

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Be Adopted as Amended and Be Printed Engrossed
Vote:	4 - 0 - 1
Yeas:	Johnson, Monnes Anderson, Nelson, Brown
Nays:	0
Exc.:	Ferrioli
Prepared By:	Marjorie Taylor, Administrator
Meeting Dates:	5/11

WHAT THE MEASURE DOES: Urges Congress to repeal a provision of the National Defense Authorization Act that authorizes the President to impose federal control over the National Guard without notice, consultation, or consent of the Governor under certain circumstances.

ISSUES DISCUSSED:

- Federal Insurrection Act and authority of the President to impose control over the National Guard
- Role of National Guard in emergency situations
- Opposition by state Governors to new authority of the President

EFFECT OF COMMITTEE AMENDMENT: Replaces the measure.

BACKGROUND: The Insurrection Act governs when the President of the United States can declare a form of martial law. When and if the act is invoked, the military, including the National Guard, can carry out law enforcement functions without the consent of the Governor. In 2006, the act was amended to allow the President to invoke the act and declare martial law in cases where public order breaks down as a result of a natural disaster, epidemic, terrorist attack, or other conditions.