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NGB-ARH

MEMORANDUM FOR THE ADJUTANTS GENERAL OF ALL STATES, THE COMMONWEALTH OF PUERTO RICO, GUAM, VIRGIN ISLANDS, AND THE DISTRICT OF COLUMBIA

SUBJECT: Guidance for Title 32 (T32) Full-Time National Guard Duty Operational Support (FTNGDOS) programs and the T32 Full-Time National Guard Duty Counterdrug (FTNGDCD) program. (NGB-ARH Policy Memo #06-023)

1. Purpose. This memorandum establishes policy and procedures that govern the T32 FTNGDOS programs to include Full-Time National Guard Duty Special Work (FTNGDSW), Full-Time National Guard Duty Mobilization Augmentees (FTNGDMA), and Full-Time National Guard Duty for Operation Noble Eagle (FTNGDONE) in support of the Army National Guard (ARNG) Directorate. It also provides guidance for the Title 32 FTNGDCD program.

2. References.

a. Title 10, United States Code, "Armed Forces".

b. Title 32, United States Code, "National Guard".

c. NGB Memorandum, NGB-ARH, 17 March 2003, subject: (All States Log Number P03-0015) Policy for ARNG Soldiers Serving on Full-Time National Guard Duty for Special Work (FTNGDOS) or Full-Time National Guard Duty for Counterdrug Operations (FTNGDCD).

d. NGB Memorandum, NGB-ARM, 14 October 2003, subject: Policy for Full Time National Guard Duty Mobilization Augmentees (FTNGDMA).

e. Department of Defense Financial Management Regulation Volume 7A, Chapter 35, February 2002.

f. Department of Defense Directive 1215.6, subject: Uniform Reserve, Training and Retirement Categories, 14 March 1997.

g. Department of Defense Directive 1332.29, subject: Eligibility of Regular and Reserve Personnel for Separation Pay, 20 June 1991.

h. Joint Federal Travel Regulation (JFTR), Volume 1, 01 June 2003.

i. AR 40-501, Standards of Medical Fitness, 01 February 2005.

j. AR 40-400, Patient Administration, 12 March 2001.

k. AR 135-18, The Active Guard Reserve (AGR) Program, 01 November 2004

l. AR 135-91, Service Obligations, Methods of Fulfillment, Participation Requirements, and Enforcement Procedures, 01 February 2005.

m. AR 600-8-10, Personal Absences, Leave and Passes, 31 July 2003.

n. AR 600-9, The Army Weight Control Program, 10 June 1987.

o. AR 635-40, Physical Evaluation for Retention, Retirement, or Separation, 15 August 1990.

p. NGR 600-5, The Active Guard/Reserve (AGR) Program Title 32, Full-Time National Guard Duty (FTNGD), 20 February 1990.

q. NGR 500-2/ANGI 10-801, National Guard Counterdrug Support, 31 March 2000.

r. Public Law 108-375, Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005, Sections 415 and 416.

s. U.S. Army Medical Department, Health Insurance Privacy and Portability Act (HIPPA) Implementation Guide, 14 April 2003.

t. Office of the Secretary of Defense (OSD), Health Affairs Policy, subject: Policy Memorandum – Human Immunodeficiency Virus Interval Testing, 29 March 2004.

u. Under Secretary of Defense Personnel and Readiness, Memorandum, subject: Definition of the Term Operational Support, 26 April 05.

v. Deputy Secretary of Defense Memorandum, subject: Implementing Guidance: Transition of the Active Duty List (ADL) Officer Force to All-Regular Status, 28 January 2005.

w. Under Secretary of Defense Personnel and Readiness Memorandum, subject: Definition of the Term Operational Support, 26 August 05.

3. Summary. This policy implements provisions of the National Defense Authorization Act (NDAA) of Fiscal Year 2005 which repealed, transferred, or reenacted specific sections of law that impact the provisions of this policy. Section 416 of Reference 2(r) changed certain Reserve Component (RC) accountability provisions in Title 10, United States Code, including the elimination of the "180-day Active Duty for Special Work rule". This "180-day rule" was regarded as a major barrier to both Reserve force use and total force integration, and its

elimination enhances RC usage. To maintain accountability of RC members who voluntarily perform duty in support of total force missions, Reference 2(r) created a new strength accounting category for Reserve members entitled "operational support". Ceilings on RC members performing "operational support" duty have been established in section 415 of Reference 2(r). The policy includes the definition of the new term "operational support" for purpose of complying with references 2(a), 2(r), and 2(u). The policy also incorporates Soldiers performing duty as mobilization augmentees.

4. Explanation of abbreviations and terms.

a. Full-Time National Guard Duty (FTNGD). Training or other duty, other than inactive duty, performed by a member of the Army National Guard of the United States or the Air National Guard of the United States in the member's status as a member of the National Guard of a State or territory, the Commonwealth of Puerto Rico, or the District of Columbia under section 316, 502, 503, 504, or 505 of Title 32 for which the member is entitled to pay from the United States or for which the member has waived pay from the United States. (Title 32, Ch 1, §101).

b. Full-Time National Guard Duty Operational Support (FTNGDOS). FTNGD, other than Active Guard and Reserve (AGR) duty, under section 502(f)(2) of Title 32, United States Code; and AD for training performed at the request of an organizational or operational commander, or as a result of reimbursable funding.

c. Operational Support (OS).

(1) The term "operational support" is defined to mean active duty, other than Active Guard and Reserve duty, under section 12301(d) of Title 10; Full-Time National Guard Duty, other than Active Guard and Reserve duty, under section 502(f)(2) of Title 32, United States Code; and active duty for training performed at the request of an organizational or operational commander, or as a result of reimbursable funding.

(2) Subject to additional implementing guidance that may be issued by the Under Secretary of Defense (Personnel and Readiness), RC members, to include members of the Army Reserve and the Army National Guard/Army National Guard of the United States, will be considered to be performing operational support duties if they are ordered to active duty or FTNGD for a period of three years or less to perform one of the following:

- Active Duty for Special Work (ADSW-AC or ADSW-RC);
- Full-time National Guard Duty: Duty performed under the authority of 32 USC, 502(f) other than for Active Guard Reserve (AGR) or Counter Drug Program (CD);
- Extended Active Duty (EAD);
- Contingency Extended Active Duty (COEAD);
- Active duty (AD) and active duty for training (ADT) performed as a result of reimbursable funding;
- Funeral Honors duty not performed in an inactive duty status;

- Voluntary active duty performed by a member of the Retired Reserve who is not receiving regular retired pay;
- Contingency Temporary Tour of Active Duty (COTTAD);
- Active duty training performed as a result of a request of an operational commander to provide support; or
- Temporary Tour of Active Duty (TTAD)

d. Full-Time National Guard Duty Mobilization Augmentee (FTNGDMA). The purpose of the FTNGDMA program is to provide manpower during periods of mobilization, specifically to perform unit full-time support rear detachment functions for those units requiring additional full-time support due to the global war on terrorism. Mobilization Augmentees should not perform unit transformation duties.

e. Drug Interdiction and Counterdrug Activities. The use of National Guard personnel in drug interdiction and counterdrug activities, including drug demand reduction activities, authorized by the law of the State and requested by the Governor of the State.

f. Active Duty (AD). Full-time duty in the active military service of the United States. It includes full-time training duty (FTTD), annual training (AT) duty, and attendance, while in active military service, at a school designated as a Service school by law and the Secretary of the Military Department concerned. It does not include FTNGD. For the RC, AD is comprised of the categories Active Duty for Training (ADT) and Active Duty Other than for Training (ADOT). AD is served under the authority of Title 10 USC.

g. Active Service (AS). The term "active service" means service on active duty or full-time National Guard duty.

h. ARNGUS. Army National Guard of the United States refers only to those members of the Army National Guard in Title 10 status, and not those in Title 32 or other status.

i. ARNG. The Army National Guard refers only to the land force of the organized militia of a state, territory, or District of Columbia whose members are in state status, and not in Title 10 or other status. (Ref: 32 USC §101(4), 32 USC §325(a), and 10 USC §101(c)(2))

5. Applicability.

a. This policy applies to ARNG Soldiers currently serving on FTNGDOS, to include FTNGDSW, FTNGDMA, and FTNGDONE tours, tour renewals, and new tours subsequent to 28 October 2004 under Title 32 USC §502(f). This policy also applies to the FTNGDCD program.

b. This policy is not written for Soldiers serving on ADSW, ADT, or Temporary Tour of Active Duty (TTAD) under 10 USC §12301(d), although these forms of duty are Operational Support. Operations Division (NGB-ARO) is the proponent for those programs.

c. Manpower, Programs, and Resources Division (NGB-ARM) is the proponent for the FTNGDMA and FTNDGONE program.

d. The paragraphs within this policy apply to all FTNGDOS programs and FTNGDCD unless otherwise specified.

6. FTNGD Policy.

a. General.

(1) The Title 32 FTNGDOS program is authorized for temporary projects and missions supporting ARNG programs pursuant to 32 USC §502(f) to include training, operational support, missions in support of Operation Enduring Freedom (this includes Operation Iraqi Freedom), and the National Guard Challenge Program. FTNGDOS is not a career program. It is not authorized to fill real or perceived manpower shortages. Normal full-time staff duties and responsibilities are not included in these projects and missions. It is not intended to be a vehicle to provide entitlements to separation pay, sanctuary, and retirement. It is authorized for temporary projects and missions that should not exceed three years. This program includes FTNGDSW, FTNGDMA, and FTNGDONE.

(2) The Title 32 FTNGDCD program is authorized for drug interdiction and counterdrug activities under 32 USC § 112. Soldiers are ordered to FTNGDCD under 32 USC §502(f).

(3) The use of FTNGDMAs to support units by replacing mobilized full-time support (FTS) personnel is a specific exception to the prohibition of using special work to supplement or overcome a shortage of full-time support personnel. The placement of FTNGDMA personnel in units in rotational plans to support contingency operations are also authorized, the intent is to improve readiness through FTS augmentation.

(4) FTNGD shall not be performed on land outside the United States, its territories or possessions because a member of the ARNG must be in a Title 10 status to perform extra-territorial duties.

b. Approval Authority.

(1) For FTNGDOS, the Plans, Operations, and Training Officer (POTO) is the budgetary approval authority for all tours. Funding requests for the approval of tours will be sent through command and/or staff agency channels to the POTO.

(2) For FTNGDOS, the Human Resource Officer (HRO) is the approval authority for personnel issues. The HRO will validate tour packets and maintain internal control measures of the FTNGDOS program.

(3) For FTNGDOS, the Director, Army National Guard (DARNG) is the approval authority for waivers dealing with program ceiling accountability, separation pay, and sanctuary.

(4) For FTNGDCD, the Counterdrug Coordinator (CDC) is the approval authority for the program, unless otherwise directed by the State Adjutant General (AG). This person is responsible for all management control aspects of the CD program.

(5) For FTNGDOS and FTNGDCD, the State Surgeon is the final approval authority within a state when medical issues arise.

7. Eligibility Requirements.

a. To apply for FTNGDOS tours:

(1) The Soldier must be a member of the Army National Guard.

(2) The Soldier must meet the Army medical retention standards IAW chapter 3, AR 40-501 and outlined in this policy.

(3) The Soldier must not be within 6 months of mandatory removal or Expiration of Term of Service (ETS) on the report date of the tour, unless waived by the State AG.

(4) The Soldier must not serve greater than 17 years of AS as a result of the duty.

(5) The Soldier must not be able to qualify for sanctuary as a result of the duty unless a waiver is approved by the DARNG prior to the publication of the order.

(6) The Soldier must not have served on any combination of operational support listed in paragraph 4(C)(2) for more than 1,095 cumulative days (three years) out of the preceding 1,460 days (four years) – this is a "rolling four-year window" which looks back at the most recent 1,460 days – unless a waiver is approved by the DARNG. Implementation date is 28 October 2004 for this requirement. Military service performed in other components is not counted.

(7) The Soldier must not be placed on orders that will qualify them for separation pay as a result of the duty unless a waiver is approved by the DARNG prior to the issuance of the order.

(8) The Soldier must consent to release from FTNGDOS at the conclusion of duty, unless sooner relieved, by signing block 24 of DA Form 1058-R.

b. FTNGDCD tours:

(1) The Soldier must be a member of the Army National Guard.

(2) The Soldier must meet the Army medical retention standards IAW chapter 3, AR 40-501 and outlined in this policy.

(3) The Soldier must not be within 6 months of mandatory removal or Expiration of Term of Service (ETS) on the report date of the tour. This requirement may be waived by the State AG.

8. Additional Eligibility Guidance for AGR Soldiers. An AGR Soldier must meet all of the eligibility requirements listed above for the program in which they are applying. In addition, the following guidelines apply:

a. If the AGR Soldier is qualified for a regular 20 year retirement:
(*This includes Soldiers who are not being continued in the AGR program due to a boarding action and those Soldiers who voluntarily elect to REFRAD from the AGR program.*)

(1) The AGR Soldier must be released from active duty (REFRAD) IAW AR 600-8-24 to perform FTNGD.

(2) The Soldier must have an end-strength/AGR cap waiver approved by the DARNG prior to the issuance of the FTNGDOS or FTNGDCD order.

(3) The Soldier does not need a 30-day break for the issuance of the FTNGDOS or FTNGDCD order.

b. If the AGR Soldier does not qualify for a regular 20-year retirement:

(1) The Soldier must REFRAD IAW AR 600-8-24 to perform FTNGDOS or FTNGDCD.

(2) The Soldier must not be able to qualify for sanctuary as a result of FTNGDOS.

(3) The Soldier must have a 30-day break prior to entry on FTNGDOS status.

9. General Rules.

a. A Soldier will not be placed on State Active Duty (SAD) orders concurrently while they are on FTNGD orders.

b. FTNGDOS/FTNGDCD Soldiers on orders for greater than 180 days will take the Army Physical Fitness Test (APFT) twice a year and will follow the state AGR PT policy.

c. FTNGD funds will not be expended to pay travel expenses for training that is unit related.

10. Mobilization Augmentee Policy.

a. The FTNGDMA personnel are substitutes for AGR personnel who have been mobilized. These Soldiers perform fulltime duty under Title 32 USC 502(f) to provide manpower during periods of mobilization. The key to the success of this program is complete visibility on what the

ARNG mobilization offset is during the fiscal year and the states' ability to accurately depict which Soldiers have been mobilized and for how long. It is imperative that all states stay within the vouchered strength in order to provide equitable participation by all states.

b. The authorized backfill is one FTNGDMA for every three AGR Soldiers (1:3) may change as the fiscal year progresses and financial positions change.

c. FTNGDMA tours are limited in duration, not to exceed the period of the average of the three AGR bill payer's projected remaining mobilized service. The best way to execute this program is for states to "batch" their identified bill payers by the amount of mobilized service they have yet to execute. FTNGDMA Soldiers must use all accrued leave during the duration of their orders.

d. FTNGDMA personnel may use AGR travel funds for any required mission travel that they are required to perform.

e. FTNGDMAs will not be utilized by States/Territories exceeding their authorized AGR end strength, to include hiring AGR personnel against programmed losses as authorized by the Department of the Army Personnel Policy Guidance (PPG) http://www.armyg1.army.mil/MilitaryPersonnel/ppg.asp. As an example;

(1) If a state is authorized 200 AGR positions and 150 are on hand and 50 have been mobilized, then 50 would be eligible for FTNGDMA consideration under the current backfill ratio.

(2) If a state is authorized 200, have 175 on hand and 50 mobilized, only 25 of the 50 would be considered for this program. In this case, at 1:3 ratio the 25 would equate to 8 FTNGDMA personnel. The state would not be granted any mobilization augmentees and would be asked to reduce the force to the authorized level of 150. Once the additional AGRs are removed from the open allotment account, NGB-ARM could authorize eight mobilization augmentees and provide funds to the state to bring back eight Soldiers in the proper pay status.

f. There are no Permanent Change of Station (PCS) funds available to support the FTNGDMA program. Personnel are not authorized a PCS when entering or leaving the FTNGDMA program.

g. Requests for FTNGDMA personnel will be executed through GKO within NGB-ARM. Click on the *Mobilization Augmentee Request* link.

h. HROs must ensure an electronic copy of the mobilization order is uploaded into the FTS Mobilization Status Report Database, establishing the resourcing audit trail for all AGRs mobilized. These documents will be used to identify the specific sum of dollars sent to the state to support the mobilization augmentees. Additionally, the information will be used to validate charges against the AGR account that are input through DFAS to maximize utilization of the mobilization offset.

i. HROs must coordinate with NGB-ARM to receive the authority to place Soldiers in the FTNGDMA status. Soldiers placed in this status prior to NGB-ARM approval will not be funded.

j. NGB-ARM will maintain a "by-name" list of Soldiers placed in FTNGDMA status. The list will contain the inclusive dates of the tour.

k. The fund cite and Type Duty Code (TDC) for FTNGDMA orders will be provided with the NGB-ARM approval memorandum. NGB-ARM will calculate the required funding for the FTNGDMA, withdraw it from the open allotment account and have AGB-ARC FAD it to the state.

l. The active status program designator code of "R" will be used to identify FTNGDMAs in the Standard Installation/Division Personnel System (SIDPERS). The code of "4" will ***not*** be used; code "4" is used for Title 10 AMEDD recruiters, and AGRs. Using the wrong code would cause their pay to be taken out of DJMS-AC and skews AGR strength reporting.

m. Military Technicians (Dual and Non-Dual Status) are not eligible for FTNGDMA tours.

n. All states must review the Mobilization Status Report to ensure that all Soldiers in the system have an attached mobilization order. Upon demobilization, a copy of the order placing the Soldier back on AGR status is required to be uploaded into the mobilization database.

o. Upon REFRAD, NGB-ARM recommends that all mobilized AGRs remain in T10 status for the duration of any planned leave.

11. Coding.

a. The DA Form 1379 will be coded to give constructive credit for IDT/AT attendance.

b. For accounting purposes, Soldiers will have a Basic Active Service Date (BASD) established in RPAM/TAPDB.

c. The active status program designator code of "6" will be used to identify FTNGDOS Soldiers in the Standard Installation/Division Personnel System SIDPERS.

d. The active status program designator code of "5" will be used to identify FTNGDCD Soldiers in SIDPERS.

e. The active status program designator code of "R" will be used to identify FTNGDMA Soldiers in SIDPERS.

12. Orders.

a. Orders will not be "broken" or divided for multiple periods to avoid paying for typical non-duty days (e.g. weekends or holidays).

b. Orders will not be "broken" or divided for projects over 139 days to provide temporary duty (TDY) entitlements.

c. Orders will not be "broken" or divided to have Soldiers perform IDT or AT.

d. FTNGDOS orders will be "broken" for schools that are greater than 15 days, inclusive of travel time, if the school is not a requirement for the FTNGD tour. For schools under 15 days, the FTNGD program will be reimbursed training funds and travel costs through a general voucher

transfer of funds.

e. The following statement will be annotated on all FTNGDOS (PCS) orders: "Movement of household goods is not authorized".

f. The following statement will be annotated on all FTNGDOS and FTNGDCD orders: "This Order is Subject to the Availability of Funds." (Orders will not extend beyond appropriated funds.)

g. Temporary Duty(TDY) orders. Soldiers on tour for 139 days or less will be placed in a TDY status and will receive per diem IAW Reference 2(h) provided the Soldier resides outside of the local commuting distance.

h. Permanent Change of Duty Station (PCS). Soldiers on tour for 140 days or more will be placed in a PCS status and receive entitlements IAW Reference 2(h), except for Soldiers in the FTNGDMA program.

i. FTNGDOS orders may be published for periods up to three years, but will be contingent upon funding and continuation of the job position.

13. Drill.

a. A Soldier on FTNGDOS will not be ordered to perform or attend Inactive Duty Training (IDT) or Annual Training (AT). However, in the event that a Soldier volunteers and the State Adjutant General (AG) authorizes the Soldier to perform or attend IDT or AT, the following requirements will be met and adhered to:

(1) Reimbursement for travel expenses and/or per diem for the Soldier's voluntary or involuntary participation at IDT or AT is not authorized.

(2) The Soldier will not receive compensation in addition to FTNGDOS pay and allowances.

(3) Sponsors will ensure that the FTNGDOS project will take precedence over IDT or AT to ensure that the mission is completed as funded and fiscal responsibilities are met.

(4) Upon hiring, a memorandum of understanding (MOU) will be submitted with the tour packet to ensure the sponsor and unit commander establish the parameters for participation in unit, IDT and AT activities. This action must be completed within 25 days of the effective date of the order. (Suggested areas to address in the MOU may include schools, PT, OER/NCOER, promotions, line-of-duty (LOD) responsibility, and general voucher transfer of funds.) At a minimum, the MOU will be updated annually and upon change of commanders.

b. A Soldier on FTNGDCD will be ordered to perform or attend IDT and AT under 32 USC 502(a) while in FTNGDCD status. The following requirements will be met and adhered to:

(1) The pay, allowances, and other benefits of the member while participating in the training shall be the same as those to which the member is entitled while performing duty for the purpose of carrying out drug interdiction and counter drug activities.

(2) The member is not entitled to additional pay, allowances, or other benefits for participation in training required under section 502(a)(1) of this Title.

14. Vacancy Announcements. States will post vacancy announcements on the ARNG website. Postings may be viewed at http://www.arng.army.mil/, Soldier Resources, Guard Tours.

15. Application Packet. The following documents are required for all tour packets.

a. Cover Letter. A Soldier's tour application packet must include a cover letter that is signed by State HRO. The letter is required to ensure that the packet is in compliance with the provisions of this memorandum. Two sample letters are provided as enclosures 1 and 2. The first letter is for FTNGDOS tours that are approved at the State level and do not require a DARNG waiver. The second letter is for waivers that must be approved by the DARNG.

b. DA Form 1058-R, Jul 93. (Application for ADT, ADSW, TTAD, AT, and FTNGDOS for Soldiers of the Army National Guard) All applicants must have a DA Form 1058-R signed by the unit commander, records custodian, Human Resource Officer (HRO) or AGR Manager, and applicant verifying that the information indicated on the form is correct. Counterdrug Soldiers will have the form signed by their Counterdrug Coordinator (CDC). To prevent delays in processing tour requests, applicants must fill out all applicable items. This form will be retained in the Soldier's Official Military Personnel File (OMPF).

c. NGB Form 1058-1R, 01 Aug 04. (Checklist for determining the approval authority for ARNG Soldiers serving on FTNGD long and short tours other than AGR.) This form is required for all DARNG waiver requests.

d. Retirement Point Accounting Statement (NGB Form 23A). This form provides a summary of all points credited towards retirement from the first entry date into military service through the last Retirement Year Ending (RYE) date anniversary. It is used to determine total AS. Failure to disclose pertinent information that is not coded on this form may be grounds for release from the program.

e. Orders Query. This document is used to determine the last 31-day break in orders for purposes of determining separation pay.

f. Medical. Medical Operation Data Systems (MODS). Printout of the Soldier's Individual Medical Readiness (IMR) Record.

g. Army Physical Fitness Test Score Card (DA Form 705). This form is used to validate the height/weight of a Soldier and a flagging action. Soldiers must meet the height and weight

requirements IAW AR 600-9. If a Soldier is not in compliance with the Army Weight Control Program, a DA Form 5500/5501 (Body Fat Worksheet) must be submitted.

h. Security Clearance. Verification of security clearance. (if applicable to assignment)

16. Medical Requirements. For tour consideration, Soldiers must meet the medical retention standards IAW AR 40-501, chapter 3. Submission of medical documentation as part of the FTNGDOS packet is no longer required. The Medical Protection System (MEDPROS) will be used to access individual medical readiness status of the Soldier. MEDPROS provides the current status of the following: immunizations, DNA, HIV, dental readiness classification, periodic physical exam, medical and limited duty profile. To ensure compliance of the Chapter 3 medical retention standards of the FTNGDOS program, the Soldier's MEDPROS Individual Medical Readiness (IMR) report must be reviewed by the Soldier's parent unit to ensure that the medical requirements listed below are met prior to submitting the application packet. If these standards are not met, the unit must provide all original medical documents to their respective State medical detachment personnel to update MEDPROS. At a minimum, the Soldiers' IMR report must reflect the following information or the packet will be returned to the organization requesting the tour without action.

a. For FTNGDOS/CD of 30 or fewer consecutive days, the Soldier's MEDPROS IMR report must validate that the Soldier has a completed:

(1) Retention (Chapter 3) physical (current within 5 years from effective date of orders).

(2) Annual Medical Screening (current within 180 days of effective date of orders).

b. For FTNGDOS of 31 or more days (to include travel time), the Soldier's MEDPROS IMR report must validate that the Soldier has a completed:

(1) Retention (Chapter 3) physical (current within 5 years from effective date of orders).

(2) Annual Medical Screening (current within 60 days of effective date of orders). Prior to initiating active duty orders for 31 or more days, the Soldier must have a valid periodic medical examination with a DA Form 7349 completed within the previous 60 days and reviewed by the State Surgeon or Physician Designee in accordance with the standards of chapter 3 .

(3) HIV showing "green" in MODS. RC personnel shall be required to have a current HIV-1 test within two years of the date called to AD for 30 days or more.

(4) Pregnancy test showing NEGATIVE results. Pregnancy testing is required within 15 days of start of orders IAW AR 40-501, chapter 10. This regulation advises that pregnancy is a disqualifying factor for entry on any duty greater than 30 days and for tour renewals. The unit will monitor this requirement and immediately notify the HRO or CDC if the results are positive. If orders have been published, the order will be amended and will not exceed 30 days.

(5) A Soldier with permanent 3 or 4 in the PULHES, who meet the medical retention standards as outlined in AR 40-501, must have completed an MOS Medical Retention Board (MMRB) IAW AR 600-60 in order to apply. The MMRB must have awarded a recommendation that states that the Soldier will be "retained in his/her current primary MOS".

17. Soldiers on orders for greater than 30 days with medical conditions.

a. A Soldier who is later identified as having a pre-existing medical condition that prevents them from meeting medical retention standards are required to undergo Medical Evaluation Board (AR 40-400) / Physical Evaluation Board (AR 635-40) (MEB/PEB) processing prior to REFRAD. In certain circumstances Soldiers can be placed in medical hold, receive treatment, returned to duty, or processed through the Physical Disability Evaluation System (PDES).

b. A Soldier who develops a medical condition which prevents them from meeting medical retention standards IAW 40-501 will be referred to the Physical Disability Evaluation System (PDES) IAW AR 40-400 and AR 635-40. Any Soldier who is in the PDES process is not able to apply for full-time duty.

c. Any Soldier who becomes pregnant while on tour may volunteer for continued duty, but the needs of the ARNG determine continued service. The Soldier will be counseled IAW AR 135-91, chapter 4, section V. The ARNG may REFRAD the Soldier. The Soldier may seek medical care as a Former Female Member as outlined in AR 40-400.

18. Leave Entitlements. Soldiers are entitled to leave based on the guideline established in reference 2(m).

a. Sponsor must ensure Soldiers are afforded the opportunity to take leave during the course of their tour. Soldiers can opt to sell their leave if there is a one-day break or more in their tour. Soldiers can sell up to a total of 60 days of leave during the course of their military career. If there is a break of at least one day between FTNGD tours, the Soldier will NOT be able to roll over their leave days to the new tour. Soldiers must sell their unused leave unless they have already sold 60 days during their career in which case the leave will be lost.

b. Loss of Leave: Accrued leave above 60 days will be lost at the end of a fiscal year, (September 30th of every year), unless a Soldier requests to sell it.

19. Early Release Procedures.

a. Voluntary early release.

(1) A Soldier may request early release from FTNGDOS. Requests will be in writing, will set forth the reasons for the request, and will be forwarded through the supervisor, program manager, and the Human Resource Officer (HRO) to the State AG for final action. The State AG decision will be final.

(2) A Soldier may request early release from FTNGDCD. Requests will be in writing, will set forth the reasons for the request, and will be forwarded through the supervisor and the Counterdrug Coordinator according to the process established by the Counterdrug Coordinator and the State AG. The State AG decision will be final.

(3) In lieu of involuntary early release from FTNGD, a Soldier may submit a request for voluntary early release. The request will be forwarded through the FTNGD chain of command or supervisor to the State AG. If the request is approved by the State AG, then the action to involuntarily release the Soldier will cease.

b. Involuntary early release. The FTNGD supervisors or program manager are required to release a Soldier involuntarily when incidents arise and cannot be corrected. Separation regulations will be used as guidance. A Soldier will be notified in writing of the release date. A Soldier should receive a minimum of 15 calendar days notification prior to their release, but will be released upon their termination date of their tour if that occurs first. The Soldier should be allowed 5 working days for rebuttal or comment. Any information added to the recommendation after the rebuttal period must again be referred to the Soldier for rebuttal or comment. The initiating supervisor or program manager will forward the recommendation together with the Soldier's rebuttal or comments through the chain of command or supervisor to the State AG for final action. If the State AG decides to the release the Soldier, the Soldier will be released within 30 calendar days of notification of the decision or on the termination date of the tour, whichever occurs first. The traditional unit will be notified. The following may be grounds for involuntary early release:

(1) The Soldier's conduct, degree of efficiency, or manner of performance is seriously deficient. As applicable, commanders/supervisors will ensure that the Soldier receives sufficient training to perform in their position and, IAW AR 40-501, that the Soldier is assigned to military duties commensurate with that Soldier's physical profile so that the Soldier's physical limitations do not jeopardize mission accomplishment.

(2) Funds available for FTNGD tours are curtailed.

(3) Soldier's rank/pay grade is reasonably inappropriate for the FTNGDOS task(s) they are performing.

(a) A change in mission requirements results in no further need for utilization of the Soldier's skills/pay grade.

(b) Soldier is promoted or appointed to a higher grade based on the Soldier's Traditional National Guard unit assignment, and the Soldier is no longer grade compatible with the duties performed in the Soldier's FTNGDOS duty position, as defined by AR 611-21 or the appropriate AGR staffing guide.

(4) Soldier is assigned to a position that would cause a "grade inversion" where the supervisor is junior in military grade to the supervised.

(5) Officers, warrant officers, and enlisted personnel will be released from FTNGDCD, upon completion of 20 years of AS. Retention beyond 20 years AS on FTNGDCD will be based on the needs of the ARNG as determined by the respective State AG, Counterdrug Coordinator, and NGB-J3-CD.

(6) Failure of the Soldier to disclose pertinent information.

20. Separation Documents.

a. DD Form 214, Certificate of Release or Discharge from Active Duty, will be issued on release from a period of 90 days or more of FTNGDOS or FTNGDCD.

b. DD Form 220, Active Duty Report, will be issued on release of less than 90 days of FTNGDOS or FTNGDCD.

21. Waivers. Waiver requests for FTNGDOS will be sent through command channels to Director, Army National Guard (DARNG) ATTN: NGB-ARH-S, 1411 Jefferson Davis Highway, Suite 3900, Arlington, VA 22202-3231 for the waiver actions listed below. Requests must arrive at least 45-days in advance of the tour start date, or they will be returned without action. Soldiers on Counterdrug orders are exempt from these waiver requirements. Waivers for the FTNGDMA program will be sent thru command channels to Chief, National Guard Bureau, ATTN: NGB-ARM, 111 South George Mason Drive, Arlington, VA 22204-1382.

a. Separation Pay Waiver. Soldiers who have completed three or more continuous years of AS (includes service from other components) should not be considered for a FTNGDOS tour without having at least a 31-day break in service following his/her last FTNGDOS or ADSW tour. An annual "1095-day rule" waiver is required for tours that exceed this limitation. A Soldier who has completed six or more continuous years of AS is entitled to separation pay computed under 10 USC 1174. Qualification for separation pay is negated when at least a 31-day break in service is sustained prior to completion of the sixth year of continuous AS. For purposes of this paragraph, a period of AD is continuous if it is not interrupted by a break in service of more than 30 days. Separation pay is funded from the State Operating Budget (SOB) for Soldiers other than CD, and will be deducted from the fund cite account for which the Soldier was performing duty at time of separation. Separation pay for CD Soldiers will be funded through the CD program. Separation pay will not be deducted from the AGR Open Allotment and must be funded from existing funds at the State.

b. Sanctuary (18-year lock-in) Waiver. Soldiers will not be ordered to FTNGDOS or offered follow-on tours that will place them within two years of becoming eligible for retired pay or retainer pay under a purely military retirement system unless approved by the DARNG. To monitor this requirement, a waiver must be requested from DARNG for Soldiers who have 17 or more years of AS. For tours under 180 days, a Soldier may waive sanctuary by consenting to

his/her release from FTNGD upon completion of that tour by signing block #24 of ARNG Format 1058-R. This statement does not rescind the requirement for a DARNG level waiver. Soldiers who are ordered to tours greater than 180 days are not able to waive their entitlement to sanctuary IAW 10 USC §12686(b), NGR 500-5, Chapter 6-1(b)(1), and current policy.

22. End Strength Reporting. To ensure the proper use of the authority granted in section 416 of the Ronald W. Reagan National Defense Authorization Act for FY05, ceilings are established annually by Congress to authorize the peak number of RC members who can be on duty at any time performing "operational support".

a. NGB-ARM will coordinate with DAPE annually to verify the yearly ceiling for operational support.

b. NGB-ARM will report the number of ARNG Soldiers performing FTNGD no later than the 15th day of the following month, on a monthly basis, to the Office of the Assistant Secretary of Defense for Reserve Affairs. The peak number of ARNG members performing duty within the month will be reported. This accountability does not include Counterdrug Soldiers on FTNGDCD orders.

c. FTNGDOS personnel will be counted against the AGR end-strength when either of the two conditions below are met:

(1) A call or order to AD or FTNGD that specifies a period greater than three years.

(2) The cumulative periods of AS and FTNGD performed by the member exceeds the tour limitation of 1,095 days (three years) of "Operational Support" out of the preceding 1,460 days (four years) – this is a rolling four-year window which looks back at the most recent 1,460 days, with an implementation date of 28 October 2004. There are no exceptions to this statutory requirement. If this cumulative service limitation is exceeded, the RC member will not be included in the "Operational Support" strength accounting category; instead, the member shall be included in one of the two strength accounting categories provided in section 115 of reference 2a. In addition, RC officers on active duty orders who exceed this cumulative service limitation will be subject to Regular Army integration pursuant to reference 2(v).

d. In determining the total period of AS for operational support that a service member has performed, you must include all tours listed within the definition of operational support.

e. Monthly reporting will begin in August 2005 in accordance with format and instructions provided by OASD/RA.

23. Internal Controls. States will develop internal control measures to ensure that the FTNGD program is in compliance with the provisions of this memorandum.

24. Rescission of policies.

a. This policy memorandum rescinds the 17 March 2003 All States (Log Number P03-0015) Policy for ARNG Soldiers Serving on FTNGDOS or FTNGDCD.

b. This policy memorandum rescinds the 29 June 2005 NGB-ARH Policy Memo 05-049, subject: Delegation of Waiver Authority for Full-Time National Guard Duty for Special Work.

c. This policy memorandum rescinds the 14 October 2003 Memorandum. NGB-ARM, subject: Policy for Full-time National Guard Duty Mobilization Augmentees (FTNGDMA).

25. Point of contact for this policy is MSG Donna C. Gregor at (703) 607-3399, DSN 327-3399, or by email address at Donna.Gregor@ngb.army.mil.

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Chief, Personnel Policy
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