



State senator files bill to limit when National Guard could serve in combat

By Barbara Hoberock
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OKLAHOMA CITY — State Sen. Nathan Dahm has filed a bill that would put limits on when the Oklahoma National Guard could be deployed overseas for combat.

But the chairman of the Senate Veterans and Military Affairs Committee said he thinks the measure is unconstitutional.

Senate Bill 1101, dubbed the “Defend the Guard Act,” would prevent members of the Oklahoma National Guard from being deployed for combat overseas unless the constitutional requirements to declare war have occurred.

“By not declaring war, we are bogged down in endless wars with rules of engagement that tie our soldiers’ hands and do not allow for victory that enables us to bring our service members home,” Dahm, R-Broken Arrow, said.

Dahm said the measure would not prevent the governor from using the Guard during emergencies. It would also not prevent the Guard from going overseas for training.

“When we haven’t declared war, we should not be using our Guard in that way,” Dahm said.

But Sen. Frank Simpson, chairman of the Senate Veterans and Military Affairs Committee, said the bill would limit the power of the executive branch, “and that is not our job in the legislative branch.”

“Any time the president nationaliz-

es the Guard, he has to have the approval of the governor,” said Simpson, R-Springer. “We already have a check and balance. The governor has to endorse activating the Guard.”

Simpson said he is not in favor of handcuffing the governor or president in times of crisis.

Rep. Josh West, R-Grove, served in Afghanistan and Iraq with the 101st Airborne Division. West said he could not support the measure.

“He really has no clue about it,” West said. “I don’t think he understands what impact our Guard forces have and what an asset they are.”

Rep. Kevin McDugle, R-Broken Arrow, served in the U.S. Marines and with the 45th Infantry Division of the Oklahoma National Guard.

“My personal opinion is we ought to be able to leave it up to the generals in Oklahoma to decide if a mission is critical enough to send our troops,” McDugle said.

A lot of times members of the National Guard are used to backfill places in a noncombat zone to relieve someone on active duty to go into a combat zone, McDugle said.

“Personally, I don’t think we ought to be legislating that,” McDugle said. “Let generals decide what is best for the Oklahoma National Guard.”

Sen. Joe Newhouse, R-Tulsa, serves in the Navy Reserve and recently was deployed to combat terrorism in Africa.

“I am a firm believer the governor has oversight of the state militia, which is the state National Guard,”

Newhouse said. “I will maintain the governor’s right and responsibility to oversee our National Guard.”

Gov. Kevin Stitt’s office does not normally comment on pending legislation, said Baylee Lakey, a Stitt spokeswoman.

Retired Col. Charles Seitz, a spokesman with the Oklahoma National Guard, said that “to our knowledge, Sen. Dahm has not talked to anyone in the leadership of the Oklahoma National Guard about this legislation, and we are not sure we understand what the intent of the legislation is.”

Since 2017, the Guard has been deployed to Syria, Afghanistan, Iraq, Kuwait, Ukraine, Kosovo, the Horn of Africa, Romania and Estonia, he said. The Guard has about 9,000 members.

“All of the missions except the Ukraine were combat or operational missions,” he said. “The Ukrainian mission was a mission to train the Ukrainians in their continuing conflict against Russia.”

The Oklahoma National Guard has a state and federal mission and supports the national security strategy of the United States, Seitz said.

It was mobilized and deployed by the president for overseas missions with the consent of the governor, he said.

“The National Guard does not see the need for this legislation, and we were not consulted regarding this legislation,” Seitz said. “We saw it for the first time Tuesday.”