(b) In this section "partial mobilization" means the mobilization resulting from action by Congress or the President, under any law, to bring units of any reserve component, and members not assigned to units organized to serve as units, to active duty for a limited expansion of the active armed forces. (Aug. 10, 1956, ch. 1041, § 1, 70A Stat. 13.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
276 (a).....	50: 966.	July 9, 1952, ch. 608, §§ 101 (j),
276 (b).....	50: 901 (j).	238, 66 Stat. 482, 492.

In subsection (a), the word "for" is substituted for the words "to insure". The words "make the fullest practicable use" are substituted for the words "to utilize to the fullest extent practicable".

In subsection (b), the words "mobilization resulting from" are inserted for clarity. The words "under any" are substituted for the words "pursuant to any provision of". The word "bring" is substituted for the words "effect the entry". The words "to serve" are substituted for the words "for the purpose of serving". The words "active duty" are substituted for the words "the active military service of the United States". The words "and members thereof" and "as are required" are omitted as surplusage.

§ 277. Regular and reserve components: discrimination prohibited.

Laws applying to both Regulars and Reserves shall be administered without discrimination—

(1) among Regulars;

(2) among Reserves; and

(3) between Regulars and Reserves. (Aug. 10, 1956, ch. 1041, § 1, 70A Stat. 14.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
277.....	50: 1001.	July 9, 1952, ch. 608, § 250, 66 Stat. 495.

§ 278. Dissemination of information.

The Secretary of Defense shall require the complete and current dissemination, to all Reserves and to the public, of information of interest to the reserve components. (Aug. 10, 1956, ch. 1041, § 1, 70A Stat. 14.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
278.....	50: 1010.	July 9, 1952, ch. 608, § 259, 66 Stat. 498.

The word "current" is substituted for the word "up-to-date". The words "in general" are omitted as surplusage.

§ 280. Regulations.

Subject to standards, policies, and procedures prescribed by the Secretary of Defense, the Secretary of each military department shall prescribe such regulations as he considers necessary to carry out chapters 11, 35, 39, and 59, and sections 715, 1003, 1004, 1032, 1376, 2001, 2511, 3077, 3079, 3221, 3224, 3259, 3260, 3261, 3351, 3352, 3353, 3495, 3498, 3685, 3686, 5251, 5252, 5456, 5597, 6150, 6327, 6483, 7225, 7226, 7854, 8077, 8079, 8221, 8224, 8259, 8260, 8261, 8351, 8352, 8353, 8495, 8498, 8685, and 8686 of this title. The Secretary of the Treasury, with the concurrence of the Secretary of the Navy, shall prescribe such regulations as he considers necessary to carry out chapters 11, 35, 39, and 59, and sections 513, 715, 742, 1003, 1104, 1032, 1376, 2001, and 2511 of this title, so far as they relate to the Coast Guard, except when the Coast Guard is operating as a service in the Navy. So far as practicable, regulations for all reserve components shall be uniform. (Aug. 10, 1956, ch. 1041, § 1, 70A Stat. 14.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
280.....	50: 1002 (less applicability to 50: 974).	July 9, 1952, ch. 608, § 251 (less applicability to § 243), 66 Stat. 495.

The words "the Secretary of each military department" are substituted for the words "the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air 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
311 (b).....	32: 1 (last 19 words).	Stat. 197; June 28, 1947, ch. 162, § 7 as applicable to § 57 of the Act of June 3, 1916, ch. 134), 61 Stat. 192.

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, make it impracticable to enforce the laws of the United States in any State or Territory by the ordinary course of judicial proceedings, he may call into Federal service such of the militia of any State, and use such of the armed forces, as he considers necessary to enforce those laws or to suppress the rebellion. (Aug. 10, 1956, ch. 1041, § 1, 70A Stat. 15.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U. S. Code)	Source (Statutes at Large)
332.....	50: 202.	R. S. 5298.

50: 202 (last 22 words) is omitted as surplusage. The words "armed forces" are substituted for the words "land and naval forces of the United States". The words "call into Federal service such of the militia" are substituted for the words "call forth the militia of any or all the States" for clarity and uniformity. The word "may" is substituted for the words "it shall be lawful". The words "faithful execution of the" and "in whatever State or Territory thereof the laws of the United States may be forcibly opposed" are omitted as surplusage.

EX. ORD. NO. 10730. ASSISTANCE FOR REMOVAL OF AN OBSTRUCTION OF JUSTICE WITHIN THE STATE OF ARKANSAS

Ex. Ord. No. 10730, Sept. 24, 1957, 22 F. R. 7628, provided:

WHEREAS on September 23, 1957, I issued Proclamation No. 3204 [set out as a note under section 334 of this title] reading in part as follows:

* * * * *

WHEREAS the command contained in that Proclamation has not been obeyed and wilful obstruction of enforcement of said court orders still exists and threatens to continue:

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and Statutes of the United States, including Chapter 15 of Title 10, particularly sections 332, 333 and 334 thereof, and section 301 of Title 3 of the United States Code, it is hereby ordered as follows:

SECTION 1. I hereby authorize and direct the Secretary of Defense to order into the active military service of the United States as he may deem appropriate to carry out the purposes of this Order, any or all of the units of the National Guard of the United States and of the Air National Guard of the United States within the State of Arkansas to serve in the active military service of the United States for an indefinite period and until relieved by appropriate orders.