



**NATIONAL GUARD BUREAU**  
111 SOUTH GEORGE MASON DRIVE  
ARLINGTON VA 22204-1382

NGB-ARH

10 March 2009

**MEMORANDUM FOR** The Adjutants General of all States, Puerto Rico, the US Virgin Islands, Guam, and the Commanding General of the District of Columbia

**SUBJECT:** Guidance for Title 32 (T32) Full-Time National Guard Duty Counter-Drug (FTNGDCD) Program (NGB-ARH Policy Memo #09-011)

**1. References.**

- a. Title 10, United States Code (USC), "Armed Forces."
- b. Title 32, USC, "National Guard."
- c. DOD Directive 1332.29, Eligibility of Regular and Reserve Personnel for Separation Pay, 20 June 1991.
- d. DOD Instruction 1215.06, Uniform Reserve, Training and Retirement Categories, 7 February 2007.
- e. DOD Financial Management Regulation, Volume 2B, chapter 14, June 2007.
- f. National Guard Regulation (NGR) 600-5, The Active Guard/Reserve (AGR) Program, Title 32, Full-Time National Guard Duty (FTNGD), 20 February 1990.
- g. NGR 500-2/Air National Guard Instruction 10-801, National Guard Counterdrug Support, 31 March 2000.
- h. Memorandum, NGB-J1, 14 January 2008, subject: (All States Log Number P08-0001) Guidance for Members Performing Duty under the Authority of Title 32 U.S.C. Sec 502(f) (enclosure).

**2. Purpose.** This memorandum establishes policy and procedures that govern the Title 32 (T32) Full-Time National Guard Duty Counter-Drug program.

**3. Summary.** This policy provides guidance for personnel serving on FTNGDCD orders. The FTNGDCD program supports all levels of government, including DOD, law enforcement, and community-based counter-drug operations to anticipate, prevent, deter and defeat those threats in order to enhance national security and protect our society. Initially authorized by the President and Congress in 1989, the Department of

NGB-ARH

SUBJECT: Guidance for Title 32 (T32) Full-Time National Guard Duty Counter-Drug (FTNGDCD) Program (NGB-ARH Policy Memo #09-011)

Defense provides funds on a yearly basis to State governors who submit plans specifying the usage of each State's National Guard to support drug interdiction and counter-drug (CD) activities.

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, United States Code, for which the member is entitled to pay from the United States or for which the member has waived pay from the United States [32 USC §101(d)(5)].

b. Full-time National Guard duty counter-drug (FTNGDCD). Personnel of the National Guard performing FTNGD under 32 USC §502(f) for the purpose of carrying out drug interdiction and counter-drug activities.

c. Drug interdiction and counter-drug activities. Use of National Guard personnel in drug interdiction and counter-drug law enforcement activities, including drug demand reduction activities, authorized by the law of the State and requested by the Governor of the State.

d. Active duty (AD). Full-time duty in the active military service of the United States served under the authority of Title 10 (T10). It includes full-time training duty, 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 10 USC § 101(d)(1). For the Reserve Component (RC), AD is comprised of the categories Active Duty for Training (ADT) and Active Duty Other Than for Training.

e. Active service (AS). The term "active service" means service on active duty or full-time National Guard duty [10 USC § 101(d)(2)].

f. Army National Guard of the United States (ARNGUS). The ARNGUS refers only to those members of the Army National Guard in T10 status and not those in T32 or other status [10 USC § (c)(3)].

g. Army National Guard (ARNG). The ARNG refers only to the land force of the federally recognized, organized militia of a State, Territory, or District of Columbia

NGB-ARH

SUBJECT: Guidance for Title 32 (T32) Full-Time National Guard Duty Counter-Drug (FTNGDCD) Program (NGB-ARH Policy Memo #09-011)

whose members are in T32 State status, and not in T10 or other status under 10 USC §101(c)(2).

h. Operational support duty. A category of voluntary duty used to provide RC support to operations and mission requirements. It includes active duty, other than AGR duty, pursuant to section 12301(d) of Title 10; full-time National Guard duty, other than AGR duty, pursuant to section 502(f) of Title 32; and active duty for training performed at the request of an organizational or operational commander, or as a result of reimbursable funding. It does not include AD performed as an AGR, FTNGD performed as an AGR, or FTNGD performed in support of counter-drug operations.

i. Full-Time Members (Special Category). Trained Selected Reserve members who are performing AD or FTNGD for more than 180 days in a fiscal year, but who are exempted from counting against the AD strengths pursuant to section 101(d)(6)(B)(ii) and (iii) of Title 10. Specifically, this includes United States Property and Fiscal Officers and members performing duty for the purpose of interdiction and counter-drug activities. These personnel shall have the Reserve Component Category and Training and Retired Category of "SV" (DOD Instruction 1215.06, paragraph E5.1.1.1.2).

5. Applicability.

a. This policy applies to the FTNGDCD program.

b. This policy is not written for Soldiers serving on AGR, Active Duty Operational Support, or ADT under 10 USC §12301(d), although these forms of duty are or may be Operational Support.

6. FTNGDCD policy.

a. General authority.

(1) The T32 FTNGDCD program is authorized for drug interdiction and counter-drug activities under 32 USC §112.

(2) Soldiers may be ordered to FTNGDCD under 32 USC §502(f) for the purposes of carrying out drug interdiction and counter-drug activities.

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

NGB-ARH

SUBJECT: Guidance for Title 32 (T32) Full-Time National Guard Duty Counter-Drug (FTNGDCD) Program (NGB-ARH Policy Memo #09-011)

b. Approval authority.

(1) The Counter-drug 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.

(2) The State Surgeon is the final approval authority within a State when medical issues arise.

7. Eligibility requirements for FTNGDCD tours.

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

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

c. The Soldier must not be within 6 months of mandatory removal or expiration of term of service on the report date of the tour. This requirement may be waived by the State AG.

d. The Soldier must not be under a suspension of favorable personnel actions per AR 600-8-2.

e. The Soldier must have a current Army Physical Fitness Test (APFT) taken within 6 months of the start date of the FTNGDCD order.

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

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

(1) The AGR Soldier must REFRAD IAW AR 600-8-24 to perform FTNGD.

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

NGB-ARH

SUBJECT: Guidance for Title 32 (T32) Full-Time National Guard Duty Counter-Drug (FTNGDCD) Program (NGB-ARH Policy Memo #09-011)

b. If the AGR Soldier does not qualify for a regular 20-year retirement, the Soldier must REFRAD IAW AR 600-8-24 to perform FTNGDCD.

9. General rules.

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

b. All FTNGDCD Soldiers on orders for greater than 180 days will take the APFT twice a year and will follow the State AGR APFT policy.

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

10. Coding.

a. For accounting purposes, Soldiers will have a basic active service date established in the Real Property Asset Management and Total Army Personnel database.

b. The active status program designator code of "5" will be used to identify FTNGDCD Soldiers in the Standard Installation/Division Personnel System.

11. 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 179 days to provide temporary duty (TDY) entitlements.

c. Orders will not be "broken" or divided to have Soldiers perform individual duty training (IDT) or AT. Soldiers will attend IDT and AT in accordance with Section 12 of this memorandum.

d. The following statement will be annotated on all FTNGDCD orders: "This Order is Subject to the Availability of Funds." Orders will not extend beyond currently available appropriated funds.

NGB-ARH

SUBJECT: Guidance for Title 32 (T32) Full-Time National Guard Duty Counter-Drug (FTNGDCD) Program (NGB-ARH Policy Memo #09-011)

e. Temporary duty orders. Soldiers on tour for 179 days or less will be placed in a TDY status and will receive per diem IAW Joint Federal Travel Regulations, Volume 1, provided the Soldier resides outside of the local commuting distance.

f. Permanent change of duty station. Soldiers on tour for 180 days or more will be placed in a PCS status and receive entitlements.

12. Drill.

a. A Soldier on FTNGDCD will be ordered to perform or attend IDT and AT under 32 USC §502(a) while in FTNGDCD status.

b. 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.

c. The member is not entitled to additional pay, allowances, or other benefits for participation in training required under 32 USC §502(a)(1).

13. 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 the State Human Resource Officer (HRO). The letter is required to ensure that the packet is in compliance with the provisions of this memorandum.

b. Department of Army (DA) Form 1058-R, Jul 93. All applicants must have a DA Form 1058-R signed by their 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.

c. NGB Form 1058-1R, 01 Aug 04. This form is a 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 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.

NGB-ARH

SUBJECT: Guidance for Title 32 (T32) Full-Time National Guard Duty Counter-Drug (FTNGDCD) Program (NGB-ARH Policy Memo #09-011)

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

f. Medical or 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 and 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).

14. 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 FTNGDCD packet is no longer required. The Medical Protection System (MEDPROS) will be used to access individual medical readiness status of the Soldier. The 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 FTNGDCD program, the Soldier's MEDPROS 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. The Periodic Health Assessment (PHA) will replace the requirement for the periodic physical examination Soldiers received every 5 years as well as the Annual Medical Certificate for all Reserve Component Soldiers. Soldiers will be required to see a provider annually to determine the current health condition as well as the current deployability status. 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. PHA assessment.

b. HIV showing "green" in MODS. All RC personnel shall be required to have a current HIV-1 test within 2 years of the date called to AD for 30 days or more.

**NGB-ARH**

**SUBJECT: Guidance for Title 32 (T32) Full-Time National Guard Duty Counter-Drug (FTNGDCD) Program (NGB-ARH Policy Memo #09-011)**

c. 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.

d. A Soldier with permanent 3 or 4 in the PULHES, who meets the medical retention standards as outlined in AR 40-501, must have completed a Military Occupational Specialty (MOS) Medical Retention Board (MMRB) IAW AR 600-60 in order to apply. The MMRB must state that the Soldier is recommended to be "retained in his/her current primary MOS."

15. 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 him or her from meeting medical retention standards is required to undergo Medical Evaluation Board (AR 40-400)/Physical Evaluation Board (AR 635-40) processing prior to REFRAD. In certain circumstances, Soldiers can be placed in medical hold, receive treatment, be returned to duty, or be processed through the Physical Disability Evaluation System (PDES).

b. A Soldier who develops a medical condition which prevents him or her from meeting medical retention standards IAW 40-501 will be referred to the 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.

16. Leave entitlements.

a. Soldiers are entitled to leave in accordance with AR 600-8-10, Personnel Absences, Leaves and Passes, 15 February 2006.

b. Sponsor must ensure Soldiers are afforded the opportunity to take leaves during the course of their tour. Soldiers can opt to sell their leave if there is a 1-day break or

NGB-ARH

SUBJECT: Guidance for Title 32 (T32) Full-Time National Guard Duty Counter-Drug (FTNGDCD) Program (NGB-ARH Policy Memo #09-011)

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 1 day between FTNGD tours, the Soldiers 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.

c. **Loss of Leave:** Accrued leave that exceeds the maximum days allowed per fiscal year will be lost on September 30th, unless a Soldier requests to sell it. Accrued leave should be used before the end of the fiscal year.

17. **Early release procedures.**

a. **Voluntary early release.** 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 CDC according to the process established by the CDC and the State AG. The State AG decision will be final authority.

b. **Involuntary early release.** The FTNGDCD CDC is 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 will receive a minimum of 15 calendar days notification prior to his or her release, but will be released upon the termination date of his or her tour if that occurs first. The Soldier will 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 CDC 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 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 his or her 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 FTNGDCD tours are curtailed.

NGB-ARH

SUBJECT: Guidance for Title 32 (T32) Full-Time National Guard Duty Counter-Drug (FTNGDCD) Program (NGB-ARH Policy Memo #09-011)

(3) The Soldier's rank/pay grade is reasonably inappropriate for the FTNGDCD task(s) he or she is performing.

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

(5) The 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 FTNGDCD duty position, as defined by AR or the appropriate AGR staffing guide.

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

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

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

18. 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 FTNGDCD.

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

19. Waivers.

a. Separation pay waiver. Soldiers on FTNGDCD orders are not required to obtain a waiver to continue on FTNGDCD orders beyond 1,095 days. A Soldier who has completed 6 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 6th 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 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.

NGB-ARH

SUBJECT: Guidance for Title 32 (T32) Full-Time National Guard Duty Counter-Drug (FTNGDCD) Program (NGB-ARH Policy Memo #09-011)

b. Sanctuary (18-year lock-in) waiver. A Soldier on FTNGDCD orders is not required to waive his or her entitlement to sanctuary IAW 10 USC §12686(b), NGR 600-5, chapter 6-1(b)(1), and current policy, if his or her FTNGDCD orders take the Soldier beyond 18 years of AS at the time of release.

20. End strength reporting.

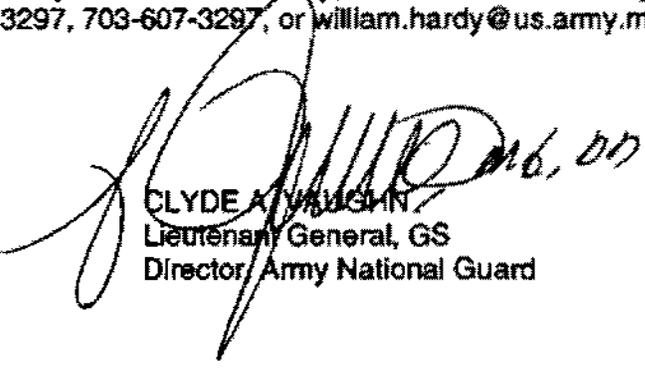
a. To ensure the proper use of authority, ceilings are established annually by Congress to authorize the peak number of RC members who can be on full-time National Guard duty or SAD under 32 USC §502(f) to perform drug interdiction or counter-drug activities. Members of the National Guard on FTNGDCD orders for the purposes of performing drug interdiction and counter-drug law enforcement functions, shall be counted toward the annual end strength authorized in 32 USC §112(f).

b. Members of the National Guard on FTNGDCD orders for the purposes of performing drug interdiction and counter-drug law enforcement functions shall not be counted toward the annual end strength authorized for reserves on active duty in support of the reserve components of the armed forces or toward the strengths authorized in sections 12011 and 12012 of Title 10.

21. Rescission of policies. This policy memorandum rescinds NGB-ARH Policy Memo #06-023, 21 April 2006, subject: Guidance for Title 32 (T32) Full-Time National Guard Duty for Operational Support (FTNGD-OS) programs and the T32 Full-Time National Guard Duty Counterdrug (FTNGD-CD) program.

22. The point of contact for this policy is Mr. William Hardy, Chief, Personnel Policy and Readiness Division, at DSN 327-3297, 703-607-3297, or [william.hardy@us.army.mil](mailto:william.hardy@us.army.mil).

Encl  
as

  
CLYDE A. VAUGHN  
Lieutenant General, GS  
Director, Army National Guard