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Oregon Military Department: State Component

Administrative Overview

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Introduction

The Oregon Military Department oversees the armed forces of the state of Oregon. Subject to the approval of the Governor, the agency prepares and puts into action rules and procedures governing the administration, organization, supply and training of the Oregon State Defense Force, the Oregon National Guard and Air National Guard. The Department maintains all state-owned and leased facilities including but not limited to armories, readiness centers, ranges, camps and training areas. The Oregon Military Department is responsible for ensuring the Oregon National Guard meets all requirements established by the National Guard Bureau. In addition, the department establishes awards and decorations.

The Oregon Military Department is responsible for organizing, equipping and locating National Guard Units to respond to local emergencies, including but not limited to natural disasters and civil unrest. As part of the National Guard, the Oregon National Guard is available to the federal government upon orders for activation issued by the President. Traditionally, the majority of a guard member's time has been spent participating in community projects which can be accomplished as part of each unit's training and readiness requirements to meet state and federal readiness standards. Since 9/11/2001 the National Guard has been increasingly engaged in operations in hostile, overseas locations.

The federal government provides approximately 97% of the available funding for the Oregon National Guard. However, a limited portion of these funds, approximately 9%, are included within the Department's budget. Guard members' salaries and wages are directly paid by the federal government and are not part of the OMD budget. Federal funds support 100% of troop training, DoD programs, base security and fire fighters and youth programs. Federal funds comprise 75% of logistical support for training sites and between 75% and 85% of the utility, maintenance and supply needs of the Air National Guard component.

History

Oregon's provisional government passed the first militia law on July 5, 1843, authorizing the formation of a battalion of mounted riflemen. All male inhabitants of Oregon between the ages of 16 and 60 wishing to be considered a citizen were to serve. The law allowed for the annual election of officers who would inspect the volunteer troops once a year and could assemble them

at anytime in event of invasion or local insurrection. The troops were subject to call out, with government consent, by any authorized representative of the federal government.

A second military bill passed on March 8, 1844. It called for the organization of militia companies to combat hostile Indians. The bill led to the formation of the Oregon Rangers on March 11, 1844, a fifteen man force which drilled at the Oregon Institute but saw no action. That summer, the Legislative Assembly again amended the militia law. Worries over defense continued and in 1845 a legislative committee of representatives from each county was appointed to draft a comprehensive bill for the protection of Oregon. This would include the building of blockhouses and arms magazines. The decision to form a coalition government with British citizens and limited funds doomed these plans.

On December 8, 1847 the Legislative Assembly authorized the formation of a 50 member rifle company to relieve the Whitman Mission and protect survivors of the massacre. Forty-five men quickly volunteered and departed by boat on December 9. On December 10, 1847 the Legislative Assembly voted to raise a regiment, through volunteer enlistments, of up to 500 men for a campaign against the Indians subject to the rules and articles of the U.S. Army. In addition the Legislative Assembly authorized a loan up to \$100,000.00 to fund the campaign. On December 28th the Legislative Assembly created the Office of the Adjutant General to oversee the administrative and logistical control of the troops, supplies and orders/proclamations. In addition, the Legislative assembly authorized a payment of \$1.50 per day for each private and Non-Commissioned Officer volunteering to punish the Indians in the Walla Walla valley who furnished their own horse and equipment.

Territorial status brought Oregon arms, money to pay volunteers of the Cayuse War and federal troops to assist in future wars with the Indians. In 1852 an act was passed giving the Quartermaster General, Commissary General and Surgeon General authority to access all books, papers and writings relevant to their departments which were not strictly private in nature.. In addition, the Quartermaster, Commissary and Surgeon General were directed to post bond for security of their positions. In 1854, 1855 and 1856 the Legislative Assembly passed bills reorganizing the militia and allowing for occupational and religious exemptions from military service. In 1856 the Legislative Assembly passed an act organizing the State Militia appointing the Governor as commander-in-Chief while establishing four departments; The Adjutant General, Quartermaster, Commissary and Medical. The Adjutant General was given responsibility for administrative functions including the maintenance of rolls, records and documents; the Quartermaster was placed in charge of arms and accoutrements, the Commissary was placed in charge of purchasing and transportation of provisions and the Surgeon General was to superintend hospitals, furnish medical supplies and instruments, examine the sick and wounded and appoint staff to the medical corp. Oregon was established as a military district comprised of regimental districts under the command of Colonels elected by councils. Regimental Districts were in turn comprised of Company Districts with company level officers appointed by the Regimental colonels. The 1857 State Constitution summarized the existing laws. Its provisions defined enlistment criteria, listed exemptions, established the Governor as ex-officio Commander-in-Chief of Oregon's military and naval forces, established the practice of executive appointment for the Adjutant General and general staff officers, and authorized the Legislative Assembly to draft the necessary rules and regulations for governing the militia.

The military code adopted in 1862 formally gave the Governor's office its powers over the militia. It listed the members of the general staff and formed a Board of Military Advisors to review volunteer companies' claims for ammunition and other stores. On October 16, 1862 the Legislative Assembly passed an act requiring county Assessors to compile a list of individuals liable for military service. In addition, the act assessed a \$2.00 tax on each individual liable for service with the funds used to establish the Military Fund under the direction of the State Treasurer. Persons exempt from military service were those exempt under U.S. Law and ministers, Supreme Court judges, county court judges, county clerks, sheriffs, members of the Legislative Assembly, the Secretary of State, State Treasurer and clerks in telegraph offices. The Legislative Assembly amended the law in 1864 by expanding the duties of the Adjutant General. On October 24, 1864 the Legislative Assembly passed an act establishing the Commissioned Officers and Soldiers Relief Fund to compensate soldiers in companies of Oregon volunteers raised in the state for service to the federal government. Officers and soldiers receiving an honorable discharge were eligible for a payment of \$5.00 per month of service. Several motions to repeal the military code were defeated during the 1865 special session. Legislators authorized a military fund to offer cash payments to volunteers as an inducement to drill. Rewards included the best drilled company and the paying of expenses for companies called to parade.

In 1870 the Legislative Assembly abolished the office of Adjutant General as a cost savings measure and transferred its duties, records and documents to the Secretary of State. The position of Adjutant General was re-established under the 1887 military code. In 1872 the Governor issued a proclamation for the enlistment of men to fight in the Modoc War. In 1874 the Legislative Assembly made provision to pay the \$131,000.00 the Modoc War cost the state of Oregon. In 1878 an act authorizing the issuance of Modoc War Bonds passed the Legislative Assembly.

In 1887 the Legislative Assembly significantly revised the Military Code and authorized the Governor to appoint an Adjutant General, chief officers of the general staff, his own staff and the State Military Board which was to act in an advisory capacity on military matters. The law did away with the Board of Military Auditors and designated the active militia as the Oregon National Guard (ONG) and the inactive militia as the Oregon Reserve Militia. All able bodied males 18 to 45 years of age were liable for duty. Exemptions included but not limited to those exempt by laws of the United States or Oregon, conscientious objectors based upon religious reasons, judges, state and county treasurers, idiots, lunatics, paupers, habitual drunks and persons convicted of infamous crimes. Officers were directed to provide their own uniform, arms and equipment while privates and non-commissioned officers were equipped by the state. Monthly drills were established and only the Adjutant General was paid during peacetime. The act also gave the Governor clear powers to organize volunteer companies in times of crisis. Oregon's Uniform Code of Military Justice was clearly defined and the court martial process defined in statute. The statute exempted the arms and equipment of every soldier from attachment under executions, debt collections, taxation. In an effort to provide a stable, constant funding source the statute included a tax on all taxable property for the military department. The Legislative Assembly provided an annual allotment of \$500.00 for rifle practice. Flags and guidons were standardized and issued to units.

In 1889 the Legislative Assembly set the initial enlistment term in the Oregon National Guard at 3 years, adopted an oath/affirmation of office and standardized muster documentation. Those having served a 3 year term in the militia or National Guard were eligible to enlist for 1 year terms.

An appropriation was voted in by the Legislative Assembly in 1891 providing for the purchase of tents, mess and camp equipment. In addition, the Legislative Assembly shifted \$10,000.00 from the general fund to the military fund in an effort to alleviate the discrepancy from the date of organization of the National Guard and the date of collection of taxes assessed on property in support of the militia and National Guard.

On February 16, 1893 the Legislative Assembly appropriated \$20,000.00 to be paid in 1893 and again in 1894 from the General Fund to complete the equipping of the Oregon National Guard.

A comprehensive 1895 law directed that all general officers be selected by the Governor, with the consent of the senate, to serve four year terms. The general staff would consist of the Adjutant General as chief of staff (a position still held) and eight other designated generals appointed by the Governor and holding office at his pleasure. The legislation named to the military board the Adjutant General, Inspector General, Judge Advocate General, Brigadier General, and Surgeon General. In 1901 and 1905 laws amending the required composition of the general staff and military board were passed. Another reform abolished the military board in 1909 and gave its advisory duties to the general staff. In 1915 a bill passed that organized all National Guard Units in accordance with United States Army rules and regulations. This meant the Governor temporarily had no military staff under the new table of organization. The strength of the Oregon National Guard was set at 30 companies of infantry, 2 troops of cavalry and 1 battery of light artillery. The act allowed for the establishing of a naval militia if the authorized troop strength falls below 30 companies. Each company/troop/battery were to receive \$300.00 per annum to rent meeting/drill space. Oregon's Uniform Code of Military Justice outlined/defined the standards for and conduct of court martial offenses and proceedings.

An act was passed by the Legislative Assembly on February 17, 1899 to restore to the military fund expenses and per diem of soldiers involved in suppressing insurrection and riots in Astoria (1896) and Roseburg (1896). \$8,897.00 was transferred from the General Fund to the Military Fund to pay expenses and the State Military Board was established. The Board was comprised of the Brigadier General, Adjutant General, Inspector General, Judge Advocate General and Surgeon General empowered to establish and change standards regulating the militia and Oregon National Guard and authorize pay.

The Legislative Assembly passed an act in 1901 requiring each company/troop/battery to meet a minimum of 24 times annually for drill. In addition, the act allows the Commander in Chief to require National Guard or the naval militia to perform at least 5 consecutive days of camp, field or cruise duty each year. Cruise duty for naval reserve personnel could be required upon U.S. vessels. Officers were to receive an annual stipend to assist in equipping themselves. As with earlier acts no member of the ONG could be arrested on a civil process while going to, attending or returning from military duty and could pass all toll roads and gates free of charge.

The Legislative Assembly passed an act in 1903 for the purchase of ground and construction of armories for use by ONG units. Units were to pay to the State Treasury at rent rates fixed by the Military Board.

In 1907 every able bodied male of foreign birth 18 to 45 years of age with the declared intent to become a citizen was made liable for military service under an act passed by the Legislative Assembly (O.L 1907 ch. 233). The act established that enrollment eligible males would be counted every ten years in timing with the federal census. Members of the Oregon national Guard were to be enlisted/enrolled while Oregon Reserve Militia members would not be. Coastal Artillery was included in the table of organization and equipment for the ONG. Minimum company/troop strength was set at 50 to 58 enlisted men. The National Guard Association was authorized and comprised of commissioned officers while a mandatory retirement age of 60 was adopted.

A state naval militia was established in 1911 and placed under the administration of a board consisting of five commissioned naval officers appointed by the Governor (O.L. 1911 ch 269). The board existed four years and was replaced by a naval staff, which included the Adjutant General as chairman and two commissioned naval militia officers appointed by the Governor. A more comprehensive naval code went into effect in 1917 (O.L. 1917 ch. 129). It allowed the militia to conform to the 1914 naval department act detailing accepted federal rules and regulations governing state naval militias. The federal government loaned the state the U.S.S. Boston, a third class cruiser, a militia training ship, and detailed an officer and several chief petty officers from the regular navy as inspectors-instructors. The cruiser U.S.S. Marblehead and torpedo boat destroyer Goldsborough were also made available for militia use. Oregon's naval militia went into active federal service in 1917. It was subsequently placed into the United States naval reserves and ceased to function as a state unit.

The Legislative Assembly adopted another military code on the eve of World War I. It named the senior line officer to succeed as commander-in-chief in the event state officers in the regular line of succession were not available. The law also formed a state administrative staff from members of the Adjutant General, inspector general, judge advocate general, quartermaster corps, medical, and ordinance departments. Four years later the code was revised to conform to the National Defense Act of 1920. It authorized the Governor to appoint, subject to approval by the federal government, a National Guard officer to act as property and disbursing officer for the United States in Oregon and as state property officer.

Two agencies involved with state World War I veterans were created in 1919. A committee to provide designs for medals included the Governor, Secretary of State, Treasurer, State Librarian and Adjutant General (O.L. 1919 ch. 382). It operated until 1929. The Overseas Welcome Commission, set up to welcome returning veterans disembarking in New York City, consisted of five executive appointees and was abolished in 1927 (O.L. 1919 ch. 177). In 1923, the state accepted the battleship U.S.S. Oregon and designated the general staff to supervise its maintenance. Two years later this was amended by the Legislative Assembly authorizing a five-member commission to assume these duties. After the ship was returned to the federal government during World War II, the commission was placed in charge of administering a

marine museum which included relics from the Oregon (O.L. 1923 ch.169). The Legislative Assembly abolished the commission in 1957 (O.L. 1957 ch. 196).

No major revisions in the military code occurred during the 1920's and 1930's. Laws passed dealt mainly with commissioned officers, although one 1931 bill recognized the service of Indian War volunteers upon accepted proof of participation (O.L. 1931 ch. 256). This changed with the advent of World War II. President Roosevelt declared a limited national emergency after Germany invaded Poland in September 1939. Oregon responded by being the first in the nation to attain its authorized increase in National Guard manpower, over 900 men in less than a week. Roosevelt mobilized most of the Oregon guardsmen by executive order in August 1940, when he named the 41st Division as one of four National Guard divisions to be called up. By 1943 over 600 men from the Oregon National Guard and Reserves entered federal service.

Oregon took several measures to bolster its defense preparedness during the war. The Legislative Assembly passed legislation authorizing the Oregon State Guard and formed the Guard the day after the attack on Pearl Harbor to assume the local role of departing guard troops (O.L. 1941 ch. 91). Aircraft observers had already been recruited and were manning observation posts throughout western Oregon by fall of 1941. With the declaration of war most of the 500 posts were manned 24 hours a day seven days a week until placed on a reserve status with the army in 1943. Bills passed in 1941 and 1945 to construct, equip and furnish armories. The federal Office of Civilian Defense helped with the organizing of a civil defense network within Oregon, the structure of which was already in place due to the appointment of a state defense council by the Governor in 1941. All war connected services other than protection were merged into one division known as the Civilian War Services in July 1942.

The next year the Legislative Assembly reorganized the state guard and passed the civil defense act which officially created the Oregon State Defense Council (O.L. 1943 ch. 140). Headed by the Governor, the council supervised and coordinated civil defense activities in the state. Also put into operation were an Internal Security Section under the direction of the Governor, a state Information and Public Relations Division to promote civil defense activities, and a Rumor and Propaganda Division whose task was to receive and track rumors to check on their validity and thus undermine and minimize enemy propaganda efforts in Oregon.

The end of the war brought a brief return to prewar conditions. National Guard troops returned from federal service in 1945. The state defense council stopped functioning in 1947, and the state guard was deactivated at the end of June 1948. However, similar operations were revived on the eve of the Korean conflict. The Legislative Assembly passed the Oregon Civil Defense Act of 1949 in response to world tensions and the need for local defense forces to respond in the event of natural or man made disasters (O.L. 1949 ch. 434). The act created the Civil Defense Agency and the Civil Defense Advisory Council and authorized mobile reserve battalions to be called to duty upon orders of the Governor. In addition the internal security section was established responsible for planning internal state security under the direction of the Governor (O.L. 1949 ch. 446). Another 1949 law declared an emergency and formed a National Guard reserve unit. The Korean war caused all tactical and air National Guard units to be activated into federal service in 1950 and 1951. They returned to state control by the end of 1953; the same year the Legislative Assembly officially abolished the state guard.

The Adjutant General's office had acted as a de-facto military department since its inception. Sometimes referred to as the military department, by the mid-1950's it was divided into four operating units: administration and personnel, operations and training, purchasing and disbursing, and maintenance. The latter section maintained camps, rifle ranges, and other installations scattered throughout Oregon. Located in Salem, civilian personnel were appointed by the Adjutant General and all assigned military personnel were detailed by the Adjutant General. Office functions included liaison with the federal government in military matters affecting Oregon, keeper of all National Guard and state guard personnel records, custodian of relics and memorabilia, quartermaster-general in times of peace, custodian of all state military camps and installations, and overseer of administration and training of the National Guard and storage and distribution of its equipment.

The Legislative Assembly recognized these operations when they reorganized the militia in 1961 and officially created the Military Department (O.L. 1961 ch. 764). The department retained all of the functions previously done by the Adjutant General's office. Clauses in the law dealt with administration, personnel, leases and agreements on the use of armories, and disposition of receipts from federal and state monies, including the creation of a revolving fund.

The Department was organized into a three-tier operation by 1966. The Governor remained in titular control, with a personal staff and the Military council to advise him. The Adjutant General headed the department, and an administrative assistant and the State Armory Advisory Board reported directly to him. Everyday activities were divided among a primary staff with five broad management functions (administration, operations and training, U.S. property and fiscal office, comptroller, and installations) and a special staff with five specialized departments (public information, state maintenance, military support and plans, Air National Guard base detachment, and army technical personnel). These were overseen by the assistant Adjutant General. In addition, the United States Army Advisory Group was assigned to advise and assist in the training of all guard units in the state.

The 1961 militia law remains in effect. Amendments passed since then include conditions for the appointment of assistant Adjutant Generals, bills on the regulation of funds, an act making the department the official depository of historical items, a law on grants and donations for the Oregon National Guard Military Museum and resources center, and an act on property loss incidental to the activities of the national guard. Each community with a sufficient population to support guard activities has a guard unit assigned to it.

The Military Contingency Account, credited with funds from fines imposed by court martials, was abolished (O.L. 1963 ch. 169). All funds were to be deposited in the State General Fund under the State Treasury. The Legislative Assembly named all members of the Oregon National Guard Reserve as civil defense workers when acting in support of authorized civil defense missions.

The State Military Museum, designated as a repository for weapons, documents and artifacts relating to the history of Oregon's National Guard and military history, is authorized by the Legislative Assembly (O.L. 1975 ch 235).

In 1989 the State Military Department was renamed the Oregon Military Department (O.L. ch 360). In addition, the Oregon National Guard Reserve was renamed the Oregon State Defense Force(O.L. 1989 ch 361). The Legislative Assembly voted to establish a scholarship fund for eligible Oregon residents serving in the Oregon National Guard (O.L. 1989 ch. 717). Resident fishing and hunting rights, long enjoyed by military personnel serving in but not residents of Oregon, are extended to spouse's and dependent children (O.L. 1989 ch. 264).

Gulf War Veterans earnings were declared exempt from state taxation by the Legislative Assembly (O.L. 1991 ch. 177). In addition, United States Coast Guard units and reserves were included with other service branches to use ONG armories for business (O.L. 1991 ch. 421).

The 1995 Legislative Assembly enacted legislation creating a tuition waiver program enabling qualified Oregon National Guard members to attend Eastern Oregon, Western Oregon or Southern Oregon Colleges and receive a 90% tuition waiver (O.L. 1995 ch. 158. In addition, state employees of the Military Department may be required to obtain membership in the Oregon State Defense Force. The Adjutant General determines whether membership enhances the readiness and stability of the Department (O.L. 1995 ch. 571).

The definition of State Active Duty for Oregon National Guard members was amended to include federal and state drug eradication, interdiction and counter drug operations (O.L. 1997 ch. 486). The Oregon Military Department when carrying out federal asset forfeiture laws is designated a law enforcement agency (O.L. 1997 ch. 486).

The Oregon Military Museum, located at Camp Withycombe, was established by the Legislative Assembly to replace the State Military Museum authorized by the 1975 Legislative Assembly (O.L. 2001 ch. 656). The Legislative Assembly extended the right to purchase and use ODFW tags and license under resident guidelines to spouse's and dependents of military members (O.L. 2001 ch. 90).

Protection involving credit and tenant issues was extended to ONG members called to 90+ days of active duty (O.L. ch. 387). In addition, the Legislative Assembly ensured military personnel returning from active duty would be re-employed within seven calendar days and receives pay and allowances while on active duty that corresponds with federal levels under (O.L. 2003 chapter's 387 and 311).

Oregon Emergency Management, formerly part of the Oregon State Police, was re-established under the Oregon Military Department (O.L. 2007 ch. 401).

Current Organization

The **Adjutant General** serves as the administrative director of the Military Department and is the commander of the Oregon National Guard. By virtue of office the Governor is the peacetime commander-in-chief of the National Guard and the Commander-in-Chief of the Oregon State Defense Force.

The **Adjutant General Installations** acquires and maintains armories, training installations, logistics installations and office space for the Oregon Military Department and Oregon Army National Guard.

The **Adjutant General Comptroller** provides reliable and efficient accounting services, budget management, purchasing and contracting services and information management systems.

The **Adjutant General Personnel** is responsible for human resource management, payroll accounting and labor relations activities for state employees of the Oregon Military Department.

The **Office of Emergency Management** (OEM) coordinates and maintains a statewide emergency services system for emergency and disaster communication. OEM is divided into four sections: Technology and Response Services, Financial and Recovery Services, Plans and Training, and the Chemical Stockpile Emergency Preparedness Program (CSEPP). The Division awards grant funding to local governments, coordinates search and rescue efforts and the state 9-1-1 program, as well as the Oregon Emergency Response System. The Drought Council and Oregon Seismic Safety Advisory Commission also operate out of OEM. CSEPP is responsible for the storage and eventual destruction of the chemical munitions stored at the Umatilla Army Depot and also for preparing the surrounding communities for emergencies that may result from release of the munitions.

The **Oregon State Defense Force** is Oregon's trained National Guard Reserve Force charged with maintaining a cadre to facilitate rapid expansion if called upon by the Adjutant Generals to replace the National Guard as a state force.

The **Oregon Youth Challenge Program** is an alternative residential public high school with cadets (students) living onsite for 5 ½ months followed by a 12 month mentor period upon their return to the community.

Boards, Commissions, Panels

None

Chronology

- 1843 Mounted Rifle Battalion authorized; not organized
- 1844 Formation of Oregon Rangers approved; not organized
- 1845 1st militia organized in response to Cayuse attack on Whitman Mission.
- 1854/55/56 Series of statutes reorganizing and expanding the militia. Assistance arrives from federal government.
- 1856 Governor established as ex-officio commander-in-chief
- 1862 Military Code adopted formerly giving Governors Office power over militia. Formation of Board of Military Advisors.
- 1870 Position of Adjutant General abolished; duties transferred to Secretary of State.
- 1887 Position of Adjutant General re-established.

- 1911 Naval Militia established
- 1961 Military Department established
- 2007 Oregon Emergency Management becomes part of OMD

Primary Oregon Statutes and Administrative Rule Chapters

- ORS 396 – Militia Generally
- ORS 398 – Military Justice
- ORS 399 – Organized Militia

Bibliography

- Oregon Laws, 1843- 2007
- Oregon Military Department Legislatively Adopted Budget, 2005.
- Internet Web Site, Oregon Military Department, <http://www.oregon.gov/OMD>