available for active duty in the armed forces, in time of war or national emergency, and at such other times as the national security may require, to fill the needs of the armed forces whenever more units and persons are needed than are in the regular components.


Prior Provisions

Provisions similar to those in this section were contained in section 262 of this title, prior to repeal by Pub. L. 103–337, §1661(a)(3)(A).

AMENDMENTS

2004—Pub. L. 108–376 struck out “, during and after the period needed to procure and train additional units and qualified persons to achieve the planned mobilization,” after “whenever”.

§10103. Basic policy for order into Federal service

Whenever Congress determines that more units and organizations are needed for the national security than are in the regular components of the ground and air forces, the Army National Guard of the United States and the Air National Guard of the United States, or such parts of them as are needed, together with units of other reserve components necessary for a balanced force, shall be ordered to active duty and retained as long as so needed.


Prior Provisions

Provisions similar to those in this section were contained in section 263 of this title, prior to repeal by Pub. L. 103–337, §1661(a)(3)(A).

AMENDMENTS

1996—Pub. L. 104–106 substituted “into Federal service” for “of the National Guard and reserve components to active duty” in section catchline.

Effective Date of 1996 Amendment


Ordering Ready Reserve to Active Duty During National Emergencies

For additional provisions authorizing ordering of Ready Reserve to active duty during national emergencies, see section 12303 of this title and notes thereunder.

§10104. Army Reserve: composition

The Army Reserve includes all Reserves of the Army who are not members of the Army National Guard of the United States.


Prior Provisions

Provisions similar to those in this section were contained in section 3076 of this title, prior to repeal by Pub. L. 103–337, §1661(a)(3)(A).

§10105. Army National Guard of the United States: composition

The Army National Guard of the United States is the reserve component of the Army that consists of—

(1) federally recognized units and organizations of the Army National Guard; and

(2) members of the Army National Guard who are also Reserves of the Army.


Prior Provisions

Provisions similar to those in this section were contained in section 3077 of this title, prior to repeal by Pub. L. 103–337, §1661(a)(3)(A).

Amendments


“(a) Requirement to Establish.—The Secretary of the Army shall, not later than September 30, 1995, establish one or more active-component units of the Army with the primary mission of providing training support to reserve units. Each such unit shall be part of the active Army force structure and shall have a commander who is on the active-duty list of the Army.

“(b) Implementation Plan.—The Secretary of the Army shall during fiscal year 1994 submit to the committees on Armed Services of the Senate and House of Representatives a plan to meet the requirements in subsection (a). The plan shall include a proposal for any statutory changes that the Secretary considers to be necessary for the implementation of the plan.”

Test Program for Reserve Combat Maneuver Unit Integration

Pub. L. 103–160, div. A, title V, §516, Nov. 30, 1993, 107 Stat. 1650, directed Secretary of the Army to prepare a plan for carrying out a test program to determine feasibility and advisability of applying the roundout and roundup models for integration of active and reserve component Army units at the battalion and company levels and submit to Congress not later than Mar. 31, 1994, a report that includes the plan for the test program.

Army National Guard Combat Readiness Reform


“SEC. 1101. SHORT TITLE.

“This title may be cited as the ‘Army National Guard Combat Readiness Reform Act of 1992’.

“Subtitle A—Deployability Enhancements

“SEC. 1111. PRIOR ACTIVE-DUTY PERSONNEL.

“(a) Additional Prior Active-Duty Officers.—The Secretary of the Army shall increase the number of qualified prior active-duty officers in the Army National Guard by providing a program that permits the separation of officers on active duty with at least two, but less than three, years of active service upon condition that the officer is accepted for appointment in the Army National Guard. The Secretary shall have a goal of having no fewer than 150 officers become members of the Army National Guard each year under this section.

“(b) Additional Prior Active-Duty Enlisted Members.—The Secretary of the Army shall increase the number of qualified prior active-duty enlisted members