

50 U.S.C. 941, 952, 956 provides the authority to enlist persons in the reserve components. As worded, this section removes the conflicting statement of appointing authority, and allows appointments and enlistments to be controlled by these other provisions. The words “rank” and “or rating” are omitted as covered by the word “grade”.

AMENDMENTS

2006—Pub. L. 109-163 substituted “Navy Reserve” for “Naval Reserve”.

**§ 7853. Release from Militia duty upon order to active duty in reserve components**

When ordered to active duty, a member of the Navy Reserve or the Marine Corps Reserve who is a member of the Naval Militia is relieved from all service and duty in the Naval Militia from the date of active duty specified in his orders until he is released from active duty.

(Aug. 10, 1956, ch. 1041, 70A Stat. 486; Pub. L. 109-163, div. A, title V, § 515(b)(1)(X), Jan. 6, 2006, 119 Stat. 3233.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7853 .....	50 U.S.C. 1073.	July 9, 1952, ch. 608, § 503, 66 Stat. 500.

The words “in the service of the United States” are omitted as covered by the definition of “active duty” in § 101 of this title. The words “is relieved” are substituted for the words “shall stand relieved”.

AMENDMENTS

2006—Pub. L. 109-163 substituted “Navy Reserve” for “Naval Reserve”.

**§ 7854. Availability of material for Naval Militia**

Under regulations prescribed by the Secretary of the Navy, vessels, material, armament, equipment, and other facilities of the Navy and the Marine Corps available to the Navy Reserve and the Marine Corps Reserve may also be made available for issue or loan to any State, the District of Columbia, Guam, or the Virgin Islands for the use of its Naval Militia if—

- (1) at least 95 percent of the members of the portion or unit of the Naval Militia to which the facilities would be made available are members of the Navy Reserve or the Marine Corps Reserve; and
- (2) the organization, administration, and training of the Naval Militia conform to standards prescribed by the Secretary.

(Aug. 10, 1956, ch. 1041, 70A Stat. 486; Pub. L. 109-163, div. A, title V, § 515(b)(1)(Y), title X, § 1057(a)(12), Jan. 6, 2006, 119 Stat. 3233, 3441.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7854 .....	50 U.S.C. 1074.	July 9, 1952, ch. 608, § 504, 66 Stat. 500.

The words “are or may be made”, before the word “available”, are omitted as surplusage. In clause (1) the word “members” is substituted for the word “personnel”.

AMENDMENTS

2006—Pub. L. 109-163 substituted “Navy Reserve” for “Naval Reserve” and “any State, the District of Co-

lumbia, Guam, or the Virgin Islands” for “any State, any Territory, or the District of Columbia” in introductory provisions and substituted “Navy Reserve” for “Naval Reserve” in par. (1).

**CHAPTER 661—ACCOUNTABILITY AND RESPONSIBILITY**

Sec.

- 7861. Custody of departmental records and property.
- 7862. Accounts of paymasters of lost or captured naval vessels.
- 7863. Disposal of public stores by order of commanding officer.

AMENDMENTS

1996—Pub. L. 104-106, div. A, title IX, § 913(c)(3)(B)(ii), Feb. 10, 1996, 110 Stat. 411, substituted “Disposal of public stores” for “Disbursements” in item 7863.

1986—Pub. L. 99-433, title V, § 514(b)(2), Oct. 1, 1986, 100 Stat. 1054, renumbered items 7861 and 7862 as 7862 and 7863, respectively, and inserted item 7861.

1982—Pub. L. 97-295, § 1(51)(D), Oct. 12, 1982, 96 Stat. 1300, substituted “naval” for “public” in item 7861.

**§ 7861. Custody of departmental records and property**

The Secretary of the Navy has custody and charge of all books, records, papers, furniture, fixtures, and other property under the lawful control of the executive part of the Department of the Navy.

(Added Pub. L. 99-433, title V, § 514(b)(2), Oct. 1, 1986, 100 Stat. 1055.)

PRIOR PROVISIONS

A prior section 7861 was renumbered section 7862 of this title.

**§ 7862. Accounts of paymasters of lost or captured naval vessels**

When settling the account of a paymaster of a lost or captured naval vessel, the Comptroller General in settling money accounts, and the Secretary of the Navy in settling property accounts, shall credit the account of the paymaster for the amount of provisions, clothing, small stores, and money for which the paymaster is charged that the Comptroller General or Secretary believes was lost inevitably because of the loss or capture. The paymaster is then free of liability for the provisions, clothing, small stores, and money.

(Added Pub. L. 97-258, § 2(b)(12)(B), Sept. 13, 1982, 96 Stat. 1057, § 7861; amended Pub. L. 97-295, § 1(51)(C), Oct. 12, 1982, 96 Stat. 1300; renumbered § 7862, Pub. L. 99-433, title V, § 514(b)(1), Oct. 1, 1986, 100 Stat. 1054.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7861 .....	31:44 (1st sentence).  31:104.	June 10, 1921, ch. 18, § 304 (1st par. 1st sentence), 42 Stat. 24. R.S. § 284; Feb. 18, 1875, ch. 80, § 1 (4th complete par. on p. 317), 18 Stat. 317.

The word “naval” is substituted for “belonging to the Navy of the United States” to eliminate unnecessary words. The words “Secretary of the Navy” are substituted for “Paymaster General of the Navy” because