

117TH CONGRESS  
1ST SESSION

# H. R. 5112

To establish the Space National Guard.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 27, 2021

Mr. CROW (for himself and Mr. LAMBORN) introduced the following bill; which  
was referred to the Committee on Armed Services

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## A BILL

To establish the Space 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 “Space National Guard  
5 Establishment Act”.

6 **SEC. 2. ESTABLISHMENT OF SPACE NATIONAL GUARD.**

7 (a) ESTABLISHMENT.—

8 (1) IN GENERAL.—There is established a Space  
9 National Guard that is part of the organized militia  
10 of the several States and Territories, Puerto Rico,  
11 and the District of Columbia—

1 (A) in which the Space Force operates;  
2 and

3 (B) active and inactive.

4 (2) RESERVE COMPONENT.—There is estab-  
5 lished a Space National Guard of the United States  
6 that is the reserve component of the United States  
7 Space Force all of whose members are members of  
8 the Space National Guard.

9 (b) COMPOSITION.—The Space National Guard shall  
10 be composed of the Space National Guard forces of the  
11 several States and Territories, Puerto Rico, and the Dis-  
12 trict of Columbia—

13 (1) in which the Space Force operates; and

14 (2) active and inactive.

15 **SEC. 3. NO EFFECT ON MILITARY INSTALLATIONS.**

16 Nothing in this subtitle, or the amendments made by  
17 this subtitle, shall be construed to authorize or require the  
18 relocation of any facility, infrastructure, or military instal-  
19 lation of the Space National Guard or Air National Guard.

20 **SEC. 4. IMPLEMENTATION OF SPACE NATIONAL GUARD.**

21 (a) REQUIREMENT.—Except as specifically provided  
22 by this subtitle, the Secretary of the Air Force and Chief  
23 of the National Guard Bureau shall implement this sub-  
24 title, and the amendments made by this subtitle, not later

1 than 18 months after the date of the enactment of this  
2 Act.

3 (b) BRIEFINGS.—Not later than 90 days after the  
4 date of the enactment of this Act, and annually for the  
5 five subsequent years, the Secretary of the Air Force,  
6 Chief of the Space Force and Chief of the National Guard  
7 Bureau shall jointly provide to the congressional defense  
8 committees a briefing on the status of the implementation  
9 of the Space National Guard pursuant to this subtitle and  
10 the amendments made by this subtitle. This briefing shall  
11 address the current missions, operations and activities,  
12 personnel requirements and status, and budget and fund-  
13 ing requirements and status of the Space National Guard,  
14 and such other matters with respect to the implementation  
15 and operation of the Space National Guard as the Sec-  
16 retary and the Chiefs jointly determine appropriate to  
17 keep Congress fully and currently informed on the status  
18 of the implementation of the Space National Guard.

19 **SEC. 5. CONFORMING AMENDMENTS AND CLARIFICATION**  
20 **OF AUTHORITIES.**

21 (a) DEFINITIONS.—

22 (1) TITLE 10, UNITED STATES CODE.—Title 10,  
23 United States Code, is amended—

24 (A) in section 101—

25 (i) in subsection (c)—

1 (I) by redesignating paragraphs  
2 (6) and (7) as paragraphs (8) and  
3 (9), respectively; and

4 (II) by inserting after paragraph  
5 (5) the following new paragraphs:

6 “(6) The term ‘Space National Guard’ means  
7 that part of the organized militia of the several  
8 States and territories, Puerto Rico, and the District  
9 of Columbia, active and inactive, that—

10 “(A) is a space force;

11 “(B) is trained, and has its officers ap-  
12 pointed under the sixteenth clause of section 8,  
13 article I of the Constitution;

14 “(C) is organized, armed, and equipped  
15 wholly or partly at Federal expense; and

16 “(D) is federally recognized.

17 “(7) The term ‘Space National Guard of the  
18 United States’ means the reserve component of the  
19 Space Force all of whose members are members of  
20 the Space National Guard.”; and

21 (B) in section 10101—

22 (i) in the matter preceding paragraph  
23 (1), by inserting “the following” before the  
24 colon; and

1 (ii) by adding at the end the following  
2 new paragraph:

3 “(8) The Space National Guard of the United  
4 States.”.

5 (2) TITLE 32, UNITED STATES CODE.—Section  
6 101 of title 32, United States Code is amended—

7 (A) by redesignating paragraphs (8)  
8 through (19) as paragraphs (10) and (21), re-  
9 spectively; and

10 (B) by inserting after paragraph (7) the  
11 following new paragraphs:

12 “(8) The term ‘Space National Guard’ means  
13 that part of the organized militia of the several  
14 States and territories, Puerto Rico, and the District  
15 of Columbia, in which the Space Force operates, ac-  
16 tive and inactive, that—

17 “(A) is a space force;

18 “(B) is trained, and has its officers ap-  
19 pointed under the sixteenth clause of section 8,  
20 article I of the Constitution;

21 “(C) is organized, armed, and equipped  
22 wholly or partly at Federal expense; and

23 “(D) is federally recognized.

24 “(9) The term ‘Space National Guard of the  
25 United States’ means the reserve component of the

1       Space Force all of whose members are members of  
2       the Space National Guard.”.

3       (b) RESERVE COMPONENTS.—Chapter 1003 of title  
4       10, United States Code, is amended—

5               (1) by adding at the end the following new sec-  
6       tions:

7       **“§ 10115. Space National Guard of the United States:**  
8               **composition**

9       “‘The Space National Guard of the United States is  
10       the reserve component of the Space Force that consists  
11       of—

12               “(1) federally recognized units and organiza-  
13       tions of the Space National Guard; and

14               “(2) members of the Space National Guard who  
15       are also Reserves of the Space Force.

16       **“§ 10116. Space National Guard: when a component of**  
17               **the Space Force**

18       “‘The Space National Guard while in the service of  
19       the United States is a component of the Space Force.

20       **“§ 10117. Space National Guard of the United States:**  
21               **status when not in Federal service**

22       “‘When not on active duty, members of the Space Na-  
23       tional Guard of the United States shall be administered,  
24       armed, equipped, and trained in their status as members  
25       of the Space National Guard.”; and

1                   (2) in the table of sections at the beginning of  
2           such chapter, by adding at the end the following new  
3           items:

“10115. Space National Guard of the United States: composition.

“10116. Space National Guard: when a component of the Space Force.

“10117. Space National Guard of the United States: status when not in Federal  
service.”.

