

## HJM 13 STAFF MEASURE SUMMARY

### House Committee On Rules

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**Meeting Dates:** 4/9

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#### **WHAT THE MEASURE DOES:**

The measure respectfully urges the President of the United States and Congress to abide by the commands of the United States Constitution to provide for overseas deployment of National Guard units only to execute the laws of the United States, to suppress insurrections, to repel invasions, and when Congress exercises its power to declare war. It further resolves that a copy shall be sent to the President of the United States, the Senate Majority Leader, the Speaker of the House of Representatives, and each member of the Oregon Congressional Delegation.

*Fiscal impact: May have fiscal impact, but no statement yet issued*

*Revenue impact: May have revenue impact, but no statement yet issued*

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

No amendment.

##### **BACKGROUND:**

The framers of the United States Constitution understood the importance of each state of this nation having state control over state militias to protect state residents from harms. The framers of the Oregon Constitution similarly recognized the need for the State of Oregon to have a state militia by requiring that the Legislative Assembly is to provide by law for the organization, maintenance, and discipline of a state militia for the defense and protection of the state (Section 1, Article X of the Oregon Constitution).

Since 1905, state militias have been organized in a system of state National Guards, including the Oregon National Guard serving as Oregon's militia.

The United States Constitution grants states the right to control their own militias and in Section 8, Article I authorizes the federal government to call upon state militias only in three circumstances: to execute the laws of the United States, to suppress insurrections, and to repel invasions. Congress also has the power to declare war.

The principle that state militias may be deployed only in the limited circumstances authorized by the United States Constitution has been significantly eroded in recent decades. Oregon National Guard and National Guard units in other states have increasingly been deployed for overseas combat missions in Iraq, Afghanistan, and other hostile areas. National Guard soldiers in overseas deployments often face extended, perilous missions without sufficient preparation or support.