

119TH CONGRESS
2D SESSION

S. _____

To require Congressional authority for troops or armed men at polling places,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. SLOTKIN (for herself, Ms. BALDWIN, Mr. GALLEGRO, Mr. KELLY, Ms. KLOBUCHAR, Mr. PADILLA, Ms. ROSEN, and Mr. WARNOCK) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require Congressional authority for troops or armed men
at polling places, 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 “Protect Our Polls
5 Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) sending troops or armed men to the polls
9 has been federally criminalized for more than 150

1 years through under the provisions codified in sec-
2 tions 592 and 593 of title 18, United States Code,
3 punishable by up to 5 years in prison;

4 (2) such section 592 contains a limited excep-
5 tion to this prohibition under which troops or armed
6 men may only be used to repel armed enemies of the
7 United States; and

8 (3) such exception has never been exercised.

9 **SEC. 3. NOTIFICATION AND CONGRESSIONAL DIS-**
10 **APPROVAL PROCESS FOR TROOPS OR ARMED**
11 **MEN AT POLLS.**

12 (a) IN GENERAL.—Chapter 29 of title 18, United
13 States Code, is amended by inserting after section 592 the
14 following:

15 **“§ 592a. Congressional action**

16 “(a) NOTIFICATION REQUIREMENT.—Not less than
17 48 hours before troops or armed men, including Federal
18 law enforcement officers, are intended to be sent to any
19 place where a general or special election is held to repel
20 armed enemies of the United States under section 592,
21 or any other provision of law, the head of the agency in
22 charge of the troops or armed men shall transmit to the
23 Majority Leader of the Senate, the Speaker of the House
24 of Representatives, and the committees of jurisdiction (as
25 defined in section 6329b(a) of title 5) over the agencies

1 to which the troops or armed men report, an unclassified
2 report containing—

3 “(1) the number of troops or armed men that
4 are expected to be sent to places where those elec-
5 tions are being held, their unit or units, a descrip-
6 tion of their responsibilities, and the duration of the
7 order;

8 “(2) the specific intelligence that supports the
9 claim that armed enemies of the United States are
10 threatening the places where those elections are
11 being held, with an unclassified summary and a clas-
12 sified annex;

13 “(3) the geographical area to which the troops
14 or armed men will be sent, with specificity on the lo-
15 cation of the places at which they will be stationed;

16 “(4) the legal authorization, if any, used to pro-
17 vide affirmative authority for the activation of armed
18 forces;

19 “(5) the training these troops or armed men
20 are given to interact with civilian populations; and

21 “(6) the detailed justification that State and
22 local forces are unable to repel the armed enemies
23 of the United States without Federal intervention.

24 “(b) CONGRESSIONAL CALENDAR.—

1 “(1) IN GENERAL.—If, when the report under
2 subsection (a) is transmitted, the Congress has ad-
3 journed sine die or has adjourned for any period, the
4 Speaker of the House of Representatives and the
5 President pro tempore of the Senate, if they deem
6 it advisable (or if petitioned by not less than 30 per-
7 cent of the membership of their respective Houses)
8 shall jointly request the President to convene Con-
9 gress in order that it may consider the report and
10 take appropriate action pursuant to this section.

11 “(2) BRIEFING.—When Congress reconvenes,
12 the Secretary of Defense, Director of National Intel-
13 ligence, and Director of the Federal Bureau of In-
14 vestigation shall immediately provide a classified
15 briefing to the Senate and the House of Representa-
16 tives on the armed enemies of the United States
17 threat that necessitates the use of troops at places
18 where elections are being held.

19 “(c) EXPEDITED CONGRESSIONAL REVIEW.—

20 “(1) IN GENERAL.—Any use of troops or armed
21 men at any place where a general or special election
22 is held for the purpose of repelling armed enemies
23 of the United States shall only be authorized if Con-
24 gress, prior to any deployment, enacts a joint resolu-
25 tion originating in either House.

1 “(2) CONSIDERATION.—

2 “(A) COMMITTEE REFERRAL.—A joint res-
3 olution under paragraph (1) shall be referred to
4 the committee of jurisdiction (as defined in sec-
5 tion 6329b(a) of title 5) over the agencies to
6 which the troops or armed men report, and
7 such committee shall report one such joint reso-
8 lution not later than 20 hours after trans-
9 mission of the report under section (a), unless
10 such House shall otherwise determine by yeas
11 and nays.

12 “(B) PENDING BUSINESS.—A joint resolu-
13 tion reported under subparagraph (A) shall be-
14 come the pending business of the House in
15 question (in the case of the Senate the time for
16 debate shall be equally divided between the pro-
17 ponents and the opponents), and shall be voted
18 on not later than 10 hours thereafter, unless
19 such House shall otherwise determine by yeas
20 and nays.

21 “(C) REFERRAL TO OTHER HOUSE COM-
22 MITTEE.—A joint resolution passed by one
23 House under subparagraph (B) shall be re-
24 ferred to the committee of the other House (as
25 determined under subsection (a)) and shall be

1 reported out not later 12 hours before troops or
2 armed men are to be sent to polling places to
3 repel armed enemies of the United States under
4 section 592. The joint resolution so reported
5 shall become the pending business of the House
6 in question and shall be voted on not later than
7 6 hours after it has been reported, unless such
8 House shall otherwise determine by yeas and
9 nays.

10 “(d) SEVERABILITY.—If any provision of this section,
11 or any application of such provision to any person or cir-
12 cumstance, is held to be unconstitutional, the remainder
13 of this section and the application of this section to any
14 other person or circumstance shall not be affected.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
16 for chapter 29 of title 18, United States Code, is amended
17 by inserting after the item relating to section 592 the fol-
18 lowing:

“592a. Congressional action.”.

19 **SEC. 4. AMENDMENTS TO CIVIL RIGHTS ACT OF 1960.**

20 (a) IN GENERAL.—Section 301 of the Civil Rights
21 Act of 1960 (52 U.S.C. 20701) is amended—

22 (1) by striking “Every officer” and inserting
23 the following:

24 “(a) IN GENERAL.—Every officer”;

1 (2) in subsection (a), as so designated, in the
2 second sentence, by striking “this section” and in-
3 serting “this subsection”; and

4 (3) by adding at the end the following:

5 “(b) CONDITION ON AVAILABILITY OF FUNDS.—No
6 funds may be appropriated or otherwise made available
7 to the armed forces, as defined in section 101(a)(4) of title
8 10, United States Code, or any Executive agency, as de-
9 fined in section 105 of title 5, United States Code, for
10 the purpose of authorizing or ordering any troops or
11 armed men under the authority or control of such entity
12 to access any record or paper required under subsection
13 (a) to be retained and preserved, regardless of the date
14 on which the record or paper came into the possession of
15 the officer of election or custodian required to retain and
16 preserve the record or paper.

17 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
18 tion shall be construed to prevent any member of the
19 armed forces, as defined in section 101(a)(4) of title 10,
20 United States Code, or any individual under the authority
21 or control of any Executive agency, as defined in section
22 105 of title 5, United States Code, from exercising the
23 right of suffrage in any district to which that individual
24 may belong, if otherwise qualified according to the laws
25 of the State of such district.”.

1 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
2 Title III of the Civil Rights Act of 1960 (52 U.S.C. 20701
3 et seq.) is amended—

4 (1) in section 302 (52 U.S.C. 20702), by strik-
5 ing “section 301” and insert “section 301(a)”; and

6 (2) in section 303 (52 U.S.C. 20703), by strik-
7 ing “section 301” and insert “section 301(a)”.

8 (c) SUNSET.—This section and the amendments
9 made by this section shall cease to have effect on January
10 20, 2029.