



NATIONAL GUARD BUREAU

1636 DEFENSE PENTAGON
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NGB-J1

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MEMORANDUM FOR THE ADJUTANTS GENERAL AND THE COMMANDING GENERAL OF THE DISTRICT OF COLUMBIA

Subject: Use of National Guard Personnel Already in a Title 32 Duty Status for State Immediate Response to Domestic Emergencies

References: (a) CNGBI 3000.04, 24 January 2018, "National Guard Bureau Domestic Operations"
(b) CNGBI 2000.01D, 18 January 2022, "National Guard Intelligence Activities"
(c) DoD Directive 3025.18, 29 December 2010, "Defense Support of Civil Authorities (DCSA)," Incorporating Change 2, 19 March 2018

1. Purpose. This Directive-Type Memorandum (DTM) establishes interim policy to employ National Guard (NG) personnel already serving in a Title 32 (T32) duty status for State immediate response to domestic emergencies, and to provide additional flexibility for States to utilize T32 high demand/low density (HD/LD) skilled assets from their full-time force to meet emergency needs, in accordance with the references.

2. Cancellation. None.

3. Applicability.

a. This DTM applies to NG personnel already serving in a T32 duty status during a State immediate response to a domestic emergency in accordance with reference c.

b. This DTM does not apply to NG personnel engaged in State immediate response events while in a State Active Duty status; personnel performing Inspector General duties (regardless of duty status); T32 Dual Status Technicians; NG personnel on T32 orders that authorize auto-conversion and whose position is in direct support of their units' assigned 24/7 federal operational missions; or T32 orders funded by another Federal entity, such as the Federal Emergency Management Act, United States Department of Health and Human Services, United States Department of Homeland Security, Federal Bureau of Investigations, or Secret Service.

4. Policy. It is NG policy to allow State officials to direct a State immediate response to a State domestic emergency using units and individual T32 NG personnel, regardless of their unit of affiliation or their prescribed Federal duties and responsibilities, except those listed in the applicability statement of this DTM. Justification for a response is

solely a State's determination under state law, however it may include, but is not limited to, saving lives, preventing human suffering, and mitigating great property loss.

a. Extensions. NG personnel will not be placed or extended in T32 duty status to conduct State immediate response.

b. Exceptions. By exception, NG personnel serving in a T32 NG Duty Annual Training status may be used for a State's immediate response to a domestic emergency that occurs during a pre-planned annual training event when The Adjutant General (TAG) or the Commanding General of the District of Columbia (CG) determines the work performed satisfies or complements the unit's wartime mission or annual training objectives.

c. State Officials. TAGs and CG may access T32 high demand/low density skill sets to support a State immediate response under the condition of reimbursement described in paragraph 6.c. of this DTM. This does not include assistance provided by NG intelligence elements, which may require Secretary of Defense approval in accordance with reference b.

d. Interstate Situations. State officials may authorize their NG personnel already in a T32 duty status to support a State immediate response to a domestic emergency in another State when authorized by the Governor or TAG of the sending and receiving States. In such circumstances, the receiving state is responsible for any reimbursement under paragraph 7 of this DTM.

e. Limitations.

(1) Non-Interference. TAGs and CG are authorized to use T32 personnel from their State for State immediate response to a domestic emergency for a cumulative maximum of 14 calendar days per fiscal year as determined by the Chief of the National Guard Bureau to not interfere with T32 personnel's Federal responsibilities or duties. Requests for approval to exceed 14 cumulative days must be submitted to the National Guard Coordination Center (NGCC) for approval by the corresponding Army National Guard or Air National Guard Director, no later than four days before the expiration of the 14-day time period. Requests must include name, duty title, and justification for continued use.

(2) Counterdrug. T32 Counterdrug personnel must not support law enforcement agencies or perform authorized counterdrug activities when directed to support a State's immediate response to a domestic emergency.

(3) Combatant Commands. TAGs and CG should refrain from using T32 personnel performing Federal missions in direct support of Combatant Commands or NORAD.

(4) Chemical, Biological, Radiological and Nuclear (CBRN). If CBRN personnel are used for a State emergency and an actual CBRN event occurs, all CBRN Enhanced

Response Force Packages and Homeland Response Force T32 personnel will revert to their primary duties to respond to the CBRN event, in accordance with reference c.

5. Responsibilities.

a. Director of the Army and Air National Guard (DANG/DARNG). The DARNG and DANG are responsible for oversight of Title 32 Duty Status for State immediate response to domestic emergencies and approval of State requests to exceed the 14-day limit.

b. Director of Manpower and Personnel. The Director of Manpower and Personnel is responsible for the policy governing use of T32 personnel for State emergencies. NGB J-1 will also provide personnel tracking procedures to support the NGCC and reporting/coordination with the Programs and Resources/Comptroller Directorate (NGB-J8).

c. NG Joint Force Headquarters- State. NG Joint Force Headquarters-State will notify the NGCC at the earliest opportunity and no later than 24 hours from employment when T32 personnel are utilized under this guidance,

6. Procedures.

a. Return to Duty. T32 personnel will perform their duty without a break in orders. They will return to their original T32 duty as soon as other resources become available to respond, but not later than 14 calendar days.

b. Reimbursement. Use of NG personnel under this guidance is a reimbursable activity beginning at the initiation of use of T32 personnel. Each State's United States Property and Fiscal Officer will ensure that NG appropriations are appropriately reimbursed. If counterdrug personnel are utilized under this guidance, the United States Property and Fiscal Officer will ensure the appropriate counterdrug account is reimbursed.

7. Information Collection Requirements. N/A.

8. Definitions.


a. Domestic Emergencies -- Civil defense emergencies, civil disturbances, major disasters, or natural disasters affecting the public welfare and occurring within the United States, its Territories and the District of Columbia.

b. State Immediate Response -- State-directed responses to domestic emergencies utilizing National Guard personnel under the command and control of State officials in accordance with State law.

9. Releasability. This DTM is approved for public release; distribution is unlimited. It is available at <<https://www.ngbpmc.ng.mil/>>.

10. Records Management. This DTM and all records created as a result, regardless of media and format, must be managed in coordination with the NGB Records Management Program.

11. Compliance. Per the Chief of the National Guard Bureau 5000.01 Issuance Series, the proponent will review this directive annually on the anniversary of its effective date to either confirm the action has been completed, incorporate the directive into an CNGB Issuance, or to update and extend the directive's continued applicability, currency, and consistency with Federal, Department of Defense, and NGB policy and provide validation to the Strategy, Policy, Plans, and International Affairs Directorate and the Directorate of Management and Administration Executive Secretariat Issuances Branch.



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