

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

# H. R. 3455

To amend title 10, United States Code, to include the Chief of the National Guard Bureau as a member of the Joint Chiefs of Staff and to reestablish the position of Vice Chief of the National Guard Bureau.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 2011

Mr. PALAZZO (for himself, Mr. HOLDEN, Mr. BARTLETT, Mr. THOMPSON of Mississippi, Mr. WESTMORELAND, Mr. LATHAM, Mr. LOBIONDO, Mr. NUNNELEE, and Mr. HARPER) introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to include the Chief of the National Guard Bureau as a member of the Joint Chiefs of Staff and to reestablish the position of Vice Chief of the National Guard Bureau.

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. MEMBERSHIP OF THE CHIEF OF THE NA-**  
2 **TIONAL GUARD BUREAU ON THE JOINT**  
3 **CHIEFS OF STAFF.**

4 (a) MEMBERSHIP ON JOINT CHIEFS OF STAFF.—  
5 Section 151(a) of title 10, United States Code, is amended  
6 by adding at the end the following new paragraph:

7 “(7) The Chief of the National Guard Bu-  
8 reau.”.

9 (b) CONFORMING AMENDMENTS.—Section 10502 of  
10 such title, as amended by section 2(b)(1) of this Act, is  
11 further amended—

12 (1) by redesignating subsection (d) as sub-  
13 section (e); and

14 (2) by inserting after subsection (c) the fol-  
15 lowing new subsection (d):

16 “(d) MEMBER OF JOINT CHIEFS OF STAFF.—The  
17 Chief of the National Guard Bureau shall perform the du-  
18 ties prescribed for him or her as a member of the Joint  
19 Chiefs of Staff under section 151 of this title.”.

1 **SEC. 2. REESTABLISHMENT OF POSITION OF VICE CHIEF**  
2 **OF THE NATIONAL GUARD BUREAU AND TER-**  
3 **MINATION OF POSITION OF DIRECTOR OF**  
4 **THE JOINT STAFF OF THE NATIONAL GUARD**  
5 **BUREAU.**

6 (a) REESTABLISHMENT AND TERMINATION OF POSI-  
7 TIONS.—Section 10505 of title 10, United States Code,  
8 is amended to read as follows:

9 **“§ 10505. Vice Chief of the National Guard Bureau**

10 “(a) APPOINTMENT.—(1) There is a Vice Chief of the  
11 National Guard Bureau, selected by the Secretary of De-  
12 fense from officers of the Army National Guard of the  
13 United States or the Air National Guard of the United  
14 States who—

15 “(A) are recommended for such appointment by  
16 their respective Governors or, in the case of the Dis-  
17 trict of Columbia, the commanding general of the  
18 District of Columbia National Guard;

19 “(B) have had at least 10 years of federally rec-  
20 ognized service in an active status in the National  
21 Guard; and

22 “(C) are in a grade above the grade of brigadier  
23 general.

24 “(2) The Chief and Vice Chief of the National Guard  
25 Bureau may not both be members of the Army or of the  
26 Air Force.

1           “(3)(A) Except as provided in subparagraph (B), an  
2 officer appointed as Vice Chief of the National Guard Bu-  
3 reau serves for a term of four years, but may be removed  
4 from office at any time for cause.

5           “(B) The term of the Vice Chief of the National  
6 Guard Bureau shall end within a reasonable time (as de-  
7 termined by the Secretary of Defense) following the ap-  
8 pointment of a Chief of the National Guard Bureau who  
9 is a member of the same armed force as the Vice Chief.

10          “(b) DUTIES.—The Vice Chief of the National Guard  
11 Bureau performs such duties as may be prescribed by the  
12 Chief of the National Guard Bureau.

13          “(c) GRADE.—The Vice Chief of the National Guard  
14 Bureau shall be appointed to serve in the grade of lieuten-  
15 ant general.

16          “(d) FUNCTIONS AS ACTING CHIEF.—When there is  
17 a vacancy in the office of the Chief of the National Guard  
18 Bureau or in the absence or disability of the Chief, the  
19 Vice Chief of the National Guard Bureau acts as Chief  
20 and performs the duties of the Chief until a successor is  
21 appointed or the absence of disability ceases.”.

22          (b) CONFORMING AMENDMENTS.—

23                 (1) Section 10502 of such title is amended by  
24 striking subsection (e).

