

## STATEMENT OF PURPOSE

RS33440 / S1334

The legislation embodies the intent of our founding fathers and follows the principles and provisions contained in the United States Constitution, specifically Article 1, Section 8. Congress has the executive power to declare war under our United States Constitution. The federal executive branch has exceeded its constitutional authority by calling up the state components of the National Guard in what are really warfighting operations, without a congressional declaration of war. The men and women in the Idaho National Guard must not be called into active-duty combat operations on foreign soil unless there has been a congressional declaration of war. This legislation does not impact the Governor's ability to mobilize the Idaho Guard as outlined in Article 4, Section 4 of the Idaho Constitution. It also does not limit the United States ability to call up the Idaho National Guard for training missions as provided in Title 10, United States Code. This legislation prohibits mobilization of the Idaho National Guard for combat actions unless there has been a corresponding congressional declaration or war.

### FISCAL NOTE

There will be no impact to the General Fund as this legislation is solely a return in following the intent and letter of the United States Constitution.

**Contact:**

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**DISCLAIMER:** This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).