

110TH CONGRESS
1ST SESSION

H. R. 1288

To amend title 10, United States Code, to provide that an officer of the Army or Air Force on the active-duty list may not be promoted to brigadier general unless the officer has had a duty assignment of at least one year involving the administration of the National Guard or Reserves.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2007

Ms. HOOLEY introduced the following bill; which was referred to the
Committee on Armed Services

A BILL

To amend title 10, United States Code, to provide that an officer of the Army or Air Force on the active-duty list may not be promoted to brigadier general unless the officer has had a duty assignment of at least one year involving the administration of the National Guard or Reserves.

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. GUARD OR RESERVE DUTY ASSIGNMENT RE-**
2 **QUIRED AS CONDITION OF PROMOTION OF**
3 **ARMY AND AIR FORCE OFFICERS TO BRIGA-**
4 **DIER GENERAL.**

5 (a) IN GENERAL.—Chapter 36 of title 10, is amended
6 by inserting after section 619a the following new section:

7 **“§ 619b. Eligibility for consideration for promotion:**
8 **Guard or Reserve duty required before**
9 **promotion of Army and Air Force officers**
10 **to brigadier general**

11 “(a) GUARD OR RESERVE DUTY REQUIRED.—After
12 the end of the one-year period beginning on the date of
13 the enactment of this section, an officer on the active-duty
14 list of the Army or Air Force may not be appointed to
15 the grade of brigadier general unless the officer has com-
16 pleted a tour of duty of at least one year in a Guard or
17 Reserve duty assignment.

18 “(b) EXCEPTIONS.—Subject to subsection (c), the
19 Secretary of Defense may waive subsection (a) in the fol-
20 lowing circumstances:

21 “(1) When necessary for the good of the serv-
22 ice.

23 “(2) In the case of an officer whose proposed
24 selection for promotion is based primarily upon sci-
25 entific and technical qualifications for which Guard
26 or Reserve requirements do not exist.

1 “(3) In the case of—

2 “(A) a medical officer, dental officer, vet-
3 erinary officer, medical service officer, nurse, or
4 biomedical science officer;

5 “(B) a chaplain; or

6 “(C) a judge advocate.

7 “(4) In the case of an officer selected by a pro-
8 motion board for appointment to the grade of briga-
9 dier general while serving in a Guard or Reserve
10 duty assignment if at least 180 days of that assign-
11 ment have been completed on the date of the con-
12 vening of that selection board.

13 “(c) REGULATIONS.—The Secretary of Defense shall
14 prescribe regulations to carry out this section. The regula-
15 tions shall specifically identify for purposes of subsection
16 (b)(2) those categories of officers for which selection for
17 promotion to brigadier general is based primarily upon sci-
18 entific and technical qualifications for which Guard or Re-
19 serve requirements do not exist.

20 “(d) GUARD OR RESERVE DUTY ASSIGNMENT DE-
21 FINED.—In this section, the term ‘Guard or Reserve duty
22 assignment’ means an assignment involving the orga-
23 nizing, administering, recruiting, instructing, or training
24 the reserve components, other than an assignment to a
25 Reserve Officers Training Corps unit.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of subchapter II of such chapter is
3 amended by inserting after the item relating to section
4 619a the following new item:

“619b. Eligibility for consideration for promotion: Guard or Reserve duty required before promotion of Army and Air Force officers to brigadier general”.

