

The Hon. Phil Scott
Governor of Vermont

Members, Vermont House and Senate

August 19, 2026

Dear Gov. Scott and Vermont State Legislators:

As Vermont military veterans and Vermont National Guard family members, we write with deep concern about the deployment of Vermont National Guard members into foreign combat without Congress first debating and authorizing those military actions.

Members of the Vermont National Guard enlisted out of duty to our state and country. They have faithfully served Vermonters in times of crisis and have answered the call whenever our state and country have needed them. During the COVID-19 pandemic, they supported testing and vaccination efforts across Vermont. Following the devastating floods of 2023, they deployed throughout our state to provide critical information, rescue assistance, and life-saving support. The Vermont National Guard has consistently been there for Vermonters in our moments of greatest need.

Beginning in late 2025, members of the Vermont Air National Guard were deployed to the Caribbean amid escalating tensions with Venezuela, where they were involved in regime change operations. In early 2026, members of the Vermont Air National Guard were deployed to the Middle East as the United States entered hostilities with Iran. Regardless of our views on those conflicts themselves, many Vermonters were troubled that Congress did not publicly debate or vote on these military operations before Guard members were placed in harm's way.

Governor Scott, you have expressed similar concerns. In December 2025 you stated that if the United States were going to war, "that's something that the president should share with Congress." More recently, as conflict with Iran escalated, you said you hoped the United States would not be drawn into a broader war because it would not help anyone. We agree.

The Constitution is clear that Congress – not the President acting alone – possesses the authority to decide whether the nation enters war. When Congress debates and votes on military action, it does so as the representative body of the American people after public deliberation and consideration of the risks, costs, and objectives involved. Those constitutional safeguards exist for a reason. They help ensure that the decision to place Americans in harm's way receives the scrutiny such a grave decision deserves.

For this reason, we support the Vermont Defend the Guard Act.

The Vermont Defend the Guard Act prohibits deployment of the Vermont National Guard to overseas combat absent congressional authorization for the conflict. It does not prevent the Vermont National Guard from responding to floods, natural disasters, emergencies, civil support missions under Title 32 or training exercises under Title 10, among other lawful duties. Nor does it interfere with the Guard's ability to defend our nation when Congress has properly authorized war.

Defend the Guard legislation has been introduced in a majority of states and has passed legislative chambers in Arizona, Idaho, New Hampshire, and Virginia. The effort has attracted support from veterans, military families, civil liberties advocates, constitutional conservatives, libertarians, and progressives who share a belief that Congress should fulfill its constitutional responsibility before Americans are sent into combat.

Some have questioned whether this legislation would ultimately survive a constitutional challenge, whether it would be effective in practice, or whether the federal government could respond by reducing support for the National Guard. These questions deserve thoughtful consideration. They are precisely the kind of questions that should be examined through a public legislative hearing.

Fundamentally, Defend the Guard is an appeal to the Supremacy Clause of the U.S. Constitution. Article I, Section 8 of our founding document is explicit that only Congress has the authority to declare war. But the situation we have found ourselves in for decades is a paralysis at the federal level, where the legislative branch is unwilling to uphold its enumerated powers against executive overreach. Defend the Guard is an additional mechanism, using the unique American tradition of federalism among the sovereign states, to pressure the federal government into upholding what is already federal law. We do not seek to change any law; only enforce what is already there.

The question of federal funding is the most common objection. By passing Defend the Guard, will Vermont endanger federal funding of its National Guard as a form of retribution? Multiple members of Congress have clarified that is not feasible, for both legal and political reasons. Meanwhile, no member of Congress or senior military officer has said they would withdraw funding. Only recently, with the current administration, we have witnessed how quickly Congress reasserts its authority over the federal budget when the executive seeks to alter appropriations. Further, the Defend the Guard Act does not interfere with the Vermont National Guard's Title 32 obligations to uphold readiness and training standards, which are the codified purpose of its funding.

Contrary to some critics, the Defend the Guard Act does not remove the National Guard from the chain of command or weaken the United States' national security response. During the twenty-first century, the National Guard has formed the backbone of the U.S. Armed Forces, in the citizen-soldier tradition. Defend the Guard only strengthens the protection that Congress must vote to authorize their deployment into combat. Once that vote is taken, there is no

constitutional standing to object to the National Guard's participation in combat operations. That is why this legislation has attracted support across the political spectrum, including endorsements from the American Civil Liberties Union in multiple states, American Legion posts, Ben & Jerry's co-founder Ben Cohen, and Pete Hegseth before his nomination as secretary of defense.

We note that National Guard members themselves are often in a difficult position. Military culture properly emphasizes discipline and respect for the chain of command. As a result, Guard members may feel unable to publicly raise concerns about deployments, constitutional process, or the impact these deployments have on their families and communities. Veterans, family members, and elected officials therefore have a special responsibility to ensure that these concerns are heard.

We respectfully urge you to support the Defend the Guard Act and to uphold the constitutional principles that protect both our democracy and the Vermont National Guard members who faithfully serve.

Respectfully submitted,

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Charles Monette, Brattleboro, VT, Veteran of the U.S. Armed Services

Curtis Randall, Milton, VT, Veteran of the U.S. Armed Services

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Dave Larsen, Wilmington, VT, Veteran of the Vermont Army National Guard

David Poland, Milton, VT, Veteran of the Vermont National Guard

Douglas Frantz, Brattleboro, VT, Veteran of the U.S. Army, Spec 4

Earl Hatley, Quechee, VT, Veteran of the U.S. Air Force E-3

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Steven Grover, Burlington, VT, Veteran of the U.S. Navy, PO3
Storm Fitzgerald, Brattleboro VT, Family Member of Active Service Member
Sylvie Desautels, Tunbridge, VT, Vermont Guard Family Member
Captain Tracy Perrapato, South Burlington, VT, Veteran of the U.S. Armed Services