

119TH CONGRESS
1ST SESSION

H. R. 590

To amend title 32, United States Code, to clarify certain limitations on full-time National Guard duty performed in a State, Territory, or the District of Columbia, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2025

Ms. SHERRILL introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 32, United States Code, to clarify certain limitations on full-time National Guard duty performed in a State, Territory, or the District of Columbia, 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 “_____ Act
5 of 2024”.

1 **SEC. 2. REQUIREMENT OF CONSENT OF THE CHIEF EXECU-**
2 **TIVE OFFICER FOR CERTAIN FULL-TIME NA-**
3 **TIONAL GUARD DUTY PERFORMED IN A**
4 **STATE, TERRITORY, OR THE DISTRICT OF CO-**
5 **LUMBIA.**

6 Subsection (f) of section 502 of title 32, United
7 States Code, is amended—

8 (1) in paragraph (1), by striking “Under” and
9 inserting “Subject to paragraph (2) and under”;

10 (2) in paragraph (2), by striking subsection (A)
11 and inserting the following:

12 “(A) Support of operations or missions under-
13 taken by the member’s unit at the request of the
14 President or Secretary of Defense, with the consent
15 of—

16 “(i) the chief executive officer of each
17 State (as that term is defined in section 901 of
18 this title) in which such operations or missions
19 shall take place; and

20 “(ii) if such operations or missions shall
21 take place in the District of Columbia, the
22 Mayor of the District of Columbia.”; and

23 (3) by adding at the end the following new
24 paragraph:

25 “(3) The training or duty ordered to be performed
26 under paragraph (1) shall be subject to the limitations of

1 section 1385 of title 18, commonly referred to as the
2 ‘Posse Comitatus Act’.”.

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