

# House Joint Memorial 13

Sponsored by Representative SKARLATOS; Representative DOBSON

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The measure notes that the framers of the U.S. Constitution planned for state Nat. Guard troops to be used only for three reasons, but that in recent times, Nat. Guard troops have often been in fights in overseas wars and danger zones. The measure asks fed. officials to send Nat. Guard troops overseas only if the U.S. Constitution says it is okay. (Flesch Readability Score: 60.7). Urges the President and Congress to deploy National Guard troops overseas only if the deployment is expressly authorized by the United States Constitution.

## JOINT MEMORIAL

1  
2 To the President of the United States and the Senate and the House of Representatives of the United  
3 States of America, in Congress assembled:

4 We, your memorialists, the Eighty-third Legislative Assembly of the State of Oregon, in legisla-  
5 tive session assembled, represent as follows:

6 Whereas the framers of the United States Constitution understood the importance of each state  
7 of this nation having state control over state militias in order to protect state residents from harms;  
8 and

9 Whereas the framers of the Oregon Constitution similarly recognized the need for the State of  
10 Oregon to have a state militia by requiring that the Legislative Assembly is to provide by law for  
11 the organization, maintenance and discipline of a state militia for the defense and protection of the  
12 state; and

13 Whereas since 1905, state militias have been organized in a system of state National Guards  
14 including the Oregon National Guard serving as Oregon's militia; and

15 Whereas the United States Constitution grants states the right to control their own militias, and  
16 authorizes the federal government to call upon state militias only in three circumstances; and

17 Whereas the three circumstances that the federal government may lawfully call a state militia  
18 into service are to execute the laws of the United States, to suppress insurrections and to repel  
19 invasions; and

20 Whereas Congress also has the power to declare war; and

21 Whereas the principle that state militias may be deployed only in the limited circumstances  
22 authorized by the United States Constitution has been significantly eroded in recent decades; and

23 Whereas Oregon National Guard and National Guard units in other states have increasingly  
24 been deployed for overseas combat missions in Iraq, Afghanistan and other hostile areas; and

25 Whereas National Guard soldiers in overseas deployments often face extended, perilous missions  
26 without sufficient preparation or support; now, therefore,

27 **Be It Resolved by the Legislative Assembly of the State of Oregon:**

28 That we, the members of the Eighty-third Legislative Assembly, respectfully urge the President

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 of the United States and Congress to abide by the commands of the United States Constitution to  
2 provide for overseas deployment of National Guard units only to execute the laws of the United  
3 States, to suppress insurrections, to repel invasions and in the event Congress exercises its power  
4 to declare war; and be it further

5 Resolved, That a copy of this memorial shall be sent to the President of the United States, the  
6 Senate Majority Leader, the Speaker of the House of Representatives and each member of the  
7 Oregon Congressional Delegation.

8

---