



CHIEF NATIONAL GUARD BUREAU INSTRUCTION

NGB-J1
DISTRIBUTION: A

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GUIDANCE FOR MEMBERS PERFORMING DUTY UNDER THE AUTHORITY OF
32 USC § 502(f)

Reference(s): See Enclosure A.

1. Purpose. This policy governs the use of National Guard (NG) members performing duty under the authority of Title 32 United States Code (U.S.C.) § 502(f) for missions other than missions authorized by 32 U.S.C. § 112 “Drug Interdiction and Counter-Drug Activities,” 32 U.S.C. § 902 “Homeland Defense Activities,” 32 U.S.C. § 328 “Active Guard and Reserve duty: Governor’s Authority,” and 10 U.S.C. § 12310(c) “Operations Relating to Defense Against Weapons of Mass Destruction and Terrorist Attacks.”

2. Superseded/Cancelled. This instruction cancels All States Log Number P10-0016, Guidance for Members Performing Duty under the Authority of 32 U.S.C. § 502(f).

3. Applicability. This instruction is applicable to National Guard Bureau (NGB), NGB-Joint Staff, the Army National Guard (ARNG), Air National Guard (ANG), and all States and Territories.

4. Policy.

a. Members performing duty under the authority of 32 U.S.C. § 502(f) will not perform duties that are not specific requirements of the mission for which the members were ordered to duty. If circumstances require a change of duty, Commanders must amend/curtail the current order. A member whose tour was amended/curtailed removing the member from duty under 32 U.S.C. § 502(f) authority for a specific mission requires a new order to return to the original mission. Commanders will not amend/curtail or divide for multiple periods for any 32 U.S.C. 502(f) order for the purpose of avoiding pay for typical non-duty days.

b. There is no legal or policy requirement for an individual on a 32 U.S.C. § 502(f) tour of duty for a specific mission to attend Annual Training (AT) or

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Inactive Duty for Training (IDT). However, members serving under the authority of 32 U.S.C. § 502(f) for a specific home station mission may volunteer or be ordered by their commander to attend AT and IDT training provided the following conditions are met:

(1) Attendance will not interfere with duties for which members are performing duty under the authority of 32 U.S.C. § 502(f) (e.g. attendance will occur during regularly scheduled time off).

(2) The duty location of the member while performing the 32 U.S.C. § 502(f) duty is within the commuting distance of the training location as defined in the Joint Federal Travel Regulation U3500B.

(3) The member will not receive additional military pay or other compensation for attending the AT or IDT while on an order to duty under the authority of 32 U.S.C. § 502(f).

c. Commanders should carefully consider mission impact relative to unit and individual training and readiness prior to approving 32 U.S.C. § 502(f) tours of duty.

d. Members may be retained on the 32 U.S.C. § 502(f) order when returning to their home station when the return is for direct support of the mission for which the member was called to duty (for example, the member returns to train personnel that are preparing to rotate and replace personnel that are supporting the same mission).

e. Commanders may order members performing duty under 32 U.S.C. § 502(f) to respond to an emergency in accordance with the Immediate Response Authority in reference (c.) and State law. Commanders directing members in a 32 U.S.C. § 502(f) duty status under this authority must immediately notify the National Guard Coordination Center (NGCC). CNGB must approve the use of NG members in a 32 U.S.C. § 502(f) duty status for immediate response activities exceeding 72 hours. All Federally funded costs for immediate response are reimbursable by State and local authorities to the Department of Defense (DoD). However, response(s) should not be delayed or denied due to inability or unwillingness of the requester to make a commitment to reimburse DoD.

f. Orders will not be issued for extended periods if it is known that the member will need to have their orders curtailed during the tour, otherwise; it is a fiscal law violation (e.g. do not cut orders for 45 days if it is known prior to the start of the tour that the member's order will be curtailed and the member must return after 23 days for other mission requirements). Orders will not be broken or divided solely to allow the continued payment of temporary duty status (TDY) entitlements, not directly required by the mission.

5. Definitions. See Glossary.
6. Responsibilities. NGB-Manpower and Personnel (NGB-J1). NGB-J1 will ensure this instruction remains compliant with any changes in law, DoD policy or Service Secretaries policy.
7. Summary of Changes. None.
8. Releasability. This instruction is approved for public release. NG components and NGB elements may obtain copies of this instruction through ngbpd.c.ngb.army.mil.
9. Effective Date. This instruction is effective upon publication.


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Enclosure(s)

A -- References
GL -- Glossary

ENCLOSURE A

REFERENCES

- a. Title 32 U.S.C. § 112, 328, 502(f), and 902, “National Guard”
- b. 10 U.S.C. § 12310 (c) “Operations Relating to Defense Against Weapons of Mass Destruction and Terrorist Attacks”
- c. DoD Directive (DoDD) 3025.18, 29 December 2010, “Defense Support of Civil Authorities (DSCA)”
- d. DoD Instruction 1215.06, 7 February 2007, “Uniform Reserve, Training, and Retirement Categories”
- e. All States Log Number P10-0016, 26 Oct 2010, “Guidance for Members Performing Duty under the Authority of 32 USC § 502(f)”, (hereby rescinded)
- f. “Joint Federal Travel Regulation” U3500B , dates vary by changes

GLOSSARY

ABBREVIATIONS AND ACROYNMS

ANG	Air National Guard
ARNG	Army National Guard
AT	Annual Training
CNGB	Chief, National Guard Bureau
DoD	Department of Defense
DoDD	Department of Defense Directive
IDT	Inactive Duty for Training
NG	National Guard
NGCC	National Guard Coordination Center
NGB	National Guard Bureau
NGB- J1	National Guard Bureau- Manpower and Personnel
TDY	temporary duty status
U.S.C.	United States Code