

December 18, 2025

United States House of Representatives
Washington, D.C. 20515

United States Senate
Washington, D.C. 20510

Dear Member of Congress:

As civil society organizations united in our commitment to the Constitution and the rule of law, we are writing to express our strong concerns about escalating presidential use of military force for routine law enforcement actions on American soil. The dangers of normalizing any president's excessive use of the military on home soil are profound, especially given the unchecked expansion of executive power across Democratic and Republican administrations and how each president takes the powers aggrandized by his predecessor as a starting point for further expansions.

As such, we urge you to rein in the current domestic deployments as soon as possible — whether via riders in upcoming appropriations legislation or changes to the underlying deployment statutes. This moment in American history demands Congress reassert its Article I powers and responsibilities to check against executive abuses and prevent any president — whether the current one or a future Democratic president — from establishing a personal standing army on U.S. soil.

I. Current State of Play

Since this summer, the current president has ordered thousands of National Guard troops to several cities for domestic operations, over the objections of their elected leadership and amid his open hostility towards cities led by his political opponents: Los Angeles, California; Washington, D.C.; Chicago, Illinois; Memphis, Tennessee; and Portland, Oregon. As [legal challenges](#) to the military deployments [mount](#) in the federal courts, he has [threatened](#) to send the National Guard to [other cities](#), as well as to "send more than the National Guard." He has also [directed](#) the Pentagon to ready the National Guard to act as "quick reaction" forces against what it deems as "civil unrest" arising from protests to his administration's actions, particularly immigration enforcement activities.

The executive branch is claiming sweeping legal powers to federalize and deploy these National Guard units despite the absence of any extraordinary crisis that might warrant such action — including a natural disaster, a foreign invasion, or an overwhelming collapse of civil order. Indeed, the President is citing [local conventional crime](#) as justification, even though that is a matter for civilian law enforcement regardless of severity.

In other words, there is no sudden and overwhelming catastrophe that calls for any president to deploy armed military troops and armored military vehicles to police America's cities. Such unusual and exceptional conditions are simply not the facts on the ground.

Furthermore, while the National Guard has been deployed in response to domestic concerns a handful of times in our history, these deployments have been rare, targeted to specific goals, and of extremely brief duration. In contrast, the current administration envisions sweeping, [long-term engagements](#) with open-ended ambitions to "[liberate](#)" multiple jurisdictions from policy choices made by local leadership and "[straighten them out one by one](#)." Such deployments are foreign to our nation's laws, history, and values.

II. The Dangers of Normalizing the President's Domestic Military Deployments

Presidential use of the military against civilians on home soil was once reserved as a last resort, to be ordered only with great reluctance. This rarity reflects a pillar of American democracy: If American military troops are ever to be pitted against the American civilians they are sworn to defend, the circumstances should be so dire and exceptional that no other option is available.

That is because civilian law enforcement and the military exist for fundamentally different purposes: the unparalleled might of the United States military is designed, trained, and equipped to defeat the nation's foreign enemies on the battlefield, whereas civilian law enforcement protects and serves the people as part of civil administration at home. Consistent with their different missions, the military and the police have different trainings, different escalation and de-escalation techniques, different accountability and oversight mechanisms, and different populations of people with whom they are trained to interact under different use-of-force rules, different procedural standards, and different sets of legal rights.

That is, the very capabilities and structures that make our military formidable in combat warfare make it incompatible with the [day-to-day work](#) of patrolling America's civilian neighborhoods to reduce local crime. As [retired four-star admirals and generals](#) are warning, "the military should be kept out of domestic law enforcement whenever possible."

Today's domestic deployments are instead escalating in the [wrong direction](#) to normalize the use of armed military personnel in domestic law enforcement and security operations — endangering public safety, threatening the apolitical integrity of our armed forces, and damaging effective crime prevention, all the while threatening our liberties. Even worse is the specter of any president dragging military personnel into what is essentially a personal posse to advance a partisan agenda. That dishonors our armed forces, who pride themselves on their strictly nonpartisan mission and apolitical professionalism. And as one constitutional attorney and scholar [cautions](#), "the President's attempt to turn the National Guard into a standing army on American soil — deploying troops against the American people — is one of the abuses of power the Constitution was written to restrain."

III. The Calls to Action for Congress

For all the above reasons, we urge Congress to intervene with legislation to reassert Congress's Article I duties and powers to regulate our armed forces — whether via funding prohibitions in upcoming appropriations bills or via amendments to the statutes themselves. We ask you to give special attention to 10 U.S.C. 12406, the [statute](#) that the President has repeatedly and improperly

invoked to deploy the National Guard as a federalized police force, as well as funding for the executive branch's implementation of the Executive Orders issued this year relating to the National Guard and related [memoranda and directives](#).

Members of the Armed Forces, including the federalized National Guard, did not sign up to serve their countries only to be misused by politicians against their fellow Americans. They deserve better. And given the urgency and seriousness of this matter, lawmakers must act now, on behalf of both our military and our civilian communities. Congress must not idly wait for the federal courts to intervene.

Thank you for considering our concerns. We welcome the opportunity to discuss this further and stand ready to support your efforts.

Sincerely,

Demand Progress
Mormon Women for Ethical Government
R Street Institute
Society for the Rule of Law Institute
The Rutherford Institute