

Petition Bring the NY National Guard Home

To: Members of the New York State Legislature and Governor Paterson

We, the undersigned, petition the New York State Legislature and Governor to stop the deployment of the New York State National Guard Units, and we urge the President to withdraw all New York State National Guard units from Iraq. We support the Resolution currently before the New York Senate and Assembly (1) urging the President to return units of the New York National Guard for service in our State, where they are needed for national security and to aid in the event of natural disasters and to, and (2) petitioning the Governor to decline calls to federalize units of the New York National Guard for service in Iraq until and unless he is presented with an order to do so based on a valid and subsisting Act of Congress.

In 2002 Congress passed the Authorization for Use of Military Force Against Iraq (AUMF), and in March 2003 the President, in reliance on the AUMF, ordered U.S. Armed Forces, including units of the National Guard, to invade and occupy Iraq. The AUMF had two clearly defined and limited goals: (1) To “defend the national security of the United States against the continuing threat posed by Iraq,” which the Administration warned had weapons of mass destruction (WMDs), and (2) “to enforce all relevant United Nations Security Council Resolutions regarding Iraq.” It has long been undisputed that there were no WMDs in Iraq, and there are no relevant UN Security Council Resolutions remaining to be enforced. Therefore, the legal basis for federalizing and deploying the National Guard has expired and no longer provides a tenable basis for calling up the New York National Guard to serve in Iraq

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