Dear Senator Downey:

Your letter of December 29, 1941, addressed to the Secretary of War and requesting an expression of opinion and recommendations upon duties which should be performed by the State Guard troops in California and other Pacific Coast states has been brought to my attention, as you indicated for reply.

This matter has been given careful study in the War Department since our conference in my office on December 29, 1941. The War Department policy of long standing reference the duties of state forces is that the protection of life and property is a primary responsibility of the local and state governments concerned. The War Department believes that the protection of installations is a primary responsibility of operators, owners, local and state governments. It contemplates the use of Federal troops only in emergencies when the protection afforded by the responsible agencies mentioned above is deemed inadequate.

In such critical periods as we are now experiencing it is believed extremely important from the National Defense viewpoint that civil governments assume their full obligations to protect life and property. As pertains to the states, it is immaterial whether the forces used be State Guards, state police, constabularies, or other state forces, but it is vital that the protection be furnished without obstructing the training and preparations for combat now engaged in by the Army of the United States.

The War Department feels that it should continue to adhere to this policy and not charge its representatives with the responsibility of expressing opinions or recommendations to the states regarding the duties that should be performed by their State Guard troops or the strength of such troops required. It believes that such information should be determined by the state authorities of the states concerned. It is almost impossible, we find, for General DeWitt to institute a survey.
of the entire state's needs for guarding local property on account of the absorption of his time in the tactical defenses of the entire coast. On the other hand, there are many California State officers and National Guardsmen who are not now on Federal service who are perhaps as familiar with the State and its vital installations as most of the Army officers now on duty in that area, and who are therefore well qualified to determine the overall state requirements. For this reason, it is suggested that consideration might be given to the utilization of advice and assistance of state officials on the ground, or other citizens who have had military experience.

Since the War Department contemplates the use of Federal troops for the protection of installations only in emergencies when the protection afforded by state forces is inadequate, the determination as to the need for Federal troops must be left largely to the military commander on the ground. The Commanding General, Western Defense Command, who is responsible for the employment of Federal troops in the states in question and who is authorized to cooperate with state authorities in such matters in accordance with War Department policies, is in the best position to furnish information as to installations to be protected by Federal troops under his command. It is, therefore, suggested that the state authorities concerned consult General DeWitt, and he will be prepared, I am quite certain, to furnish information as to the installations he intends to guard and is prepared to guard. This should enable the state officers to determine quite adequately the number of state troops which will be necessary for the state to raise.

Sincerely,

(SIGNED) JOHN J. MccLOY

JOHN J. MccLOY
Assistant Secretary of War

The Honorable
Sheridan Downey
United States Senate

Orig. mailed 1/6/42 by CASW
Copies dispatched by 0-4 (Col. Stadtman)

OASW
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WEST COAST
UNITED STATES SENATE

December 29, 1941

Hon. Henry L. Stimson
Secretary of War
War Department
Washington, D. C.

ATTENTION: Mr. McCloy

My dear Mr. Secretary:

Will you permit me to request of the War Department that, after the necessary investigation, your representatives express their opinion and recommendations upon the duties that should be performed by Home Guard troops in California and the other Pacific Coast states. I am certain that the expert conclusions of our military on this most vital issue will be extremely valuable to our states and nation at this time.

Respectfully yours,

SHERIDAN DOWNEY

SD:ra