



WES MOORE
GOVERNOR
COMMANDER-IN-CHIEF

STATE OF MARYLAND
MILITARY DEPARTMENT
FIFTH REGIMENT ARMORY
BALTIMORE, MARYLAND 21201-2288
March 14, 2023

TIMOTHY E. GOWEN
MAJOR GENERAL
THE ADJUTANT GENERAL

Chairman Ben Barnes
House Appropriations Committee
Room 121, House Office Building
Annapolis, Maryland 21401

RE: HB 1131 — National Guard – Assignment to Cybersecurity Support

Dear Chairman Barnes,

I am writing to share information regarding the above referenced House Bill.

HB 1131 would require the Adjutant General of Maryland to assign twenty-one members of the National Guard to various state cybersecurity programs within the Maryland Department of Emergency Management and the Department of Information and Technology.

While the assumed intent of the bill is laudable, HB1131 is not consistent with the Federal/State control of the National Guard. Personnel assigned to the Maryland Army and Air National Guard are currently able to provide support to state emergency operations under both state and federal authorities. The primary authority for National Guard support to state emergencies is Md. Code, PS § 13-702 which provides the Governor authority to order the Organized Militia to State Active Duty. The Adjutant General is not authorized to order personnel into State Active Duty status. A change in the approach to State Active Duty would require extensive review.

Delegate Bartlett provided the proposed amendments to the bill, however the issue of authority remains. The Maryland Military Department would be open to working with the sponsor, the Administration, and the affected agencies to see what the possibilities are to support the goals of the bill. If you have any questions or concerns, please reach out to our office by phone (667) 296-3125 or by email catherine.a.kelly26.nfg@army.mil.

Sincerely,

Catherine A. Kelly
Director, Legislative and
Government Affairs