

119TH CONGRESS  
1ST SESSION

# S. 2070

To provide limited authority to use the Armed Forces to suppress insurrection or rebellion and quell domestic violence.

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## IN THE SENATE OF THE UNITED STATES

JUNE 12, 2025

Mr. BLUMENTHAL (for himself, Mr. PADILLA, Mr. SCHIFF, Mr. BOOKER, Mr. WYDEN, Mrs. GILLIBRAND, Ms. DUCKWORTH, Mr. VAN HOLLEN, Mr. MARKEY, Ms. HIRONO, Ms. WARREN, Ms. SLOTKIN, Ms. BALDWIN, Mr. SANDERS, Mr. COONS, Mr. WELCH, Mr. MERKLEY, Mr. KIM, Mr. HICKENLOOPER, and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To provide limited authority to use the Armed Forces to suppress insurrection or rebellion and quell domestic violence.

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 “Insurrection Act of  
5       2025”.

1 **SEC. 2. LIMITED AUTHORITY TO USE THE ARMED FORCES**  
2 **TO SUPPRESS INSURRECTION OR REBELLION**  
3 **AND QUELL DOMESTIC VIOLENCE.**

4 (a) STATEMENT OF CONSTITUTIONAL AUTHORITY.—

5 This section represents an exercise of Congress’s authori-  
6 ties under—

7 (1) clauses 14, 15, 16, and 18 of section 8 of  
8 article I of the Constitution of the United States;

9 (2) section 4 of article IV of the Constitution  
10 of the United States; and

11 (3) section 5 of the 14th Amendment to the  
12 Constitution of the United States.

13 (b) AMENDMENTS TO INSURRECTION PROVISIONS IN  
14 TITLE 10, UNITED STATES CODE.—Chapter 13 of title  
15 10, United States Code, is amended by striking sections  
16 251 through 255 and inserting the following new sections:

17 **“§ 251. Statement of policy**

18 “It is the policy of the United States that domestic  
19 deployment of the armed forces for the purposes set forth  
20 in this chapter should be a last resort and should be or-  
21 dered only if State and local authorities in the State con-  
22 cerned are unable or otherwise fail to suppress the insur-  
23 rection or rebellion, quell the domestic violence, or enforce  
24 the laws that are being obstructed, and Federal civilian  
25 law enforcement authorities are unable to do so.

1 **“§ 252. Triggering circumstances**

2 “(a) IN GENERAL.—The authorities granted to the  
3 President by section 253 may be exercised only if—

4 “(1) there is an insurrection or rebellion in a  
5 State—

6 “(A) against the State or local govern-  
7 ment, in such numbers, or with such force or  
8 capacity, as to overwhelm State or local au-  
9 thorities, and the chief executive of the State  
10 requests assistance under this chapter; or

11 “(B) against the Government of the  
12 United States, in such numbers, or with such  
13 force or capacity, as to overwhelm State or local  
14 authorities;

15 “(2) there is domestic violence in a State that  
16 is sufficiently widespread or severe as to overwhelm  
17 State or local authorities, and the chief executive of  
18 the State, or super majority of the State legislature,  
19 requests assistance under this chapter; or

20 “(3) there is, within a State—

21 “(A) obstruction of the execution of State  
22 or Federal law that has the effect of depriving  
23 any party or class of the people of that State  
24 of a right, privilege, immunity, or protection  
25 named in the Constitution and secured by law,  
26 and State or local authorities or Federal civilian

1 law enforcement personnel are unable, fail, or  
2 refuse to protect that right, privilege, or immu-  
3 nity, or to give that protection;

4 “(B) obstruction of the execution of Fed-  
5 eral law by private actors where such obstruc-  
6 tion creates an immediate threat to public safe-  
7 ty and the use of State or local authorities and  
8 Federal civilian law enforcement personnel is  
9 insufficient to ensure execution of the law  
10 and—

11 “(i) the private actors are in such  
12 numbers, or with such force or capacity, as  
13 to overwhelm State or local authorities and  
14 Federal civilian law enforcement personnel;  
15 or

16 “(ii) State or local authorities and  
17 Federal civilian law enforcement personnel  
18 otherwise fail to address the obstruction;  
19 or

20 “(C) obstruction of the execution of Fed-  
21 eral law by the State or its agents, where the  
22 use of Federal civilian law enforcement per-  
23 sonnel is insufficient to ensure execution of the  
24 law.

1       “(b) RULES OF CONSTRUCTION.—(1) Subsection  
2 (a)(3)(A) shall be construed to encompass the obstruction  
3 of any provision of the Voting Rights Act of 1965 (52  
4 U.S.C. 10301 et seq.) or section 2004 of the Revised Stat-  
5 utes (52 U.S.C. 10101) regarding protection of the right  
6 to vote. Any deployment of the armed forces in such cir-  
7 cumstances shall be subject to section 2003 of the Revised  
8 Statutes (52 U.S.C. 10102), sections 592 and 593 of title  
9 18, and any other applicable statutory limitations designed  
10 to protect the right to vote.

11       “(2) In any situation covered by subsection (a)(3)(A),  
12 the State shall be considered to have denied the equal pro-  
13 tection of the laws secured by the Constitution.

14       **“§ 253. Authority of the President**

15       “(a) IN GENERAL.—Subject to subsection (b) and  
16 sections 254 through 257, the President may, if the condi-  
17 tions specified in section 252 are met, order to active duty  
18 any reserve component forces and use the armed forces  
19 to suppress the insurrection or rebellion, quell the domes-  
20 tic violence, or enforce the laws that are being obstructed.

21       “(b) LIMITATIONS.—(1) During any deployment of  
22 the armed forces under subsection (a), the armed forces  
23 shall remain subordinate to the chain of command pre-  
24 scribed in section 162(b) of this title.

1 “(2) Any part of the armed forces employed to sup-  
 2 press an insurrection or rebellion, quell domestic violence,  
 3 or enforce the law under the authorities granted by sub-  
 4 section (a) must operate under the Standing Rules for the  
 5 Use of Force.

6 “(3) Nothing in this chapter shall be construed to  
 7 authorize—

8 “(A) suspension of the writ of habeas corpus; or

9 “(B) any action that violates Federal law or, where  
 10 consistent with Federal law, State law.

11 “(c) STANDING RULES FOR THE USE OF FORCE.—  
 12 In this section, the term ‘Standing Rules for the Use of  
 13 Force’ means Chairman of the Joint Chiefs of Staff In-  
 14 struction (CJCSI) 3121.01B, dated June 13, 2005, and  
 15 entitled, ‘Standing Rules of Engagement/Standing Rules  
 16 for the Use of Force for U.S. Forces’, or any successor  
 17 instruction.

18 **“§ 254. Consultation with Congress; proclamation to**  
 19 **disperse; reporting requirement; effective**  
 20 **periods of authorities**

21 “(a) CONSULTATION.—The President shall, to the  
 22 maximum extent practicable, consult with Congress before  
 23 exercising the authorities granted under section 253.

24 “(b) PROCLAMATION.—Before exercising the authori-  
 25 ties granted by section 253, the President shall, by procla-

1 mation immediately transmitted to Congress and the Fed-  
2 eral Register—

3 “(1) specify which paragraph and, where appli-  
4 cable, subparagraph and clause, of section 252(a)  
5 provides the basis for such exercise of authority; and

6 “(2) order the lawbreakers to disperse peace-  
7 ably within a reasonable, limited time period.

8 “(c) REPORT.—Contemporaneously with the procla-  
9 mation required under subsection (b), the President shall  
10 submit to the President pro tempore of the Senate and  
11 the Speaker of the House of Representatives a written re-  
12 port setting forth the following:

13 “(1) The circumstances necessitating the exer-  
14 cise of the authorities granted to the President by  
15 section 253.

16 “(2) Where applicable, a certification by the At-  
17 torney General of the United States that the chief  
18 executive of the State in question has requested as-  
19 sistance under this chapter or that State authorities  
20 are unable or have otherwise failed to address the  
21 circumstances necessitating exercise of the Presi-  
22 dent’s authorities under section 253.

23 “(3) Certification by the Attorney General of  
24 the United States that options other than the use of  
25 the armed forces have been exhausted, or that those

1 options would likely be insufficient to resolve the sit-  
2 uation and that delay would likely cause significant  
3 harm.

4 “(4) A description of the size, mission, scope,  
5 and expected duration of the use of the armed  
6 forces, with a certification by the relevant Service  
7 Secretary or Secretaries that, in their best military  
8 advice and opinion, the armed forces to be called for  
9 duty are trained, equipped, and able to complete the  
10 assigned mission.

11 **“§ 255. Congressional approval**

12 “(a) TEMPORARY EFFECTIVE PERIODS.—(1) Any  
13 authority made available under section 253 shall termi-  
14 nate 7 days after the President makes the proclamation  
15 required under section 254(b) unless—

16 “(A) there is enacted into law a joint resolution  
17 of approval under subsection (b) with respect to the  
18 proclamation; or

19 “(B) there is a material and significant change  
20 in factual circumstances that are set forth in a new  
21 proclamation and report to Congress as provided in  
22 subsections (b) and (c) of section 254.

23 “(2) Notwithstanding subparagraphs (A) and (B) of  
24 paragraph (1), no authority may be exercised after the 7-  
25 day period described in such paragraph if the exercise of

1 authority has been enjoined by a court of competent juris-  
2 diction.

3 “(3) If Congress is physically unable to convene as  
4 a result of an insurrection, rebellion, domestic violence, or  
5 obstruction of law described in a proclamation issued pur-  
6 suant to section 254(b), the 7-day period described in  
7 paragraph (1) shall begin on the first day Congress con-  
8 venes for the first time after the insurrection, rebellion,  
9 domestic violence, or obstruction of law.

10 “(b) EFFECT OF A JOINT RESOLUTION OF AP-  
11 PROVAL.—If there is enacted into law a joint resolution  
12 of approval as defined in subsection (d), then any author-  
13 ity made available under this chapter may be exercised  
14 with respect to the insurrection, rebellion, or domestic vio-  
15 lence described in the proclamation that is the subject of  
16 such resolution for 14 days from the date of the enactment  
17 of such resolution, except that such exercise of authority  
18 must terminate if enjoined by a court of competent juris-  
19 diction on the ground that it violates the terms of this  
20 chapter, the Constitution of the United States, or other  
21 applicable Federal law.

22 “(c) RENEWAL OF JOINT RESOLUTIONS OF AP-  
23 PROVAL.—An exercise of authority subject to a joint reso-  
24 lution of approval may not be exercised for longer than  
25 14 days, unless—

1           “(1) there is enacted into law another joint res-  
2           olution of approval renewing the President’s author-  
3           ity pursuant to section 253; or

4           “(2) there has been a material and significant  
5           change in factual circumstances that are set forth in  
6           a new proclamation and report to Congress as pro-  
7           vided in subsections (b) and (c) of section 254.

8           “(d) JOINT RESOLUTION OF APPROVAL DEFINED.—  
9           In this section, the term ‘joint resolution of approval’  
10          means a joint resolution that contains only the following  
11          provisions after its resolving clause:

12           “(1) A provision approving the exercise of au-  
13          thority specified by the President in a proclamation  
14          made under subsection (b) of section 254.

15           “(2) A statement that the exercise of authority  
16          may continue for a period of 14 days unless enjoined  
17          by a court of competent jurisdiction on the ground  
18          that it violates the terms of this chapter, the Con-  
19          stitution of the United States, or other applicable  
20          Federal or State law.

21           “(e) PROCEDURES FOR CONSIDERATION OF JOINT  
22          RESOLUTIONS OF APPROVAL.—

23           “(1) INTRODUCTION.—A joint resolution of ap-  
24          proval may be introduced in either House of Con-  
25          gress by any member of that House at any time that

1 authority under section 253 is in effect pursuant to  
2 a proclamation made under section 254(b) or a joint  
3 resolution of approval enacted into law pursuant to  
4 subsection (b).

5 “(2) REQUESTS TO CONVENE CONGRESS DUR-  
6 ING RECESSES.—If, when the President transmits to  
7 Congress a proclamation under section 254(b) or at  
8 any time that authority under section 253 is in ef-  
9 fect as described in paragraph (1), Congress has ad-  
10 journed sine die or has adjourned for any period in  
11 excess of 3 calendar days, the majority leader of the  
12 Senate and the Speaker of the House of Representa-  
13 tives, or their respective designees, acting jointly  
14 after consultation with and with the concurrence of  
15 the minority leader of the Senate and the minority  
16 leader of the House, shall notify the Members of the  
17 Senate and House, respectively, to reassemble at  
18 such place and time as they may designate if, in  
19 their opinion, the public interest shall warrant it.

20 “(3) COMMITTEE REFERRAL.—A joint resolu-  
21 tion of approval shall be referred in each House of  
22 Congress to the committee or committees having ju-  
23 risdiction over the emergency authorities invoked by  
24 the proclamation under section 254(b) that are the  
25 subject of the joint resolution.

1           “(4) CONSIDERATION IN SENATE.—In the Sen-  
2           ate, the following shall apply:

3           “(A) REPORTING AND DISCHARGE.—If the  
4           committee to which a joint resolution of ap-  
5           proval has been referred has not reported it at  
6           the end of 3 calendar days after its introduc-  
7           tion, that committee shall be automatically dis-  
8           charged from further consideration of the reso-  
9           lution and it shall be placed on the calendar.

10          “(B) PROCEEDING TO CONSIDERATION.—  
11          Notwithstanding Rule XXII of the Standing  
12          Rules of the Senate, when the committee to  
13          which a joint resolution of approval is referred  
14          has reported the resolution, or when that com-  
15          mittee is discharged under subparagraph (A)  
16          from further consideration of the resolution, it  
17          is at any time thereafter in order (even though  
18          a previous motion to the same effect has been  
19          disagreed to) for a motion to proceed to the  
20          consideration of the joint resolution, and all  
21          points of order against the joint resolution (and  
22          against consideration of the joint resolution)  
23          are waived. The motion to proceed is subject to  
24          4 hours of debate divided evenly between those  
25          favoring and those opposing the joint resolution

1 of approval. The motion is not subject to  
2 amendment, or to a motion to postpone, or to  
3 a motion to proceed to the consideration of  
4 other business.

5 “(C) FLOOR CONSIDERATION.—A joint  
6 resolution of approval shall be subject to 10  
7 hours of consideration, to be divided evenly be-  
8 tween those favoring and those opposing the  
9 joint resolution of approval.

10 “(D) AMENDMENTS.—No amendments  
11 shall be in order with respect to a joint resolu-  
12 tion of approval.

13 “(E) MOTION TO RECONSIDER FINAL  
14 VOTE.—A motion to reconsider a vote on pas-  
15 sage of a joint resolution of approval shall not  
16 be in order.

17 “(F) APPEALS.—Points of order, including  
18 questions of relevancy, and appeals from the de-  
19 cision of the Presiding Officer, shall be decided  
20 without debate.

21 “(5) CONSIDERATION IN HOUSE OF REP-  
22 RESENTATIVES.—In the House of Representatives,  
23 the following shall apply:

24 “(A) REPORTING AND DISCHARGE.—If any  
25 committee to which a joint resolution of ap-

1           proval has been referred has not reported it to  
2           the House within 3 calendar days after the date  
3           of referral, such committee shall be discharged  
4           from further consideration of the joint resolu-  
5           tion.

6           “(B) PROCEEDING TO CONSIDERATION.—

7                   “(i) IN GENERAL.—Beginning on the  
8                   third legislative day after each committee  
9                   to which a joint resolution of approval has  
10                  been referred reports it to the House or  
11                  has been discharged from further consider-  
12                  ation of the joint resolution, and except as  
13                  provided in clause (ii), it shall be in order  
14                  to move to proceed to consider the joint  
15                  resolution in the House. The previous  
16                  question shall be considered as ordered on  
17                  the motion to its adoption without inter-  
18                  vening motion. The motion shall not be de-  
19                  batable. A motion to reconsider the vote by  
20                  which the motion is disposed of shall not  
21                  be in order.

22                   “(ii) SUBSEQUENT MOTIONS TO PRO-  
23                   CEED TO JOINT RESOLUTION OF AP-  
24                   PROVAL.—A motion to proceed to consider  
25                  a joint resolution of approval shall not be

1           in order after the House has disposed of  
2           another motion to proceed on that resolu-  
3           tion.

4           “(C) FLOOR CONSIDERATION.—Upon  
5           adoption of the motion to proceed in accordance  
6           with subparagraph (B)(i), the joint resolution  
7           of approval shall be considered as read. The  
8           previous question shall be considered as ordered  
9           on the joint resolution to final passage without  
10          intervening motion except 2 hours of debate,  
11          equally divided and controlled by the sponsor of  
12          the joint resolution (or a designee) and an op-  
13          ponent. A motion to reconsider the vote on pas-  
14          sage of the joint resolution shall not be in  
15          order.

16          “(D) AMENDMENTS.—No amendments  
17          shall be in order with respect to a joint resolu-  
18          tion of approval.

19          “(6) RECEIPT OF RESOLUTION FROM OTHER  
20          HOUSE.—If, before passing a joint resolution of ap-  
21          proval, one House receives a joint resolution of ap-  
22          proval from the other House, then—

23                  “(A) the joint resolution of the other  
24                  House shall not be referred to a committee and

1 shall be deemed to have been discharged from  
2 committee on the day it is received; and

3 “(B) the procedures set forth in para-  
4 graphs (4) and (5), as applicable, shall apply in  
5 the receiving House to the joint resolution re-  
6 ceived from the other House to the same extent  
7 as such procedures apply to a joint resolution of  
8 the receiving House.

9 “(f) RULE OF CONSTRUCTION.—The enactment of a  
10 joint resolution of approval under this section shall not  
11 be interpreted to serve as a grant or modification by Con-  
12 gress of statutory authority of the President.

13 “(g) RULES OF THE HOUSE AND SENATE.—This sec-  
14 tion is enacted by Congress—

15 “(1) as an exercise of the rulemaking power of  
16 the Senate and the House of Representatives, re-  
17 spectively, and as such is deemed a part of the rules  
18 of each House, respectively, but applicable only with  
19 respect to the procedure to be followed in the House  
20 in the case of joint resolutions described in this sec-  
21 tion, and supersedes other rules only to the extent  
22 that it is inconsistent with such other rules; and

23 “(2) with full recognition of the constitutional  
24 right of either House to change the rules (so far as  
25 relating to the procedure of that House) at any time,

1 in the same manner, and to the same extent as in  
2 the case of any other rule of that House.

3 **“§ 256. Termination of authority**

4 “(a) IN GENERAL.—Any exercise of authority speci-  
5 fied by the President in a proclamation made under sub-  
6 section (b) of section 254 shall terminate on the earliest  
7 of—

8 “(1) the date provided for in section 255(a);

9 “(2) the date provided for in section 255(b);

10 “(3) the date specified in an Act of Congress  
11 terminating the authority;

12 “(4) the date specified in a proclamation of the  
13 President terminating the emergency; or

14 “(5) the date of a revocation of a request for  
15 assistance under this chapter by the chief executive  
16 of the State in question.

17 “(b) EFFECT OF TERMINATION.—

18 “(1) IN GENERAL.—Effective on the date of the  
19 termination of authority under subsection (a)—

20 “(A) except as provided by paragraph (2),  
21 any powers or authorities exercised by reason of  
22 the authority shall cease to be exercised;

23 “(B) any amounts reprogrammed or trans-  
24 ferred under any provision of law with respect  
25 to the exercise of authority that remain unobli-

1 gated on that date shall be returned and made  
2 available for the purpose for which such  
3 amounts were appropriated; and

4 “(C) any contracts entered into under any  
5 provision of law relating to the execution of au-  
6 thority shall be terminated.

7 “(2) SAVINGS PROVISION.—The termination of  
8 an exercise of authority under this chapter shall not  
9 affect—

10 “(A) any legal action taken or pending  
11 legal proceeding not finally concluded or deter-  
12 mined on the date of the termination under  
13 subsection (a);

14 “(B) any legal action or legal proceeding  
15 based on any act committed prior to that date;  
16 or

17 “(C) any rights or duties that matured or  
18 penalties that were incurred prior to that date.

19 **“§ 257. Judicial review**

20 “(a) IN GENERAL.—Notwithstanding, and without  
21 prejudice to, any other provision of law, any individual or  
22 entity (including a State or local government) that is in-  
23 jured by, or has a credible fear of injury from, the use  
24 of members of the armed forces under this chapter may  
25 bring a civil action for declaratory or injunctive relief. In

1 any action under this section, the district court shall have  
2 jurisdiction to decide any question of law or fact arising  
3 under this chapter, including challenges to the legal basis  
4 for members of the armed forces to be acting under this  
5 chapter.

6 “(b) STANDARD OF REVIEW.—A determination that  
7 the conditions specified in section 252 are met shall be  
8 upheld if supported by substantial evidence.

9 “(c) EXPEDITED CONSIDERATION.—It shall be the  
10 duty of the applicable district court of the United States  
11 and the Supreme Court of the United States to advance  
12 on the docket and to expedite to the greatest possible ex-  
13 tent the disposition of any matter brought under this sec-  
14 tion.

15 “(d) APPEALS.—

16 “(1) IN GENERAL.—The Supreme Court of the  
17 United States shall have jurisdiction of an appeal  
18 from a final decision of a district court of the United  
19 States in a civil action brought under this section.

20 “(2) FILING DEADLINE.—A party shall file an  
21 appeal under paragraph (1) not later than 30 days  
22 after the court issues a final decision under sub-  
23 section (a).

1 **“§ 258. State defined**

2 “For purposes of this chapter, the term ‘State’ in-  
3 cludes the Commonwealth of Puerto Rico, the District of  
4 Columbia, Guam, and the Virgin Islands.

5 **“§ 259. Limitation on use of National Guard members**  
6 **performing training or other duty for cer-**  
7 **tain purposes**

8 “A member of the National Guard performing train-  
9 ing or other duty under section 502(a) or (f) of title 32  
10 may not be used to suppress a domestic insurrection or  
11 rebellion, quell domestic violence, or enforce the law.”.

12 (c) CONFORMING AMENDMENTS.—

13 (1) USE OF STATE DEFENSE FORCES.—Section  
14 109(c) of title 32, United States Code, is amended  
15 by inserting “, except as provided by section 253 of  
16 title 10” after “armed forces”.

17 (2) TABLE OF SECTIONS.—The table of sections  
18 at the beginning of chapter 13 of title 10, United  
19 States Code, is amended to read as follows:

“Sec.

“251. Statement of policy.

“252. Triggering circumstances.

“253. Authority of the President.

“254. Consultation with Congress; proclamation to disperse; reporting require-  
ment; effective periods of authorities.

“255. Congressional approval.

“256. Termination.

“257. Judicial review.

“258. State defined.

“259. Limitation on use of National Guard members performing training or  
other duty for certain purposes.”.

