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NATIONAL GUARD BUREAU

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ARNG-HRH

14 May 2021

MEMORANDUM FOR The Adjutants General of All States, Territories, and the Commanding General of the District of Columbia

SUBJECT: Policy for Army National Guard (ARNG) Soldiers Performing Active Duty for Operational Support Reserve Component (ADOS-RC) Duty (PPOM #21-001)

- 1. References: See Appendix A (Enclosure 1).
- 2. Purpose. The enclosed guidance at Appendix B (Enclosure 2), establishes policy, assigns responsibilities, and prescribes procedures for the Title 10 ADOS-RC program.
- 3. Applicability. This policy applies to ARNG Soldiers currently serving on ADOS-RC tours, tour renewals, and new tour applicants under the authority of Title 10 United States Code § 12301(d). This policy does not apply to Soldiers serving on Full-Time National Guard Duty for Operational Support (FTNGD-OS), under the authority of Title 32 U.S.C. § 502(f)(2). However, FTNGD-OS time served combined with ADOS-RC time served, applies toward the total time limitations of Operational Support.
- 4. The point of contact for this memorandum is Mr. Gilbert S. Morales Jr., Chief, Personnel Policy Division at 703-607-3297, DSN: 327-329, or gilbert.s.morales.civ@mail.mil.

Encls

Lieutenant General, GS

JON A JENSEN

Director, Army National Guard

References:

- a. Title 10 United States Code (U.S.C) Armed Forces.
- b. Title 32 United States Code (U.S.C) National Guard.
- c. Army Regulation (AR) 135-156 (Reserve Component General Officer Personnel Management).
 - d. Army Regulation (AR) 40-501 (Standards of Medical Fitness).
 - e. Army Regulation (AR) 40-502 (Medical Readiness).
 - f. Army Regulation (AR) 600-9 (The Army Body Composition Program).
- g. Army Regulation (AR) 600-110 (Identification, Surveillance, and Administration of Personnel Infected with Human Immunodeficiency Virus).
- h. Army Regulation (AR) 600-8-2 (Suspension of Favorable Personnel Actions Flag).
- i. Army Regulation (AR) 135-200 (Active Duty for Missions, Projects, and Training for Reserve Component Soldiers).
- j. Title 10 United States Code (U.S.C), Section 115, Personnel Strength Requirements for Annual Authorization.
- k. Memorandum, DAPE-MPM-MM, 21 November 2017, Subject: Applicability and Clarification of Active Duty for Operational Support (ADOS) Process Requirements Contained in Recently Released AR 135-200 (26 Sep 2017).
- I. Title 10 United States Code (U.S.C), § (Subsection) 1174, Separation Pay Upon Involuntary Discharge or Release from Active Duty.
 - m. National Guard Regulation (NGR) 310-10 (Military Orders).
- n. The Joint Travel Regulations, Uniformed Service Members and DoD Civilian Employees, 1 August 2020.
 - o. Army Regulation (AR) 600-8-19 (Enlisted Promotions and Reductions).
- p. National Guard Regulation (NGR) 600-100 (Commissioned Officer Federal Recognition and Related Actions).

- q. Army Regulation (AR) 635-40 (Disability Evaluation for Retention, Retirement, or Separation).
 - r. Army Regulation (AR) 623-3 (Evaluation Reporting System).

General.

- a. Operational Support (OS) is a category of voluntary duty that includes Active Duty for Operational Support (ADOS) with several subcategories and Fulltime National Guard Duty- Operational Support (FTNGD-OS).
- b. ADOS is an authorized voluntary tour of active duty (AD) performed pursuant to Title 10 United States Code (U.S.C.) § 12301(d), which is other than Active Guard Reserve (AGR) duty.
- c. The purpose of ADOS is to provide the necessary skilled manpower assets to support existing or emerging requirements.
- d. Full-time staffing shortfalls and command and control duties are not justifiable reasons for ADOS-RC requests.
- e. ADOS in support of the Reserve Components is known as ADOS-RC and is paid from Reserve Personnel Appropriations (RPA) or National Guard Personnel Appropriation (NGPA) funds. ADOS in support of the active force is known as ADOS-AC and is paid from Military Personnel Army (MPA) funds.
- f. ADOS-RC appropriations will not be used to fund duty that meets the requirements of other training duty (OTD).
- g. ADOS-RC and ADOS-AC are not interchangeable. ADOS-AC will not be used for support of RC missions, and ADOS-RC will not be used to accomplish regular army (RA) missions.
- h. ADOS-RC is authorized for RC Soldiers supporting RC operational missions above and beyond the RC unit's normal mission (i.e. exercises, projects, or conferences). These are limited to non-contingency missions.
 - i. ADOS-RC will not be used:
 - (1) As a career accession program.
 - (2) For long-term staff augmentation or to evade manpower ceilings.
- (3) For a task or mission within peacetime duties of military or civilian personnel attending long-term schools or long-term hospitalization.

- (4) As a mode of training, to include attendance at professional development training Courses. Experience gained or enhancement of a Soldier's mobilization readiness is not a deciding consideration in determining whether ADOS-RC is warranted, although training may occur in the conduct of ADOS-RC.
- j. ADOS tours must be fully documented. Approving authorities will retain tour documentation and justification for the current and previous fiscal year (FY).
- k. Soldiers remain a mobilization asset to the parent unit while performing ADOS-RC duty.
 - I. For General Officer tours of Active Duty (AD) refer to AR 135-156.
- 2. Roles and Responsibilities.
- a. The Chief, National Guard Bureau (CNGB), or the Director, ARNG, if so delegated will:
- (1) Fill approved positions and issue ADOS-RC orders. This authority may be delegated to State Adjutants General (AGs).
- (2) Issue ADOS-RC orders for ARNG Soldiers that are funded by National Guard Personnel Appropriations (NGPA). This authority may be delegated to the State AG.
- (3) Compile and submit ADOS reports as identified in para 1-7 of AR 135-200 to the Deputy Chief of Staff (DCS), G-1 (DAPE-MP).
 - b. The Chief, National Guard Bureau:
 - (1) Manages ADOS-RC.
 - (2) Maintains administrative controls within Tour of Duty (TOD) permissions.
 - (3) Provides ADOS-RC policy and guidance to the National Guard.
- 3. Applicant Qualifications. An applicant for an ADOS-RC tour must, at a minimum:
- a. Meet the medical fitness standards prescribed in AR 40-501 and be coded Medical Readiness Class (MRC) MRC1 or MRC2 in accordance with AR 40-502.

- b. Meet the Army weight control standards and body composition standards in AR 600-9.
- c. Have a valid Army Physical Fitness Test (APFT) or Army Combat Fitness Test (ACFT).
- d. Have a current periodic health assessment. Exceptions to this requirement are possible when the Soldier has not had access to a military physician.
 - e. Have or be able to gain and retain the required security clearance.
 - f. Meet grade and skill requirements.
- g. Have a current human immunodeficiency virus (HIV) screening in accordance with the requirements of AR 600-110.
 - h. Not have a Suspension of Favorable Personnel Action (flag) per AR 600-8-2.
- i. Not be within 6 months of mandatory removal date (MRD) or expiration term of service (ETS) on the tour's report date.
- j. Not have received any adverse action such as a letter of reprimand, reduction in rank, non-judicial punishment, court martial, etc. within two years of the tour's report date.
- 4. Application. Tour of Duty (TOD) is the repository for Soldiers to search for active duty tours for which they are qualified to apply. Soldiers must apply for ADOS-RC positions through TOD. This program contains the requirements in order to advertise a position for fill. Should TOD become obsolete, the same procedures will apply to the Army system of choice. The following documents are required for ADOS-RC tour applicants:
- a. <u>TAG Release</u>. The Adjutant General (TAG) or the Commanding General of D.C must provide the Soldier with a letter of release.
- b. <u>Security Clearance Verification</u>. All applicants whose position requires a valid security clearance, must upload verification from the State/Territory/D.C security manager indicating the applicant's clearance level, dated no more than 60 days from the tour start date.

- c. <u>Retirement Points Assessment</u> (NGB Form 23A). Retirement points assessment, must be current within 30 days of the application date.
- d. <u>Statement of Service</u> (DA Form 1506). All Soldiers must have an accurate accounting for all AD service prior to submitting for an OS tour. This information will be used to determine accurate active service and must be signed by the Soldier.
- e. <u>Army Physical Fitness/ Army Combat Fitness Test Scorecard</u> (DA Form 705). New hire requests must contain a valid record passing APFT/ACFT. Two valid record passing APFT/ACFTs must be submitted for Soldiers who were serving on Title 10 ADOS-RC or Title 32 FTNGD-OS orders during the previous 12 month period.
- f. <u>Body Composition Worksheet</u> (DA Form 5500 or 5501). A body fat worksheet is required within 60 days of the ADOS-RC application date for Soldiers who do not meet height and weight standards.
- g. <u>Physical Profile</u> (DA Form 3349). Soldiers on a temporary profile are ineligible to start ADOS-RC tours. Soldiers with Permanent Level 3 (P3) or Permanent Level 4 (P4) profiles must submit a copy of DA Form 3349 and Medical Review Board Results.
- h. <u>Individual Medical Readiness (IMR) Record</u>. Soldiers must upload the latest copy of their IMR in order to validate they have a current periodic health assessment (PHA) and human immunodeficiency virus (HIV) screening.
- i. <u>Pre-Separation Counseling Checklist</u> (DD Form 2648). This is required for all new sets of orders.
- j. <u>ARNG-CSZ-SM ADOS Packet Checklist</u>. The Division Force Requestor (DFR) is responsible for the completion and upload of this document.
 - k. Any approved waivers or exception to policy memorandums.
- 5. Long-term Use of Voluntary Soldiers.
 - a. ADOS is not a career accession or progression program.
- b. ADOS tours (excluding counterdrug) that will cumulatively exceed 3 years (1,095 days) in the previous 4 years (1,460 days) are not authorized without approval of the appropriate authority.

- (1) "1095 Rule": Soldiers will not exceed 1095 days of ADOS in a 1460 day rolling window without an approved Chief of Staff memorandum. Approved memorandums are valid up to the end of the current fiscal year in which being requested or if funding is available to cover the approval period. Each Divisions funding differs so each OPR must verify against their budget plans. Approved ETPs are not funded through the Chief of Staff and are not valid to cover multiple fiscal years.
- (2) "1095 rest time": Soldiers that have reached or exceeded 1095 time must take a 365 day break in order to reset their time. A one (1) day break does not reset the Title 10ADOS-RC accumulated time. If anything less than one full year break is taken, then Soldiers are only eligible back on orders for the same amount of days taken off orders.
- (3) In accordance with the provisions of AR 135-200, para 6-7, the ADOS-RC approval authority is the CNGB or designated representative when permission to exceed the 3 year rule is requested.
- (4) The Chief of Staff (CoS), ARNG is the CNGB's designated representative. Soldiers are accountable against ARNG AGR end strength when the threshold is crossed pursuant to Title 10 U.S.C § 115. The approval authority is responsible for balancing ADOS-RC 1095 waiver requests against ARNG AGR end strength.
- 6. HQDA DCS, G-1 (DAPE-MP) Approval.
- a. ADOS-RC tours must have prior approval from HQDA DCS, G-1 (DAPE-MP) when:
- (1) The Soldier volunteering for the tour already has, or will reach, 17 years Active Federal Service during the requested tour. See reference (k).
 - (2) The ADOS-RC order must be backdated.
- (3) The ADOS-RC orders for Soldiers serving under the FRA program fall outside of the authorized window (1 NOV- 30 SEP). All requests require a full analysis of the benefits and risks and must be reviewed by NGB-JA.
- b. Requests for ADOS-RC tours that fall in one of the above categories must be sent through command channels and routed through the Chief of Staff, ARNG office (ARNG-CSZ-SM) to the ARNG Personnel Policy Division (ARNG-HRH-M). Address all requests to the Director, Army National Guard, ATTN: ARNG-HRH-M, 111 South George Mason Drive, Arlington, VA 22204-1373. Requests must arrive at least 45

business days in advance of the tour start date, or it may be returned without action.

- 7. Chief of Staff (CoS), ARNG Approval. CoS, ARNG approval is required for:
- a. All Soldiers (excluding Counterdrug), requesting to serve on ADOS-RC orders for more then 3 years (1,095 days) in the previous 4 years (1,460 days). Soldiers whose service exceeds the 3 year rule (1,095 days) will be counted against ARNG AGR end strength, consistent with pay appropriations, pursuant to Title 10 U.S.C. § 115.
- b. All Soldiers (excluding Counterdrug) requesting to serve on ADOS-RC orders for more then 6 continuous years. A Soldier who has completed 6 or more continuous years of active service (AS) is entitled to separation pay computed under Title 10 U.S.C. §1174. Qualification for separation pay is negated when there is at least a 31-day break in service before completion of the sixth year of continuous AS. Separation pay will be recouped from the Soldier's retirement pay.
- c. Lieutenants requesting an ADOS-RC tour within the National Guard Bureau Directorates, with the exception of Lieutenants who meet one of the following criteria:
- (1) CoS, ARNG approval is NOT required for Military Intelligence Lieutenants to serve on ADOS-RC when performing operational intelligence support through the Funded Reimbursable Authority (FRA) program.
- (2) CoS, ARNG approval is NOT required for Lieutenants with the following occupational specialties, if the ADOS-RC duty description aligns with their specific area of concentration: Medical Corps, Judge Advocate General, Finance, and Chaplain Corps.
- d. Soldiers selected for release by an Active Service Management Board (ASMB), Release from Active Duty (REFRAD) board or Tour Continuation Board (TCB) are not eligible for a Title 10 ADOS-RC tour within the National Guard Bureau Directorates without an approved ETP from the CoS, ARNG.
- e. The involuntary release of a Soldier from ADOS-RC duty for one of the reasons listed in paragraph 15(a) of this policy.
- 8. Counterdrug Tours. The approval authority for all waiver or ETP requests for Counterdrug Soldiers is the first General Officer in the NGB-J3. All waiver or ETP requests must be reviewed and approved on a case-by-case basis.

9. Orders.

- a. The Department of the Army Mobilization Processing System (DAMPS) will generate orders once all required documents are loaded in TOD.
 - b. NGB issues ADOS-RC orders in the format prescribed in NGR 310-10.
 - (1) Orders must state Title 10 U.S.C. 12301(d) as the authority.
- (2) The AD commitment or period of AD will be expressed as a period of time (such as 11 days, 3 months).
- (3) The specified report date and end date prescribed by NGB will be shown; however, the effective date of entry on AD will not be shown.
- c. Soldiers on ADOS-RC orders may be released before their orders termination date based on the needs of the Army.
- d. The following statement will be added to the "additional instructions" portion of all OS orders: "Upon application, Soldiers are responsible to provide a full and accurate accounting of all AD or FTNGD served before submitting for ADOS/FTNGD-OS tour. Failure to do so may result in early termination of orders. Soldiers may submit a DA Form 1506 (Statement of Service For Computation of Length of Service for Pay Purposes) to satisfy this requirement."
- e. Orders pertaining to officers, including amendments, will include the statement, "Officer will not be placed on the Active Duty List during this period of active duty, regardless of its duration."
- f. Orders will not exceed 365 days, with the exception of the CD program. The CD program is authorized to cut multiyear orders.
 - g. The end date of all orders will be no later than 30 September of the current FY.
- h. Orders with a start date after 1 April must be coordinated through the Resource Integration Division (ARNG-RI) Capabilities Branch for TDY funding requirements.
- i. Orders will comply with the appropriate entitlements and restrictions according to the Department of Defense Financial Management Regulation (DoDFMR), JTR, and all other policies. Any duty performed for 180 days or more requires a PCS, and per diem is not authorized without an ETP approved by the DCS, G-1 (DAPE-PR).

- j. Orders will clearly state the organization to which a Soldier is attached or assigned.
- k. Orders must state the Soldier is subject to the Uniform Code of Military Justice (UCMJ).
- I. Orders will not be issued for extended periods if it is known at the time that the service member will need to have orders curtailed during the tour.
- m. Orders may not be broken or divided to allow the continued payment of TDY entitlements that are not directly required by the mission.
- n. Soldiers performing duty under the authority of Title 10 U.S.C § 12301 (d) will perform only duties that are specific requirements of the mission for which they were ordered to duty.
- o. Orders will not be amended, curtailed, or divided for multiple periods for any Title 10 USC § 12301 (d) order for the purpose of avoiding pay for typical non-duty days.
- p. All Soldiers on orders for more than 180 days will take a record APFT/ACFT twice a year, with at least a 4 month break between each test.
- 10. Drill. In accordance with AR 135-200, Soldiers are not authorized to participate in IDT or Annual Training with the parent unit while performing ADOS-RC duty with another unit or headquarters. However, Soldiers are required to provide administrative information such as DA Form 705 and DD Form 2795 to the parent unit upon request.
- 11. Eligibility for Promotion. Soldiers performing ADOS tours are considered for promotion under the provisions of AR 600-8-19 for Enlisted and NGR 600-100 for Officers. The respective States or Territories remain the promotion and orders-issuing authority for ARNGUS Soldiers. When the Soldier has been recommended for unit or position vacancy promotion the request will include paragraph and line number information and it will also be noted in the remarks section of the orders. Soldiers currently serving on ADOS tours are managed by their respective State or Territory and will not be promoted against a Title 10 AGR authorization. The ADOS tour is not a career program and the Soldier is not assigned against a valid Title 10 AGR TDA position.
- 12. Medical Conditions. In accordance with the provisions of AR 635-40
- a. A Soldier identified within the first 30 days of an ADOS-RC tour as having a medical condition which existed before the Soldier's entrance on active duty, and does

not meet medical retention standards, may be released from active duty (REFRAD) immediately.

- b. A Soldier who develops a medical condition after the initial 30 days of their tour which prevents them from meeting medical retention standards will be tracked until the condition is resolved and the Soldier is returned to duty (RTD), or entered into the Physical Disability Evaluation System. These Soldiers must be retained on active duty if appropriate medical processing actions are not completed before the tour end date.
- 13. Evaluations. In accordance with AR 623-3, evaluations for ADOS-RC Soldiers will follow active Army rules for evaluation reports. A rating scheme will be established and required counseling will be conducted.
- 14. Administrative Management. All Soldiers reporting for ADOS in a Federal status (Title 10 U.S.C.) are subject to the Uniform Code of Military Justice (UCMJ) as administered by the organization to which they are attached for duty. In accordance with AR 135-200, Soldiers can be involuntarily extended on orders for administration of the UCMJ.
- 15. Release from Active Duty.
- a. <u>Involuntary Release</u>. CoS, ARNG is the approval authority for the involuntary release of a Soldier from ADOS-RC duty for the following reasons:
 - (1) Funding. ADOS-RC program manning is subject to available funds.
- (2) Mission Requirements. A change in mission requirements results in no further need for the Soldier's skills and/or pay grade.
- (3) Deployment. Soldiers remain a mobilization asset to the parent unit, subject to recall while performing ADOS-RC duty.
- (4) Medical. A Soldier identified within the first 30 days of an ADOS-RC tour as having a medical condition that existed before the Soldier's entrance on active duty, who does not meet medical retention standards, may be REFRAD.
- (5) APFT/ACFT or Height/Weight Failure. A Soldier who fails to pass APFT/ACFT or meet body composition standards may be REFRAD.
- b. <u>Involuntary Release Process</u>. When the release of a Soldier back to the parent unit is warranted for one of the reasons listed in para15 (a) of this policy, and discharge

from the service is not required, the following steps must be followed:

- (1) The sponsoring organization will notify the Soldier in writing utilizing DA Form 4856 that he/she is being recommended for involuntary release from ADOS-RC duty. The counseling statement will include the reason for release.
- (2) The Soldier has 15 business days from the date of notification to respond, if desired.
- (3) The sponsoring organization must forward a DA Form 4187 request for release and supporting documentation through the chain of command. A recommendation of approval or disapproval will be made at each level.
- (4) The packet is sent to the office of the Chief of Staff for processing by (ARNG-CSZ-SM) and consideration by the CoS, ARNG.
 - (5) The CoS, ARNG is the final approval authority.
- (6) Performance. ARNG-HCM will refer cases where a Soldiers' conduct, degree of efficiency, or manner of performance is seriously deficient to a board of three officers appointed to consider the recommendations for involuntary release. The board will determine if Soldiers will be retained or released. The CNGB shall convene the board and prescribe the proceedings. The board's decision will be final. Orders for release will be processed after ARNG-HCM has performed an administrative review of the proceedings.
- c. <u>Voluntary Release</u>. A Soldier may request early release from ADOS-RC duty using DA Form 4187. The form must set forth the reason for the request and must be forwarded by the sponsoring organization to ARNG-CSZ-SM at least 30 days before the desired release date. This will allow adequate time for processing and the use of accrued leave. Voluntary release does not have to be granted.

16. Separation.

- a. DD Form 214 will be issued on release from ADOS for a period of 90 days or more.
- b. DD Form 220 will be issued on release from ADOS for a period of 89 days or less.
- 17. Reporting Requirements. HQDA OS strength accounting and reporting requirements will be met. ARNG-HRM will submit a monthly OS report to HQDA DCS,

G-1 (DAPE-PR and DAPE-MP). The OS report will be submitted on the 15th of every month and report OS personnel numbers as of the last day of the previous month. For specific reporting requirements refer to AR 135-200, para 1-7.

18. Title 10 ADOS-RC Points of Contact.

- a. Army National Guard Chief of Staff office (ARNG-CSZ-SM), reviews TOD requests and publishes orders, Title 10 ADOS-RC Program Manager can be reached at 703-601-7397.
- b. Personnel Policy Division (ARNG-HRH-M), processes ADOS-RC waiver and ETP requests requiring HQDA DCS, G-1 approval. Title 10 ADOS-RC Program Manager is Tammy L. Cochran @ tammy.l.cochran.civ@mail.mil, ng.ncr.ngb-arng.mbx.hrh-m@mail.mil, or 703-607-3402.
- c. Resources and Manpower Division (ARNG-HRM), OS strength reporting, Title 10 ADOS Program Manager can be reached at 703-607-7508.
- 19. Rescission. This policy rescinds:
- a. National Guard Bureau, ARNG-HRH memorandum (Policy for ARNG Members Performing ADOS Reserve Component (RC) Duty under the Authority of Title 10 U.S.C. § 12301 (d) (ARNG-HRH Policy Memo) (PPOM #18-004)), 5 February 2018.
- b. National Guard Bureau, ARNG-HRH memorandum (Policy for ARNG Members Performing ADOS Reserve Component (RC) Duty under the Authority of Title 10 U.S.C. § 12301 (d) (ARNG-HRH Policy Memo) (PPOM #18-004) (Corrected Copy)), 6 March 2018.
- c. National Guard Bureau, ARNG-HRH memorandum (Policy for ARNG Members Performing ADOS Reserve Component (RC) Duty under the Authority of Title 10 U.S.C. § 12301 (d) (ARNG-HRH Policy Memo) (PPOM #18-004)), 26 September 2018.