



CHIEF NATIONAL GUARD BUREAU NOTICE

NGB-J1
DISTRIBUTION: A

CNGB Notice 1002
02 April 2012

GUIDANCE CONCERNING NATIONAL GUARD PERSONNEL TRAVELING OUTSIDE THE UNITED STATES, TERRITORIES, AND POSSESSIONS

Reference(s):

- a. DoD Instruction 1215.06, 7 Feb 07, Change 2, 24 Dec 08, "Uniform Reserve, Training, and Retirement Categories"
- b. United States Code (U.S.C.) Title 10, "Armed Forces"
- c. U.S.C. Title 5, "Government Organization and Employees"
- d. U.S.C. Title 31, "Money and Finance"
- e. U.S.C. Title 32, "National Guard"

1. Purpose. To disseminate guidance on National Guard (NG) Policy concerning military personnel traveling outside the U.S., Territories, or possessions as outlined in DoDI 1215.06 (Reference a).
2. Cancellation. This CNGB Notice supersedes and cancels All States Memorandum, 12 July 2010, subject: Guidance Concerning National Guard Personnel Traveling outside the United States, Territories, and Possessions.
3. Applicability. This notice is applicable to all States, Territories, and National Guard Bureau (NGB) Service members serving on orders under Title 32 (T32) U.S.C.
4. Background. Reference a. directs a duty status using U.S.C. Title 10 (T10) authority when on land outside the United States (U.S.), its Territories and possessions. The phrase "on land" means that NG members can fly to or between Alaska, Hawaii, Guam, Puerto Rico, or the U.S. Virgin Islands in U.S.C. T32 duty status, as long as they do not land at any point on foreign territory. Guantanamo Bay Naval Base is not considered a U.S. Territory or possession. Therefore, travel to Guantanamo requires U.S.C. T10 duty status.

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There are many reasons for these provisions in Reference a. to include the status of forces agreements and similar arrangements negotiated by the U.S. Government protecting military personnel, federal civilian employees, and dependents accompanying the force.

5. Action or Procedure. The following guidance is provided for clarification of the DoDI 1215.06 rule:

a. Traditional/M-Day members will travel outside the U.S., its Territories and possessions only in U.S.C. T10 duty status.

b. Active Guard Reserves (AGRs) will travel outside the U.S., its Territories and possessions only in U.S.C. T10 duty status. Special issues are involved when members on AGR, Full-Time National Guard Duty for Operational Support (FTNGDOS), Full-Time National Guard Duty for Counter Drug (FTNGDCD), and other U.S.C. T32 duty status long tours are placed in U.S.C. T10 duty status to travel outside the U.S., its Territories, and possessions. When traveling outside the U.S. its Territories, and possessions, units must account for members in U.S.C. T10 duty status and ensure pay, allowances, and travel are funded out of appropriations consistent with the purpose of the duty for which the members are traveling (31 U.S.C. § 1301(a)). Before Weapons of Mass Destruction Civil Support Team T32 AGR personnel travel outside the U.S., its Territories and possessions, approval must be requested and obtained through NGB-J35 due to statutory limitations (10 U.S.C. 12310(c)).

c. Dual status (DS) technicians will not travel outside the U.S., Territories, and possessions unless on active duty under a U.S.C. T10 authority. In addition to 15 days of military leave under 5 U.S.C. § 6323(a), DS technicians performing active duty outside the U.S., its Territories, and possessions are eligible for up to 44 days of special leave in accordance with 5 U.S.C. § 6323(d).

d. Non-dual status (NDS) technicians are not authorized to travel outside the United States, its territories, and possessions.

e. Uniform Code of Military Justice (UCMJ) jurisdiction for NG members traveling outside the U.S., Territories, and possessions requires a U.S.C. T10 authority which is the appropriate combatant commander. The U.S.C. T10 active duty order will list the UCMJ authority.

6. Releasability. This notice is approved for public release; distribution is unlimited. NGB directorates, Adjutants General and the Commanding General of the District of Columbia, and Joint Force Headquarters-State may obtain copies of this instruction through the Internet at www.ngbpdc.ngb.army.mil and Guard Knowledge Online (GKO).

7. Effective Date. This notice is effective on the date signed and will expire one year from the date of signature unless cancelled earlier.



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