

AMENDMENT TO H.R. 4350
OFFERED BY MR. GALLAGHER OF WISCONSIN

At the appropriate place in title IX, insert the following:

1 **SEC. 9__ . MODIFICATION OF REQUIREMENTS FOR AP-**
2 **POINTMENT OF A PERSON AS SECRETARY OF**
3 **DEFENSE AFTER RELIEF FROM ACTIVE DUTY.**

4 Section 113(a) of title 10, United States Code, is
5 amended—

6 (1) by inserting “(1)” before “There is”; and

7 (2) by striking the second sentence and insert-
8 ing the following new paragraph:

9 “(2)(A) Except as provided by subparagraph (B), a
10 person may not be appointed as Secretary of Defense dur-
11 ing the period of 10 years after relief from active duty
12 as a commissioned officer of a regular component of an
13 armed force in pay grade O-6 or above.

14 “(B) A person described in subparagraph (A) may
15 be appointed as Secretary of Defense if—

16 “(i) the President submits to Congress a re-
17 quest for approval for such appointment; and

18 “(ii) Congress enacts a joint resolution of ap-
19 proval, with not fewer than three-quarters of the

1 Members of the House of Representatives and Sen-
2 ate, duly chosen and sworn, voting in the affirma-
3 tive.

4 “(C) In this subsection, the term ‘joint resolution of
5 approval’ means a joint resolution of either House of Con-
6 gress, the sole matter after the resolving clause of which
7 is as follows: “The Congress approves exempting
8 _____ from the prohibition under section 113(a) of
9 title 10, United States Code, pursuant to the request of
10 the President for such exemption submitted to Congress
11 on _____.”, with the blank spaces being filled
12 with the appropriate name and date, respectively.”.

