

**Calendar No. 1**

117TH CONGRESS  
1ST SESSION

**S. 11**

To provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

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IN THE SENATE OF THE UNITED STATES

JANUARY 3, 2021

Mr. SCHUMER introduced the following bill; which was read the first time

JANUARY 6, 2021

Read the second time and placed on the calendar

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**A BILL**

To provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

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. EXCEPTION TO LIMITATION AGAINST APPOINT-**  
2 **MENT OF PERSONS AS SECRETARY OF DE-**  
3 **FENSE WITHIN SEVEN YEARS OF RELIEF**  
4 **FROM ACTIVE DUTY AS REGULAR COMMIS-**  
5 **SIONED OFFICERS OF THE ARMED FORCES.**

6 (a) **IN GENERAL.**—Notwithstanding the second sen-  
7 tence of section 113(a) of title 10, United States Code,  
8 the first person appointed, by and with the advice and con-  
9 sent of the Senate, as Secretary of Defense in an appoint-  
10 ment made on or after January 20, 2021, may be a person  
11 who is, on the date of appointment, within seven years  
12 after relief, but not within four years after relief, from  
13 active duty as a commissioned officer of a regular compo-  
14 nent of the Armed Forces.

15 (b) **LIMITED EXCEPTION.**—This section applies only  
16 to the first person nominated after 12:01 p.m. (Eastern  
17 Standard Time) on January 20, 2021, and appointed as  
18 Secretary of Defense as described in subsection (a), and  
19 to no other person.



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