

By: Flynn

H.R. No. 1681

R E S O L U T I O N

1           WHEREAS, The Texas National Guard is an invaluable asset to  
2 the citizens of Texas, particularly in its most visible and  
3 recognized aspect--serving the state in times of domestic emergency  
4 and natural disaster; the protection and support provided by the  
5 more than 21,000 men and women who serve in the Texas Guard have  
6 often proved the difference between life and death; and

7           WHEREAS, As part of the Army National Guard's state mission,  
8 the Texas Guard trains and works with local communities to prepare  
9 for the efficient execution of local, state, and nationally  
10 coordinated emergency response plans such as the Emergency  
11 Management Assistance Compact (EMAC), which enables the states to  
12 share disaster management resources; and

13           WHEREAS, In fact, each state's National Guard units are a  
14 critical mutual aid asset to other states; in the wake of Hurricane  
15 Katrina, 58,000 National Guard troops from every state in the union  
16 were deployed to Louisiana and Mississippi under EMAC in support of  
17 the disaster response; the State of Texas contributed 2,000 troops  
18 under the leadership of Governor Rick Perry; and

19           WHEREAS, Section 1076 of the John Warner National Defense  
20 Authorization Act of 2007 (P.L. 109-364), as signed into law by  
21 President George W. Bush, significantly changes the chain of  
22 command for the Army National Guard and allows the president to take  
23 control of a state's National Guard forces without contacting,  
24 conferring, or collaborating with the governor; this drastic change

1 confuses the issue of who is in command of National Guard troops  
2 during a domestic emergency and increases the risk that conflicting  
3 orders may arise; and

4 WHEREAS, Established under Article 1 of the United States  
5 Constitution, state control of the National Guard is critical for  
6 the timely execution of various disaster and crisis management  
7 plans, yet the John Warner National Defense Authorization Act was  
8 adopted without public hearing and despite bipartisan opposition of  
9 governors; as the nation witnessed during the aftermath of  
10 Hurricane Katrina, time is of the essence when responding to  
11 natural disasters and a confused chain of command would seriously  
12 undermine the Texas Guard's effectiveness; and

13 WHEREAS, Legislation now pending before congress would  
14 rescind the most objectionable and dangerous provisions of the John  
15 Warner National Defense Authorization Act; H.R. 869 and S.513 would  
16 restore the previous authority on the use of the National Guard and,  
17 in turn, restore the citizens' confidence in the efficacy of its  
18 dedicated armed forces; now, therefore, be it

19 RESOLVED, That the House of Representatives of the 80th Texas  
20 Legislature hereby request congress to pass and the president to  
21 sign legislation to revive previous authority on the use of  
22 national guard forces; and, be it further

23 RESOLVED, That the chief clerk of the Texas House of  
24 Representatives forward official copies of this resolution to the  
25 president of the United States, the speaker of the house of  
26 representatives and the president of the senate of the United  
27 States Congress, and all members of the Texas delegation to the

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1 congress with the request that this resolution be officially  
2 entered in the Congressional Record as a memorial to the Congress of  
3 the United States of America.