

116TH CONGRESS
2D SESSION

H. R. 7129

To amend title 10, United States Code, to limit the authority of the President to use the militia or Armed Forces to enforce Federal authority or to provide Federal aid to State governments, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2020

Mr. CICILLINE (for himself, Mr. BEYER, Ms. WILSON of Florida, Mr. WELCH, Mr. NEAL, Ms. SEWELL of Alabama, Mr. DEUTCH, Ms. VELÁZQUEZ, Mrs. CAROLYN B. MALONEY of New York, Mr. MEEKS, and Mr. TED LIEU of California) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to limit the authority of the President to use the militia or Armed Forces to enforce Federal authority or to provide Federal aid to State governments, 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 “Stop Using Military
5 Force Against Civilians Act”.

1 **SEC. 2. AUTHORITY TO USE MILITIA OR ARMED FORCES TO**
2 **ENFORCE FEDERAL AUTHORITY OR PROVIDE**
3 **FEDERAL AID TO STATE GOVERNMENTS.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the use of authorities under chapter 13 of title
6 10, United States Code, to abridge the exercise of rights
7 guaranteed under the First Amendment to the Constitu-
8 tion of the United States, including to silence protected
9 demonstrations and protests, is unlawful and not in the
10 interest of the United States.

11 (b) LIMITATION ON DURATION OF AUTHORITY.—

12 (1) LIMITATION.—Chapter 13 of title 10,
13 United States Code, is amended by adding at the
14 end the following new section:

15 **“§ 256. Limitation on duration of authority**

16 “(a) LIMITATION ON DURATION.—Subject to sub-
17 section (b) and except in the case of a natural disaster,
18 the authority to call into Federal service or use the militia
19 of a State or the armed forces pursuant to section 251,
20 252, or 253 of this chapter with respect to one set of
21 events shall expire after a period of not more than three
22 days. Upon termination of such authority, the President
23 shall withdraw any militia or armed forces called into Fed-
24 eral service or used pursuant to such sections.

25 “(b) CONGRESSIONAL AUTHORIZATION FOR EXTEN-
26 SION.—Upon the termination of the period specified in

1 subsection (a), the President may extend the authority re-
2 ferred to in such subsection for a period of not more than
3 14 days, if a law is enacted specifically authorizing such
4 extension. Not more than two such authorizations for ex-
5 tension may be enacted into law with respect to any one
6 set of events.”.

7 (2) CONFORMING AMENDMENTS.—

8 (A) FEDERAL AID FOR STATE GOVERN-
9 MENTS.—Section 251 of title 10, United States
10 Code, is amended by striking “Whenever” and
11 inserting “Subject to section 256 of this title,
12 whenever”.

13 (B) USE OF MILITIA AND ARMED FORCES
14 TO ENFORCE FEDERAL AUTHORITY.—Section
15 252 of title 10, United States Code, is amended
16 by striking “Whenever” and inserting “Subject
17 to section 256 of this title, whenever”.

18 (C) INTERFERENCE WITH STATE AND
19 FEDERAL LAW.—Section 253 of title 10, United
20 States Code, is amended by striking “The
21 President” and inserting “Subject to section
22 256 of this title, the President”.

23 (3) CLERICAL AMENDMENT.—The table of sec-
24 tions at the beginning of chapter 13 of title 10,

1 United States Code, is amended by adding at the
2 end the following new item:

“256. Limitation on duration of authority.”.

3 (c) INCLUSION OF TERRITORIES.—Section 255 of
4 title 10, United States Code, is amended by striking
5 “Guam” and all that follows through the period and in-
6 serting “each State of the United States, the District of
7 Columbia, each commonwealth, territory, or possession of
8 the United States, and each federally recognized Indian
9 Tribe.”.

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