

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

# H. R. 4886

To amend title 32, United States Code, to authorize the appointment of National Guard officers as commanders of units composed of both active duty military personnel and members of the National Guard in non-Federal status.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 2002

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

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## A BILL

To amend title 32, United States Code, to authorize the appointment of National Guard officers as commanders of units composed of both active duty military personnel and members of the National Guard in non-Federal status.

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. AUTHORITY TO APPOINT NATIONAL GUARD OF-**  
2 **FICERS AS COMMANDERS OF UNITS COM-**  
3 **POSED OF BOTH ACTIVE DUTY MILITARY**  
4 **PERSONNEL AND MEMBERS OF THE NA-**  
5 **TIONAL GUARD IN NON-FEDERAL STATUS.**

6 (a) **COMMAND OF CERTAIN UNITS.**—Section 104 of  
7 title 32, United States Code, is amended—

8 (1) by redesignating subsections (e) and (f) as  
9 subsections (f) and (g), respectively; and

10 (2) by inserting after subsection (d) the fol-  
11 lowing new subsection (e):

12 “(e) In a case in which assignments made under sub-  
13 section (b) result in a unit composed of both members of  
14 the armed forces on active duty and members of the Na-  
15 tional Guard in non-Federal status, the President may de-  
16 tail to command such unit a commissioned officer of the  
17 National Guard who has been called to active duty under  
18 section 12301(d) of title 10. In such a case, the prohibi-  
19 tion in the second sentence of subsection (d) does not  
20 apply.”.

21 (b) **EXCLUSION FROM GENERAL OFFICER**  
22 **STRENGTH LIMITATION.**—Section 526(d) of title 10,  
23 United States Code, is amended by striking “officer who  
24 is” and all that follows and inserting the following: “offi-  
25 cer who is—

26 “(1) on active duty for training;

1           “(2) on active duty under a call or order speci-  
2           fying a period of less than 180 days; or

3           “(3) on active duty and detailed to command of  
4           a unit under section 104(e) of title 32.”.

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