

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115-232, set out as a note preceding section 3001 of this title.

**CHAPTER 887—NAVAL MILITIA**

- Sec. 8901. Composition.
- 8902. Appointment and enlistment in reserve components.
- 8903. Release from Militia duty upon order to active duty in reserve components.
- 8904. Availability of material for Naval Militia.

AMENDMENTS

2018—Pub. L. 115-232, div. A, title VIII, §807(e)(4), (f)(1), Aug. 13, 2018, 132 Stat. 1838, redesignated chapter 659 of this title as this chapter and items 7851 to 7854 as 8901 to 8904, respectively.

**§ 8901. Composition**

The Naval Militia consists of the Naval Militia of the States, the District of Columbia, Guam, and the Virgin Islands.

(Aug. 10, 1956, ch. 1041, 70A Stat. 486, §7851; Pub. L. 109-163, div. A, title X, §1057(a)(11), Jan. 6, 2006, 119 Stat. 3441; renumbered §8901, Pub. L. 115-232, div. A, title VIII, §807(d)(11), Aug. 13, 2018, 132 Stat. 1837.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7851 .....	50 U.S.C. 1071.	July 9, 1952, ch. 608, §501, 66 Stat. 500.

AMENDMENTS

2018—Pub. L. 115-232 renumbered section 7851 of this title as this section.

2006—Pub. L. 109-163 substituted “States, the District of Columbia, Guam, and the Virgin Islands” for “States, the Territories, and the District of Columbia”.

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**§ 8902. Appointment and enlistment in reserve components**

In the discretion of the Secretary of the Navy, any member of the Naval Militia may be appointed or enlisted in the Navy Reserve or the Marine Corps Reserve in the grade for which he is qualified.

(Aug. 10, 1956, ch. 1041, 70A Stat. 486, §7852; Pub. L. 109-163, div. A, title V, §515(b)(1)(W), Jan. 6, 2006, 119 Stat. 3233; renumbered §8902, Pub. L. 115-232, div. A, title VIII, §807(d)(11), Aug. 13, 2018, 132 Stat. 1837.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
7852 .....	50 U.S.C. 1072.	July 9, 1952, ch. 608, §502, 66 Stat. 500.

This section is written to indicate that the Secretary of the Navy has discretion in authorizing the appoint-

ment or enlistment in the Naval Reserve of members of the Naval Militia but does not make such appointments or enlistments. Section 593 of this title, based on 50 U.S.C. 942, 943, provides the manner in which all reserve appointments are made, and §510 of this title, based on 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

2018—Pub. L. 115-232 renumbered section 7852 of this title as this section.

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

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**§ 8903. 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, §7853; Pub. L. 109-163, div. A, title V, §515(b)(1)(X), Jan. 6, 2006, 119 Stat. 3233; renumbered §8903, Pub. L. 115-232, div. A, title VIII, §807(d)(11), Aug. 13, 2018, 132 Stat. 1837.)

HISTORICAL AND REVISION NOTES

<i>Revised section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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

2018—Pub. L. 115-232 renumbered section 7853 of this title as this section.

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

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**§ 8904. 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