

Dec. 31, 2011, 125 Stat. 1393; Pub. L. 113-291, div. A, title V, § 512(a)-(c), Dec. 19, 2014, 128 Stat. 3358; Pub. L. 114-328, div. A, title V, § 502(ss), Dec. 23, 2016, 130 Stat. 2107.)

### Editorial Notes

#### AMENDMENTS

2016—Subsec. (a)(1)(A), (B). Pub. L. 114-328, § 502(ss)(2), which directed amendment of subpars. (A) and (B) by striking “, and shall hold the grade of lieutenant general while so serving,” was executed by striking “, shall hold the grade of lieutenant general while so serving,” after “in accordance with paragraph (3)” to reflect the probable intent of Congress.

Pub. L. 114-328, § 502(ss)(1), which directed amendment of subpars. (A) and (B) by striking “general”, was executed by striking “general” before “officers selected” to reflect the probable intent of Congress.

2014—Subsec. (a)(1)(A). Pub. L. 113-291, § 512(a)(1), inserted “(after consultation with the Chief of the National Guard Bureau)” after “selected by the Secretary of the Army”.

Subsec. (a)(1)(B). Pub. L. 113-291, § 512(a)(2), inserted “(after consultation with the Chief of the National Guard Bureau)” after “selected by the Secretary of the Air Force”.

Subsec. (a)(2). Pub. L. 113-291, § 512(b), substituted “The Director and Deputy Director, Army National Guard, and the Director and Deputy Director, Air National Guard,” for “The officers so selected”.

Subsec. (a)(3)(D), (E). Pub. L. 113-291, § 512(c), redesignated subpar. (E) as (D) and struck out former subpar. (D). Prior to amendment, subpar. (D) related to waiver of subsec. (a)(3)(B)(ii) with respect to the appointment of an officer as Director, Army National Guard, or as Director, Air National Guard.

2011—Subsec. (a)(1). Pub. L. 112-81 substituted “Chief and Vice Chief” for “Chief of the National Guard Bureau and the Director of the Joint Staff”.

2004—Subsec. (a)(1). Pub. L. 108-375, § 508(b)(4), substituted “Chief of the National Guard Bureau and the Director of the Joint Staff of the National Guard Bureau” for “Chief and Vice Chief of the National Guard Bureau” in introductory provisions.

Subsec. (a)(3)(D). Pub. L. 108-375, § 536(a), substituted “December 31, 2006” for “December 31, 2004”.

2002—Subsec. (a)(3)(D). Pub. L. 107-314 substituted “December 31, 2004” for “October 1, 2003”.

2000—Subsec. (a)(1). Pub. L. 106-398, § 1 [[div. A], title V, § 507(e)(1)], substituted “shall be appointed in accordance with paragraph (3), shall hold the grade of lieutenant general while so serving, and shall” for “while so serving shall hold the grade of major general or, if appointed to that position in accordance with section 12505(a)(2) of this title, the grade of lieutenant general, and” in subpars. (A) and (B).

Subsec. (a)(3). Pub. L. 106-398, § 1 [[div. A], title V, § 507(e)(2)], added par. (3).

1999—Subsec. (a)(1)(A), (B). Pub. L. 106-65 inserted “or, if appointed to that position in accordance with section 12505(a)(2) of this title, the grade of lieutenant general,” after “major general”.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113-291, div. A, title V, § 512(d), Dec. 19, 2014, 128 Stat. 3358, provided that: “The amendments made by subsection (a) [amending this section] shall apply with respect to assignments to the National Guard Bureau under section 10506 of title 10, United States Code, that occur after the date of the enactment of this Act [Dec. 19, 2014].”

#### EFFECTIVE DATE OF 1999 AMENDMENT; APPLICABILITY TO INCUMBENTS

Amendment by Pub. L. 106-65 effective 60 days after Oct. 5, 1999, with special provision for an officer who is

a covered position incumbent who is appointed under that amendment to the grade of lieutenant general or vice admiral, see section 554(g), (h) of Pub. L. 106-65, set out as a note under section 3038 of this title.

#### EFFECTIVE DATE

Section effective at end of 90-day period beginning on Oct. 5, 1994, see section 904(d) of Pub. L. 103-337, set out as a note under section 10501 of this title.

### § 10507. National Guard Bureau: assignment of officers of regular or reserve components

Except as provided in section 12402(b) of this title, the President may assign to duty in the National Guard Bureau as many regular or reserve officers of the Army or Air Force as he considers necessary.

(Added Pub. L. 103-337, div. A, title XVI, § 1661(c)(1)(A), Oct. 5, 1994, 108 Stat. 2982; amended Pub. L. 104-106, div. A, title XV, § 1501(b)(6), Feb. 10, 1996, 110 Stat. 496.)

### Editorial Notes

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in sections 3541 and 8541 of this title, prior to repeal by Pub. L. 103-337, § 1661(c)(2).

#### AMENDMENTS

1996—Pub. L. 104-106 substituted “12402(b)” for “124402(b)” and “Air Force” for “Air Forces”.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-106 effective as if included in the Reserve Officer Personnel Management Act, title XVI of Pub. L. 103-337, as enacted on Oct. 5, 1994, see section 1501(f)(3) of Pub. L. 104-106, set out as a note under section 113 of this title.

#### EFFECTIVE DATE

Section effective Dec. 1, 1994, except as otherwise provided, see section 1691 of Pub. L. 103-337, set out as a note under section 10001 of this title.

### § 10508. National Guard Bureau: general provisions

(a) MANPOWER REQUIREMENTS OF NATIONAL GUARD BUREAU.—The manpower requirements of the National Guard Bureau as a joint activity of the Department of Defense shall be determined in accordance with regulations prescribed by the Secretary of Defense, in consultation with the Chairman of the Joint Chiefs of Staff.

(b) PERSONNEL FOR FUNCTIONS OF NATIONAL GUARD BUREAU.—

(1) IN GENERAL.—The Chief of the National Guard Bureau may program for, appoint, employ, administer, detail, and assign persons under sections 2102, 2103, 2105, and 3101 of title 5, subchapter IV of chapter 53 of title 5, or section 328 of title 32, within the National Guard Bureau and the National Guard of each State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the Virgin Islands to execute the functions of the National Guard Bureau and the missions of the National Guard, and missions as assigned by the Chief of the National Guard Bureau.

(2) ADMINISTRATION THROUGH ADJUTANTS GENERAL.—The Chief of the National Guard Bu-