

Submitter: Rose Kaler

On Behalf Of:

Committee: House Committee On Judiciary

Measure, Appointment or Topic: HB4114

I strongly oppose HB 4114

Under the U.S. Constitution, federal law is supreme when it conflicts with state law. This principle, known as the Supremacy Clause, has been consistently upheld by the United States Supreme Court.

When Congress lawfully enacts federal statutes, those laws take precedence and override any state laws that directly conflict with them. States do not have the authority to selectively ignore or nullify federal law based on political disagreement. Doing so places a state in violation of the Constitution and undermines the rule of law.

History shows the danger of this approach. When states band together to assert sovereignty in opposition to the federal government, rejecting compliance with federal authority, they move toward a confederation model that the Constitution explicitly rejected. The last time this doctrine was embraced on a large scale, it led to profound national conflict and civil war.

The proposals currently being advanced to further entrench and expand Oregon's sanctuary policies risk crossing this constitutional line. Measures designed to obstruct or defy federal law are unlikely to withstand judicial scrutiny and will ultimately fail constitutional review.

Lawmakers should pursue policies that operate within constitutional boundaries rather than attempting to challenge federal authority in ways that history and precedent have already shown to be unlawful and unsustainable.