

What it IS

- An act preventing the National Guard from deploying to foreign wars without a declaration of war by the U.S. Congress (*US Constitution - Art I, Section 8*)
- An act ensuring the US Constitution is adhered to and enforced by the states who formed the Federal Government on behalf of the people (*Bill of Rights, 10th Amendment*)

What it IS NOT

- An attempt to harm the National Guard, but rather to prevent them from deploying to endless wars
- Risky – it's simple: follow the U.S. Constitution as required by oath and affirmation

This Bill Will NOT Affect The Following:

- Funding
- Force Structure (Bases/Equipment)
- Pay and Benefits
- Overseas Training
- The Commander in Chief's ability to rapidly respond to national defense priorities at home or abroad
- The Governor's ability as the Commander in Chief of the State's National Guard to engage in drug interdiction or respond to emergencies (*MT Constitution Art VI, Sect 13*)
- Readiness – if readiness suffers, there's a leadership issue in the National Guard

This is one of the most constitutionally aligned bills for which legislatures will vote. A vote for HB404 is to support the many National Guardsmen and women across Montana who wish they could be here to testify in support.

More on Back

What is not allowed

- **The Adjutant General for the State of Montana cannot lobby for or against pending legislation when in uniform and representing the Dept. of Defense. They also cannot use resources to gain favor with legislators, such as offering helicopter flights, or other resources at taxpayer expense.**
- **This is true regardless of the topic and is a long-standing tradition understood at the most junior levels across the military. Appearing in uniform at the hearing or any lobbying efforts leading up to the hearing and before any floor session vote violates DoD Directive 1344.10 and The Hatch Act.**
- **Such actions can lead to punishment under Article 92 of the Uniformed Code of Military Justice (Failure to Obey an Order or Regulation)**

DoD Directive 1344.10 -

<https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodd/134410p.pdf>

The Hatch Act (USC 7321-7326) – <https://osc.gov/Services/pages/hatchact.aspx>

Links:

<https://www.youtube.com/watch?v=xp8HrCBedCA&t=3s>

<https://bringouttroopshome.structure.site/articles/ending-the-aumfs-isn-t-enough-we-have-to-end-the-wars>

<https://bringouttroopshome.structure.site/articles/supporting-veterans-means-ending-our-endless-wars>

<https://bringouttroopshome.structure.site/articles/poll-majority-of-veterans-say-bring-our-troops-home>

<https://bringouttroopshome.structure.site/handouts>

<https://montanasentinel.press/2025/02/06/defend-the-guard-legislation-reintroduced-in-montanas-legislature/>

<https://montanasentinel.press/2025/02/08/defend-the-guard-and-the-constitution-house-bill-404-deserves-our-support/>

<https://www.realcleardefense.com/2023/02/21/defend-the-guard-and-the-constitution-882997.html>