reserve Affairs and available at <http://www.rand.org>.

8. Homeland security and homeland defense are defined in a memorandum from General Richard B. Myers, Subject: "Terms of Reference for Establishing NORTHCOM," Office of the Chairman of the Joint Chiefs of Staff, not dated, as follows. Homeland security is: "The preparation for, prevention of, deterrence of, preemption of, defense against, and response to threats and aggression directed towards US territory, sovereignty, domestic population, and infrastructure; as well as crisis management, consequence management, and other domestic civil support." Homeland defense is: "The protection of US territory, sovereignty, domestic population, and critical infrastructure against external threats and aggression."

State Defense Forces are defined as follows in the National Guard Bureau Fact Sheet, "National Guard and Militias," at http://www.ngb.army.mil/downloads/fact_sheets/doc/militias_word.doc: "The State Defense Force is a form of militia and is authorized to the states by federal statute (Title 32 U.S. § 109). State Defense Forces are not entities of the federal government. They are organized, equipped, trained, employed and funded according to state laws and are under the exclusive jurisdiction of the governor. Should the National Guard be mobilized for war, specialized operations such as humanitarian or peacekeeping missions or called into federal service during national emergencies, the State Defense Force will assume the National Guard's mission for the state's security." SDFs, along with the state National Guard, comprise the state militia, but unlike the National Guard, cannot be federalized and remain under state control.

9. The White House, Office of Homeland Security, *National Strategy for Homeland Security* (Washington: GPO, July 2002), p. viii.

10. See John R. Brinkerhoff, "The Changing of the Guard: Evolutionary Alternatives for America's National Guard," *Journal of Homeland Security*, May 2002, http://www.homelandsecurity.org/journal/articles/Brinkerhoff_guard.html. Brinkerhoff, p. 5, cites General William F. Kernan, address to the Fletcher Conference, "The Military's Role in Homeland Security," 15 November 2001, DefenseLink, JFCOM website.

11. "First-responders" are primarily local organizations, such as law enforcement, emergency medical personnel, fire departments, and emergency crews from the transportation and communications industries. See Don Edwards and Richard Dunn, "The National Guard's Enhanced Role in Homeland Security," *Journal of Homeland Security*, March 2001, http://www.homelandsecurity.org/journal/articles/Edwards_Dunn.htm.

12. Hart-Rudman Report, p. 14.

13. Phil Bossert, "Improving the Effectiveness of First Responders in Homeland Security," research report, Air War College, Air University, Maxwell Air Force Base, Alabama, November 2002.

14. All SDFs are under the purview of the National Guard Bureau, which is the designated executive agent within the Defense Department for providing administrative, procedural, and organizational guidance to the SDFs through the states' Adjutants General.

15. Excerpts from the US Code are accessible at the website of the Virginia State Defense Force, <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+44-1>.

16. Most recently, the 28th Infantry Division from Pennsylvania sent 3,100 soldiers on 16 September 2002, and is currently providing the bulk of US forces for this operation. See Doubler, p. 26.

17. Faye Flore, "Showdown With Iraq: Buildup Strains Public Safety; As the Pentagon Deploys More Reservists Overseas, Police and Fire Officials Face the Loss of Key Personnel at a Time of Heightened Threat," *Los Angeles Times*, 17 February 2003, part 1, p. 1.

18. Fourth Annual Report to the President and the Congress of the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction, James Gilmore, Chairman, 15 December 2002, <http://www.rand.org/nsrd/terrpanel/terror4txt.pdf>. Emphasis in original. Hereinafter cited as the Gilmore Panel Report.

19. See, e.g., Brinkerhoff, "The Changing of the Guard." See also an open letter to Governor Thomas Ridge from Brigadier General Hall Worthington, President of the State Guard Association of the United States, 14 November 2001, <http://www.sgaus.org/volunteers2.htm>.

20. George W. Bush, 14 February 2001, Remarks by the President to National Guard Personnel, Yeager Field, Charleston, W. Va., <http://www.whitehouse.gov/news/releases/2001/02/20010214-2.html>.
21. Hart-Rudman Report, p. 24; Gilmore Panel Report, p. xi.
22. Doubler, pp. 18-19, cites National Guard Bureau, *Annual Review*, 2000, p. 31; US Joint Forces Command, Joint Task Force Civil Support, "JTF-CS Fact Sheet," n.d., p. 1; and *National Guard*, February 2001, p. 10.
23. Gilmore Panel Report, p. 95.
24. For a list of courses, see the FEMA Emergency Management Institute website, <http://www.fema.gov/EMIWeb/IS/crslist.asp>.
25. See the SGAUS Education Committee Military Emergency Management Specialist program at <http://www.sgaus.org/MEMSAppli.htm>.
26. National Guard Regulation 10-4, p. 3.
27. Lawrence L. Randle, "Integrating Versus Merging of the Guard and Reserve: Should the United States Continue to Maintain Duplicate Federal and State Military Forces?" Strategy Research Project, US Army War College, Carlisle Barracks, Pa., June 2002, p. 14.
28. FEMA provides civilian oversight of military operations during consequence management operations. See Ted Smits, Terri Wilcox, and A. J. Heino, "Limiting the Military's Involvement in Homeland Defense," student research paper, Joint Forces Staff College, Joint and Combined Staff Officer School, 8 June 2001, p. 4.
29. Ronald R. Armstrong and Alexander Philip Gisoldi, "State Defense Forces: Past, Present, and Future," master's thesis, California State University, Sacramento, Calif., 1989, p. 21. See also Trevor N. Dupuy, et al., "U.S. Home Defense Forces Study," prepared for the Office of the Assistant Secretary of Defense, Historical Evaluation and Research Organization, Dunn Loring, Va., March 1981, p. 3.
30. Michael P. Fleming, "National Security Roles for the National Guard," *Journal of Homeland Security*, August 2001, p. 8, <http://www.homelandsecurity.org/journal/articles/Fleming.htm>.
31. John R. Brinkerhoff, "Restore the Militia for Homeland Security," *Journal of Homeland Security*, November 2001, p. 8, http://www.homelandsecurity.org/journal/articles/Brinkerhoff_Nov01.htm.
32. Fleming, p. 6.
33. Jack Spencer and Larry M. Wortzel, "The Role of the National Guard in Homeland Security," Heritage Foundation *Backgrounder* No. 1532, April 2002, p. 6.
34. Stentiford, p. 56, provides examples of SDFs operating outside their state boundaries and even in Canada during World War I. Dupuy et al., p. B-2, discusses SDFs operating outside state borders either in "hot pursuit" or at the direction of the governor and at the request of the neighboring state.
35. Randall J. Larsen and Ruth A. David, "Homeland Defense: Assumptions First, Strategy Second," *Strategic Review*, 28 (Fall 2000), 4-10, <http://www.homelandsecurity.org/journal/articles/article1.htm>.
36. National Guard Regulation 10-4 governs all SDFs.
37. Lawlor.
38. Alan D. Preisser, "Understanding Authorities in National Special Security Events," *Joint Center for Lessons Learned Quarterly Bulletin*, 5 (September 2002), 2.
39. Ibid.
40. Charlene Eastman, "Joint Task Force – Olympics 2002," *Joint Center for Lessons Learned Quarterly Bulletin*, 5 (September 2002), 6. See also, D. Fox, R. Hodgkins, and W. Peterson, "Challenges for NORTHCOM: Will CINCORTH Have the Tools Required?" student paper, Joint Forces Staff College, Joint and Combined Warfighting School, 31 May 2002.
41. See Stentiford. SDFs served their states during both World Wars, the Korean War, and the Cold War. During World War II, 47 states had SDFs of substantial size and capabilities, including air, naval, and land forces. Present-day missions include the following:
- Augment state Emergency Operations Centers under the state Emergency Management Agency.
 - Assume control of National Guard facilities and state properties in the event of a mobilization of the state National Guard.
 - Assist in the mobilization of the National Guard for state or federal duty.
 - Support the National Guard in providing family assistance to military dependents in the state in the event of mobilization.
 - Assist local and state law enforcement agencies in preserving law and order.
- Under the control of the governor, cooperate with federal military authorities and forces engaged in active military operations or charged with internal security missions within the state. This particular mission is found in National Guard Regulation 10-4, p.3.
- Prepare to conduct the following tasks during natural disasters or civil disorders: civil disturbance control, search and rescue, evacuation of casualties, traffic control, VIP escort, and security.

Assist in the coordination of the highway movement of all Army convoys and federalized National Guard units within the state and operate traffic control points as required.

Augment shortages in National Guard units when activated to provide administrative, operations, and logistics personnel during states of emergency.

Operate Disaster Field Offices, Disaster Recovery Centers, Disaster Application Centers; provide preliminary disaster assessment, damage verifications; administer individual and family grant programs associated with disaster relief.

Support events designated as requiring national-level security (as determined by the President) such as the 1996 Olympics, the Super Bowl, etc.

Support youth programs such as the California Cadet Corps, a state-run junior high school cadet program much like the Army, Air Force, and Navy JROTC programs at the high school level.

Naval Militia tasks include:

Support the Coast Guard in the execution of naval and port interdiction of weapons of mass destruction and support for homeland security.

Support Marine Police and other law-enforcement agencies.

Respond to state emergencies resulting from natural or man-made disasters or events.

Provide the governor and Emergency Operations Center a naval off-shore command center.

Assist in evidence recovery (e.g., TWA Flight 800 that crashed into New York's harbor, and recovery of evidence from the World Trade Center attack).

Perform rescue and recovery.

Provide ferry and transportation services.

Assist in waterborne security for critical infrastructure protection (e.g., nuclear power plants and bridges) as well as at Navy logistics and ammunition facilities.

Promote US naval history at the battleships, submarines, and other floating public museums of naval history.

Provide waterborne security for bridges, harbors, nuclear power plants, etc. against terror attacks.

Provide waterborne transportation for governmental agencies.

Provide waterborne security at military sites adjacent to waterfronts.

Support the Coast Guard in law enforcement duties.

Support youth programs such as Naval JROTC.

42. For a more detailed description of SDFs in several of these operations, see State Guard Association of the United States, "Our Best Kept Secrets," *SGAUS Journal*, <http://sgaus.org/bkept.htm>.

43. Martha Bellisle, "State Checks Dalton Traffic," *Anchorage Daily News*, 31 October 2001, p. A-1.

44. Steve Mannion, "Reviving the United States Naval Militia," unpublished paper, January 2003, p. 2.

45. Ibid.

46. E-mail correspondence with Captain Gene Romanick, New Jersey State Guard (Naval), 27 February 2003, and Lieutenant (JG) Steve Mannion, New Jersey State Guard (Naval), 26 February 2003.

47. HQ CAP-USAF XO and HQ CAP DO, *Civil Air Patrol Support for the President's National Strategy for Homeland Security*, Maxwell AFB, Ala., 2002, p. 2. As that document notes, p. 8, Civil Air Patrol (CAP) capabilities include the following:

Provide airborne communications relay platforms so law enforcement personnel on the ground or in low-flying aircraft can communicate with the task force leader or mission base.

Upload pictures taken during airborne reconnaissance on a limited access website for law enforcement agencies.

Deploy airborne and ground search and rescue teams to assist in disaster response and recovery efforts.

Employ a limited radiological monitoring capability. Airborne and ground platforms could be equipped with sensor equipment to support the initiative to detect chemical and biological materials and attacks.

Examples of recent operations in support of homeland security:

"At the request of the Governor of New York, on [12 September 2001] CAP provided the first direct perspective of the World Trade Center disaster site. The photographs the aircrew provided were of immediate value to rescue and security personnel at Ground Zero. . . .

"564 hours were flown in support of 9/11.

"450 CAP members manned their designated positions at the FEMA Region Operations Centers and State Emergency Operations Centers.

"NY Wing CAP stepped up existing New York City watershed reservoir reconnaissance. . . .

"CAP personnel from the Northeast Region provided communications and coordination support to the FEMA Region 1 Regional Operations Center."

48. Ibid., p. 1.