

AMENDMENT TO RULES COMMITTEE PRINT 115-

23

**OFFERED BY MS. NORTON OF DISTRICT OF
COLUMBIA**

Add at the end of subtitle G of title V the following:

1 **SEC. 575. EXTENSION OF NATIONAL GUARD AUTHORITIES**
2 **TO MAYOR OF THE DISTRICT OF COLUMBIA.**

3 (a) **SHORT TITLE.**—This section may be cited as the
4 “District of Columbia National Guard Modernization
5 Act”.

6 (b) **EXTENSION OF NATIONAL GUARD AUTHORITIES**
7 **TO MAYOR OF THE DISTRICT OF COLUMBIA.**—

8 (1) **MAYOR AS COMMANDER-IN-CHIEF.**—Section
9 6 of the Act entitled “An Act to provide for the or-
10 ganization of the militia of the District of Columbia,
11 and for other purposes”, approved March 1, 1889
12 (sec. 49–409, D.C. Official Code), is amended by
13 striking “President of the United States” and in-
14 serting “Mayor of the District of Columbia”.

15 (2) **RESERVE CORPS.**—Section 72 of such Act
16 (sec. 49–407, D.C. Official Code) is amended by
17 striking “President of the United States” each place

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

3 (3) APPOINTMENT OF COMMISSIONED OFFI-
4 CERS.—(A) Section 7(a) of such Act (sec. 49–
5 301(a), D.C. Official Code) is amended—

6 (i) by striking “President of the United
7 States” and inserting “Mayor of the District of
8 Columbia”; and

9 (ii) by striking “President.” and inserting
10 “Mayor.”.

11 (B) Section 9 of such Act (sec. 49–304, D.C.
12 Official Code) is amended by striking “President”
13 and inserting “Mayor of the District of Columbia”.

14 (C) Section 13 of such Act (sec. 49–305, D.C.
15 Official Code) is amended by striking “President of
16 the United States” and inserting “Mayor of the Dis-
17 trict of Columbia”.

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

20 (i) in subsection (a), by striking “to the
21 Secretary of the Army” and all that follows
22 through “which board” and inserting “to a
23 board of examination appointed by the Com-
24 manding General, which”; and

1 (ii) in subsection (b), by striking “the Sec-
2 retary of the Army” and all that follows
3 through the period and inserting “the Mayor of
4 the District of Columbia, together with any rec-
5 ommendations of the Commanding General.”.

6 (E) Section 20 of such Act (sec. 49–312, D.C.
7 Official Code) is amended—

8 (i) by striking “President of the United
9 States” each place it appears and inserting
10 “Mayor of the District of Columbia”; and

11 (ii) by striking “the President may retire”
12 and inserting “the Mayor may retire”.

13 (4) CALL FOR DUTY.—(A) Section 45 of such
14 Act (sec. 49–103, D.C. Official Code) is amended by
15 striking “, or for the United States Marshal” and all
16 that follows through “shall thereupon order” and in-
17 serting “to order”.

18 (B) Section 46 of such Act (sec. 49–104, D.C.
19 Official Code) is amended by striking “the Presi-
20 dent” and inserting “the Mayor of the District of
21 Columbia”.

22 (5) GENERAL COURTS MARTIAL.—Section 51 of
23 such Act (sec. 49–503, D.C. Official Code) is
24 amended by striking “the President of the United

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

3 (c) RETENTION OF PRESIDENTIAL AUTHORITY OVER
4 USE OF NATIONAL GUARD OF THE DISTRICT OF COLUM-
5 BIA TO RESPOND TO HOMELAND DEFENSE EMER-
6 GENCIES.—

7 (1) IN GENERAL.—Chapter 9 of title 32, United
8 States Code, is amended by adding at the end the
9 following new section:

10 **“§ 909. Control of National Guard of the District of**
11 **Columbia for homeland defense activities**

12 “Notwithstanding the authority of the Mayor of the
13 District of Columbia as the Commander-in-Chief of the
14 National Guard of the District of Columbia, as provided
15 by section 6 of the Act entitled ‘An Act to provide for
16 the organization of the militia of the District of Columbia,
17 and for other purposes’, approved March 1, 1889 (sec. 49–
18 409, D.C. Official Code), the President retains control
19 over units and members of the National Guard of the Dis-
20 trict of Columbia to conduct homeland defense activities
21 that the President determines to be necessary and appro-
22 priate for participation by the National Guard units or
23 members.”.

1 (2) CLERICAL AMENDMENT.—The table of sec-
2 tions at the beginning of such chapter is amended
3 by adding at the end the following new item:

 “909. Control of National Guard of the District of Columbia for homeland de-
 fense activities.”.

4 (d) CONFORMING AMENDMENTS TO TITLE 10,
5 UNITED STATES CODE.—

6 (1) FAILURE TO SATISFACTORILY PERFORM
7 PRESCRIBED TRAINING.—Section 10148(b) of title
8 10, United States Code, is amended by striking “the
9 commanding general of the District of Columbia Na-
10 tional Guard” and inserting “the Mayor of the Dis-
11 trict of Columbia”.

12 (2) APPOINTMENT OF CHIEF OF NATIONAL
13 GUARD BUREAU.—Section 10502(a)(1) of such title
14 is amended by striking “the commanding general of
15 the District of Columbia National Guard” and in-
16 serting “the Mayor of the District of Columbia”.

17 (3) VICE CHIEF OF NATIONAL GUARD BU-
18 REAU.—Section 10505(a)(1)(A) of such title is
19 amended by striking “the commanding general of
20 the District of Columbia National Guard” and in-
21 serting “the Mayor of the District of Columbia”.

22 (4) OTHER SENIOR NATIONAL GUARD BUREAU
23 OFFICERS.—Section 10506(a)(1) of such title is
24 amended by striking “the commanding general of

1 the District of Columbia National Guard” both
2 places it appears and inserting “the Mayor of the
3 District of Columbia”.

4 (5) CONSENT FOR ACTIVE DUTY OR RELOCA-
5 TION.—(A) Section 12301 of such title is amend-
6 ed—

7 (i) in subsection (b), by striking “com-
8 manding general of the District of Columbia
9 National Guard” in the second sentence and in-
10 serting “Mayor of the District of Columbia”;
11 and

12 (ii) in subsection (d), by striking “governor
13 or other appropriate authority of the State con-
14 cerned” and inserting “governor of the State
15 (or, in the case of the District of Columbia Na-
16 tional Guard, the Mayor of the District of Co-
17 lumbia)”.

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

22 (6) CONSENT FOR RELOCATION OF UNITS.—
23 Section 18238 of such title is amended by striking
24 “the commanding general of the National Guard of

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

3 (e) CONFORMING AMENDMENTS TO TITLE 32,
4 UNITED STATES CODE.—

5 (1) MAINTENANCE OF OTHER TROOPS.—Sec-
6 tion 109(e) of title 32, United States Code, is
7 amended by striking “(or commanding general in
8 the case of the District of Columbia)”.

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

14 (3) ADDITIONAL ASSISTANCE.—Section 113 of
15 such title is amended by adding at the end the fol-
16 lowing new subsection:

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

20 (4) APPOINTMENT OF ADJUTANT GENERAL.—
21 Section 314 of such title is amended—

22 (A) by striking subsection (b);

23 (B) by redesignating subsections (c) and

24 (d) as subsections (b) and (c), respectively; and

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

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

11 (6) AUTHORITY TO ORDER TO PERFORM ACTIVE
12 GUARD AND RESERVE DUTY.—

13 (A) AUTHORITY.—Subsection (a) of sec-
14 tion 328 of such title is amended by striking
15 “the commanding general” and inserting “the
16 Mayor of the District of Columbia after con-
17 sultation with the commanding general”.

18 (B) CLERICAL AMENDMENTS.—

19 (i) SECTION HEADING.—The heading
20 of such section is amended to read as fol-
21 lows:

22 **“§ 328. Active Guard and Reserve duty: authority of**
23 **chief executive”.**

24 (ii) TABLE OF SECTIONS.—The table
25 of sections at the beginning of chapter 3 of

1 such title is amended by striking the item
2 relating to section 328 and inserting the
3 following new item:

“328. Active Guard and Reserve duty: authority of chief executive.”.

4 (7) PERSONNEL MATTERS.—Section 505 of
5 such title is amended by striking “commanding gen-
6 eral of the National Guard of the District of Colum-
7 bia” in the first sentence and inserting “Mayor of
8 the District of Columbia”.

9 (8) NATIONAL GUARD CHALLENGE PROGRAM.—
10 Section 509 of such title is amended—

11 (A) in subsection (e)(1), by striking “the
12 commanding general of the District of Colum-
13 bia National Guard, under which the Governor
14 or the commanding general” and inserting “the
15 Mayor of the District of Columbia, under which
16 the Governor or the Mayor”;

17 (B) in subsection (g)(2), by striking “the
18 commanding general of the District of Colum-
19 bia National Guard” and inserting “the Mayor
20 of the District of Columbia”;

21 (C) in subsection (j), by striking “the com-
22 manding general of the District of Columbia
23 National Guard” and inserting “the Mayor of
24 the District of Columbia”; and

1 (D) in subsection (k), by striking “the
2 commanding general of the District of Colum-
3 bia National Guard” and inserting “the Mayor
4 of the District of Columbia”.

5 (9) ISSUANCE OF SUPPLIES.—Section 702(a) of
6 such title is amended by striking “commanding gen-
7 eral of the National Guard of the District of Colum-
8 bia” and inserting “Mayor of the District of Colum-
9 bia”.

10 (10) APPOINTMENT OF FISCAL OFFICER.—Sec-
11 tion 708(a) of such title is amended by striking
12 “commanding general of the National Guard of the
13 District of Columbia” and inserting “Mayor of the
14 District of Columbia”.

15 (f) CONFORMING AMENDMENT TO THE DISTRICT OF
16 COLUMBIA HOME RULE ACT.—Section 602(b) of the Dis-
17 trict of Columbia Home Rule Act (sec. 1–206.02(b), D.C.
18 Official Code) is amended by striking “the National Guard
19 of the District of Columbia,”.

