

Mr. Chairman and Members of the House Committee of the Government and Veterans Affairs:

My name is Bret Weiland and I am submitting this in-favor testimony for HB 1315 "Defend the Guard" in writing as I am unable to appear in person to give oral testimony on the day of this hearing.

I am urging a DO-PASS vote from the members of this committee. The reasons why I am urging a DO-PASS recommendation are as follows:

1. The Constitution of the United States specifically gives the federal Congress the power to declare war under Article 1 Section 8. There has been no declaration of war made by Congress in accordance with Article 1 Section 8 of the US Constitution since the United States joined World War II. This means that in every conflict the United States has been starting from the Korean War through to today, our soldiers have fought and died in undeclared wars overseas.
2. It is a devastating, abhorrent overreach of the Federal Government to summon a State's National Guard soldiers into service of the Federal Government without a Congressional Declaration of War. This is made even more apparent when past Governors of our State have signed off on releasing our State's Guardsmen into Federal service.
3. Since 2003, Fourteen (14) soldiers who honorably served in the North Dakota National Guard have made the ultimate sacrifice to their country and their state. These are 14 soldiers who may very well be alive and would be with their families today if North Dakota had enacted this kind of legislation years ago.
4. The 10th Amendment of the United States Constitution grants "states rights" to the several States in order that our State may govern our own affairs. This Defend the Guard legislation uses the 10th Amendment to nullify federal overreach and requires Congress to do their job in declaring war the correct, Constitutional way.
5. There is nothing preventing our Guardsmen from transferring out of the National Guard into active service if those guardsmen truly wish to be deployed overseas. Their service is always appreciated in whatever form it takes.
6. Our state's National Guardsmen belong here at home in our communities, and more importantly, with their loved ones. When called, they should be so that they can assist our (or neighboring) communities during difficult times. We have a real life example of this when hurricane Milton tore through the southeast part of our nation. The National Guard of those affected states are best suited to respond to these domestic emergencies, rather than being deployed overseas.

In closing, I wish to remind our legislators and those who have served that you swore to uphold and defend the Constitution of the United States. You will fulfill this oath by giving this legislation Do Pass recommendation, as well as passing this bill into law. I thank you for your consideration of this testimony.