

returned to their National Guard status under section 325(b)<sup>1</sup> of this title, arms and equipment that the Secretary concerned determines are sufficient to accomplish their peacetime mission shall be returned with them.

(Aug. 10, 1956, ch. 1041, 70A Stat. 613.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
706 .....	50:1122(b) (last 17 words.)	July 9, 1952, ch. 608, § 712(b) (last 17 words), 66 Stat. 504.

The words “So far as practicable” are inserted, since sufficient arms and equipment might not be available.

REFERENCES IN TEXT

Section 325(b) of this title, referred to in text, was redesignated section 325(c) of this title by Pub. L. 110-417, [div. A], title V, § 517(b)(1), Oct. 14, 2008, 122 Stat. 4442.

**§ 707. Use of public buildings for offices by instructors**

Whenever practicable, instructors of the National Guard shall use State armories or other public buildings for offices.

(Aug. 10, 1956, ch. 1041, 70A Stat. 614.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
707 .....	32:74.	May 12, 1917, ch. 12 (10th proviso under “National Guard”), 40 Stat. 68.

The word “instructors” is substituted for the words “inspector-instructors”, since there are no longer any “inspector-instructors”.

**§ 708. Property and fiscal officers**

(a) The Governor of each State, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands, and the commanding general of the National Guard of the District of Columbia, shall appoint, designate or detail, subject to the approval of the Secretary of the Army and the Secretary of the Air Force, a qualified commissioned officer of the National Guard of that jurisdiction who is also a commissioned officer of the Army National Guard of the United States or the Air National Guard of the United States, as the case may be, to be the property and fiscal officer of that jurisdiction. If the officer is not on active duty, the President may order him to active duty, with his consent, to serve as a property and fiscal officer.

(b) Each property and fiscal officer shall—

(1) receipt and account for all funds and property of the United States in the possession of the National Guard for which he is property and fiscal officer; and

(2) make returns and reports concerning those funds and that property, as required by the Secretary concerned.

(c) When he ceases to hold that assignment, a property and fiscal officer resumes his status as an officer of the National Guard.

<sup>1</sup> See References in Text note below.

(d) The Secretaries shall prescribe a maximum grade, commensurate with the functions and responsibilities of the office, but not above colonel, for the property and fiscal officer of the United States for the National Guard of each State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.

(e) The Secretary of the Army and the Secretary of the Air Force shall prescribe joint regulations necessary to carry out subsections (a)–(d).

(f) A property and fiscal officer may intrust money to an officer of the National Guard to make disbursements as his agent. Both the officer to whom money is intrusted, and the property and disbursing officer intrusting the money to him, are pecuniarily responsible for that money to the United States. The agent officer is subject, for misconduct as an agent, to the liabilities and penalties prescribed by law in like cases for the property and fiscal officer for whom he is acting.

(Aug. 10, 1956, ch. 1041, 70A Stat. 614; Pub. L. 92-310, title II, § 207, June 6, 1972, 86 Stat. 203; Pub. L. 95-79, title VIII, § 804(b), July 30, 1977, 91 Stat. 333; Pub. L. 96-513, title V, § 515(4), Dec. 12, 1980, 94 Stat. 2937; Pub. L. 100-456, div. A, title XII, § 1234(b)(1), Sept. 29, 1988, 102 Stat. 2059; Pub. L. 101-189, div. A, title VI, § 653(g), Nov. 29, 1989, 103 Stat. 1463; Pub. L. 109-163, div. A, title X, § 1057(b)(2), (4), Jan. 6, 2006, 119 Stat. 3441.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
708(a) .....	32:49 (last sentence; and 2d sentence, less last 24 words).	June 3, 1916, ch. 134, § 67 (last par.), 39 Stat. 200; July 9, 1918, ch. 143, subch. III (last par.); restated July 6, 1954, ch. 462, 58 Stat. 451.
708(b) .....	32:49 (3d and 4th sentences).	June 3, 1924, ch. 244, § 5, 43 Stat. 365; July 6, 1954, ch. 462, 68 Stat. 451.
708(c) .....	32:49 (last 24 words of 2d sentence).	
708(d) .....	32:49 (5th and 6th sentences).	
708(e) .....	32:49 (last sentence, less 1st 18 words).	
708(f) .....	32:49 (1st 18 words of last sentence).	
708(g) .....	32:50.	

In subsection (b)(1), the words “the duties of that assignment” are substituted for the words “his duties as property and fiscal officer”. The words “be required to” are omitted as surplusage.

In subsection (b)(2), the words “of the National Guard for which he is property and fiscal officer” are substituted for the words “of the National Guard or Air National Guard of the State, Territory, or District of Columbia”.

In subsection (c), 32:49 (5th sentence) is omitted, since the officer concerned would be entitled, under section 201 of the Career Compensation Act of 1949 (37 U.S.C. 232), to the pay and allowances of the grade in which he is serving.

In subsection (e), the words “The Secretaries shall prescribe” are substituted for the words “which rules and regulations shall establish”. The word “duties” is omitted as surplusage.

In subsection (f), the words “rules and” and “the provisions of” are omitted as surplusage.

In subsection (g), the words “Under such regulations as may be prescribed by the Secretary of the Army” are omitted, since the Secretary has inherent authority to issue regulations appropriate to exercising his statutory functions. The words “an officer” are substituted for the words “other officers”, since, under revised subsection (a), the property and fiscal officer is not re-