

DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
1411 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202-3231

NGB-ARH

8 AUG 2006

MEMORANDUM FOR Human Resource Officers (HROs) and Active Guard Reserve (AGR) Managers

SUBJECT: Guidance for Active Guard Reserve (AGR) Soldiers Performing Full-Time National Guard Duty (FTNGD) Beyond Age 60 Under 32 United States Code (USC) Section 502(f)(2) (NGB-ARH Policy Memo #06-046)


1. References.

- a. Title 10, United States Code, "Armed Forces".
- b. Title 32, United States Code, "National Guard".

2. A Soldier performing FTNG duty under 32 USC 502(f)(2) in the AGR Program who attains age 60 and has 18, but less than 20 years of active service (AS) on that date is not in sanctuary under 10 USC 12686, provided he has 20 qualifying years of service under 10 USC 12732. The Soldier is already eligible for retired pay under a purely military retirement system (10 USC 12731) and may not be ordered to active duty for the purpose of qualifying for retired pay under another chapter (10 USC 12737).

3. An enlisted Soldier who desires to continue to serve in the AGR Program past age 60 in order to accrue 20 years AS for retirement under 10 USC 3914 must be retained in an AS by the Secretary of the Army pursuant to 10 USC 12308. In addition, the State Adjutant General must be willing to continue the Soldier in the AGR Program. This exception to policy must be routed through NGB-ARH to the Assistant Secretary of the Army for Manpower and Reserve Affairs (ASA M&RA).

4. Point of contact for this action is MSG Donna C. Gregor at 703-607-3399 or DSN 327-3399, or by email address at Donna.Gregor@ngb.army.mil.


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