

107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3122

To extend to the Mayor of the District of Columbia the same authority with respect to the National Guard of the District of Columbia as the Governors of the several States exercise with respect to the National Guard of those States.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 12, 2001

Ms. NORTON introduced the following bill; which was referred to the Committee on Government Reform, and in addition to the Committee on Armed Services, 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

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## A BILL

To extend to the Mayor of the District of Columbia the same authority with respect to the National Guard of the District of Columbia as the Governors of the several States exercise with respect to the National Guard of those States.

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. EXTENSION OF NATIONAL GUARD AUTHORI-**  
2 **TIES TO MAYOR OF THE DISTRICT OF COLUM-**  
3 **BIA.**

4 (a) **MAYOR AS COMMANDER-IN-CHIEF.**—Section 6 of  
5 the Act entitled “An Act to provide for the organization  
6 of the militia of the District of Columbia, and for other  
7 purposes”, approved March 1, 1889 (sec. 49–409, D.C.  
8 Official Code), is amended by striking “President of the  
9 United States” and inserting “Mayor of the District of  
10 Columbia”.

11 (b) **RESERVE CORPS.**—Section 72 of such Act (sec.  
12 49–407, D.C. Official Code) is amended by striking  
13 “President of the United States” and inserting “Mayor  
14 of the District of Columbia”.

15 (c) **APPOINTMENT OF COMMISSIONED OFFICERS.**—  
16 (1) Section 7(a) of such Act (sec. 49–301(a), D.C. Official  
17 Code) is amended—

18 (A) by striking “President of the United  
19 States” and inserting “Mayor of the District of Co-  
20 lumbia”; and

21 (B) by striking “President.” and inserting  
22 “Mayor.”.

23 (2) Section 9 of such Act (sec. 49–304, D.C. Official  
24 Code) is amended by striking “President” and inserting  
25 “Mayor of the District of Columbia”.

1           (3) Section 13 of such Act (sec. 49–305, D.C. Official  
2 Code) is amended by striking “President of the United  
3 States” and inserting “Mayor of the District of Colum-  
4 bia”.

5           (4) Section 19 of such Act (sec. 49–311, D.C. Official  
6 Code) is amended—

7           (A) in subsection (a), by striking “to the Sec-  
8 retary of the Army” and all that follows through  
9 “which board” and inserting “to a board of exam-  
10 ination appointed by the Commanding General,  
11 which”; and

12           (B) in subsection (b), by striking “the Sec-  
13 retary of the Army” and all that follows through the  
14 period and inserting “the Mayor of the District of  
15 Columbia, together with any recommendations of the  
16 Commanding General.”.

17           (5) Section 20 of such Act (sec. 49–312, D.C. Official  
18 Code) is amended—

19           (A) by striking “President of the United  
20 States” each place it appears and inserting “Mayor  
21 of the District of Columbia”; and

22           (B) by striking “the President may retire” and  
23 inserting “the Mayor may retire”.

24           (d) CALL FOR DUTY.—(1) Section 45 of such Act  
25 (sec. 49–103, D.C. Official Code) is amended by striking

1 “, or for the United States Marshal” and all that follows  
2 through “shall thereupon order” and inserting “to order”.

3 (2) Section 46 of such Act (sec. 49–104, D.C. Official  
4 Code) is amended by striking “the President” and insert-  
5 ing “the Mayor of the District of Columbia”.

6 (e) GENERAL COURTS MARTIAL.—Section 51 of such  
7 Act (sec. 49–503, D.C. Official Code) is amended by strik-  
8 ing “the President of the United States” and inserting  
9 “the Mayor of the District of Columbia”.

10 **SEC. 2. CONFORMING AMENDMENTS TO TITLE 10, UNITED**  
11 **STATES CODE.**

12 (a) DETAIL FOR TRAINING.—(1) Section 4301(c) of  
13 title 10, United States Code, is amended by striking “gov-  
14 ernor or other appropriate authority of the State or Terri-  
15 tory, Puerto Rico, or the District of Columbia” and insert-  
16 ing “Governor of the State, Territory, or Puerto Rico or  
17 the Mayor of the District of Columbia”.

18 (2) Section 9301(c) of such title is amended by strik-  
19 ing “governor or other appropriate authority of the State  
20 or Territory, Puerto Rico, or the District of Columbia”  
21 and inserting “Governor of the State, Territory, or Puerto  
22 Rico or the Mayor of the District of Columbia”.

23 (b) FAILURE TO SATISFACTORILY PERFORM PRE-  
24 SCRIBED TRAINING.—Section 10148(b) of such title is  
25 amended by striking “the commanding general of the Dis-

1 triet of Columbia National Guard” and inserting “the  
2 Mayor of the District of Columbia”.

3 (c) APPOINTMENT OF CHIEF OF NATIONAL GUARD  
4 BUREAU.—Section 10502(a)(1) of such title is amended  
5 by striking “the commanding general of the District of  
6 Columbia National Guard” and inserting “the Mayor of  
7 the District of Columbia”.

8 (d) VICE CHIEF OF NATIONAL GUARD BUREAU.—  
9 Section 10505(a)(1)(A) of such title is amended by strik-  
10 ing “the commanding general of the District of Columbia  
11 National Guard” and inserting “the Mayor of the District  
12 of Columbia”.

13 (e) OTHER SENIOR NATIONAL GUARD BUREAU OF-  
14 FICERS.—Section 10506(1) of such title is amended by  
15 striking “the commanding general of the District of Co-  
16 lumbia National Guard” both places it appears and insert-  
17 ing “the Mayor of the District of Columbia”.

18 (f) CONSENT FOR ACTIVE DUTY OR RELOCATION.—  
19 (1) Section 12301 of title 10, United States Code, is  
20 amended—

21 (A) in subsection (b), by striking “commanding  
22 general of the District of Columbia National Guard”  
23 in the second sentence and inserting “Mayor of the  
24 District of Columbia”; and

1 (B) in subsection (d), by striking “governor or  
2 other appropriate authority of the State concerned”  
3 and inserting “governor of the State (or, in the case  
4 of the District of Columbia National Guard, the  
5 Mayor of the District of Columbia)”.

6 (2) Section 12406 of such title is amended by striking  
7 “the commanding general of the National Guard of the  
8 District of Columbia” and inserting “the Mayor of the  
9 District of Columbia”.

10 (g) CONSENT FOR RELOCATION OF UNITS.—Section  
11 18238 of such title is amended by striking “, in the case  
12 of the District of Columbia, the commanding general of  
13 the National Guard of the District of Columbia” and in-  
14 serting “the Mayor of the District of Columbia, as the case  
15 may be”.

16 **SEC. 3. CONFORMING AMENDMENTS TO TITLE 32, UNITED**  
17 **STATES CODE.**

18 (a) MAINTENANCE OF OTHER TROOPS.—Section  
19 109(c) of title 32, United States Code, is amended by  
20 striking “(or commanding general in the case of the Dis-  
21 trict of Columbia)”.

22 (b) DRUG INTERDICTION AND COUNTER-DRUG AC-  
23 TIVITIES.—Section 112(i)(2) of such title is amended by  
24 striking “the Commanding General of the National Guard

1 of the District of Columbia” and inserting “the Mayor of  
2 the District of Columbia”.

3 (c) APPOINTMENT OF ADJUTANT GENERAL.—Sec-  
4 tion 314 of such title is amended—

5 (1) by striking subsection (b);

6 (2) by redesignating subsections (c) and (d) as  
7 subsections (b) and (c), respectively; and

8 (3) in subsection (b) (as so redesignated), by  
9 striking “the commanding general of the District of  
10 Columbia National Guard” and inserting “the  
11 Mayor of the District of Columbia,”.

12 (d) PERSONNEL MATTERS.—(1) Section 327(a) of  
13 such title is amended by striking “the commanding gen-  
14 eral of the National Guard of the District of Columbia”  
15 and inserting “the Mayor of the District of Columbia, as  
16 the case may be”.

17 (2) Section 331 of such title is amended by striking  
18 “its commanding general” and inserting “the Mayor of  
19 the District of Columbia”.

20 (3) Section 505 of such title is amended by striking  
21 “commanding general of the National Guard of the Dis-  
22 trict of Columbia” in the first sentence and inserting  
23 “Mayor of the District of Columbia”.

24 (e) NATIONAL GUARD CHALLENGE PROGRAM.—Sec-  
25 tion 509 of such title is amended—

1           (1) in subsection (c)(1), by striking “the com-  
2           manding general of the District of Columbia Na-  
3           tional Guard, under which the Governor or the com-  
4           manding general” and inserting “the Mayor of the  
5           District of Columbia, under which the Governor or  
6           the Mayor”;

7           (2) in subsection (g)(2), by striking “the com-  
8           manding general of the District of Columbia Na-  
9           tional Guard” and inserting “the Mayor of the Dis-  
10          trict of Columbia”;

11          (3) in subsection (j), by striking “the com-  
12          manding general of the District of Columbia Na-  
13          tional Guard” and inserting “the Mayor of the Dis-  
14          trict of Columbia”; and

15          (4) in subsection (k), by striking “the com-  
16          manding general of the District of Columbia Na-  
17          tional Guard” and inserting “the Mayor of the Dis-  
18          trict of Columbia”.

19          (f) ISSUANCE OF SUPPLIES.—Section 702(a) of such  
20 title is amended by striking “commanding general of the  
21 National Guard of the District of Columbia” and inserting  
22 “Mayor of the District of Columbia”.

23          (g) APPOINTMENT OF FISCAL OFFICER.—Section  
24 708(a) of such title is amended by striking “commanding



1 general of the National Guard of the District of Colum-  
2 bia” and inserting “Mayor of the District of Columbia”.

3 **SEC. 4. CONFORMING AMENDMENT TO GUARD AND RE-**  
4 **SERVE TRANSITION INITIATIVES.**

5 Section 4416(a)(3) of the National Defense Author-  
6 ization Act for Fiscal Year 1993 (Public Law 102-484;  
7 106 Stat. 2714) is amended by striking “or territory,  
8 Puerto Rico, or the District of Columbia” and inserting  
9 “, territory, or the Commonwealth of Puerto Rice, or the  
10 Mayor of the District of Columbia”.

11 **SEC. 5. CONFORMING AMENDMENT TO THE DISTRICT OF**  
12 **COLUMBIA HOME RULE ACT.**

13 Section 602(b) of the District of Columbia Home  
14 Rule Act (sec. 1-206.02(b), D.C. Official Code) is amend-  
15 ed by striking “the National Guard of the District of Co-  
16 lumbia,”.

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