

nance allotments and the pay and allowances allotments for the National Guard of the State for that fiscal year.

“(c) SUPPLIES AND EQUIPMENT.—(1) Funds made available from Department of Defense operation and maintenance accounts to carry out the pilot program may be used for the purchase of supplies and equipment necessary for the provision of health care under the pilot program.

“(2) In addition to supplies and equipment provided through the use of funds under paragraph (1), supplies and equipment described in such paragraph that are furnished by a State, a Federal agency, a private agency, or an individual may be used to carry out the pilot program.

“(d) MAINTENANCE OF EFFORT.—The Chief of the National Guard Bureau shall ensure that each agreement under subsection (a) provides that the provision of services under the pilot program will supplement and increase the level of services that would be provided with non-Federal funds in the absence of such services, and will in no event supplant services provided with non-Federal funds.

“(e) COORDINATION AMONG PROGRAMS.—In carrying out the pilot program under subsection (a), the Chief of the National Guard Bureau shall consult with the Secretary of Health and Human Services for the purpose of ensuring that the provision of services under the pilot program are not redundant with the services of programs of such Secretary.

“(f) SERVICE OF PARTICIPANTS.—Service in the pilot program by a member of the National Guard shall be considered training in the member's Federal status as a member of the National Guard of a State under section 270 [see 10147] of title 10, United States Code, and section 502 of title 32, United States Code.

“(g) REPORT.—The Secretary of Defense shall, not later than January 1, 1995, submit to the Congress a report on the effectiveness of the pilot program and any recommendations with respect to the pilot program.

“(h) DEFINITIONS.—In this section:

“(1) The term ‘health care’ includes the following services:

“(A) Medical care services.

“(B) Dental care services.

“(C) Transportation, by air ambulance or other means, for medical reasons.

“(2) The term ‘Governor’, with respect to the District of Columbia, means the commanding general of the District of Columbia National Guard.

“(3) The term ‘State’ includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.”

#### NATIONAL GUARD CIVILIAN YOUTH OPPORTUNITIES PILOT PROGRAM

Pub. L. 104-106, div. A, title V, §573, Feb. 10, 1996, 110 Stat. 355, continued the authority to carry out the pilot program under section 1091 of Pub. L. 102-484 for 18 months beyond Feb. 10, 1996, and limited the number of programs authorized to be carried out.

Pub. L. 102-484, div. A, title X, §1091, Oct. 23, 1992, 106 Stat. 2519, as amended by Pub. L. 103-82, title I, §104(e)(1)(A), (C), Sept. 21, 1993, 107 Stat. 846; Pub. L. 103-160, div. A, title XI, §1174, Nov. 30, 1993, 107 Stat. 1767; Pub. L. 103-382, title III, §391(o), Oct. 20, 1994, 108 Stat. 4024; Pub. L. 105-85, div. A, title X, §1073(d)(2)(B), Nov. 18, 1997, 111 Stat. 1905, authorized a pilot program known as the National Guard Civilian Youth Opportunities Program during fiscal years 1993 through 1995 to provide help to selected secondary school dropouts through military-based training. See section 509 of this title.

### § 502. Required drills and field exercises

(a) Under regulations to be prescribed by the Secretary of the Army or the Secretary of the Air Force, as the case may be, each company, battery, squadron, and detachment of the Na-

tional Guard, unless excused by the Secretary concerned, shall—

(1) assemble for drill and instruction, including indoor target practice, at least 48 times each year; and

(2) participate in training at encampments, maneuvers, outdoor target practice, or other exercises, at least 15 days each year.

However, no member of such unit who has served on active duty for one year or longer shall be required to participate in such training if the first day of such training period falls during the last one hundred and twenty days of his required membership in the National Guard.

(b) An assembly for drill and instruction may consist of a single ordered formation of a company, battery, squadron, or detachment, or, when authorized by the Secretary concerned, a series of ordered formations of parts of those organizations. However, to have a series of formations credited as an assembly for drill and instruction, all parts of the unit must be included in the series within 90 consecutive days.

(c) The total attendance at the series of formations constituting an assembly shall be counted as the attendance at that assembly for the required period. No member may be counted more than once or receive credit for more than one required period of attendance, regardless of the number of formations that he attends during the series constituting the assembly for the required period.

(d) No organization may receive credit for an assembly for drill or indoor target practice unless—

(1) the number of members present equals or exceeds the minimum number prescribed by the President;

(2) the period of military duty or instruction for which a member is credited is at least one and one-half hours; and

(3) the training is of the type prescribed by the Secretary concerned.

(e) An appropriately rated member of the National Guard who performs an aerial flight under competent orders may receive credit for attending drill for the purposes of this section, if the flight prevented him from attending a regularly scheduled drill.

(f)(1) Under regulations to be prescribed by the Secretary of the Army or Secretary of the Air Force, as the case may be, a member of the National Guard may—

(A) without his consent, but with the pay and allowances provided by law; or

(B) with his consent, either with or without pay and allowances;

be ordered to perform training or other duty in addition to that prescribed under subsection (a).

(2) The training or duty ordered to be performed under paragraph (1) may include the following:

(A) Support of operations or missions undertaken by the member's unit at the request of the President or Secretary of Defense.

(B) Support of training operations and training missions assigned in whole or in part to the National Guard by the Secretary concerned, but only to the extent that such training missions and training operations—

(i) are performed in the United States or the Commonwealth of Puerto Rico or possessions of the United States; and

(ii) are only to instruct active duty military, foreign military (under the same authorities and restrictions applicable to active duty troops), Department of Defense contractor personnel, or Department of Defense civilian employees.

(3) Duty without pay shall be considered for all purposes as if it were duty with pay.

(Aug. 10, 1956, ch. 1041, 70A Stat. 610; Pub. L. 88-621, §1(1), Oct. 3, 1964, 78 Stat. 999; Pub. L. 90-168, §4, Dec. 1, 1967, 81 Stat. 526; Pub. L. 92-156, title III, §303(b), Nov. 17, 1971, 85 Stat. 425; Pub. L. 103-160, div. A, title V, §524(b), Nov. 30, 1993, 107 Stat. 1657; Pub. L. 109-364, div. A, title V, §525(c), Oct. 17, 2006, 120 Stat. 2195.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
502(a) .....	32:62 (1st sentence, less proviso).	June 3, 1916, ch. 134, §92; restated June 3, 1924, ch. 244, §2; restated Oct. 14, 1940, ch. 875, §2, 54 Stat. 1135; Mar. 25, 1948, ch. 157, §5(a), 62 Stat. 90.
502(b) .....	32:62 (proviso of 1st sentence).	
502(c) .....	32:62 (last sentence, less 1st, 2d, and 3d provisos).	
502(d) .....	32:62 (1st proviso of last sentence).	
502(e) .....	32:62 (2d and 3d provisos of last sentence).	

In subsection (a), the words “including target practice” and “such company, troop, battery, or detachment shall have been \* \* \* from participation in any part thereof” are omitted as surplusage.

In subsections (a) and (b), the word “troop” is omitted as obsolete.

In subsection (b), the words “parts of those organizations” are substituted for the words “subdivisions or parts thereof”. The words “but in the latter case”, “of subdivisions or groups”, “comprehend”, and “the time limit of” are omitted as surplusage.

In subsection (c), the word “member” is substituted for the words “officer, warrant officer, or enlisted man”. The words “series of formations” are substituted for the words “separate consecutive formations announced”. The words “regardless of the number of formations that he attends during the series” are substituted for the words “even though he may have attended more than one of the formations”. The words “sum”, “actual military”, and “of time” are omitted as surplusage. 32:62 (4th proviso of last sentence) is omitted as superseded by section 683 of title 10. 32:62 (last proviso of last sentence) is omitted as superseded by section 501(b) of the Career Compensation Act of 1949, 63 Stat. 826 (37 U.S.C. 301(b)).

In subsection (d), the word “members” is substituted for the words “officers and enlisted men”. The words “for which a member is credited” are substituted for the words “participated in by each officer and enlisted man at each assembly at which he shall be credited as having been present”. The words “for duty at such assembly”, “actual”, and “character of” are omitted as surplusage.

In subsection (e), the word “member” is substituted for the words “officer or enlisted man”. The words “Air Corps \* \* \* assigned to an Air Corps unit thereof, or \* \* \* an officer or enlisted man of the Medical Department of the said National Guard regularly attached to an Air Corps unit of the National Guard by appropriate authority” are omitted, since the revised subsection applies only to members who perform flights under competent orders and who are thereby prevented from attending a regular drill.

AMENDMENTS

2006—Subsec. (f). Pub. L. 109-364 designated existing provisions as par. (1), redesignated former pars. (1) and (2) as subpars. (A) and (B), respectively, of par. (1), struck out “Duty without pay shall be considered for all purposes as if it were duty with pay.” at end, and added pars. (2) and (3).

1993—Subsec. (b). Pub. L. 103-160 substituted “90 consecutive days” for “30 consecutive days” in second sentence.

1971—Subsec. (a). Pub. L. 92-156 inserted exception to training requirements where member served on active duty for one year or more if the training period falls during last one hundred and twenty days of required membership in National Guard.

1967—Subsec. (b). Pub. L. 90-168 substituted 30 consecutive days for seven consecutive days of the same calendar month as the time within which all parts of the unit must be included in a series of formations in order to be credited as an assembly for drill and instruction.

1964—Subsec. (f). Pub. L. 88-621 added subsec. (f).

EFFECTIVE DATE OF 1967 AMENDMENT

Amendment by Pub. L. 90-168 effective first day of first calendar month following date of enactment of Pub. L. 90-168, which was approved Dec. 1, 1967, see section 7 of Pub. L. 90-168, set out as a note under section 138 of Title 10, Armed Forces.

§ 503. Participation in field exercises

(a)(1) Under such regulations as the President may prescribe, the Secretary of the Army and the Secretary of the Air Force, as the case may be, may provide for the participation of the National Guard in encampments, maneuvers, outdoor target practice, or other exercises for field or coast-defense instruction, independently of or in conjunction with the Army or the Air Force, or both.

(2) Paragraph (1) includes authority to provide for participation of the National Guard in conjunction with the Army or the Air Force, or both, in joint exercises for instruction to prepare the National Guard for response to civil emergencies and disasters.

(b) Amounts necessary for the pay, subsistence, transportation, and other proper expenses of any part of the National Guard of a State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, or the Virgin Islands participating in an exercise under subsection (a) may be set aside from funds allocated to it from appropriations for field or coast-defense instruction.

(c) Members of the National Guard participating in an exercise under subsection (a) may, after being mustered, be paid for the period beginning with the date of leaving home and ending with the date of return, as determined in advance. If otherwise correct, such a payment passes to the credit of the disbursing officer.

(Aug. 10, 1956, ch. 1041, 70A Stat. 610; Pub. L. 100-456, div. A, title XII, §1234(b)(1), Sept. 29, 1988, 102 Stat. 2059; Pub. L. 104-106, div. A, title V, §517, Feb. 10, 1996, 110 Stat. 309; Pub. L. 109-163, div. A, title X, §1057(b)(3), Jan. 6, 2006, 119 Stat. 3441.)