

National Guard Deployments in 2025

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Main Takeaways

- The National Guard was federally deployed five times between June and October, mostly in response to anti-ICE and immigration protests in Los Angeles, Chicago, and Portland, plus deployments to Memphis and D.C.
- These federal deployments have triggered multiple lawsuits from states challenging the president's authority to federalize the Guard.
- Courts agree they can review these cases, but differ on whether local conditions justify federalization; mixed rulings show tension between state and federal perspectives.
- Protests against immigration enforcement included violence and property damage, which courts cited when evaluating the need for National Guard presence.
- The president's authority to deploy the Guard comes from Title 10 U.S. Code § 12406, invoked for invasion, rebellion, or law enforcement incapacity; challenges citing the Posse Comitatus Act have mostly failed.

About the Author

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Overview

Between June and October, the National Guard has been ordered to deploy under federal authority five times, with three of these instances being directly stated as reactions to anti-ICE and immigration-enforcement protests: those in [Los Angeles, California](#); [Chicago, Illinois](#); and [Portland, Oregon](#) (though in limited numbers). The remaining deployments were under the pretense of restoring law and order to [Memphis, Tennessee](#), and the [D.C. area](#). Several lawsuits have challenged deployment orders. Meanwhile, the current administration still considers use of the National Guard, either in directly aiding immigration enforcement efforts, or in providing protection for ICE agents in cities across the U.S.

Judicial Blocking

The federalization and deployment of the National Guard have been challenged by officials in all cases. While having distinctions, the cases brought by [Chicago](#), [Portland](#), and [Los Angeles](#) rely on similar arguments. The first question is whether the courts have the authority to interpret. The general consensus among the courts has been that they do have the authority to rule, as the authority to federalize the National Guard is given conditionally by the legislature. The more divisive question being asked is whether the circumstances in these cities rise to a level that could justify the invocation. In the cases of Chicago and Los Angeles, both the district and appellate ([CA](#), [IL](#)) courts sided with the state level. In Portland's case, the initial district ruling sided with the state, but on [appeal](#), the federal government was favored, noting the distinctly higher levels of violence taking place in the Oregon protests.

Pro-Immigration Protests

The deployment of the National Guard in Oregon, California, and Illinois was spurred on by protests against immigration enforcement raids from ICE officials. These protests have centered around ICE facilities and have led to multiple injuries and damage to federal property. Tactics that were specifically noted by the judges were general violence, the throwing of rocks/other hard materials, the use of fireworks, and multiple individuals participating in the protests having been found with firearms.

National Guard Deployment Authority

The deployment of the National Guard by the POTUS is an authority given by Congress in Title 10 U.S. Code § 12406 in cases of invasion, rebellion, or the inability to execute the laws of the U.S. The current deployments have been justified under a mixture of the inability to execute federal law and the threat of rebellion. One of the challenges posed against these deployments is the [Posse Comitatus Act](#), which prohibits the federal government from using the military for law enforcement. This argument has not been terribly reliable when appealed. The D.C. deployment also coincided with the first invocation of [section 740 of the Home Rule Act of D.C.](#)