

FINAL BILL REPORT

SSJM 8012

As Passed Legislature

Brief Description: Requesting the Washington Air and Army National Guard not be federalized.

Sponsors: Senate Committee on Government Operations & Elections (originally sponsored by Senators Brown, Hewitt, Franklin, Fraser, Oemig, Kline, Kilmer, Swecker, Hobbs, Hatfield, Marr, Spanel, Regala, Kohl-Welles, Berkey, Pridemore, Rasmussen, McAuliffe, Sheldon and Shin).

Senate Committee on Government Operations & Elections
House Committee on State Government & Tribal Affairs

Background: The Washington National Guard consists of both the Army National Guard and the Air National Guard. The National Guard allows for command and control of units by individual governors or by the President of the United States, depending on the nature of the call to duty. The President reserves the right to mobilize the National Guard in federal status during national emergencies, and he serves as the commander-in-chief for units mobilized for federal active duty.

When National Guard units are not mobilized or under federal control, the Governor serves as commander-in-chief. The Adjutant General of the state is responsible for training and readiness. Under Title 32 of the United States Code, governors may mobilize National Guard units for state active duty. These soldiers are considered to be in "Title 32 status." Examples of when a governor may call the National Guard into action include local or statewide emergencies, such as storms, drought, and civil disturbances.

The John Warner National Defense Authorization Act of 2007, signed into law by President George W. Bush, amended the Federal Insurrection Act to authorize the President to impose federal control over the National Guard, without notice, consultation, or consent of the Governor or Congress, in the event of a natural disaster, epidemic, or other serious public emergency.

Summary: The President and Congress are requested not to federalize the Washington Air and Army National Guard so that it may continue to serve our state in its unique capacity.

Votes on Final Passage:

Senate	42	7
House	82	16