

116TH CONGRESS  
2D SESSION

# S. 3791

To extend the period in which Governors of States may order members of the National Guard to active duty in connection with the Coronavirus Disease 2019 (COVID–19), and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 20, 2020

Ms. DUCKWORTH (for herself, Mr. SCHATZ, Mr. BLUMENTHAL, Ms. STABENOW, Mr. VAN HOLLEN, Mr. WYDEN, Mr. WARNER, Mr. MENENDEZ, Ms. WARREN, Mr. BROWN, Mrs. SHAHEEN, Mr. PETERS, Mr. DURBIN, Ms. HIRONO, Mr. SANDERS, Ms. SINEMA, Mrs. FEINSTEIN, Ms. BALDWIN, and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To extend the period in which Governors of States may order members of the National Guard to active duty in connection with the Coronavirus Disease 2019 (COVID–19), 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 “National Guard  
5 COVID–19 Response Stability Act”.

1 **SEC. 2. EXTENSION OF PERIOD IN WHICH GOVERNORS OF**  
2 **STATES MAY ORDER MEMBERS OF THE NA-**  
3 **TIONAL GUARD TO ACTIVE DUTY IN CONNEC-**  
4 **TION WITH CORONAVIRUS DISEASE 2019**  
5 **(COVID-19).**

6 (a) IN GENERAL.—The period in which the Governor  
7 of a State may order members of the National Guard to  
8 active duty under section 502(f) of title 32, United States  
9 Code, for duty in connection with the Coronavirus Disease  
10 2019 (COVID-19) public health emergency in accordance  
11 with, and in a manner covered by, the Memoranda on Pro-  
12 viding Federal Support for Governors’ Use of the National  
13 Guard to Respond to COVID-19 shall extend through the  
14 date that is 30 days after the termination of that public  
15 health emergency.

16 (b) DEFINITIONS.—In this section:

17 (1) The term “Coronavirus Disease 2019  
18 (COVID-19) public health emergency” means the  
19 public health emergency under section 319 of the  
20 Public Health Service Act (42 U.S.C. 247d) that  
21 was declared on January 31, 2020, and renewed on  
22 April 21, 2020, in connection with the Coronavirus  
23 Disease 2019 (COVID-19).

24 (2) The term “Memoranda on Providing Fed-  
25 eral Support for Governors’ Use of the National  
26 Guard to Respond to COVID-19” means the memo-

1       randa of the President on the provision of Federal  
2       support for Governors’ use of the National Guard to  
3       respond to the Coronavirus Disease 2019 (COVID–  
4       19), including such memoranda issued on March 22,  
5       March 28, March 30, April 2, April 7, April 13,  
6       April 20, April 28, and May 8, 2020, and any suc-  
7       cessor memorandum.

8               (3) The term “Governor of a State” means the  
9       following:

10                   (A) The Governor of a State or the Com-  
11                   monwealth of Puerto Rico, Guam, or the Virgin  
12                   Islands.

13                   (B) The commanding general of the Dis-  
14                   trict of Columbia National Guard.

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