

119TH CONGRESS
1ST SESSION

S. _____

To provide for congressional oversight of domestic use of the National Guard,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. PADILLA (for himself, Mr. SCHIFF, Mr. DURBIN, Ms. DUCKWORTH, and
Mr. VAN HOLLEN) introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To provide for congressional oversight of domestic use of
the National Guard, 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 “Safeguarding the Use
5 of the National Guard Act” or the “SUN Act”.

6 **SEC. 2. CONGRESSIONAL OVERSIGHT OF DOMESTIC USE OF**
7 **THE NATIONAL GUARD.**

8 (a) IN GENERAL.—Except as provided in subsection
9 (b), not later than 15 days after the date on which the
10 President deploys or otherwise uses members of the Na-

1 tional Guard at a location in the United States pursuant
2 to chapter 13 or 15 of title 10, United States Code, or
3 any other law or authority, the President shall submit to
4 Congress a report on the use or deployment that in-
5 cludes—

6 (1) the precise legal basis and goals of the
7 President for the deployment or other use, including
8 any evidence substantiating the assessment of the
9 President;

10 (2) a description of the effect of such deploy-
11 ment or use on any situation identified in such jus-
12 tification, including any specific reports of any inter-
13 actions between members of the National Guard and
14 civilians engaged in violence or threats of violence;

15 (3) reports from local and State law enforce-
16 ment agencies describing any such interactions, in-
17 cluding the extent of actual violence or threat of vio-
18 lence, and the assessment of such agencies of the
19 propriety of deployment or other use of members of
20 the National Guard;

21 (4) an estimate of the total cost to the Federal
22 Government for the entirety of the deployment or
23 use, including any indirect costs to the Department
24 of Defense; and

1 (5) a certification that such deployment or use
2 of the members of the National Guard will not inter-
3 fere with the ability of the Armed Forces to respond
4 in the event of a disaster that could be covered by
5 a presidential declaration under the Robert T. Staf-
6 ford Disaster Relief and Emergency Assistance Act
7 (42 U.S.C. 5121 et seq.).

8 (b) EXCEPTION.—Subsection (a) shall not apply with
9 respect to the use or deployment of members of the Na-
10 tional Guard at a location in the United States pursuant
11 to a presidential declaration under the Robert T. Stafford
12 Disaster Relief and Emergency Assistance Act (42 U.S.C.
13 5121 et seq.) in response to a natural disaster or other
14 weather-related event.