

119TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To require explicit Congressional approval for troops or armed men at polling places for the only exception in the United States Code, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Ms. SLOTKIN (for herself, Ms. BALDWIN, Mr. GALLEGGO, 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 \_\_\_\_\_

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**A BILL**

To require explicit Congressional approval for troops or armed men at polling places for the only exception in the United States Code, 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—

1           (1) sending troops or armed men to the polls  
2           has been federally criminalized for more than 150  
3           years through under the provisions codified in sec-  
4           tions 592 and 593 of title 18, United States Code,  
5           punishable by up to 5 years in prison;

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

10          (3) such exception has never been exercised.

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

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

17 **“§ 592a. Congressional action**

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

1 of Representatives, and the committees of jurisdiction (as  
2 defined in section 6329b(a) of title 5) over the agencies  
3 to which the troops or armed men report, an unclassified  
4 report containing—

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

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

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

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

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

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

1 “(b) CONGRESSIONAL CALENDAR.—

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

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

20 “(c) EXPEDITED CONGRESSIONAL REVIEW.—

21 “(1) IN GENERAL.—Any use of troops or armed  
22 men at any place where a general or special election  
23 is held for the purpose of repelling armed enemies  
24 of the United States shall only be authorized if Con-

1       gress, prior to any deployment, enacts a joint resolu-  
2       tion originating in either House.

3               “(2) CONSIDERATION.—

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

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

23                      “(C) REFERRAL TO OTHER HOUSE COM-  
24      MITTEE.—A joint resolution passed by one  
25      House under subparagraph (B) shall be re-

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

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

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

          “592a. Congressional action.”.

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

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

24                  (1) by striking “Every officer” and inserting  
25          the following:

1 “(a) IN GENERAL.—Every officer”;

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

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

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

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

1 may belong, if otherwise qualified according to the laws  
2 of the State of such district.”.

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

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

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

10 (c) SUNSET.—This section and the amendments  
11 made by this section shall cease to have effect on January  
12 20, 2029.