

troops other than those of its National Guard and defense forces authorized by subsection (c).

(b) Nothing in this title limits the right of a State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, or the Virgin Islands to use its National Guard or its defense forces authorized by subsection (c) within its borders in time of peace, or prevents it from organizing and maintaining police or constabulary.

(c) In addition to its National Guard, if any, a State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, or the Virgin Islands may, as provided by its laws, organize and maintain defense forces. A defense force established under this section may be used within the jurisdiction concerned, as its chief executive (or commanding general in the case of the District of Columbia) considers necessary, but it may not be called, ordered, or drafted into the armed forces.

(d) A member of a defense force established under subsection (c) is not, because of that membership, exempt from service in the armed forces, nor is he entitled to pay, allowances, subsistence, transportation, or medical care or treatment, from funds of the United States.

(e) A person may not become a member of a defense force established under subsection (c) if he is a member of a reserve component of the armed forces.

(Aug. 10, 1956, ch. 1041, 70A Stat. 600; Pub. L. 85-861, §2(2), Sept. 2, 1958, 72 Stat. 1542; Pub. L. 100-456, div. A, title XII, §1234(b)(1), Sept. 29, 1988, 102 Stat. 2059; Pub. L. 109-163, div. A, title X, §1057(b)(3), Jan. 6, 2006, 119 Stat. 3441; Pub. L. 111-383, div. A, title X, §1075(h)(4)(B), Jan. 7, 2011, 124 Stat. 4377.)

HISTORICAL AND REVISION NOTES
1956 ACT

Revised section	Source (U.S. Code)	Source (Statutes at Large)
109(a)	32:194(a) (1st sentence). 32:194(c) (as applicable to 32:194(a) (1st sentence)).	June 3, 1916, ch. 134, §61 (less (b)); restated Oct. 21, 1940, ch. 904 (less last 3 provisos); restated Aug. 18, 1941, ch. 363 (less last 3 provisos); restated Oct. 1, 1942, ch. 570 (less (b)); restated June 26, 1944, ch. 279 (less (b)); restated Sept. 27, 1950, ch. 1058 (less (b)), 64 Stat. 1072.
109(b)	32:194(a) (less 1st sentence). 32:194(c) (less applicability to 32:194(a) (1st sentence)).	

In subsection (a), the words “those of its National Guard” are substituted for the words “as authorized in accordance with the organization prescribed under this Act”.

In subsections (a) and (b), the provisions of 32:194(c) are exhausted by the enumeration of the jurisdictions named.

In subsection (b), the words “Nothing in this title limits” are substituted for the words “Nothing contained in this Act shall be construed to limit”.

1958 ACT

Section of title 32	Source (U.S. Code)	Source (Statutes at Large)
109(c)	32 App.:194(b) (less 4th and last sentences).	Aug. 11, 1955, ch. 802, 69 Stat. 686.
109(d)	32 App.:194(b) (4th sentence).	
109(e)	32 App.:194(b) (last sentence).	

In subsection (c), the words “heretofore authorized by this Act [sic]”, “as such”, and “in any manner” are omitted as surplusage.

In subsection (d), the words “under any Federal law” are omitted since only Federal law could require service in the armed forces. The word “military” is omitted as surplusage.

In subsection (e), the words “defense force” are substituted for the words “organized militia” for accuracy and to conform to subsection (c). The words “reserve component of the armed forces” are substituted for the words “Reserve Forces as defined in section 901 of Title 50”, since that term is not defined in the Armed Forces Reserve Act of 1952.

AMENDMENTS

2011—Subsecs. (a) to (c). Pub. L. 111-383 amended directory language of Pub. L. 109-163, §1057(b)(3). See 2006 Amendment note below.

2006—Subsecs. (a) to (c). Pub. L. 109-163, §1057(b)(3), as amended by Pub. L. 111-383, substituted “State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, or the Virgin Islands” for “State or Territory, Puerto Rico, the Virgin Islands, or the District of Columbia”.

1988—Subsecs. (a) to (c). Pub. L. 100-456 struck out “the Canal Zone,” after “Virgin Islands.”

1958—Subsecs. (a), (b). Pub. L. 85-861, §2(2)(A), substituted “defense forces authorized by subsection (c)” for “State defense forces”.

Subsecs. (c) to (e). Pub. L. 85-861, §2(2)(B), added subsecs. (c) to (e).

EFFECTIVE DATE OF 2011 AMENDMENT

Pub. L. 111-383, div. A, title X, §1075(h), Jan. 7, 2011, 124 Stat. 4377, provided that the amendment made by section 1075(h)(4)(B) is effective as of Jan. 6, 2006, and as if included in Pub. L. 109-163 as enacted.

§ 110. Regulations

The President shall prescribe regulations, and issue orders, necessary to organize, discipline, and govern the National Guard.

(Aug. 10, 1956, ch. 1041, 70A Stat. 600.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
110	32:17.	June 3, 1916, ch. 134, §118, 39 Stat. 213.

The word “rules” is omitted as covered by the word “regulations”. The words “National Guard” are substituted for the words “the militia provided for in this title”. The words “for the thorough” are omitted as surplusage.

§ 111. Suspension of certain provisions of this title

In time of war, or of emergency declared by Congress, the President may suspend the operation of any provision of sections 307(e), 309, 310, and 323(d) and (e)¹ of this title with respect to the Army National Guard or the Air National Guard.

(Added Pub. L. 85-861, §2(3), Sept. 2, 1958, 72 Stat. 1543.)

¹ See References in Text note below.