

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT MEMORIAL NO. 16

BY TRANSPORTATION AND DEFENSE COMMITTEE

A JOINT MEMORIAL

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2 TO THE PRESIDENT OF THE UNITED STATES, THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE  
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4  
5 UNITED STATES.

6 We, your Memorialists, the House of Representatives and the Senate of  
7 the State of Idaho assembled in the Second Regular Session of the Sixty-fifth  
8 Idaho Legislature, do hereby respectfully represent that:

9 WHEREAS, we respect the provisions of Clause 15, Section 8, Article I of  
10 the United States Constitution that provide the militia of the states shall  
11 not be released from states into active duty combat unless the United States  
12 Congress has passed an official declaration of war or has taken an official  
13 action pursuant to Clause 15, Section 8, Article I of the United States Con-  
14 stitution to explicitly call forth militia and any member thereof for a pur-  
15 pose specified in Clause 15, Section 8, Article I of the United States Con-  
16 stitution; and

17 WHEREAS, active duty combat includes the performance of services in the  
18 active federal service of the United States, including participation in an  
19 armed conflict, performance of a hazardous service in a foreign state, or  
20 performance of a duty through an instrumentality of war; and

21 WHEREAS, we support the members of the Idaho National Guard and honor  
22 their service to the state and to the country; and

23 WHEREAS, we respect the right of the President of the United States to  
24 order the Idaho National Guard into the service of the United States for any  
25 purpose for which he is authorized to use militia of the states by the Consti-  
26 tution of the United States.

27 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Ses-  
28 sion of the Sixty-fifth Idaho Legislature, the House of Representatives and  
29 the Senate concurring therein, that we support the United States Constitu-  
30 tion and the Idaho National Guard and we respect the right of the President  
31 of the United States to order the Idaho National Guard into the service of the  
32 United States for any purpose for which he is authorized to use militia of the  
33 states by the Constitution of the United States.

34 BE IT FURTHER RESOLVED that we urge the Congress of the United States,  
35 in the future, to fulfill its constitutionally prescribed duty to approve a  
36 declaration of war before the Idaho National Guard is deployed to combat op-  
37 erations on foreign soil.

38 BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representa-  
39 tives be, and she is hereby authorized and directed to forward a copy of this  
40 Memorial to the President of the United States, the President of the Senate  
41 and the Speaker of the House of Representatives of Congress, and the con-  
42 gressional delegation representing the State of Idaho in the Congress of the  
43 United States.