

Force". The word "prescribe" is substituted for the words "make and publish". The specific enumeration of sections is substituted for the word "chapter", since certain sections of this title relating to reservists are not based on this source statute. The second sentence of the revised section is substituted for 50: 1002 (1st 14 words), for clarity. The words "except when the Coast Guard is operating as a service in the Navy" are inserted to make it clear that the power of the Secretary of the Treasury is so limited.

Chapter 13.—THE MILITIA

Sec.

311. Militia: composition and classes.

312. Militia duty: exemptions.

§ 311. Militia: composition and classes.

(a) The militia of the United States consists of all able-bodied males at least 17 years of age and, except as provided in section 313 of title 32, under 45 years of age who are, or who have made a declaration of intention to become, citizens of the United States.

(b) The classes of the militia are—

(1) the organized militia, which consists of the National Guard and the Naval Militia; and

(2) the unorganized militia, which consists of the members of the militia who are not members of the National Guard or the Naval Militia. (Aug. 10, 1956, ch. 1041, § 1, 70A Stat. 14.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
311 (a).....	32: 1 (less last 19 words).	June 3, 1916, ch. 134, § 57, 39 Stat. 197; June 28, 1947, ch. 162, § 7 as applicable to § 57 of the Act of June 3, 1916, ch. 134), 61 Stat. 192.
311 (b).....	32: 1 (last 19 words).	

In subsection (a), the words "who have made a declaration of intention" are substituted for the words "who have or shall have declared their intention". The words "at least 17 years of age and * * * under 45 years of age" are substituted for the words "who shall be more than seventeen years of age and * * * not more than forty-five years of age". The words "except as provided in section 313 of title 32" are substituted for the words "except as hereinafter provided", to make explicit the exception as to maximum age.

In subsection (b), the words "The organized militia, which consists of the National Guard and the Naval Militia" are substituted for the words "the National Guard, the Naval Militia", since the National Guard and the Naval Militia constitute the organized militia.

§ 312. Militia duty: exemptions.

(a) The following persons are exempt from militia duty:

(1) The Vice President.

(2) The judicial and executive officers of the United States, the several States and Territories, Puerto Rico, and the Canal Zone.

(3) Members of the armed forces, except members who are not on active duty.

(4) Customhouse clerks.

(5) Persons employed by the United States in the transmission of mail.

(6) Workmen employed in armories, arsenals, and naval shipyards of the United States.

(7) Pilots on navigable waters.

(8) Mariners in the sea service of a citizen of, or a merchant in, the United States.

(b) A person who claims exemption because of religious belief is exempt from militia duty in a combatant capacity, if the conscientious holding of that belief is established under such regulations as the President may prescribe. However, such a person is not exempt from militia duty that the President determines to be noncombatant. (Aug. 10, 1956, ch. 1041, § 1, 70A Stat. 15.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
312 (a).....	32: 3 (less last 67 words).	June 3, 1916, ch. 134, § 59, 39 Stat. 197.
312 (b).....	32: 3 (last 67 words).	

In subsection (a), the words "Members of the armed forces" are substituted for the words "persons in the military or naval service". The words "except members who are not on active duty" are inserted to reflect an opinion of the Judge Advocate General of the Army (JAGA 1952/4374, 9 July 1952). The word "artificers" is omitted as covered by the word "workmen". The words "naval shipyards" are substituted for the words "navy yards" to reflect modern terminology. The words "on navigable waters" are inserted to preserve the original coverage of the word "pilots". The words "actually" and "without regard to age" are omitted as surplusage.

Chapter 15.—INSURRECTION

Sec.

331. Federal aid for State governments.

332. Use of militia and armed forces to enforce Federal authority.

333. Interference with State and Federal law.

334. Proclamation to disperse.

§ 331. Federal aid for State governments.

Whenever there is an insurrection in any State against its government, the President may, upon the request of its legislature or of its governor if the legislature cannot be convened, call into Federal service such of the militia of the other States, in the number requested by that State, and use such of the armed forces, as he considers necessary to suppress the insurrection. (Aug. 10, 1956, ch. 1041, § 1, 70A Stat. 15.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
331.....	50: 201.	R. S. 5297.

The words "armed forces" are substituted for the words "land or naval forces of the United States". The word "governor" is substituted for the word "executive". The word "may" is substituted for the words "it shall be lawful * * * to". The words "into Federal service" are substituted for the word "forth" for uniformity and clarity.

§ 332. Use of militia and armed forces to enforce Federal authority.

Whenever the President considers that unlawful obstructions, combinations, or assemblages, or rebellion against the authority of the United States,