

# H.R. 13

To repeal contentious or irrelevant provisions of the Legislation for Organizing Comprehensive and Key Homeland Action and Response to Terrorism Act of 2024.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10th, 2024

Ms. KYO of Olympia (for herself, Ms. ALLAR) introduced the following bill; which was subsequently referred to the Committee on the Judiciary

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## A BILL

To repeal contentious or irrelevant provisions of the Legislation for Organizing Comprehensive and Key Homeland Action and Response to Terrorism Act of 2024.

1                    *Be it enacted by the Senate and House of Representatives of the*  
2                    *United States of America assembled,*

3                    **SECTION 1. SHORT TITLE.**

4                    This act may be cited as the “Suspend Unchecked National Security  
5                    Enforcement Tactics Act of 2024”, or the “SUNSET Act”.

6                    **SECTION 2. FINDINGS.**

7                    Congress finds the following:

8                    (1)    The President has egregiously misled some members of  
9                    Congress during the passage of the Legislation for Organizing Comprehensive and Key Homeland Action and  
10                    ganizing Comprehensive and Key Homeland Action and

1 Response to Terrorism Act of 2024, also known as the  
2 L.O.C.K.H.A.R.T. Act.

3 (2) The L.O.C.K.H.A.R.T. Act has been reported to grant  
4 sweeping emergency powers to the President, including  
5 the unilateral authority to shut down banks outside times  
6 of war, install any acting secretary in cabinet positions  
7 without standard procedures, and appoint military officers  
8 of any rank. The Act has further been reported to permit  
9 the Secretary of Defense to discontinue branches of the  
10 armed forces.

11 (3) In response to the actions in egregious bad faith by the  
12 President, it is appropriate to repeal all contentious pro-  
13 visions of the L.O.C.K.H.A.R.T. Act and require them to  
14 be submitted as separate bills to be individually debated  
15 and considered.

16 **SECTION 3. LIMITATION OF AUTHORITIES.**

17 The L.O.C.K.H.A.R.T. Act of 2024 is amended—

- 18 (a) in section 103(a)(ii) by striking “, *without limitation*”;  
19 (b) in section 105(c) by striking “*determined by the President*  
20 *of the United States*” and inserting in lieu “*jointly deter-*  
21 *mined by the President of the United States, the Secretary*  
22 *responsible for the Department of Defense and the Secre-*  
23 *tary responsible for the Department of Justice*”;  
24 (c) in section 107(a)(iii) by striking “*shall possess to sole*  
25 *power to*” and inserting therein “*may jointly with the Sec-*  
26 *retary responsible for the Department of Homeland Secu-*  
27 *rity*”;

- 1           (d)    in section 113 by striking “*separate expenditures of the*  
2                   *Department of the Interior, including the National Parks*  
3                   *Service and other funds as the Secretary may designate*”  
4                   and inserting in lieu “*the General Fund of the Government*  
5                   *managed by the Department of the Treasury*”;  
6           (e)    in section 203 by striking “, *or the President*”; and  
7           (f)    in section 203 by striking “*twenty-four hours following in-*  
8                   *ocation*” and inserting in lieu “*the earlier of twenty-four*  
9                   *hours following invocation or September 30, 2025*”.

10           **SECTION 4. REPEAL OF CONTENTIOUS OR IRRELEVANT PROVISIONS.**

11           The L.O.C.K.H.A.R.T. Act of 2024 is amended—

- 12           (a)    by striking the entirety of section 108;  
13           (b)    by striking the entirety of section 109;  
14           (c)    by striking the entirety of section 112;  
15           (d)    by striking the entirety of section 204;  
16           (e)    by striking the entirety of section 205;  
17           (f)    by striking the entirety of section 206;  
18           (g)    by striking the entirety of sections 207(a) through 207(c);  
19                   and  
20           (h)    by striking the entirety of sections 207 (e) through 207(g).

21           **SECTION 5. CODIFICATION OF REPEALS.**

- 22           (a)    Chapter 63 of title 41, United States Code, is amended by  
23                   striking the entirety of section 6310.  
24           (b)    Section 2031(b)(1)(A) of title 10, United States Code, is  
25                   amended by—  
26                   (1)   striking “50” and inserting in lieu “100”; and  
27                   (2)   striking “5” and inserting in lieu “10”.

1           (c)    Section 603 of title 10, United States Code, is amended by  
2                           striking “*grades above general or admiral*” and inserting in  
3                           lieu “*grades above major general or rear admiral*”.

4           (d)    Section 7063(b) of title 10, United States Code, is  
5                           amended by—

6                           (1)   striking “*of Defense*”; and

7                           (2)   striking “*Armed Forces as defined in 10 U.S. Code*  
8                                       § 3063” and inserting in lieu “*Army*”.

9           (e)    Section 207 of title 50, United States Code, is amended by  
10                           striking “, *except after a declaration of war or national*  
11                           *emergency made by the Congress subsequent to June 24,*  
12                           *1948, if—*“.

13           (f)    Section 12103(a) of title 10, United States Code, is  
14                           amended by striking “*or by the President, should such*  
15                           *presidentially declared emergency involve use of the armed*  
16                           *forces*”, following “*Congress,*”.

17           (g)    Section 2138 of title 42, United States Code, is amended  
18                           by striking all references to “*Congress or the President*”  
19                           and inserting therein “*Congress*”.

20           (h)    Section 3733 of title 14, United States Code, is amended  
21                           by striking all references to “*Congress or the President*”  
22                           and inserting therein “*Congress*”.

23           (i)    Section 7063 of title 10, United States Code, is amended  
24                           by striking all references to “*Congress or the President*”  
25                           and inserting therein “*Congress*”.

26           **SECTION 6. REINSTATING FISA PROTECTIONS.**

- 1           (a)    IN GENERAL.—The Foreign Intelligence Surveillance  
2                    Act of 1978 is reinstated.
- 3           (b)    MAINTAINING SURVEILLANCE PROTECTIONS.—The For-  
4                    eign Intelligence Surveillance Act of 1978 is amended  
5                    by striking section 702 in its entirety.
- 6           (c)    BANNING ILLEGAL ACTIVITIES.—Congress provides con-  
7                    gressional disapproval of “; (i) *Incidentally obtained in-*  
8                    *formation that may indicate involvement in activities*  
9                    *that may violate federal, state, local or foreign laws*”  
10                  within Executive Order 12333, and the specific provi-  
11                  sion of such rule shall have no force or effect.
- 12                (1)   Incidentally obtained information derived from in-  
13                    volvement in activities that violate federal, state, lo-  
14                    cal or foreign laws shall not be used for investiga-  
15                    tive, prosecutorial, or enforcement action.

16           **SECTION 7. EXTENSION OF FUNDING AUTHORIZATION EXPIRY.**

17                The L.O.C.K.H.A.R.T. Act of 2024 is amended in section  
18                116(m)(i) by striking “*fiscal year 2024*” and inserting in lieu “*fiscal year*  
19                *2024, to remain available until September 30, 2025.*”

20           **SECTION 8. SEVERABILITY.**

21                Should any provision of this Act be deemed invalid or unconstitu-  
22                tional for any reason in a court with relevant jurisdiction, the rest of the  
23                Act, and the application of the remaining provisions, shall not be af-  
24                fected.

25           **SECTION 9. SUPREMACY.**

26                Any existing provisions of law that contradict this Act shall be  
27                considered null and void for the purposes of interpreting this legislation.

28           **SECTION 10. EFFECTIVE DATE.**

1                   The provisions of this Act shall come into force immediately upon  
2            passage.