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Del. McGeehan to Re-introduce 'Back the Guard Act' in 2020

CHARLESTON — With the death of another soldier in the West Virginia National Guard, a member of the West Virginia House of Delegates plans to keep pushing a bill meant to keep guard members out of foreign conflicts.

Delegate Pat McGeehan, R-Hancock, said Thursday he plans to re-introduce House Bill 2732, the Defend the Guard Act, when the West Virginia Legislature meets for the 2020 regular session in January.

The Defend the Guard Act would prohibit members of the state National Guard from participating in active combat duty unless an act of war has been passed by Congress or if Congress has specifically called for use of the National Guard within its constitutional powers.

McGeehan, who served as a captain and intelligence officer in the U.S. Air Force, has introduced a version of the act every year for the last five years.

"With this bill, I presented (lawmakers) every opportunity to simply live up to their oath of office," McGeehan said. "It's really not that hard, but they refused."

On July 18, Sgt. William Friese, 30, of Parkersburg died in an accident at Camp Buehring in Kuwait. He is the ninth casualty in the Iraqi theatre of combat in 2019, one of 4,572 casualties since the invasion of Iraq in 2003.

Friese, a 12-year combat veteran, was part of Operation Inherent Resolve, a mission started in 2014 to deal with the rise of Islamic terrorist group ISIS in Iraq and Syria.

Friese, a mechanic with the 821st Engineer Company, was returned to Parkersburg Tuesday. He was a native of Rockport at the southern end of Wood County. He joined the National Guard in 2008 and previously deployed to Afghanistan in 2010 for Operation Enduring Freedom. He previously served in the 11th Engineer Brigade and the 1092nd Engi-

neer Battalion.

"I just think the latest situation is tragic and another horrid cost partly from the failure to learn from history and the failure just to simply obey the oath of of-



Del. Pat McGeehan, R-Hancock

rice," McGeehan said. "The Constitution does not grant these guys the authority to send our troops and our National Guard units overseas into combat or into foreign lands without the Congress passing a declaration of war."

McGeehan introduced the Defend the Guard Act Jan. 30 and passed out of the House Veterans Affairs and Homeland Security Committee. The bill then went to the House Judiciary Committee, where it sat. On Feb. 19, House Speaker Roger Hanshaw, R-Clay, removed McGeehan from his seat on the judiciary committee, citing McGeehan's treatment of committee members, witnesses, and guests of the committee.

"Between Christmas and the beginning of the session in January, I had a series of conversations with (Hanshaw) about this bill," McGeehan said. "He explicitly led me to believe that the bill would run and receive a full vote on the House floor. By

about mid-February I figured out that was not going to be the case."

On Feb. 22, an attempt to discharge the Defend the Guard Act from committee failed 49-47 and the bill was tabled. On Feb. 25, the bill was removed from the table and successfully discharged from the judiciary committee 56-41. Voting against discharging the bill were Hanshaw and House Republican leadership.

The bill was up for second reading and amendment stage Feb. 26, but House leadership voted in the House Rules Committee to move the bill to the inactive calendar, effectively killing the bill.

"Until enough of them wake up or the nation goes bankrupt first, we'll keep hearing these political generals give grand splendid speeches at funerals about how patriotic it is to sacrifice the lives of these young kids," McGeehan said. "I, for one, just think real patriotism is defending the plain meaning of the Constitution so help me God."

McGeehan chaired the veterans affairs and homeland security committee until July, when Hanshaw removed McGeehan and Del. Tony Paynter, R-Wyoming, from all House and interim committees due to voting to end the education special session in June.

The West Virginia National Guard alone has more than 4,200 soldiers and 2,150 airmen based on 2018 numbers, all serving in more than 60 units.

As long as guard units are being sent overseas, McGeehan said he would keep pushing the Defend the Guard Act.

"The issue is not going away," McGeehan said. "Whether it's a training accident or whether it's one of our own being killed in action, the distinctions really don't matter."

"As long as we maintain a foreign policy in the manner that we do, we're going to continue to have Gold Star families, and I don't take that lightly."