

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 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.