

A BILL

To abolish the National Guard Bureau, repeal section 10501 of title 10, United States Code, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Guard Bureau Abolition Act of 2026”.

SECTION 2. FINDINGS.

Congress finds the following:

(1) The National Guard Bureau (NGB), a component of the Department of Defense, serves as the channel of communication between the Department of Defense and the National Guard of the States and administers federal National Guard programs.

(2) By drawing the National Guard of the several States under continuing federal administration, the NGB encroaches on the authority Article I, Section 8, Clause 16 reserves “to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress.”

(3) The functions of the NGB are not “necessary and proper for carrying into Execution” any power vested by the Constitution in the Government of the United States and therefore find no support in Article I, Section 8, Clause 18, which Madison in Federalist No. 44 described as a means of executing powers already granted rather than a source of new ones, as the Anti-Federalist writer Brutus warned in his first essay of 1787 it would otherwise become.

(4) In carrying out its functions, the NGB disregards the Ninth Amendment, which provides that “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people,” including the right of the people to order their own lives, property, and affairs free of federal direction in matters the Constitution does not commit to the Federal Government.

(5) The Constitution delegates to the United States no power over the militia of the several States. By drawing the militia of the States under continuing federal administration, the NGB exercises powers that the Tenth Amendment reserves “to the States respectively, or to the people,” contrary to Federalist No. 45, in which Madison described the powers delegated to the Federal Government as “few and defined” and those remaining in the States as “numerous and indefinite.”

(6) The Declaration of Independence affirms that governments are instituted to secure the unalienable rights of the people and derive “their just powers from the consent of the

governed,” and it charged the Crown with having “erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.” The NGB perpetuates the centralized administration the Declaration condemned.

(7) Abolishing the National Guard Bureau and repealing section 10501 of title 10, United States Code, will reduce the size and cost of the Federal Government, return to the States and to the people the powers the Constitution reserves to them, and restore the constitutional principles of limited government and enumerated powers.

SECTION 3. ABOLITION OF THE NATIONAL GUARD BUREAU.

(a) In General.—The National Guard Bureau, a component of the Department of Defense, is hereby abolished effective immediately following the enactment of this Act.

(b) Wind-Down Operations.—Immediately following the enactment of this Act, the President shall designate an appropriate official to expeditiously wind down the operations of the National Guard Bureau, ceasing all functions, none of which shall be transferred to any other department or agency of the Federal Government.

(c) Transfer of Assets and Liabilities.—All assets, liabilities, contracts, property, and records of the National Guard Bureau shall be transferred to the designated official under subsection (b) for appropriate disposition.

(d) Employee Transition.—Employees of the National Guard Bureau, and members of the armed forces assigned to it, shall be offered opportunities for reassignment within the federal government, including, for members of the armed forces, transfer to the naval forces of the United States or to the militia of the several States, or provided with severance and retraining assistance as prescribed by existing federal law.

SECTION 4. REPEAL OF PROVISIONS OF LAW ESTABLISHING THE NATIONAL GUARD BUREAU.

(a) In General.—Section 10501 of title 10, United States Code, and any other provision of law establishing the National Guard Bureau or vesting functions in the National Guard Bureau, are hereby repealed.

(b) Conforming Amendments.—The United States Code and all other relevant Federal laws are amended by—

(1) striking all references to the National Guard Bureau and to any office, officer, or function established in or vested in the National Guard Bureau;

(2) terminating every function of the National Guard Bureau, no part of which shall be reassigned to any other department or agency of the Federal Government; and

(3) making such other conforming changes as necessary to reflect the repeal and the permanent abolition of the National Guard Bureau.

(c) Effective Date.—The repeal under this section shall take effect immediately following the enactment of this Act.

SECTION 5. TRANSITION PROVISIONS.

(a) No Restoration of Prior Structures.—No element of the National Guard Bureau shall revert to its organizational structure as it existed prior to the establishment of the National Guard Bureau, and no function of the National Guard Bureau shall be restored to any predecessor department, agency, or office.

(b) Permanent Abolition.—No department, agency, office, or other entity shall be established to carry out the functions of the National Guard Bureau abolished by this Act.

SECTION 6. SEVERABILITY.

If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.