

HB0299 Defend Our Guard  
“Maryland’s Guard Does Its Duty, Make Congress Do Theirs”

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**Specifies that Maryland's Guard can only be sent to combat if Congress declares war**

- The bill does not affect any other functions of the Guard
- It ensures that our Guard is home to serve Maryland unless we are officially at war
  - For example, Maryland's Heavy Lift helicopters helped respond to flooding in Ellicott City, but now they are on their way to Syria.

**Declarations of war are not a mere formality; they signify the resolve of the American people.**

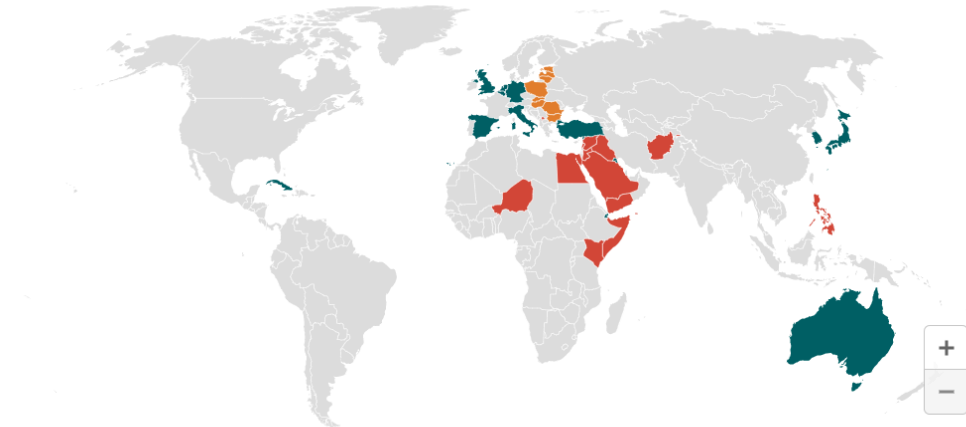
- America has decisively won all five declared wars in four years or less.
- Congress declared war within 48 hours of the attack on Pearl Harbor.
- Our undeclared wars since then (Korea, Vietnam, Iraq, Afghanistan) have not been decisive victories.

**Authorizations such as the 2001 AUMF lack democratic accountability.**

- For much of the global war on terror, Congress was unaware of the full list of associated forces or countries that the Executive Branch has asserted as covered by the AUMF. These reports had lengthy classified annexes, were not provided to all Congressional offices, and are not publicly available.
- A prominent member of the Senate Armed Services Committee, admitted that he “didn’t know there was a thousand troops in Niger.”

**Where are U.S. troops in 2023?**

■ Ongoing deployments of >500 troops ■ Deployed in 2022 in response to Ukraine invasion ■ 2022 Combat deployments



According to the White House letter, U.S. military personnel are also conducting counterterrorism operations in several unspecified countries in the Lake Chad and Sahel region. No U.S. troops are currently based in Afghanistan, but troops in surrounding countries are still conducting counterterrorism operations there.

Map: Alex Leeds Matthews • Source: [The White House and Department of Defense](#)

GRID

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**Fiscal Summary**

State Effect: None. Any change in State activities does not materially affect State finances.

Local Effect: None.

Consider that state employees like police and teachers collect “military leave” pay in addition to their standard military pay while deployed in combat.

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Costs of War



**DEFEND THE GUARD**  
UPHOLD THE CONSTITUTION

**MORE THAN 480**  
KILLED IN ACTION  
18% of all casualties were National Guard members.

In 2022, Guard members were involved in combat in at least five foreign countries.

**5 of 5**

**America has won all five of its Congressionally declared wars.**

Declarations of war are not a mere formality; Congress's declaration represents the resolve of Americans.

**1942**

**WW2 was the last war Congress declared.**

Congress declared war within 24 hours of the attack of Pearl Harbor, and five more declarations were passed during World War 2, the last officially declared war in the U.S.

**12%**

**Since 2001, U.S. involvement in war has fallen under the 2001 & 2002 AUMFs**

Although only 12% of sitting Representatives voted for the Authorization for Use of Military Force in 2001, Guard troops have been deployed in 8 undeclared wars since.



Defend the Guard simply asks that the Maryland State Legislature protects Maryland's Guard by ensuring Congress declares war before putting troops in harm's way.

Defend the Guard does not interfere with any other function of the Guard; rather, it ensures members are here to serve the state.



**In 2022, 11 National Guard members received Purple Hearts for wounds received in combat in Mali, Iraq, and Syria.**

**KEEP OUR GUARD IN MARYLAND**

When the COVID-19 emergency began, 30,000 National Guard members from across the country were overseas, depriving their states of air ambulance units, medical units, and military police. When Oregon faced wildfires, the firefighting helicopters of its Guard were in Afghanistan. When Hurricane Katrina hit Louisiana, its Guard units were in Iraq.

**One Senator on the Armed Services Committee publicly admitted he "didn't know there were a thousand troops in Niger," where 4 died in 2017.**

**MARYLAND'S GUARD DOES ITS DUTY. MAKE CONGRESS DO THEIRS.**  
**DEFENDTHEGUARD.US**

- More than 490 Guard members lost their lives in Iraq
- 190 lost their lives in Afghanistan
- 13 Maryland Guard Members lost their lives in combat
- 11 Guard members received purple hearts in 2022

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- At the beginning of the COVID-19 pandemic, 30,000 National Guardsmen from across the country were overseas, depriving states of air ambulance units, medical units and military police. When Oregon faced wildfires, the firefighting helicopters of its Guard were in Afghanistan. When Hurricane Katrina hit Louisiana, its Guard units were in Iraq.
- Congress last declared war in 1942 against Bulgaria, Romania, and Hungary
- The United States has never lost a declared war,
- In 2022 eleven National Guard Members received Purple hearts for wounds received in combat in Mali, Iraq, and Syria
- In 2022 the National Guard took part in a nine day long battle in Syria

Even if the Department of Defense regularly complied with these reporting and notification requirements, relevant lawmakers — to say nothing of the public — would still be excluded from conversations about when, where, and against whom the United States uses kinetic force. The law directs the Department of Defense to disclose information only to the “congressional defense committees,” a term that omits the House and Senate committees on foreign affairs. Thus, the congressional overseers with shared responsibility for § 333 and primary responsibility for declaring war and authorizing the use of force would still lack critical information regarding the extent of the Department of Defense’s hostilities.

The absence of § 4(a)(1) reports reflects a deliberate choice. Executive branch lawyers have defined “hostilities,” the circumstances that trigger the War Powers Resolution, in a way that excludes much of modern warfare. For instance, they argue that “sporadic military or paramilitary attacks,” as well as instances in which U.S. forces are “simply acting in self-defense,” fall outside the scope of the law. There is no textual basis for this interpretation, and the legislative history tends to contradict it. But it has allowed successive administrations to avoid congressional oversight, seemingly without penalty.