

## REFERENCES IN TEXT

The National and Community Service Act of 1990, referred to in subsec. (f)(2), is Pub. L. 101-610, Nov. 16, 1990, 104 Stat. 3127, as amended. Subtitle E of title I of the Act is classified generally to division E (§12611 et seq.) of subchapter I of chapter 129 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 12501 of Title 42 and Tables.

## AMENDMENTS

2009—Subsec. (d)(1). Pub. L. 111-84 substituted “75 percent of the costs” for “60 percent of the costs”.

2008—Subsec. (d). Pub. L. 110-417 amended subsec. (d) generally. Prior to amendment, text read as follows: “The amount of assistance provided under this section to a State program of the Program may not exceed—

“(1) for fiscal year 1998, 75 percent of the costs of operating the State program during that year;

“(2) for fiscal year 1999, 70 percent of the costs of operating the State program during that year;

“(3) for fiscal year 2000, 65 percent of the costs of operating the State program during that year; and

“(4) for fiscal year 2001 and each subsequent fiscal year, 60 percent of the costs of operating the State program during that year.”

2004—Pub. L. 108-375, §594(b)(1), amended section catchline generally, substituting “National Guard Youth” for “National Guard”.

Subsec. (a). Pub. L. 108-375, §594(a)(1), substituted “National Guard Youth Challenge Program” for “National Guard Challenge Program” the first place it appeared and “Program” for “National Guard Challenge Program” the second place it appeared.

Subsec. (b)(1). Pub. L. 108-375, §594(a)(2), substituted “Program” for “National Guard Challenge Program”.

Subsec. (b)(2). Pub. L. 108-375, §594(a)(2)(3), substituted “Program” for “National Guard Challenge Program” in introductory provisions and for “program” wherever appearing in subpars. (A) and (B).

Subsec. (b)(3). Pub. L. 108-375, §594(a)(2)(3), substituted “Program” for “National Guard Challenge Program” before “may be expended” and for “program” before “in excess”.

Subsec. (b)(4). Pub. L. 108-375, §594(a)(2), (3), substituted “Program” for “National Guard Challenge Program” before “regardless” in first sentence and for “program” before “or any transfer” and “within” in first sentence and before period at end in second sentence.

Subsecs. (c) to (f). Pub. L. 108-375, §594(a)(2), substituted “Program” for “National Guard Challenge Program” wherever appearing in text.

Subsec. (g)(1). Pub. L. 108-375, §594(a)(2), (3), substituted “Program” for “National Guard Challenge Program” before “is conducted” in first sentence and for “program” before period at end of first and second sentences.

Subsec. (g)(2). Pub. L. 108-375, §594(a)(2), (3), substituted “Program” for “National Guard Challenge Program” after “Governor participating in the” and after “in carrying out the” and substituted “Program” for “program” after “National Guard is participating in the”.

Subsec. (g)(3). Pub. L. 108-375, §594(a)(2), (3), substituted “Program” for “National Guard Challenge Program” after “performing services for the” and for “program” after “purposes of the”.

Subsecs. (h), (i)(1). Pub. L. 108-375, §594(a)(2), substituted “Program” for “National Guard Challenge Program” wherever appearing.

Subsec. (i)(2)(A). Pub. L. 108-375, §594(a)(3), substituted “Program” for “program”.

Subsec. (i)(2)(C). Pub. L. 108-375, §594(a)(2), substituted “Program” for “National Guard Challenge Program”.

Subsec. (j). Pub. L. 108-375, §594(a)(2), (3), substituted “Program” for “National Guard Challenge Program” after “To carry out the” in first sentence and before

period at end of second sentence and substituted “Program” for “program” before “out of other resources” in first sentence.

Subsec. (k). Pub. L. 108-375, §594(a)(2), (3), substituted “Program” for “National Guard Challenge Program” after “effectiveness of the” in first sentence and after “State in which the” in second sentence and substituted “Program” for “program” before “is carried out in the District of Columbia” in second sentence.

Subsec. (l)(3). Pub. L. 108-375, §594(a)(4), added par. (3).

Subsec. (m). Pub. L. 108-375, §594(a)(2), substituted “Program” for “National Guard Challenge Program” in introductory provisions.

Subsec. (m)(1) to (7). Pub. L. 108-375, §594(a)(3), substituted “Program” for “program” wherever appearing. 2002—Subsec. (b). Pub. L. 107-314 amended Pub. L. 106-398, §577(b)(2). See 2000 Amendment note below.

2001—Subsec. (b)(2)(A). Pub. L. 107-107, §596(a)(1), substituted “in fiscal year 2001 or 2002” for “in a fiscal year”.

Subsec. (b)(4). Pub. L. 107-107, §596(a)(2), added par. (4).

2000—Subsec. (a). Pub. L. 106-398, §1 [[div. A], title V, §577(a)], struck out “, acting through the Chief of the National Guard Bureau,” after “The Secretary of Defense”.

Subsec. (b). Pub. L. 106-398, §1 [[div. A], title V, §577(b)(1), (3)], inserted “(1)” before “The Secretary of Defense” and added pars. (2) and (3).

Pub. L. 106-398, §1 [[div. A], title V, §577(b)(2)], as amended by Pub. L. 107-314, struck out “, except that Department of Defense expenditures under the program may not exceed \$62,500,000 for any fiscal year” before period at end.

Pub. L. 106-246 substituted “Department of Defense” for “Federal”.

Subsec. (m). Pub. L. 106-398, §1 [[div. A], title V, §577(c)], added subsec. (m).

1999—Subsec. (a). Pub. L. 106-65, §579(a), amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: “The Secretary of Defense, acting through the Chief of the National Guard Bureau, may conduct a National Guard civilian youth opportunities program (to be known as the ‘National Guard Challenge Program’) to use the National Guard to provide military-based training, including supervised work experience in community service and conservation projects, to civilian youth who cease to attend secondary school before graduating so as to improve the life skills and employment potential of such youth.”

Subsec. (b). Pub. L. 106-65, §579(b), substituted “\$62,500,000” for “\$50,000,000”.

## EFFECTIVE DATE OF 2009 AMENDMENT

Pub. L. 111-84, div. A, title V, §593(b), Oct. 28, 2009, 123 Stat. 2337, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on October 1, 2009, and shall apply with respect to fiscal years beginning on or after that date.”

## EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-417, [div. A], title V, §594(b), Oct. 14, 2008, 122 Stat. 4475, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on October 1, 2008, and shall apply with respect to fiscal years beginning on or after that date.”

## EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-314, div. A, title X, §1062(g), Dec. 2, 2002, 116 Stat. 2651, provided that the amendment made by section 1062(g)(1) of Pub. L. 107-314 is effective as of Oct. 30, 2000, and as if included in Pub. L. 106-398 as enacted.

**CHAPTER 7—SERVICE, SUPPLY, AND PROCUREMENT**

Sec. 701. Uniforms, arms, and equipment to be same as Army or Air Force.

- Sec. 702. Issue of supplies.
- 703. Purchases of supplies by States from Army or Air Force.
- 704. Accountability: relief from upon order to active duty.
- 705. Purchase of uniforms and equipment by officers of National Guard from Army or Air Force.
- 706. Return of arms and equipment upon relief from Federal service.
- 707. Use of public buildings for offices by instructors.
- 708. Property and fiscal officers.
- 709. Technicians: employment, use, status.
- 710. Accountability for property issued to the National Guard.
- 711. Disposition of obsolete or condemned property.
- 712. Disposition of proceeds of condemned stores issued to National Guard.
- 713. Official mail: free transmission.
- 714. Final settlement of accounts: deceased members.
- 715. Property loss; personal injury or death: activities under certain sections of this title.
- 716. Claims for overpayment of pay and allowances, and travel and transportation allowances.
- [717. Repealed.]

AMENDMENTS

2006—Pub. L. 109-163, div. A, title V, § 589(b)(2), Jan. 6, 2006, 119 Stat. 3279, struck out item 717 "Presentation of recognition items for retention purposes".

2004—Pub. L. 108-375, div. A, title V, § 520(b)(2), Oct. 28, 2004, 118 Stat. 1887, added item 717.

1985—Pub. L. 99-224, § 3(b), Dec. 28, 1985, 99 Stat. 1742, substituted "and travel" for "other than travel" in item 716.

1980—Pub. L. 96-328, § 1(b)(2), Aug. 8, 1980, 94 Stat. 1027, substituted "Accountability for property issued to the National Guard" for "Reports of survey" in item 710.

1972—Pub. L. 92-453, § 2(2), Oct. 2, 1972, 86 Stat. 759, added item 716.

1968—Pub. L. 90-486, § 2(2), Aug. 13, 1968, 82 Stat. 756, substituted "Technicians: employment, use status" for "Caretakers and clerks" in item 709.

1960—Pub. L. 86-740, § 1(2), Sept. 13, 1960, 74 Stat. 879, added item 715.

1958—Pub. L. 85-861, § 2(13), Sept. 2, 1958, 72 Stat. 1546, added item 714.

§ 701. Uniforms, arms, and equipment to be same as Army or Air Force

So far as practicable, the same types of uniforms, arms, and equipment as are issued to the Army shall be issued to the Army National Guard, and the same types of uniforms, arms, and equipment as are issued to the Air Force shall be issued to the Air National Guard.

(Aug. 10, 1956, ch. 1041, 70A Stat. 612.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
701 .....	32:31.	June 3, 1916, ch. 134, § 82; restated June 15, 1933, ch. 87, § 17, 48 Stat. 160.

The words "shall be issued" are substituted for the words "shall \* \* \* be uniformed, armed, and equipped with". The words "as are issued" are substituted for the words "as are or shall be provided". The word "Army" is substituted for the words "Regular Army", since the Army is the category to which uniforms, arms, and equipment are issued, and the Regular Army

is a personnel category only. Similarly, the words "Air Force" are used instead of the words "Regular Air Force".

§ 702. Issue of supplies

(a) Under such regulations as the President may prescribe, the Secretary of the Army and the Secretary of the Air Force may buy or manufacture and, upon requisition of the governor of any State, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands or the commanding general of the National Guard of the District of Columbia, issue to its Army National Guard and Air National Guard, respectively, the supplies necessary to uniform, arm, and equip that Army National Guard or Air National Guard for field duty.

(b) Whenever the Secretary concerned is satisfied that the Army National Guard or the Air National Guard, as the case may be, of any State or Territory, Puerto Rico, or the District of Columbia is properly organized, armed, and equipped for field duty, funds allotted to that jurisdiction for its Army National Guard or Air National Guard may be used to buy any article issued by the Army or the Air Force, as the case may be.

(c) Under such regulations as the President may prescribe, the issue of new types of equipment, small arms, or field guns to the National Guard of any State or Territory, Puerto Rico, or the District of Columbia shall be without charge against appropriations for the National Guard.

(d) No property may be issued to the National Guard of a State or Territory, Puerto Rico, or the District of Columbia, unless that jurisdiction makes provision, satisfactory to the Secretary concerned, for its protection and care.

(Aug. 10, 1956, ch. 1041, 70A Stat. 612; Pub. L. 100-456, div. A, title XII, § 1234(b)(1), (4), Sept. 29, 1988, 102 Stat. 2059; Pub. L. 109-163, div. A, title X, § 1057(b)(4), Jan. 6, 2006, 119 Stat. 3441.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
702(a) .....	32:33 (less provisos).	June 3, 1916, ch. 134, §§ 83, 84, 39 Stat. 203, 204.
702(b) .....	32:33 (last proviso).	
702(c) .....	32:35.	
702(d) .....	32:33 (1st proviso).	

In subsection (a), the word "supplies" is substituted for the detailed description of stores, material, and equipment, since under section 101(12) of this title, "supplies" includes stores, material, and equipment. The words "may buy or manufacture" are substituted for the words "is authorized to procure \* \* \* by purchase or manufacture". The words "within the limits of available appropriations made by Congress" and "from time to time" are omitted as surplusage.

In subsection (b), the words "the Secretary concerned is satisfied" are substituted for the words "it shall be shown to the satisfaction of the Secretary of the Army". The words "buy any article issued by the Army or the Air Force" are substituted for the words "purchase, from the Department of the Army, of any article issued by any of the supply departments of the Army".

In subsection (c), the words "the issue of" are substituted for the words "whenever \* \* \* shall have been issued \* \* \* shall be furnished". The words "shall be without charge" are substituted for the words "without charging the cost or value thereof or any expense connected therewith". The words "provided for the support" are omitted as surplusage.