

## Union Calendar No. 1

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

# H. R. 393

**[Report No. 115–13]**

To provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

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### IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 2017

Mr. THORNBERRY introduced the following bill; which was referred to the Committee on Armed Services

FEBRUARY 16, 2017

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

# **A BILL**

To provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

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

3 **SECTION 1. EXCEPTION TO LIMITATION AGAINST APPOINT-**  
4 **MENT OF PERSONS AS SECRETARY OF DE-**  
5 **FENSE WITHIN SEVEN YEARS OF RELIEF**  
6 **FROM ACTIVE DUTY AS REGULAR COMMIS-**  
7 **SIONED OFFICERS OF THE ARMED FORCES.**

8       (a) IN GENERAL.—Notwithstanding the second sen-  
9 tence of section 113(a) of title 10, United States Code,  
10 the first person appointed, by and with the advice and con-  
11 sent of the Senate, as Secretary of Defense after the date  
12 of the enactment of this Act may be a person who is, on  
13 the date of appointment, within seven years after relief,  
14 but not within three years after relief, from active duty  
15 as a commissioned officer of a regular component of the  
16 Armed Forces.

17       (b) LIMITED EXCEPTION.—This section applies only  
18 to the first person appointed as Secretary of Defense as  
19 described in subsection (a) after the date of the enactment  
20 of this Act, and to no other person.

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