

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3677

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 Governor of a State exercises with respect to the National Guard of that State.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 22, 1993

Ms. NORTON (by request) introduced the following bill; which was referred jointly to the Committees on Armed Services and the District of Columbia

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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 Governor of a State exercises with respect to the National Guard of that State.

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. EXTENSION OF AUTHORITY TO MAYOR OF THE**  
4 **DISTRICT OF COLUMBIA.**

5 (a) MAYOR AS COMMANDER-IN-CHIEF.—Section 6 of  
6 the Act entitled “An Act to provide for the organization  
7 of the militia of the District of Columbia, and for other

1 purposes”, approved March 1, 1889 (sec. 39–109, D.C.  
2 Code), is amended by striking out “President of the  
3 United States” and inserting in lieu thereof “Mayor of the  
4 District of Columbia”.

5 (b) RESERVE CORPS.—Section 72 of such Act (sec.  
6 39–107, D.C. Code) is amended by striking out “President  
7 of the United States” and inserting in lieu thereof “Mayor  
8 of the District of Columbia”.

9 (c) APPOINTMENT OF COMMISSIONED OFFICERS.—  
10 (1) Section 7(a) of such Act (sec. 39–301(a), D.C. Code)  
11 is amended—

12 (A) by striking out “President of the United  
13 States” and inserting in lieu thereof “Mayor of the  
14 District of Columbia”; and

15 (B) by striking out “President.” and inserting  
16 in lieu thereof “Mayor.”.

17 (2) Section 9 of such Act (sec. 39–304, D.C. Code)  
18 is amended by striking out “President” and inserting in  
19 lieu thereof “Mayor of the District of Columbia”.

20 (3) Section 13 of such Act (sec. 39–305, D.C. Code)  
21 is amended by striking out “President of the United  
22 States” and inserting in lieu thereof “Mayor of the Dis-  
23 trict of Columbia”.

24 (4) Section 19 of such Act (sec. 39–311, D.C. Code)  
25 is amended—

1 (A) in subsection (a), by striking out “to the  
2 Secretary of the Army” and all that follows through  
3 “which board” and inserting in lieu thereof “to a  
4 board of examination appointed by the Commanding  
5 General, which”; and

6 (B) in subsection (b), by striking “the Sec-  
7 retary of the Army” and all that follows through the  
8 period and inserting in lieu thereof “the Mayor of  
9 the District of Columbia, together with any rec-  
10 ommendations of the Commanding General.”.

11 (5) Section 20 of such Act (sec. 39–312, D.C. Code)  
12 is amended—

13 (A) by striking out “President of the United  
14 States” each place it appears and inserting in lieu  
15 thereof “Mayor of the District of Columbia”; and

16 (B) by striking out “the President may retire”  
17 and inserting in lieu thereof “the Mayor may re-  
18 tire”.

19 (d) CALL FOR DUTY.—(1) Section 45 of such Act  
20 (sec. 39–603, D.C. Code) is amended by striking out “,  
21 or for the United States Marshal” and all that follows  
22 through “shall thereupon order” and inserting in lieu  
23 thereof “to order”.

1 (2) Section 46 of such Act (sec. 39–604, D.C. Code)  
2 is amended by striking out “the President” and inserting  
3 in lieu thereof “the Mayor of the District of Columbia”.

4 (e) GENERAL COURTS MARTIAL.—Section 51 of such  
5 Act (sec. 39–803, D.C. Code) is amended by striking out  
6 “the President of the United States” and inserting in lieu  
7 thereof “the Mayor of the District of Columbia”.

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

10 (a) CONSENT FOR ACTIVE DUTY OR RELOCATION.—

11 (1) Section 672 of title 10, United States Code, is amend-  
12 ed—

13 (A) in subsection (b), by striking out “com-  
14 manding general of the District of Columbia Na-  
15 tional Guard” in the second sentence and inserting  
16 in lieu thereof “Mayor of the District of Columbia”;  
17 and

18 (B) in subsection (d), by striking out “governor  
19 or other appropriate authority of the State or Terri-  
20 tory, Puerto Rico, or the District of Columbia” and  
21 inserting in lieu thereof “Governor of the State, Ter-  
22 ritory, or Puerto Rico or the Mayor of the District  
23 of Columbia”.

24 (2) Section 2238 of such title is amended by striking  
25 out “, in the case of the District of Columbia, the com-

1 manding general of the National Guard of the District of  
2 Columbia” and inserting in lieu thereof “the Mayor of the  
3 District of Columbia, as the case may be”.

4 (3) Section 3500 of such title is amended by striking  
5 out “, in the District of Columbia, through the command-  
6 ing general of the National Guard of the District of Co-  
7 lumbia” in the second sentence and inserting in lieu there-  
8 of “the Mayor of the District of Columbia, as the case  
9 may be”.

10 (4) Section 4301(c) of such title is amended by strik-  
11 ing out “governor or other appropriate authority of the  
12 State or Territory, Puerto Rico, or the District of Colum-  
13 bia” and inserting in lieu thereof “Governor of the State,  
14 Territory, or Puerto Rico or the Mayor of the District of  
15 Columbia”.

16 (5) Section 8500 of such title is amended by striking  
17 out “, in the District of Columbia, through the command-  
18 ing general of the National Guard of the District of Co-  
19 lumbia” in the second sentence and inserting in lieu there-  
20 of “the Mayor of the District of Columbia, as the case  
21 may be”.

22 (6) Section 9301(c) of such title is amended by strik-  
23 ing out “governor or other appropriate authority of the  
24 State or Territory, Puerto Rico, or the District of Colum-  
25 bia” and inserting in lieu thereof “Governor of the State,

1 Territory, or Puerto Rico or the Mayor of the District of  
2 Columbia”.

3 (b) CONSENT FOR PERSONNEL ACTIONS.—(1) Sec-  
4 tion 269(g) of such title is amended by striking out “gov-  
5 ernor or other appropriate authority of the State or Terri-  
6 tory, Puerto Rico, or the District of Columbia” and insert-  
7 ing in lieu thereof “Governor of the State, Territory, or  
8 Puerto Rico or the Mayor of the District of Columbia”.

9 (2) Section 270(c) of such title is amended by strik-  
10 ing out “commanding general of the District of Columbia  
11 National Guard” in the first sentence and inserting in lieu  
12 thereof “Mayor of the District of Columbia”.

13 (3) Section 3259 of such title is amended by striking  
14 out “governor or other appropriate authority of the State  
15 or Territory, Puerto Rico, or the District of Columbia”  
16 in the first sentence and inserting in lieu thereof “Gov-  
17 ernor of the State, Territory, or Puerto Rico or the Mayor  
18 of the District of Columbia”.

19 (4) Section 3352(a) of such title is amended by strik-  
20 ing out “governor or other appropriate authority of the  
21 State or Territory, Puerto Rico, or the District of Colum-  
22 bia” in the first sentence and inserting in lieu thereof  
23 “Governor of the State, Territory, or Puerto Rico or the  
24 Mayor of the District of Columbia”.

25 (5) Section 3364 of such title is amended—

1           (A) in subsection (g), by striking out “governor  
2           or other appropriate authority of the State, Terri-  
3           tory or Puerto Rico, or the commanding general of  
4           the District of Columbia National Guard” and in-  
5           serting in lieu thereof “Governor of the State, Terri-  
6           tory, or Puerto Rico or the Mayor of the District of  
7           Columbia”; and

8           (B) in subsection (j), by striking out “governor  
9           or other appropriate authority of the State, Terri-  
10          tory or Puerto Rico, or the commanding general of  
11          the District of Columbia National Guard” and in-  
12          serting in lieu thereof “Governor of the State, Terri-  
13          tory, or Puerto Rico or the Mayor of the District of  
14          Columbia”.

15          (6) Section 3370(d) of such title is amended by strik-  
16          ing out “governor or other appropriate authority of the  
17          State, Territory, or Puerto Rico, or the commanding gen-  
18          eral of the District of Columbia National Guard” in the  
19          fourth sentence and inserting in lieu thereof “Governor  
20          of the State, Territory, or Puerto Rico or the Mayor of  
21          the District of Columbia”.

22          (7) Section 8259 of such title is amended by striking  
23          out “governor or other appropriate authority of the State  
24          or Territory, Puerto Rico, or the District of Columbia”  
25          in the first sentence and inserting in lieu thereof “Gov-

1 ernor of the State, Territory, or Puerto Rico or the Mayor  
2 of the District of Columbia”.

3 (8) Section 8352(a) of such title is amended by strik-  
4 ing out “governor or other appropriate authority of the  
5 State or Territory, Puerto Rico, or the District of Colum-  
6 bia” and inserting in lieu thereof “Governor of the State,  
7 Territory, or Puerto Rico or the Mayor of the District of  
8 Columbia”.

9 **SEC. 3. CONFORMING AMENDMENTS TO TITLE 32, UNITED**  
10 **STATES CODE.**

11 (a) MAINTENANCE OF OTHER TROOPS.—Section  
12 109(c) of title 32, United States Code, is amended by  
13 striking out “(or commanding general in the case of the  
14 District of Columbia)”.

15 (b) DRUG INTERDICTION AND COUNTER-DRUG AC-  
16 TIVITIES.—Section 112(f)(2) of such title is amended by  
17 striking out “the Commanding General of the National  
18 Guard of the District of Columbia” and inserting in lieu  
19 thereof “the Mayor of the District of Columbia”.

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

22 (1) by striking out subsection (b);

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

25 (3) in subsection (b) (as so redesignated)—

1 (A) by inserting “, at the request of the  
2 Mayor of the District of Columbia,”; and

3 (B) by striking out “recommended for that  
4 detail by the commanding general of the Dis-  
5 trict of Columbia National Guard”.

6 (d) PERSONNEL MATTERS.—(1) Section 327(a) of  
7 such title is amended by striking out “the commanding  
8 general of the National Guard of the District of Colum-  
9 bia” and inserting in lieu thereof “the Mayor of the Dis-  
10 trict of Columbia, as the case may be”.

11 (2) Section 331 of such title is amended by striking  
12 out “its commanding general” and inserting in lieu thereof  
13 “the Mayor of the District of Columbia”.

14 (3) Section 505 of such title is amended by striking  
15 out “commanding general of the National Guard of the  
16 District of Columbia” in the first sentence and inserting  
17 in lieu thereof “Mayor of the District of Columbia”.

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

23 (f) APPOINTMENT OF FISCAL OFFICER.—Section  
24 708(a) of such title is amended by striking out “command-  
25 ing general of the National Guard of the District of Co-

1 lumbia” and inserting in lieu thereof “Mayor of the Dis-  
2 trict of Columbia”.

3 **SEC. 4. CONFORMING AMENDMENTS TO THE NATIONAL**  
4 **GUARD CIVILIAN YOUTH OPPORTUNITIES**  
5 **PILOT PROGRAM.**

6 Section 1091 of the National Defense Authorization  
7 Act for Fiscal Year 1993 (Public Law 102-484; 32 U.S.C.  
8 501 note) is amended—

9 (1) in subsection (d), by striking out “com-  
10 manding general of the District of Columbia Na-  
11 tional Guard” and inserting in lieu thereof “Mayor  
12 of the District of Columbia”;

13 (2) in subsection (g)(3), by striking out “com-  
14 manding general of the District of Columbia Na-  
15 tional Guard” and inserting in lieu thereof “Mayor  
16 of the District of Columbia”;

17 (3) in subsection (j)(1)—

18 (A) by striking out “, in the case of the  
19 District of Columbia, the commanding general  
20 of the District of Columbia National Guard”  
21 and inserting in lieu thereof “the Mayor of the  
22 District of Columbia”; and

23 (B) by striking out “or the commanding  
24 general” and inserting in lieu thereof “or the  
25 Mayor of the District of Columbia”;

1           (4) in subsection (j)(2), by striking out “the  
2           commanding general of the District of Columbia Na-  
3           tional Guard” and inserting in lieu thereof “the  
4           Mayor of the District of Columbia”; and

5           (5) in subsection (k)(2), by striking out “the  
6           commanding general of the District of Columbia Na-  
7           tional Guard” and inserting in lieu thereof “the  
8           Mayor of the District of Columbia”.

9   **SEC. 5. CONFORMING AMENDMENT TO THE DISTRICT OF**  
10                           **COLUMBIA SELF-GOVERNMENT AND GOV-**  
11                           **ERNMENTAL REORGANIZATION ACT.**

12           Section 602(b) of the District of Columbia Self-Gov-  
13           ernment and Governmental Reorganization Act (D.C.  
14           Code section 1-233(b)) is amended by striking out “the  
15           National Guard of the District of Columbia,”.

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