

94TH CONGRESS
2ND SESSION

S. 36

To provide the Federal Protective Service with a legal
mandate to protect members of Congress

IN THE SENATE OF THE UNITED STATES

August 8th, 2024

Senator CoastBreeze (for himself, Director RoyaltySyn,
and the State of California) has introduced the following
bill; which shall be referred to the Committee on
Government Affairs.

AN ACT

To provide the Federal Protective Service with a legal
mandate to protect members of Congress

*Be it enacted by the Senate and House of Representatives
of the United States in Congress Assembled.*

SEC. 1—SHORT TITLE

- (a) This piece of legislation shall be referred to as “*S. 36*” or as the “*Federal Congressional Protection Act of 2024*”

SEC. 2—GENERAL PROVISIONS

- (a) Any part of any act, joint resolution, or codified law that conflicts with this Act shall be considered null and void.
- (b) This Act shall be consistent with the doctrine of severability adopted by the courts of the United States and its inherent presumption.
- (c) This Act shall go into effect immediately upon constitutionally and lawfully recognized promulgation.

SEC. 3—IN GENERAL

- (a) The Secretary of Homeland Security (hereinafter referred to as the “Secretary”) and the Director of the Federal Protective Service (herein referred to as the “Director”) shall be authorized to protect members of the United States House of Representatives and the United States Senate.
- (b) The Secretary, in consultation with the Director, with the approval of the President, may prescribe, in writing, regulations necessary for the protection of members of Congress.
- (c) The regulations may include reasonable penalties, within the limits prescribed herein, for violations of the regulations.

SEC. 4—PENALTIES

- (a) A person who seeks to obstruct the proper execution of any regulation or grant of authority made in this Act shall be imprisoned for no more than five (5) days.

SEC. 5—DETAILS

(a) The Secretary and the Director, at their discretion, may detail agents of the Federal Protective Service for the protection of members of the United States Senate and House of Representatives.

SEC. 6—USE OF LAW ENFORCEMENT FACILITIES

- (a) When the Director determines it necessary, the Director may utilize the facilities of local and State law enforcement agencies with the consent of the agencies.
- (b) The Director may utilize the facilities of federal law enforcement agencies unless requested to leave.
- (c) Local, State, and federal law enforcement agencies may not request the removal of a protectee from their facilities within fifteen (15) seconds of active gunfire within a one hundred (100) stud radius of the facility.
- (d) The Director and the Secretary may extend the regulations prescribed according to Section 3 of this Act to law enforcement facilities they are authorized to use according to Section 6 of this Act.

SEC. 7—UNIVERSAL POWERS

- (a) The Federal Protective Service shall have the authority to search individuals within a 50 stud radius of a member of Congress actively under protection by the Federal Protective Service.
- (b) The Federal Protective Service may prevent entry by any individual to an area within 50 studs of a member of Congress actively under protection by the Federal Protective Service.
- (c) The Federal Protective Service must issue three (3) warnings to individuals failing to comply with legal orders pursuant to this Act.
- (d) For the purposes of this Act, use of an Info Tool to request a search is equivalent to two (2) warnings.

SEC. 8—EXTRAORDINARY CIRCUMSTANCES

- (a) During periods of emergency, heightened crime, or unrest, the United States Attorney General and the Mayor of the District of Columbia may, at their discretion, request the Federal Protective Service to support routine law enforcement operations.
- (b) The Federal Protective Service will, when requested by the Attorney General or Mayor, be permitted to utilize their universal powers outlined in Section 7 of this Act to protect local, State, and federal facilities.