



Department of Defense **DIRECTIVE**

NUMBER 5105.77

October 30, 2015

Incorporating Change 1, October 10, 2017

DCMO

SUBJECT: National Guard Bureau (NGB)

References: See Enclosure 1

1. PURPOSE. Pursuant to the authority vested in the Secretary of Defense by Title 10, United States Code (U.S.C.) (Reference (a)), this directive reissues DoD Directive (DoDD) 5105.77 (Reference (b)) to update the organization and management, responsibilities and functions, relationships, authorities, and administration of the Chief, NGB, and the NGB.

2. APPLICABILITY

a. This directive applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff (CJCS) and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this directive as the “DoD Components”).

b. For the purposes of this directive, the term “State” includes the several States, the U.S. Virgin Islands, Guam, Puerto Rico, and the District of Columbia; and the term “governor” includes the governors of the several States, the Virgin Islands, Guam, the Commonwealth of Puerto Rico and, in the case of the District of Columbia National Guard, the President or his designee.

c. Unless the context indicates otherwise, in this directive the term “National Guard” means the Army National Guard, the Air National Guard, the Army National Guard of the United States, and the Air National Guard of the United States, consistent with Reference (a), Article 1, section 8, of the Constitution of the United States (Reference (c)), and Title 32, U.S.C. (Reference (d)).

3. ORGANIZATION AND MANAGEMENT

a. The NGB is a joint activity of the DoD, pursuant to section 10501 of Reference (a).

b. The Chief, NGB, is responsible for the organization and operations of the NGB, pursuant to section 10502 of Reference (a).

c. The NGB consists of:

(1) The Office of the Chief, NGB, which includes the Chief, NGB, and the Vice Chief, NGB, who is under the authority, direction and control of the Chief, NGB, and who performs duties as may be prescribed by the Chief, NGB. The Office of the Chief, NGB, also includes the senior enlisted advisor, the U.S. Property and Fiscal Officers, and the separate personal and special staff offices as are prescribed in statute or required by the Chief, NGB.

(2) The National Guard Joint Staff, composed of operating offices for joint matters as may be prescribed by the Chief, NGB. NGB manpower is managed by the Chief, NGB, under a joint manpower document in the same manner as manpower for other joint activities, in accordance with CJCS Instruction 1001.01A (Reference (e)) to the greatest extent practical.

(3) The Office of the Director, Army National Guard, composed of the Director, Army National Guard; Deputy Director, Army National Guard; the Army National Guard Readiness Center; and such operating divisions as may be prescribed by the Chief, NGB, for those matters pertaining to the Army National Guard and the Army National Guard of the United States. The Director, Army National Guard, is assigned to the NGB, and assists the Chief, NGB, in carrying out the functions of the NGB as they relate to the Army National Guard and the Army National Guard of the United States. Direct coordination between the Army Staff and the Director, Army National Guard, is authorized.

(4) The Office of the Director, Air National Guard, composed of the Director, Air National Guard; Deputy Director, Air National Guard; the Air National Guard Readiness Center; and such operating divisions as may be prescribed by the Chief, NGB, for those matters pertaining to the Air National Guard and the Air National Guard of the United States. The Director, Air National Guard, is assigned to the NGB, and assists the Chief, NGB, in carrying out the functions of the NGB as they relate to the Air National Guard and the Air National Guard of the United States. Direct coordination between the Air Staff and the Director, Air National Guard, is authorized.

4. POLICY. It is DoD policy that:

a. The NGB is the focal point at the strategic level for non-federalized National Guard matters that are not the responsibility of the Secretary of the Army, the Secretary of the Air Force, or the CJCS, in law or DoD policy.

b. The NGB is the channel of communications on all matters pertaining to the National Guard between:

(1) The Departments of the Army and the Air Force.

(2) The States.

c. The NGB is normally the channel of communications on all matters pertaining to the National Guard between:

(1) The Secretary of Defense, the CJCS, and the DoD Components other than the Department of the Army and the Department of the Air Force.

(2) The States.

5. RESPONSIBILITIES AND FUNCTIONS

a. Secretary of the Army Responsibilities. Under the authority, direction, and control of the Secretary of Defense, the Secretary of the Army:

(1) Exercises authority, direction, and control over the NGB on matters pertaining to the responsibilities of the Secretary of the Army under law or DoD policy.

(2) Seeks and considers Chief, NGB, input on matters of policy and procedures affecting the National Guard, as appropriate.

(3) In coordination with the Secretary of the Air Force and the CJCS, ensures NGB and National Guard requirements for capabilities and functions are considered during the DoD planning, programming, budgeting, and execution (PPBE) process deliberations and budget execution.

(4) Consults with the Chief, NGB, in the Army's coordination with the CJCS on guidance to the Combatant Commanders on the incorporation of Army National Guard of the United States forces, as a reserve component of the Army, into their plans for defense support of civil authorities.

b. Secretary of the Air Force Responsibilities. Under the authority, direction, and control of the Secretary of Defense, the Secretary of the Air Force:

(1) Exercises authority, direction, and control over the NGB on matters pertaining to the responsibilities of the Secretary of the Air Force under law or DoD policy.

(2) Seeks and considers Chief, NGB, input on matters of policy and procedures affecting the National Guard, as appropriate.

(3) In coordination with the Secretary of the Army and the CJCS, ensures NGB and National Guard requirements for capabilities and functions are considered during the DoD PPBE process deliberations and budget execution.

(4) Consults with the Chief, NGB, in the Air Force's coordination with the CJCS on guidance to the Combatant Commanders on the incorporation of Air National Guard of the United States forces, as a reserve component of the Air Force, into their plans for defense support of civil authorities.

c. Chief, NGB, Responsibilities

(1) Under the authority, direction, and control of the Secretary of Defense, consistent with paragraphs 5a and 5b, the Chief, NGB:

(a) Is a principal advisor to the Secretary of Defense, through the CJCS, on matters involving non-federalized National Guard forces, and on other matters as determined by the Secretary of Defense, pursuant to section 10502 of Reference (a).

(b) Is the principal advisor to the Secretary of the Army and the Chief of Staff of the Army, and to the Secretary of the Air Force and the Chief of Staff of the Air Force, on matters relating to the National Guard, the Army National Guard of the United States, and the Air National Guard of the United States, pursuant to section 10502 of Reference (a).

(c) Serves as a member of the Joint Chiefs of Staff, pursuant to section 151 of Reference (a). As a member of the Joint Chiefs of Staff, the Chief, NGB, has the specific responsibility of addressing matters involving non-federalized National Guard forces in support of homeland defense and civil support missions, pursuant to section 10502 of Reference (a).

(d) Supports the Secretary of the Army on matters pertaining to the Secretary's responsibilities in law or DoD policy.

(e) Supports the Secretary of the Air Force on matters pertaining to the Secretary's responsibilities in law or DoD policy.

(f) Informs the Secretaries of the Army and the Air Force on all significant matters, including significant military operations affecting their respective duties and responsibilities, and all communications provided to others pertaining to their respective departments.

(g) Serves as an advisor to the Combatant Commanders, through the Secretary of the Army or the Secretary of the Air Force, on matters pertaining to their responsibilities in law or DoD policy, on National Guard matters pertaining to their Combatant Command missions and supports planning and coordination for such activities as requested by the CJCS or the Combatant Commanders.

(h) Supervises the NGB's functions as the channel of communications on National Guard matters with the States, in accordance with section 10501 of Reference (a).

(i) Directs the NGB and organizes and manages its personnel and other resources to accomplish the responsibilities and functions prescribed in this directive while ensuring direct liaison between the NGB and the respective Military Department staffs.

(j) As the NGB-responsible DoD official, implements nondiscrimination in federally-assisted programs as it applies to the National Guard, in accordance with DoDD 5500.11 (Reference (f)), which implements sections 2000d through 2000d-7 of Title 42, U.S.C. (Title VI of the Civil Rights Act of 1964, as amended) (Reference (g)).

(k) Ensures that execution of contracting authority (to include grants and cooperative agreements) emanating from the Senior Procurement Executives of the Departments of the Army and Air Force complies with all acquisition and contracting statutes, regulations, and policies, and sufficiently resources the contracting function to enforce appropriate oversight and management controls.

(l) In accordance with Executive Order (E.O.) 13528 (Reference (h)), participates as a federal official in the exchange of views, information, or advice between the DoD and the Council of Governors on matters related to the National Guard and civil support missions.

(2) Nothing in these responsibilities restricts the OSD Principal Staff Assistants (PSAs) and the other DoD Component heads from direct communication with the States, pursuant to Reference (h) or DoDD 5111.13 (Reference (i)). Those OSD PSAs and other DoD Component heads should keep the Chief, NGB, informed of such communications when they pertain to the National Guard.

d. NGB Functions

(1) Pursuant to sections 10501 and 10503 of Reference (a), the NGB:

(a) Implements DoD, Department of the Army, and Department of the Air Force guidance on the structure, strength authorizations, and other resources of the Army National Guard of the United States and the Air National Guard of the United States.

(b) Prescribes the training discipline and training requirements for the Army National Guard and the Air National Guard, and the allocation of federal funds for the training of the Army National Guard and the Air National Guard, in accordance with DoDD 1322.18 (Reference (j)).

(c) Ensures that units and members of the Army National Guard and the Air National Guard are trained by the States, in accordance with approved policies and programs of the Secretaries of the Army and the Air Force.

(d) Monitors and assists the States in the organization, maintenance, and operation of National Guard units so as to provide well-trained and well-equipped units capable of augmenting the active forces, and:

1. Supports force employment matters pertaining to homeland defense and defense support of civil authorities missions by advising the CJCS on the activities of the National Guard as they relate to those missions. Supports global force management and force

reset matters by advising the Secretary of the Army or Secretary of the Air Force, as applicable, on the potential impacts on the National Guard.

2. Facilitates, to the extent practicable, National Guard readiness, availability, and responsiveness for DoD operations, consistent with national security objectives and priorities.

(e) Plans, programs, and administers the budgets of the Army National Guard of the United States and the Air National Guard of the United States.

(f) Grants and withdraws, in accordance with applicable laws and regulations, federal recognition of units and officers of the National Guard.

(g) Establishes policies and programs for the employment and use of National Guard technicians, in accordance with section 10503 of Reference (a), section 709 of Reference (d), and applicable Department of the Army and Department of the Air Force policies. Provides recommendations to the Secretary of the Army or the Secretary of the Air Force, as necessary, on authorization of the performance of additional duties, in accordance with section 709 of Reference (d).

(h) Supervises and administers the Active Guard and Reserve program as it pertains to the National Guard, in accordance with priorities and procedures established by the Secretaries of the Army and the Air Force.

(i) Ensures that, in the performance of their duties, all officials and personnel of the NGB comply fully with applicable DoD, Department of the Army, and Department of the Air Force policies, issuances, publications, and legal opinions.

(j) Ensures that appointments of all officials and personnel of the NGB comply with applicable DoD, Army, and Air Force personnel and manpower policies.

(k) Consistent with Secretary of Defense, Secretary of the Army, Secretary of the Air Force, and CJCS policies:

1. Administer such joint programs and functions as necessary to effectively integrate National Guard resources and capabilities into DoD joint functions.

2. Coordinate matters related to the National Guard Joint Force Headquarters-State that affect the DoD.

(l) Facilitates and supports, to the extent practicable and to the extent that it does not interfere with DoD responsibilities, the training of members and units of the National Guard to meet State requirements.

(m) Assists the Secretary of Defense in facilitating and coordinating with other federal agency heads, the Adjutants General of the States, and the Commanders of United States Northern Command and United States Pacific Command, the use of National Guard personnel

and resources for operations conducted, in accordance with Reference (d) or in support of State missions. The Chief, NGB, coordinates such matters with the Assistant Secretary of Defense for Homeland Defense and Global Security (ASD(HD&GS)), the CJCS, and the Secretary of the Army or the Secretary of the Air Force as they pertain to their respective Military Departments.

(n) Supports U.S. Northern Command and U.S. Pacific Command development of plans for homeland defense and defense support of civil authorities by providing visibility of State use of National Guard forces, in accordance with policies prescribed by the CJCS, the Secretary of the Army, the Secretary of the Air Force, and the Under Secretary of Defense for Policy (USD(P)).

(o) Participates in DoD planning and resource allocation processes, including the Joint Strategic Planning System, DoD Support for Strategic Analysis, the Joint Capabilities Integration and Development System, and DoD PPBE process deliberations and activities, to include the submission of issue papers through the CJCS pertaining to National Guard capabilities.

(p) Supervises the acquisition and supply of, and accountability of the States for, federal property issued to the National Guard through the property and fiscal officers designated, detailed, or appointed, pursuant to section 708 of Reference (d).

(q) Pursuant to section 10541(d) of Reference (a), annually certifies an inventory for the preceding year of each item of equipment for which funds were appropriated; which was due to be procured in that fiscal year; and which was not received by the National Guard unit by the end of that fiscal year.

(r) Performs such other functions as the Secretary of Defense may prescribe.

(2) Nothing in these functions restricts the OSD Principal Staff Assistants (PSAs) and the other DoD Component heads from direct communication with the States, pursuant to Reference (h) or DoDD 5111.13 (Reference (i)). Those OSD PSAs and other DoD Component heads should keep the Chief, NGB, informed of such communications when they pertain to the National Guard.

e. CJCS Responsibilities. Under the authority, direction, and control of the Secretary of Defense, the CJCS:

(1) Exercises oversight over the execution by the NGB of matters that pertain to CJCS responsibilities in law or DoD policy.

(2) Includes the Chief, NGB, in the coordination of guidance to the Combatant Commanders on:

(a) The incorporation of National Guard forces into their planning for, and sourcing of, defense support of civil authorities' activities.

(b) Ways to integrate National Guard forces under State Governor command and to incorporate the capabilities and resources of the States, where appropriate.

(3) Includes the Chief, NGB, in the coordination of joint doctrine, joint training, joint concepts, joint lessons learned, and operational plans that address National Guard forces in any status.

(4) Coordinates with the Secretaries of the Army and the Air Force when considering NGB and National Guard requirements for capabilities and functions during DoD PPBE process deliberations and budget execution.

f. ASD(HD&GS) Responsibilities. Under the authority, direction, and control of the USD(P), serving as the principal civilian advisor to the Secretary of Defense and the USD(P), and the principal DoD representative, on homeland defense and defense support of civil authorities, and exercising overall supervision of homeland defense activities of DoD, pursuant to Reference (i) and performing other duties as directed by the Secretary of Defense, the ASD(HD&GS):

(1) Ensures that DoD policy, in assigned areas of responsibility, incorporates the roles and responsibilities of the NGB and takes into account the National Guard.

(2) Facilitates, as necessary, the Chief, NGB, in carrying out his or her responsibilities pursuant to paragraph 5d(1)(n) of this section.

g. Assistant Secretary of Defense for Manpower and Reserve Affairs (ASD(M&RA)) Responsibilities. Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness, the ASD(M&RA):

(1) Oversees National Guard affairs conducted by the Chief, NGB, pursuant to DoDD 5124.02, DoDD 5125.01, and Deputy Secretary of Defense Memorandum (References (k), (l), and (m)), and in consultation with Secretaries of the Army and the Air Force, to ensure the effective integration of National Guard capabilities into a cohesive Total Force.

(2) Coordinates with the Chief, NGB, and the ASD(HD&GS), in consultation with the Secretaries of the Army and the Air Force, in developing statutory changes, policies, and procedures affecting federally-funded National Guard forces under State Governor command.

h. Combatant Commanders Responsibilities. The Combatant Commanders:

(1) Establish relationships with the Chief, NGB, that facilitate the advisory relationships prescribed in this directive.

(2) Whose areas of responsibility include the United States homeland, advocate for defense support of civil authorities requirements, including those involving the National Guard of the United States, in DoD capabilities development, requirements generation and validation,

programming systems, and for other requirements involving the National Guard that pertain to their commands.

i. OSD PSAs and DoD Component Head Responsibilities

(1) The OSD PSAs and the DoD Component heads, in exercising their designated authorities and responsibilities, as established by law or DoD policy:

(a) Coordinate with the Chief, NGB, through the Secretary of the Army, the Secretary of the Air Force, or the CJCS, on matters pertaining to the respective Secretary or CJCS responsibilities in law or DoD policy.

(b) Coordinate with the Chief, NGB, on all other National Guard matters, as appropriate.

(2) Under the authority, direction, and control of the Secretary of Defense, the OSD PSAs exercise oversight over the execution by the NGB of matters that pertain to OSD PSA responsibilities in law or DoD policy.

6. RELATIONSHIPS

a. The Chief, NGB, coordinates with the OSD PSAs and the DoD Component heads through the Secretary of the Army or the Secretary of the Air Force, or through the CJCS, on matters pertaining to the respective Secretary or CJCS responsibilities in law or policy, as appropriate. The Chief, NGB, exchanges information with the OSD PSAs, the DoD Component heads, and other federal officials, in accordance with applicable DoD policies and guidance.

b. The Chief, NGB, provides liaison, coordination, assistance, and support to the National Guard Joint Force Headquarters-State, pursuant to DoDD 5105.83 (Reference (n)).

7. AUTHORITIES. The Chief, NGB, is hereby delegated the authority to:

a. With the approval of the Secretary concerned or the CJCS, as appropriate, develop and issue guidance, regulations, and publications on National Guard matters, in accordance with DoD, Department of the Army, and Department of the Air Force policies.

b. Develop and issue guidance, regulations, and publications on NGB organization and operations, pursuant to section 10502 of Reference (a) and applicable DoD policies.

c. Consult with the other DoD Component heads and the OSD PSAs on National Guard matters as they pertain to the authorities and responsibilities of those officials as established by law or DoD policy, and consults, through the Secretary of the Army or the Secretary of the Air Force, on matters pertaining to their responsibilities in law or DoD policy.

d. Except as otherwise indicated in this directive, communicate directly with the DoD Component heads as necessary to carry out assigned responsibilities and functions, including the transmission of requests for advice and assistance. Communications to the Combatant Commanders must be in accordance with paragraph 4b(3) above the signature line of DoDD 5100.01 (Reference (o)), with the following exceptions, in which the Chief, NGB, will keep the CJCS informed.

(1) Direct communications with the Combatant Commanders relating to homeland defense and defense support of civil authorities activities of the National Guard.

(2) Direct communications with the Geographic Combatant Commanders pertaining to routine planning and execution of the State Partnership Program, in accordance with Deputy Secretary of Defense Memorandum (Reference (p)) and joint training in accordance with Reference (d).

e. Consistent with paragraph 6a, communicate with other Federal Government officials, as appropriate, in carrying out assigned responsibilities and functions. Such matters are coordinated with the USD(P). The Chief, NGB, keeps the CJCS, OSD PSAs, and other DoD Component heads informed, as appropriate.

f. Exercise the administrative authorities described in Enclosure 2 of this directive.

8. ADMINISTRATION

a. Pursuant to section 10502 of Reference (a), the Chief, NGB, is appointed by the President, with the advice and consent of the Senate, and is appointed to serve in the grade of general. Such appointment is made from officers of the Army National Guard of the United States or the Air National Guard of the United States who:

(1) Are recommended for such appointment by their respective governors or, in the case of the District of Columbia, the commanding general of the District of Columbia National Guard.

(2) Are recommended for such appointment by the Secretary of the Army or the Secretary of the Air Force.

(3) Have had at least 10 years of federally-recognized, commissioned service in an active status in the National Guard.

(4) Are in a grade above brigadier general.

(5) Are determined by the CJCS, in accordance with criteria and as a result of a process established by the CJCS, to have had significant joint duty experience.

(6) Are determined by the Secretary of Defense to have successfully completed such other assignments and experiences so as to possess a detailed understanding of the status and

capabilities of National Guard forces and the missions of the NGB, as described in section 10503 of Reference (a).

(7) Have a level of operational experience in a position of significant responsibility, professional military education, and demonstrated expertise in national defense and homeland defense matters that are commensurate with the advisory role of the Chief, NGB.

(8) Possess such other qualifications as the Secretary of Defense prescribes.

b. Pursuant to section 10505 of Reference (a), the Vice Chief, NGB, is appointed by the President, with the advice and consent of the Senate, and is appointed to serve in the grade of lieutenant general. The appointment is made from officers of the Army National Guard of the United States or the Air National Guard of the United States who:

(1) Are recommended for appointment by their respective governors or, in the case of the District of Columbia, the commanding general of the District of Columbia National Guard.

(2) Are recommended for such appointment by the Secretary of the Army or the Secretary of the Air Force, and by the Secretary of Defense.

(3) Have had at least 10 years of federally-recognized, commissioned service in an active status in the National Guard.

(4) Are in a grade above brigadier general.

(5) Are determined by the CJCS, in accordance with criteria and as a result of a process established by the CJCS, to have had significant joint duty experience.

c. The Chief, NGB, and the Vice Chief, NGB, may not both be members of the Army or the Air Force, unless waived pursuant to section 10505(a)(4) of Reference (a).

d. Actions to appoint officers to serve as the Chief, NGB, and the Vice Chief, NGB, are processed, in accordance with DoD Instruction (DoDI) 1320.04 (Reference (q)) and must be submitted through the CJCS and USD(P&R).

e. The Secretaries of the Army and the Air Force must assign military personnel and other assigned resources to support the activities of the NGB. The CJCS consults with the Secretaries of the Army and the Air Force on manpower requirements for the NGB.

9. **RELEASABILITY**. **Cleared for public release**. This directive is available on the Directives Division Website at <http://www.esd.whs.mil/DD/>.

10. SUMMARY OF CHANGE 1. The changes to this issuance are administrative and update organizational titles and references for accuracy.

11. EFFECTIVE DATE. This directive is effective October 30, 2015.

A handwritten signature in black ink that reads "Ash Carter". The signature is written in a cursive, flowing style.

Ash Carter
Secretary of Defense

Enclosures

1. References
2. Delegations of Authority

Glossary

ENCLOSURE 1

REFERENCES

- (a) Title 10, United States Code
- (b) DoD Directive 5105.77, "National Guard Bureau (NGB)," May 21, 2008 (hereby cancelled)
- (c) Article 1, section 8, of the Constitution of the United States
- (d) Title 32, United States Code
- (e) Chairman of the Joint Chiefs of Staff Instruction 1001.01A, "Joint Manpower and Personnel Program," October 1, 2010
- (f) DoD Directive 5500.11, "Nondiscrimination in Federally Assisted Programs," May 27, 1971, as amended
- (g) Sections 2000d through 2000d-7 of Title 42, United States Code (Title VI of the Civil Rights Act of 1964, as amended)
- (h) Executive Order 13528, "Establishing Council of Governors," January 11, 2010
- (i) DoD Directive 5111.13, "Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs (ASD(HD&ASA))," January 16, 2009
- (j) DoD Directive 1322.18, "Military Training," January 13, 2009, as amended
- (k) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," June 23, 2008
- (l) DoD Directive 5125.01, "Assistant Secretary of Defense for Reserve Affairs (ASD(RA))," December 27, 2006, as amended
- (m) Deputy Secretary of Defense Memorandum, "Re-designation of the Positions of Assistant Secretary of Defense for Reserve Affairs and Assistant Secretary of Defense for Readiness and Force Management," March 20, 2015
- (n) DoD Directive 5105.83, "National Guard Joint Force Headquarters – State (NG JFHQs-State)," January 5, 2011, as amended
- (o) DoD Directive 5100.01, "Functions of the Department of Defense and Its Major Components," December 21, 2010
- (p) Deputy Secretary of Defense Memorandum, "Policy, Responsibilities, and Interim Procedures Regarding Section 1205 of the National Defense Authorization Act for FY 2014 (Public Law 113-66), Authorization for National Guard State Partnership Program," October 2, 2014
- (q) DoD Instruction 1320.04, "Military Officer Actions Requiring Presidential, Secretary of Defense, or Under Secretary of Defense for Personnel and Readiness Approval or Senate Confirmation," January 3, 2014
- (r) Title 5, United States Code
- (s) Executive Order 10450, "Security Requirements for Government Employment," April 27, 1953
- (t) Executive Order 12968, "Access to Classified Information," August 2, 1995
- (u) DoD Instruction 5200.02, "DoD Personnel Security Program (PSP)," March 21, 2014, as amended
- (v) DoD Manual 5200.02, "Procedures for the DoD Personnel Security Program (PSP)," April 3, 2017

- (w) Defense Travel Management Office “The Joint Travel Regulations,” current edition
- (x) Title 37, United States Code
- (y) Title 44, United States Code
- (z) DoD Instruction 5015.02, “DoD Records Management Program,” February 24, 2015
- (aa) DoD Instruction 5025.01, “DoD Issuances Program,” August 1, 2016, as amended
- (ab) Title 31, United States Code
- (ac) DoD Instruction 4000.19, “Support Agreements,” April 25, 2013
- (ad) Executive Order 13526, “Classified National Security Information,” December 29, 2009

ENCLOSURE 2

DELEGATIONS OF AUTHORITY

1. Pursuant to the authority vested in the Secretary of Defense, subject to his or her authority, direction, and control, and in accordance with DoD policies and issuances, the Chief, NGB, or in the absence of the Chief, the person acting for the Chief, is hereby delegated authority to exercise, within assigned responsibilities and functional areas, all authority of the Secretary of Defense derived from statute, E.O., regulation, and interagency agreement, except where specifically limited by statute, E.O., or the Secretary of the Army, or the Secretary of the Air Force. Additionally, as required for the administration and operation of the NGB, the Chief, NGB, is specifically delegated authority to:

a. Maintain an official seal and attest to the authenticity of official records under that seal.

b. Administer oaths of office to those entering the Executive Branch of the Federal Government or any other oath required by law in connection with employment therein, in accordance with section 2903 of Title 5, U.S.C. (Reference (r)), and designate in writing, as may be necessary, officers and employees of the NGB to perform this function.

c. In accordance with E.O. 10450, E.O. 12968, and DoDD 5200.2 (References (s), (t), and (u)), as appropriate:

(1) Designate any position in the NGB as a “sensitive” position.

(2) Authorize, in exceptional circumstances where official functions must be performed before completing an investigation and adjudication process, temporary access to a sensitive position in the NGB for a limited period to individuals for whom an appropriate investigation is underway.

(3) Initiate personnel security investigations and, if necessary in the interest of national security, suspend a security clearance for personnel assigned, detailed to, or employed by the NGB. Any action pursuant to this paragraph will be taken in accordance with procedures prescribed in DoD Manual 5200.02 (Reference (v)).

d. Authorize and approve:

(1) Temporary duty travel for military personnel assigned or detailed to the NGB, in accordance with the Joint Travel Regulations (Reference (w)).

(2) Travel for NGB civilian personnel, in accordance with Reference (w).

(3) Invitational travel to eligible non-DoD personnel whose consultative, advisory, or other highly specialized technical services are required in a capacity that is directly related to, or in connection with, NGB activities, in accordance with Reference (w).

(4) Overtime work for NGB civilian personnel, in accordance with Chapter 55, Subchapter V, of Reference (r) and applicable Office of Personnel Management regulations.

e. Approve the expenditure of funds available for travel by military personnel assigned or detailed to the NGB for attendance at meetings of technical, scientific, professional, or other similar organizations in such instances when the approval of the Secretary of Defense, or designee, is required by section 455 of Title 37, U.S.C. (Reference (x)), and sections 4110 and 4111 of Reference (r).

f. Enter into and administer contracts, directly or through a Military Department, a DoD contract administration services component, or other federal agency as appropriate, for supplies, equipment, and services required to accomplish the mission of the NGB. To the extent that any law or E.O. specifically limits the exercise of such authority to persons at the secretarial level of a Military Department, such authority will be exercised by the appropriate Military Department Secretary or an Under Secretary or Assistant Secretary of Defense.

g. Develop, establish, and maintain an active and continuing Records Management Program for the National Guard, pursuant to section 3102 of Title 44, U.S.C. (Reference (y)) and DoDI 5015.02 (Reference (z)).

h. Use government purchase cards for micro-purchases of material and services, other than personal services, for the NGB when it is determined to be more advantageous and consistent with the best interests of the government to do so.

i. Establish and maintain, for the functions assigned, an appropriate publications system for the development and distribution of common supply and service regulations, instructions, and reference documents, and changes thereto, pursuant to the policies and procedures prescribed in DoDI 5025.01 (Reference (aa)).

j. Enter into interdepartmental and intragovernmental support and service agreements, as receiver or the supplier, with the DoD Components, non-DoD Federal Government departments and agencies, and State and local governments, as required for effective performance of NGB functions and responsibilities, in accordance with section 1535 of Title 31, U.S.C. (Reference (ab)) and DoDI 4000.19 (Reference (ac)).

k. Authorize the publication of advertisements, notices, or proposals in newspapers, magazines, or other public periodicals, as required for the effective administration and operation of the NGB, consistent with section 3702 of Reference (y).

l. Act as an original classification authority for matters pertaining to assigned responsibilities and functions up to Top Secret information, in accordance with E.O. 13526 (Reference (ad)). This authority may not be redelegated.

2. The Chief, NGB, may, in writing, redelegate these authorities, as appropriate, except as otherwise specifically indicated in this enclosure or prohibited by law, E.O., or regulation.

GLOSSARY

ABBREVIATIONS AND ACRONYMS

ASD(HD&GS)	Assistant Secretary of Defense for Homeland Defense and Global Security
ASD(M&RA)	Assistant Secretary of Defense for Manpower and Reserve Affairs
CJCS	Chairman of the Joint Chiefs of Staff
DoDD	DoD directive
DoDI	DoD instruction
E.O.	Executive order
NGB	National Guard Bureau
PPBE	planning, programming, budgeting, and execution
PSA	Principal Staff Assistant
U.S.C.	United States Code
USD(P)	Under Secretary of Defense for Policy
USD(P&R)	Under Secretary of Defense for Personnel and Readiness