

116TH CONGRESS  
2D SESSION

# H. R. 7215

To amend title 10, United States Code, to provide for congressional notice and termination requirements for use of authority under the Insurrection Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2020

Mr. KEATING (for himself, Mrs. TRAHAN, Ms. DEAN, Mr. CASTEN of Illinois, Mr. COHEN, Mr. HIMES, Mr. GONZALEZ of Texas, and Ms. JACKSON LEE) introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to provide for congressional notice and termination requirements for use of authority under the Insurrection Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Civil Deployment Noti-  
5 fication Act of 2020.”

1 **SEC. 2. CONGRESSIONAL NOTIFICATION AND TERMI-**  
2 **NATION REQUIREMENTS FOR USE OF AU-**  
3 **THORITY UNDER INSURRECTION ACT.**

4 (a) FEDERAL AID FOR STATE GOVERNMENTS.—Sec-  
5 tion 251 of title 10, United States Code, is amended—

6 (1) by striking “Whenever” and inserting “(a)  
7 IN GENERAL.—Subject to section 256 of this title  
8 and subsection (b), whenever”; and

9 (2) by adding at the end the following new sub-  
10 sections:

11 “(b) NOTIFICATION REQUIREMENT.—The President  
12 may only exercise the authority under subsection (a) after  
13 submitting to the appropriate members of Congress notice  
14 of the intent to exercise such authority together with the  
15 justification of the President for exercising such authority.

16 “(c) APPROPRIATE MEMBERS OF CONGRESS.—In  
17 this section, the term ‘appropriate members of Congress’  
18 means—

19 “(1) the chair and ranking minority member  
20 of—

21 “(A) the Committees on Armed Services of  
22 the Senate and House of Representatives;

23 “(B) the Committee on Homeland Security  
24 of the House of Representatives;

25 “(C) the Committee on Homeland Security  
26 and Governmental Affairs of the Senate; and

1           “(D) the Committees on the Judiciary of  
2           the Senate and House of Representatives;

3           “(2) the Speaker and minority leader of the  
4           House of Representatives;

5           “(3) the majority and minority leaders of the  
6           Senate; and

7           “(4) such other member or members of the con-  
8           gressional leadership as may be included by the  
9           President.”.

10       (b) USE OF MILITIA AND ARMED FORCES TO EN-  
11       FORCE FEDERAL AUTHORITY.—Section 252 of title 10,  
12       United States Code, is amended—

13           (1) by striking “Whenever” and inserting “(a)  
14       IN GENERAL.—Subject to section 256 of this title  
15       and subsection (b), whenever”; and

16           (2) by adding at the end the following new sub-  
17       sections:

18       “(b) NOTIFICATION REQUIREMENT.—The President  
19       may only exercise the authority under subsection (a) after  
20       submitting to the appropriate members of Congress notice  
21       of the intent to exercise such authority together with the  
22       justification of the President for exercising such authority.

23       “(c) APPROPRIATE MEMBERS OF CONGRESS.—In  
24       this section, the term ‘appropriate members of Congress’  
25       means—

1           “(1) the chair and ranking minority member  
2 of—

3           “(A) the Committees on Armed Services of  
4 the Senate and House of Representatives;

5           “(B) the Committee on Homeland Security  
6 of the House of Representatives;

7           “(C) the Committee on Homeland Security  
8 and Governmental Affairs of the Senate; and

9           “(D) the Committees on the Judiciary of  
10 the Senate and House of Representatives;

11          “(2) the Speaker and minority leader of the  
12 House of Representatives;

13          “(3) the majority and minority leaders of the  
14 Senate; and

15          “(4) such other member or members of the con-  
16 gressional leadership as may be included by the  
17 President.”.

18          (c) USE OF MILITIA AND ARMED FORCES TO EN-  
19 FORCE FEDERAL AUTHORITY.—Section 253 of title 10,  
20 United States Code, is amended—

21           (1) by striking “The President” and inserting  
22 “(a) IN GENERAL.—(1) Subject to section 256 of  
23 this title and subsection (b), the President”;

24           (2) by redesignating paragraphs (1) and (2) as  
25 subparagraphs (A) and (B), respectively;

1           (3) by inserting “(2)” before “In any situa-  
2           tion”;

3           (4) by striking “clause (1)” and inserting  
4           “paragraph (1)(A)”; and

5           (5) by adding at the end the following new sub-  
6           sections:

7           “(b) NOTIFICATION REQUIREMENT.—The President  
8           may only exercise the authority under subsection (a) after  
9           submitting to the appropriate members of Congress notice  
10          of the intent to exercise such authority together with the  
11          justification of the President for exercising such authority.

12          “(c) APPROPRIATE MEMBERS OF CONGRESS.—In  
13          this section, the term ‘appropriate members of Congress’  
14          means—

15                 “(1) the chair and ranking minority member  
16                 of—

17                         “(A) the Committees on Armed Services of  
18                         the Senate and House of Representatives;

19                         “(B) the Committee on Homeland Security  
20                         of the House of Representatives;

21                         “(C) the Committee on Homeland Security  
22                         and Governmental Affairs of the Senate; and

23                         “(D) the Committees on the Judiciary of  
24                         the Senate and House of Representatives;

1           “(2) the Speaker and minority leader of the  
2 House of Representatives;

3           “(3) the majority and minority leaders of the  
4 Senate; and

5           “(4) such other member or members of the con-  
6 gressional leadership as may be included by the  
7 President.”.

8 (d) TERMINATION.—

9           (1) IN GENERAL.—Chapter 13 of title 10,  
10 United States Code, is amended by adding at the  
11 end the following new section:

12 **“§ 256. Termination of authority**

13           “Authority exercised under section 251, 252, or 253  
14 of this title shall terminate on the date that is 14 days  
15 after the first day on which such authority is exercised  
16 unless such authority is specifically extended pursuant to  
17 the enactment of a law or joint resolution.”.

18           (2) CLERICAL AMENDMENT.—The table of sec-  
19 tions at the beginning of such chapter is amended  
20 by inserting after the item relating to section 255  
21 the following new item:

“256. Termination of authority.”.

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