

118TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To establish the Space National Guard.

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IN THE SENATE OF THE UNITED STATES

Mr. RUBIO (for himself and Ms. BUTLER) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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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 Act, or the amendments made by this  
17 Act, shall be construed to authorize or require the reloca-  
18 tion of any facility, infrastructure, or military installation  
19 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 Act, the Secretary of the Air Force and the Chief  
23 of the National Guard Bureau shall implement this Act,  
24 and the amendments made by this Act, not later than 18  
25 months after the date of the enactment of this Act.

1 (b) BRIEFING REQUIRED.—

2 (1) IN GENERAL.—Not later than 90 days after  
3 the date of the enactment of this Act, and annually  
4 for the five subsequent years, the Secretary of the  
5 Air Force, the Chief of the Space Force, and the  
6 Chief of the National Guard Bureau shall jointly  
7 provide to the congressional defense committees a  
8 briefing on the status of the implementation of the  
9 Space National Guard pursuant to this Act and the  
10 amendments made by this Act.

11 (2) ELEMENTS.—The briefing required by  
12 paragraph (1) shall address—

13 (A) the current missions, operations and  
14 activities, personnel requirements and status,  
15 and budget and funding requirements and sta-  
16 tus of the Space National Guard; and

17 (B) such other matters with respect to the  
18 implementation and operation of the Space Na-  
19 tional Guard as the Secretary and the Chiefs  
20 jointly determine appropriate to keep Congress  
21 fully and currently informed on the status of  
22 the implementation of the Space National  
23 Guard.

1 **SEC. 5. CONFORMING AMENDMENTS AND CLARIFICATION**  
2 **OF AUTHORITIES.**

3 (a) DEFINITIONS.—

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

6 (A) in section 101—

7 (i) in subsection (c)—

8 (I) by redesignating paragraphs

9 (6) and (7) as paragraphs (8) and

10 (9), respectively; and

11 (II) by inserting after paragraph

12 (5) the following new paragraphs:

13 “(6) The term ‘Space National Guard’ means  
14 that part of the organized militia of the several  
15 States and territories, Puerto Rico, and the District  
16 of Columbia, active 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 “(7) 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.”; and

3 (B) in section 10101—

4 (i) in the matter preceding paragraph  
5 (1), by inserting “the following” before the  
6 colon; and

7 (ii) by adding at the end the following  
8 new paragraph:

9 “(8) The Space National Guard of the United  
10 States.”.

11 (2) TITLE 32, UNITED STATES CODE.—Section  
12 101 of title 32, United States Code is amended—

13 (A) by redesignating paragraphs (8)  
14 through (19) as paragraphs (10) through (21),  
15 respectively; and

16 (B) by inserting after paragraph (7) the  
17 following new paragraphs:

18 “(8) The term ‘Space National Guard’ means  
19 that part of the organized militia of the several  
20 States and territories, Puerto Rico, and the District  
21 of Columbia, in which the Space Force operates, ac-  
22 tive and inactive, that—

23 “(A) is a space force;

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

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

6           “(D) is federally recognized.

7           “(9) The term ‘Space National Guard of the  
8           United States’ means the reserve component of the  
9           Space Force all of whose members are members of  
10          the Space National Guard.”.

11          (b) RESERVE COMPONENTS.—Chapter 1003 of title  
12          10, United States Code, is amended—

13                 (1) by adding at the end the following new sec-  
14          tions:

15          **“§ 10115. Space National Guard of the United States:**  
16                         **composition**

17                 “The Space National Guard of the United States is  
18          the reserve component of the Space Force that consists  
19          of—

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

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

1 **“§ 10116. Space National Guard: when a component of**  
2 **the Space Force**

3 “The Space National Guard while in the service of  
4 the United States is a component of the Space Force.

5 **“§ 10117. Space National Guard of the United States:**  
6 **status when not in Federal service**

7 “When not on active duty, members of the Space Na-  
8 tional Guard of the United States shall be administered,  
9 armed, equipped, and trained in their status as members  
10 of the Space National Guard.”; and

11 (2) in the table of sections at the beginning of  
12 such chapter, by adding at the end the following new  
13 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.”.