

Subsec. (f). Pub. L. 104-106, § 1021(f), added subsec. (f). Former subsec. (f) redesignated (h).

Subsec. (g). Pub. L. 104-106, § 1021(b)(2), redesignated subsec. (d) as (g) and transferred it to appear before subsec. (h), as redesignated.

Subsec. (h). Pub. L. 104-106, § 1021(b)(1), redesignated subsec. (f) as (h).

Subsec. (h)(1). Pub. L. 104-106, § 1021(g), amended par. (1) generally. Prior to amendment, par. (1) read as follows: "The term 'counter-drug activities' includes the use of National Guard personnel, while not in Federal service, in any law enforcement activities authorized by State and local law and requested by the Governor."

1992—Subsec. (e)(1). Pub. L. 102-396 inserted "(or during fiscal year 1993 otherwise implementing)" after "administering".

1991—Subsec. (c)(2). Pub. L. 102-25 substituted "in consultation with the Director of National Drug Control Policy." for "in consultation with—

"(A) the Attorney General of the United States in the case of a plan submitted for fiscal year 1990; and
"(B) the Director of National Drug Control Policy in the case of a plan submitted for subsequent fiscal years."

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 10 section 101.

CHAPTER 3—PERSONNEL

Sec.	
301.	Federal recognition of enlisted members.
302.	Enlistments, reenlistments, and extensions.
303.	Active and inactive enlistments and transfers.
304.	Enlistment oath.
305.	Federal recognition of commissioned officers: persons eligible.
307.	Federal recognition of officers: examination; certificate of eligibility.
308.	Federal recognition of officers: temporary recognition.
309.	Federal recognition of National Guard officers: officers promoted to fill vacancies.
310.	Federal recognition of National Guard officers: automatic recognition.
312.	Appointment oath.
313.	Appointments and enlistments: age limitations.
314.	Adjutants general.
315.	Detail of regular members of Army and Air Force to duty with National Guard.
316.	Detail of members of Army National Guard for rifle instruction of civilians.
317.	Command during joint exercises with Federal troops.
[318 to 321.]	Repealed.]
322.	Discharge of enlisted members.
323.	Withdrawal of Federal recognition.
324.	Discharge of officers; termination of appointment.
325.	Relief from National Guard duty when ordered to active duty.
326.	Courts-martial of National Guard not in Federal service: composition, jurisdiction, and procedures.
327.	General courts-martial of National Guard not in Federal service.
328.	Special courts-martial of National Guard not in Federal service.
329.	Summary courts-martial of National Guard not in Federal service.
330.	Confinement instead of fine.
331.	Dismissal or dishonorable discharge.
332.	Compelling attendance of accused and witnesses.
333.	Execution of process and sentence.
[334, 335.]	Repealed.]

AMENDMENTS

1994—Pub. L. 103-337, div. A, title XVI, § 1676(a)(4), Oct. 5, 1994, 108 Stat. 3019, substituted "National Guard

officers;" for "officers: Army National Guard;" in items 309 and 310.

1986—Pub. L. 99-661, div. A, title VI, § 604(f)(2)(B), Nov. 14, 1986, 100 Stat. 3878, struck out item 318 "Compensation for disablement during training", item 319 "Compensation for disablement during training when not covered by section 318 of this title", item 320 "Hospitalization: when Secretary may require", and item 321 "Death gratuity".

1984—Pub. L. 98-525, title IV, § 414(b)(2)(B), Oct. 19, 1984, 98 Stat. 2519, struck out item 335 "Status of certain members performing full-time duty".

1983—Pub. L. 98-94, title V, § 504(b)(2), Sept. 24, 1983, 97 Stat. 632, added item 335.

1981—Pub. L. 97-124, § 3, Dec. 29, 1981, 95 Stat. 1666, struck out item 334 "Payment of malpractice liability of National Guard Medical personnel".

1980—Pub. L. 96-513, title V, § 515(1), Dec. 12, 1980, 94 Stat. 2937, inserted "of officers" after "recognition" in item 307.

1976—Pub. L. 94-464, § 2(c), Oct. 8, 1976, 90 Stat. 1988, added item 334.

1961—Pub. L. 87-378, § 5(2), Oct. 4, 1961, 75 Stat. 808, inserted "reenlistments, and extensions" in item 302.

1958—Pub. L. 85-861, § 2(8), Sept. 2, 1958, 72 Stat. 1544, added items 309 and 310.

CROSS REFERENCES

Active Federal status, see section 12401 of Title 10, Armed Forces.

Appointments as reserve officers, see section 12201 et seq. of Title 10.

Army National Guard and Air National Guard in Federal service, call, see section 12406 of Title 10.

Army Reserve or Air Force Reserve—

Transfer from Army National Guard of United States or Air National Guard of United States to, see sections 12105, 12213, and 12214 of Title 10.

Transfer to upon withdrawal as member of Army National Guard or Air National Guard, see section 12106 of Title 10.

Basic policy for order of Army National Guard of the United States and Air National Guard of the United States into Federal service, see section 10103 of Title 10.

Pay and allowances generally, see Title 37, Pay and Allowances of the Uniformed Services.

Reserve components: detail of members of regular and reserve components to assist, see section 12501 of Title 10, Armed Forces.

Status when not in Federal service, see sections 10107 and 10113 of Title 10.

Uniform, when wearing by persons not on active duty authorized, see section 772 of Title 10.

§ 301. Federal recognition of enlisted members

To be eligible for Federal recognition as an enlisted member of the National Guard, a person must have the qualifications prescribed by the Secretary concerned for the grade, branch, position, and type of unit or organization involved. He becomes federally recognized upon enlisting in a federally recognized unit or organization of the National Guard.

(Aug. 10, 1956, ch. 1041, 70A Stat. 601.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
301	50:1113(a) (as applicable to enlisted members).	July 9, 1952, ch. 608, § 703(a) (as applicable to enlisted members), 66 Stat. 502.

CROSS REFERENCES

Withdrawal of Federal recognition, see section 323 of this title.