

118TH CONGRESS
1ST SESSION

H. R. 811

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2023

Ms. NORTON introduced the following bill; which was referred to the
Committee on Oversight and Accountability

A BILL

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

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. SHORT TITLE.**

4 This Act may be cited as the “District of Columbia
5 National Guard Home Rule Act”.

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

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

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

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

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

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

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

25 (3) Section 13 of such Act (sec. 49–305, D.C. Official
26 Code) is amended by striking “President of the United

1 States” and inserting “Mayor of the District of Colum-
2 bia”.

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

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

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

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

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

20 (B) by striking “the President may retire” and
21 inserting “the Mayor may retire”.

22 (d) CALL FOR DUTY.—(1) Section 45 of such Act
23 (sec. 49–103, D.C. Official Code) is amended by striking
24 “, or for the United States Marshal” and all that follows
25 through “shall thereupon order” and inserting “to order”.

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

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

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

10 (a) FAILURE TO SATISFACTORILY PERFORM PRE-
11 SCRIBED TRAINING.—Section 10148(b) of title 10, United
12 States Code, is amended by striking “the commanding
13 general of the District of Columbia National Guard” and
14 inserting “the Mayor of the District of Columbia”.

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

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

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

6 (e) CONSENT FOR ACTIVE DUTY OR RELOCATION.—
7 (1) Section 12301 of such title is amended—

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

12 (B) in subsection (d), by striking the period at
13 the end and inserting the following: “, or, in the
14 case of the District of Columbia National Guard, the
15 Mayor of the District of Columbia.”.

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

20 (f) CONSENT FOR RELOCATION OF UNITS.—Section
21 18238 of such title is amended by striking “the com-
22 manding general of the National Guard of the District of
23 Columbia” and inserting “the Mayor of the District of Co-
24 lumbia”.

1 **SEC. 4. CONFORMING AMENDMENTS TO TITLE 32, UNITED**
2 **STATES CODE.**

3 (a) MAINTENANCE OF OTHER TROOPS.—Section
4 109(c) of title 32, United States Code, is amended by
5 striking “(or commanding general in the case of the Dis-
6 trict of Columbia)”.

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

12 (c) ADDITIONAL ASSISTANCE.—Section 113 of such
13 title is amended by adding at the end the following new
14 subsection:

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

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

20 (1) by striking subsection (b);

21 (2) by redesignating subsections (c) and (d) as
22 subsections (b) and (c), respectively; and

23 (3) in subsection (b) (as so redesignated), by
24 striking “the commanding general of the District of
25 Columbia National Guard” and inserting “the
26 Mayor of the District of Columbia,”.

1 (e) RELIEF FROM NATIONAL GUARD DUTY.—Sec-
 2 tion 325(a)(2)(B) of such title is amended by striking
 3 “commanding general of the District of Columbia Na-
 4 tional Guard” and inserting “the Mayor of the District
 5 of Columbia”.

6 (f) AUTHORITY TO ORDER TO PERFORM ACTIVE
 7 GUARD AND RESERVE DUTY.—

8 (1) AUTHORITY.—Subsection (a) of section 328
 9 of such title is amended by striking “the com-
 10 manding general” and inserting “the Mayor of the
 11 District of Columbia”.

12 (2) CLERICAL AMENDMENTS.—

13 (A) SECTION HEADING.—The heading of
 14 such section is amended to read as follows:

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

17 (B) TABLE OF SECTIONS.—The table of
 18 sections at the beginning of chapter 3 of such
 19 title is amended by striking the item relating to
 20 section 328 and inserting the following new
 21 item:

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

22 (g) PERSONNEL MATTERS.—Section 505 of such title
 23 is amended by striking “commanding general of the Na-
 24 tional Guard of the District of Columbia” in the first sen-
 25 tence and inserting “Mayor of the District of Columbia”.

1 (h) NATIONAL GUARD CHALLENGE PROGRAM.—Sec-
2 tion 509 of such title is amended—

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

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

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

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

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

1 (j) APPOINTMENT OF FISCAL OFFICER.—Section
2 708(a) of such title is amended by striking “commanding
3 general of the National Guard of the District of Colum-
4 bia” and inserting “Mayor of the District of Columbia”.

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

7 Section 602(b) of the District of Columbia Home
8 Rule Act (sec. 1–206.02(b), D.C. Official Code) is amend-
9 ed by striking “the National Guard of the District of Co-
10 lumbia,”.

○