

104TH CONGRESS
2^D SESSION

H. R. 3311

To amend title 5, United States Code, to provide that civilian employees of the National Guard may not be required to wear military uniforms while performing civilian service.

IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 1996

Mr. EVANS introduced the following bill; which was referred to the Committee on Government Reform and Oversight, and in addition to the Committee on National Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 5, United States Code, to provide that civilian employees of the National Guard may not be required to wear military uniforms while performing civilian service.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROHIBITION AGAINST REQUIRING CIVILIAN**
2 **EMPLOYEES OF THE NATIONAL GUARD TO**
3 **WEAR MILITARY UNIFORMS WHILE PER-**
4 **FORMING CIVILIAN SERVICE.**

5 (a) PROHIBITION.—(1) Subchapter I of chapter 59
6 of title 5, United States Code, is amended by adding at
7 the end the following:

8 **“§ 5904. Prohibition against requiring civilian em-**
9 **ployees of the National Guard to wear**
10 **military uniforms while performing civil-**
11 **ian service**

12 “(a) A civilian employee of the National Guard may
13 not be required, by regulation or otherwise, to wear a mili-
14 tary uniform while performing civilian service.

15 “(b) For the purpose of this section—

16 “(1) the term ‘civilian employee of the National
17 Guard’ means an employee appointed by an adjutant
18 general designated by the Secretary concerned under
19 section 709(c) of title 32;

20 “(2) the term ‘military uniform’ means the uni-
21 form, or a distinctive part of the uniform, of the
22 Army or Air Force (as defined under regulations
23 prescribed by the Secretary of Defense); and

24 “(3) the term ‘civilian service’ means service
25 other than service compensable under chapter 3 of
26 title 37.”.

1 (2) The table of sections for chapter 59 of title 5,
2 United States Code, is amended by inserting after the
3 item relating to section 5903 the following:

“5904. Prohibition against requiring civilian employees of the National Guard
to wear military uniforms while performing civilian service.”.

4 (b) CONFORMING AMENDMENTS.—(1) Section 5903
5 of title 5, United States Code, is amended by striking
6 “this subchapter.” and inserting “sections 5901 and
7 5902.”.

8 (2) Section 709(b) of title 32, United States Code,
9 is amended—

10 (A) by inserting “and” at the end of paragraph
11 (1);

12 (B) by striking out “; and” at the end of para-
13 graph (2) and inserting in lieu thereof a period; and

14 (C) by striking out paragraph (3).

15 (3) Section 417 of title 37, United States Code, is
16 amended by striking out subsection (d).

17 (4) Section 418 of title 37, United States Code, is
18 amended—

19 (A) by striking out “(a)” at the beginning of
20 subsection (a); and

21 (B) by striking out subsections (b) and (c).

1 (c) EFFECTIVE DATE.—The amendments made by
2 this Act shall take effect at the end of the 60-day period
3 beginning on the date of the enactment of this Act.

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