

available for active duty in the armed forces, in time of war or national emergency, and at such other times as the national security may require, to fill the needs of the armed forces whenever more units and persons are needed than are in the regular components.

(Added Pub. L. 103-337, div. A, title XVI, §1661(a)(1), Oct. 5, 1994, 108 Stat. 2970; amended Pub. L. 108-375, div. A, title V, §511, Oct. 28, 2004, 118 Stat. 1877.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 262 of this title, prior to repeal by Pub. L. 103-337, §1661(a)(2)(A).

#### AMENDMENTS

2004—Pub. L. 108-375 struck out “, during and after the period needed to procure and train additional units and qualified persons to achieve the planned mobilization,” after “whenever”.

#### 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.

### § 10102a. Deployment prioritization and readiness of Army components

(a) DEPLOYMENT PRIORITIZATION.—The Secretary of the Army shall maintain a system for identifying the priority of deployment for units of all components of the Army.

(b) DEPLOYABILITY READINESS RATING.—The Secretary of the Army shall maintain a readiness rating system for units of all components of the Army that provides an accurate assessment of the deployability of a unit and those shortfalls of a unit that require the provision of additional resources. The system shall ensure—

(1) that the personnel readiness rating of a unit reflects—

(A) both the percentage of the overall personnel requirement of the unit that is manned and deployable and the fill and deployability rate for critical occupational specialties necessary for the unit to carry out its basic mission requirements; and

(B) the number of personnel in the unit who are qualified in their primary military occupational specialty; and

(2) that the equipment readiness assessment of a unit—

(A) documents all equipment required for deployment;

(B) reflects only that equipment that is directly possessed by the unit;

(C) specifies the effect of substitute items; and

(D) assesses the effect of missing components and sets on the readiness of major equipment items.

(Added Pub. L. 114-328, div. A, title III, §321(a)(1), Dec. 23, 2016, 130 Stat. 2074.)

### § 10103. Basic policy for order into Federal service

Whenever Congress determines that more units and organizations are needed for the national security than are in the regular compo-

nents of the ground and air forces, the Army National Guard of the United States and the Air National Guard of the United States, or such parts of them as are needed, together with units of other reserve components necessary for a balanced force, shall be ordered to active duty and retained as long as so needed.

(Added Pub. L. 103-337, div. A, title XVI, §1661(a)(1), Oct. 5, 1994, 108 Stat. 2970; amended Pub. L. 104-106, div. A, title XV, §1501(b)(2)(A), Feb. 10, 1996, 110 Stat. 495.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 263 of this title, prior to repeal by Pub. L. 103-337, §1661(a)(2)(A).

#### AMENDMENTS

1996—Pub. L. 104-106 substituted “into Federal service” for “of the National Guard and reserve components to active duty” in section catchline.

#### 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.

#### ORDERING READY RESERVE TO ACTIVE DUTY DURING NATIONAL EMERGENCIES

For additional provisions authorizing ordering of Ready Reserve to active duty during national emergencies, see section 12303 of this title and notes thereunder.

### § 10104. Army Reserve: composition

The Army Reserve includes all Reserves of the Army who are not members of the Army National Guard of the United States.

(Added Pub. L. 103-337, div. A, title XVI, §1661(a)(1), Oct. 5, 1994, 108 Stat. 2970.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 3076 of this title, prior to repeal by Pub. L. 103-337, §1661(a)(3)(A).

#### 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.

### § 10105. Army National Guard of the United States: composition

The Army National Guard of the United States is the reserve component of the Army that consists of—

(1) federally recognized units and organizations of the Army National Guard; and

(2) members of the Army National Guard who are also Reserves of the Army.

(Added Pub. L. 103-337, div. A, title XVI, §1661(a)(1), Oct. 5, 1994, 108 Stat. 2970.)

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 3077 of this title, prior to repeal by Pub. L. 103-337, §1661(a)(3)(A).