

109TH CONGRESS
1ST SESSION

H. R. 3833

To amend title 18, United States Code, to provide penalties for violent crimes against members of the National Guard during Presidentially declared emergencies.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2005

Mr. MICA introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide penalties for violent crimes against members of the National Guard during Presidentially declared emergencies.

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 Emer-
5 gency Protection Act of 2005”.

1 **SEC. 2. PENALTIES FOR VIOLENT CRIMES AGAINST MEM-**
2 **BERS OF THE NATIONAL GUARD DURING**
3 **PRESIDENTIALLY DECLARED EMERGENCIES.**

4 (a) MURDER AND MANSLAUGHTER.—Chapter 51 of
5 title 18, United States Code, is amended by adding at the
6 end the following:

7 **“§ 1123. Killing of members of the National Guard**
8 **during Presidentially declared emer-**
9 **gencies**

10 “Whoever kills or attempts to kill a member of the
11 Army National Guard or Air National Guard while the
12 member is performing duties in connection with an emer-
13 gency declared by the President under section 501 of the
14 Robert T. Stafford Disaster Relief and Emergency Assist-
15 ance Act (42 U.S.C. 5191) shall be punished as is pro-
16 vided in section 1114 with respect to a like offense against
17 an officer or employee of the United States.”.

18 (b) ASSAULT.—Chapter 7 of title 18, United States
19 Code, is amended by adding at the end the following:

20 **“§ 117. Assault on members of the National Guard**
21 **during Presidentially declared emer-**
22 **gencies**

23 “Whoever forcibly assaults, resists, opposes, impedes,
24 intimidates, or interferes with a member of the Army Na-
25 tional Guard or Air National Guard while the member is
26 performing duties in connection with an emergency de-

1 clared by the President under section 501 of the Robert
 2 T. Stafford Disaster Relief and Emergency Assistance Act
 3 (42 U.S.C. 5191) shall be punished as is provided in sec-
 4 tion 111 with respect to the like offense against an officer
 5 or employee of the United States.”.

6 (c) CLERICAL AMENDMENTS.—

7 (1) TABLE OF CHAPTERS FOR CHAPTER 51.—

8 The table of chapters at the beginning of chapter 51
 9 of title 18, United States Code, is amended by add-
 10 ing at the end the following new item:

“1123. Killing of members of the National Guard during Presidentially declared
 emergencies.”.

11 (2) TABLE OF CHAPTERS FOR CHAPTER 7.—

12 The table of chapters at the beginning of chapter 7
 13 of title 18, United States Code, is amended by add-
 14 ing at the end the following new item:

“117. Assault on members of the National Guard during Presidentially declared
 emergencies.”.

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