

In Support of HB 273, "Defend the Guard,"

James Bovard
1345 Templeton Place
Rockville, MD 20852
District 17

House Health and Government Operations Committee,

In **Support** of **HB 273**, "Defend the Guard,"

I am writing to support HB 273. I am a Rockville author. I have written ten books, including *Lost Rights: The Destruction of American Liberty* (St. Martin's Press, 1994) and *Terrorism and Tyranny* (St. Martin's, 2003). I am on the Board of Contributors of *USA Today*, a contributing editor of *American Conservative*, and a frequent contributor to the *New York Post* and other publications. My writing often focuses on government lies and abuses.

HB 273 would prohibit the governor from sending any Maryland National Guard unit into "active duty combat" unless Congress has passed an official declaration of war or under other narrow circumstances. More than 600,000 Guard members have been deployed abroad since 2001 in undeclared wars or conflicts. Maryland Guard members fought in Fallujah and were sent to the notorious Abu Ghraib prison. This had nothing to do with defending the residents of Maryland against any threat for which the Guard was originally created.

Permitting presidents to rely on state Guard units undermines the control of a president's war-making capacity. Afghan war veteran West Virginia Rep. Pat McGeehan explained the purpose of this legislation when he proposed a similar bill in his state: "For decades, the power of war has long been abused by this supreme executive, and unfortunately our men and women in uniform have been sent off into harm's way over and over. If the U.S. Congress is unwilling to reclaim its constitutional obligation, then the states themselves must act to correct the erosion of constitutional law."

Presidents have too much power. HB 273 gives Maryland legislators a chance to rein in the White House's power over Maryland citizens regardless of who is president.

Thanks for the opportunity to submit this testimony.

James Bovard.