



NATIONAL CONFERENCE of STATE LEGISLATURES

*The Forum for America's Ideas*

March 27 2007

The Honorable Patrick Leahy  
United States Senate  
433 Russell Senate Office Building  
Washington, DC20510

The Honorable Christopher Bond  
United States Senate  
274 Russell Senate Office Building  
Washington, DC 20510

Dear Senators Leahy and Bond:

The National Conference of State Legislatures (NCSL) applauds you for introducing legislation (S. 513) to repeal Section 1076 of the Defense Authorization Act of 1076 (P.L. 109-364), which expands the President's authority to federalize the National Guard during certain emergencies and disasters.

The National Guard serves as the primary emergency response unit in every state. In nearly half the states, the National Guard fills the role of state emergency management agency. State legislators across the country believe the historic domestic mission of the National Guard in emergency management under state authority must be strengthened rather than co-opted by federal decree. Section 1076 could potentially compromise each state's ability to respond to those in need and preempt a viable public safety system. Preemption in this instance could not be more blatant or more dangerous to the public safety and welfare of our states.

We look forward to working with you on this important issue. For additional assistance and information, please have your staff contact Molly Ramsdell (202-624-3584; [molly.ramsdell@ncsl.org](mailto:molly.ramsdell@ncsl.org)) or Garner Girthoffer (202-624-7753; [garner.girthoffer@ncsl.org](mailto:garner.girthoffer@ncsl.org)) in NCSL's Washington, D.C. office.

Respectfully,

Senator Richard T. Moore  
Massachusetts General Court

Senator Thomas J. Wyss  
Indiana General Assembly

Co-Chairs, NCSL Task Force on Homeland Security  
and Emergency Preparedness

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