National Guard Fact Sheet
National Guard and Militias

The National Guard is the organized militia reserved to the states by the Constitution of the United States under Article 1, Section 8. In peacetime, the National Guard is commanded by the governor of each respective state or territory. When ordered to active duty for mobilization or called into federal service for emergencies, units of the Guard are under the control of the appropriate service secretary. The militia clause reserves the appointment of officers and the authority of training the militia (according to Congressionally prescribed standards) to the states. In 1903, Congress officially designated the organized militia as the National Guard and established procedures for training and equipping the Guard to active duty military standards. The FY04 National Defense Authorization Act amended Title 32, United States Code, Section 325 to make it possible for a National Guard officer to be in command of federal (Active Duty) and state (National Guard Title 32 and State Active Duty) forces simultaneously.

State Defense Force: The State Defense Force is a form of militia and is authorized to the states by federal statute (Title 32 U.S. Code 109). State Defense Forces are not entities of the federal government. They are organized, equipped, trained, employed and funded according to state laws and are under the exclusive jurisdiction of the governor. Should the National Guard be mobilized for war, specialized operations such as humanitarian or peacekeeping missions or called into federal service during national emergencies, the State Defense Force will assume the National Guard's mission for the state's security.

Unorganized Militia: Federal and state laws generally define the militia as "all able-bodied males between ages 17 and 45." Federal statute (Title 10 U.S. Code 311) defines the unorganized militia as all members of the militia who are not members of the National Guard or Naval Militia.

Self-Proclaimed Private Militias: Some private individuals, without government sanction, have banded together and styled themselves "militias." These militias answer to no government, they have no formal or informal relationship with the National Guard and are not state-recognized organizations. They are private organizations, some paramilitary in nature, that use the term militia in their names.

Membership Requirements: National Guard: 1) Must be a citizen or permanent resident alien; must be at least 17 and not have reached their 35th birthday at time of enlistment; must pass an Armed Services Vocational Aptitude Battery, a Standard Armed Forces Physical Examination and be of good moral character; must be available for initial active duty training; and must agree to participate in an initial tour of active duty training of at least 12 weeks. Individuals with prior service in any branch of the U.S. military may receive credit for that service and join the National Guard at an age greater than 35.

(Current as of 15 Jun 05)

2) State Defense Force: Persons serving in the Armed Forces and persons who are members of Reserve components of the Armed Forces cannot be members of a State Defense Force.

For more information, contact the NGB Public Affairs Office.