

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5306

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

MAY 4, 2006

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” each place it appears  
14 and inserting “Mayor 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) FAILURE TO SATISFACTORILY PERFORM PRE-  
13 SCRIBED TRAINING.—Section 10148(b) of such title is  
14 amended by striking “the commanding general of the Dis-  
15 trict of Columbia National Guard” and inserting “the  
16 Mayor of the District of Columbia”.

17 (b) APPOINTMENT OF CHIEF OF NATIONAL GUARD  
18 BUREAU.—Section 10502(a)(1) of such title is amended  
19 by striking “the commanding general of the District of  
20 Columbia National Guard” and inserting “the Mayor of  
21 the District of Columbia”.

22 (c) VICE CHIEF OF NATIONAL GUARD BUREAU.—  
23 Section 10505(a)(1)(A) of such title is amended by strik-  
24 ing “the commanding general of the District of Columbia

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

3 (d) OTHER SENIOR NATIONAL GUARD BUREAU OF-  
4 FICERS.—Section 10506(a)(1) of such title is amended by  
5 striking “the commanding general of the District of Co-  
6 lumbia National Guard” both places it appears and insert-  
7 ing “the Mayor of the District of Columbia”.

8 (e) CONSENT FOR ACTIVE DUTY OR RELOCATION.—  
9 (1) Section 12301 of title 10, United States Code, is  
10 amended—

11 (A) in subsection (b), by striking “commanding  
12 general of the District of Columbia National Guard”  
13 in the second sentence and inserting “Mayor of the  
14 District of Columbia”; and

15 (B) in subsection (d), by striking “governor or  
16 other appropriate authority of the State concerned”  
17 and inserting “governor of the State (or, in the case  
18 of the District of Columbia National Guard, the  
19 Mayor of the District of Columbia)”.

20 (2) Section 12406 of such title is amended by striking  
21 “the commanding general of the National Guard of the  
22 District of Columbia” and inserting “the Mayor of the  
23 District of Columbia”.

24 (f) CONSENT FOR RELOCATION OF UNITS.—Section  
25 18238 of such title is amended by striking “the com-

1 manding general of the National Guard of the District of  
2 Columbia” and inserting “the Mayor of the District of Co-  
3 lumbia”.

4 **SEC. 3. CONFORMING AMENDMENTS TO TITLE 32, UNITED**  
5 **STATES CODE.**

6 (a) MAINTENANCE OF OTHER TROOPS.—Section  
7 109(c) of title 32, United States Code, is amended by  
8 striking “(or commanding general in the case of the Dis-  
9 trict of Columbia)”.

10 (b) DRUG INTERDICTION AND COUNTER-DRUG AC-  
11 TIVITIES.—Section 112(h)(2) of such title is amended by  
12 striking “the Commanding General of the National Guard  
13 of the District of Columbia” and inserting “the Mayor of  
14 the District of Columbia”.

15 (c) ADDITIONAL ASSISTANCE.—Section 113 of such  
16 title is amended by adding at the end the following new  
17 subsection:

18 “(e) INCLUSION OF DISTRICT OF COLUMBIA.—In  
19 this section, the term ‘State’ includes the District of Co-  
20 lumbia.”.

21 (d) APPOINTMENT OF ADJUTANT GENERAL.—Sec-  
22 tion 314 of such title is amended—

23 (1) by striking subsection (b);

24 (2) by redesignating subsections (c) and (d) as  
25 subsections (b) and (c), respectively; and

1           (3) in subsection (b) (as so redesignated), by  
2           striking “the commanding general of the District of  
3           Columbia National Guard” and inserting “the  
4           Mayor of the District of Columbia,”.

5           (e) RELIEF FROM NATIONAL GUARD DUTY.—Sec-  
6           tion 325(a)(2)(B) of such title is amended by striking “the  
7           commanding general of the National Guard of the District  
8           of Columbia” and inserting “the Mayor of the District of  
9           Columbia”.

10          (f) PERSONNEL MATTERS.—Section 505 of such title  
11          is amended by striking “commanding general of the Na-  
12          tional Guard of the District of Columbia” in the first sen-  
13          tence and inserting “Mayor of the District of Columbia”.

14          (g) NATIONAL GUARD CHALLENGE PROGRAM.—Sec-  
15          tion 509 of such title is amended—

16               (1) in subsection (c)(1), by striking “the com-  
17               manding general of the District of Columbia Na-  
18               tional Guard, under which the Governor or the com-  
19               manding general” and inserting “the Mayor of the  
20               District of Columbia, under which the Governor or  
21               the Mayor”;

22               (2) in subsection (g)(2), by striking “the com-  
23               manding general of the District of Columbia Na-  
24               tional Guard” and inserting “the Mayor of the Dis-  
25               trict of Columbia”;

