HEADQUARTERS
DEPARTMENTS OF THE ARMY
AND THE AIR FORCE
WASHINGTON, D.C. 20310-2500

NATIONAL GUARD REGULATION
NO. 37-106
AIR NATIONAL GUARD REGULATION
NO. 177-07

1 November 1988

Financial Administration

OFFICIAL PARTICIPATION OF NATIONAL GUARD PERSONNEL AT MEETINGS OF PRIVATE ORGANIZATIONS AND GOVERNMENT AGENCIES OUTSIDE OF DEPARTMENT OF DEFENSE

Summary. This regulation prescribes policy for official participation for ARNG and ANG personnel in meetings and conferences of private organizations and U.S. Government agencies other than the Department of Defense (DOD).

Applicability. This regulation applies to the Army and Air National Guard, not withstanding any local or State laws.

Impact on the New Manning System. This regulation does not impact on the New Manning System.

Internal Control Systems. This regulation is subject to the requirements of AR 11-2. It contains control provisions and checklists for conducting internal control reviews. Checklist can be found in Appendix A.

Supplementation. This regulation may not be supplemented without prior approval from NGB-PO.

Interim Changes. Interim changes are not official unless authenticated by the Executive, NGB. Interim changes will be destroyed on their expiration dates unless sooner superseded or rescinded.

Suggested Improvements. Users of this regulation are invited to send comments or suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to CNGB, ATTN: NGB-PO, Washington, DC 20310-2500.

This regulation supersedes NGR 37-106/ANGR 177-07, 27 June 1986, including all changes.

1. Policy

a. National Guard Bureau approval is required in advance for expending Federal funds for attendance of personnel at private organzation meetings and conferences and at U.S. Government agency meetings, excluding those sponsored by DOD. When authorized, funds expended will be from the service in which the individual is a member.

b. Title 37 USC 412 prevents DOD appropriations available for travel from being used for expenses incident to attendance of military personnel at private organization meetings without approval of the Secretary of the Service concerned or his/her designee. The Chief, National Guard Bureau (CNGB) has been delegated approval authority by the Secretary of the Army in AR 1-211 and by the Secretary of the Air Force in AFR 30-9. The only exceptions pertaining to travel expenses are noted in 32 USC 107(a)(2).

c. This regulation is not to be interpreted as preventing ARNG or ANG personnel from attending meetings conducted by private organizations at their own expense while not in military or technician status.

d. Participation.

(1) Participation in the activities of private organizations will be limited to the extent of DOD interest involved and will be on such basis as will avoid:

(a) The favoring of one organization over another.

(b) The unauthorized acceptance of legal membership by the United States in a private organization.

(c) The use of the name of the United States Government by a private organization, implying the sponsorship of such organization by the Government, without authority of Congress.

(2) National Guard representatives on official orders (other than State) are precluded from participation in the management and control of the inviting organization without Congressional authorization. This includes participation in the determinations or conclusions of private organizations in a manner that suggests compliance by the government. However, liaison representatives may give free and complete expression of their views on the subject matter under discussion and may vote verbally or in writing on issues presented for a vote, providing it is made clear to the private organization that such vote indicates no more than the personal opinion of the liaison representative voting. No vote cast will bind DOD or any component thereof in any way to any present or future course of action (II. C. DODD 5500.2 "Policies Governing Participation of DOD Components and Personnel in Activities of Private Associations").

(3) These policies will not apply to membership or participation by officers or employees of DOD, as individuals, in private organizations otherwise consistent with DODD 5500.7, "Standards of Conduct" and with law, including the Hatch Act, Anti-Lobby Act, and other laws which prohibit Government officers and employees from engaging in activities inconsistent with their Government employment (II. E. DODD 5500.2).

2. Definition of Terms

a. Meeting - A conference, seminar, symposium, convention, congress, panel, workshop, or other such gathering.

b. Private organization - Civic, service, youth, professional, educational, technical, scientific, business, trade, labor or similar association, society, institution or other group that is not part of Federal, State or local governments (F. b. 3. DODI 5410.19, "Armed Forces Community Relations;" DODD 5500.2, "Policies Governing Participation of DOD Components and Personnel in Activities of Private Associations").

c. DOD Support - Any use of Armed Forces personnel and/or DOD civilian employees, as individuals or as units, or any commitment of facilities or materials to include aircraft, ships, exhibits and equipment in support of community relations programs (III. C. DODD 5410.18).

d. U.S. Government expense - an expenditure of Federal funds including commercial or space required transportation, per diem, miscellaneous expenses, and required registration fee.

e. State - One of the 50 States, Puerto Rico, the Virgin Islands, Guam, or the District of Columbia.

f. Federal funds - Federally appropriated funds of the ARNG and ANG.

g. ARNG and ANG personnel - For this regulation, this term includes: All Adjutants General, United States Property and Fiscal Officers (USPFOs), and all other members of the ARNG and ANG including those in military technician and Active Guard and Reserve (AGR) in Title 32 status.

h. M-Day personnel - For this regulation, this term represents the traditional Guard member who serves the National Guard in drilling status. This term does not include full-time support personnel (AGR or military technician).

3. Status for Attendance. The status of National Guard personnel attending private organization meetings will be as follows:

a. Attendance at U.S. Government expense--

(1) National Guard military technicians authorized to attend private organization meetings will be in military technician TDY status IAW JTR Vol 2.

(2) United States Property Fiscal Officers (USPFOs) and individuals serving on AGR tours under Title 10 and 32, USC who are authorized to attend private organization meetings will be in military TDY status.

(3) Other ARNG and ANG personnel authorized to attend private organization meetings (e.g., M-Day personnel) will be in military status on orders under special training/other special training workday funding.

b. Attendance in a military or military technician status at no expense to the U.S. Government. the Adjutants General may authorize ARNG and ANG personnel in military or military technician status to attend private organization meetings at no U.S. Government expense provided that -

(1) Individual attendance satisfies all criteria in paragraph 4.

(2) Such individuals are on permissive TDY or in an excused absence status.

4. Criteria for Attendance. Attendance by ARNG and ANG personnel in a prescribed status in paragraph 3 above will as a minimum:

a. Contribute to National Guard missions or programs;

b. Be directly related to the member's/employee's primary military or technician duties; and

c. Enhance the member's/employee's value to the National Guard.

5. Attendance of State Representatives at U.S. Government Expense. ARNG and ANG personnel will attend a regional, national or international private organization event at DOD expense only if authorized to do so in advance by the Chief, NGB (through NGB-PA) or as identified below. Chief, NGB approval will be granted only when the information to be gained will substantially benefit the National Guard's mission. When authorized, funds will be from the Service in which the individual is a member. The number of attendees and the duration of their attendance will be kept to the minimum required to accomplish the mission.

a. National Guard Association of the United States (NGAUS).

(1) Personnel specifically authorized by the Chief, NGB to perform official duties for NGB may attend meetings of NGAUS at DOD expense.

(2) State Active Components Inspectors General and USPFO may attend the NGAUS Annual Conference at DOD expense when approved by TAG and their attendance meets the criteria in paragraph 4 above. Others in Title 32 AGR or military technician status may attend the NGAUS Annual Conference at DOD expense when the TAG approves their attendance and certifies that it meets the criteria in paragraph 4 above. In any event, no more than two individuals from each State will attend the conference at DOD expense unless CNGB specifically approves.

(3) Active Army advisors may attend the NGAUS Annual Conference with the approval and support of the CONUSA or WESTCOM commander as appropriate.

(4) Individuals will not attend the NGAUS Annual Conference in special training, other special training or active duty for training status with or without pay.

(5) Attendance at NGAUS Executive Council meetings at DOD expense is not authorized.

b. Adjutants General Association of the United States (AGAUS)

(1) Personnel specifically authorized by the Chief, NGB to perform official duties for NGB may attend meetings of AGAUS at DOD expense.

(2) With the exception of paragraph 5.b.(1), attendance at the AGAUS Annual Conference at DOD expense is not authorized.

c. Enlisted Association of the National Guard of the United States (EANGUS).

(1) Personnel specifically authorized by CNGB to perform official duties for NGB may attend these meetings at U.S. Government expense.

(2) TAG is authorized to identify two NCOs (one ARNG and one ANG) to attend the EANGUS Annual Conference at DOD expense in accordance with the criteria in paragraph 4 above. CNGB may approve the attendance of others on a case-by-case basis when it is clearly in the best interest of DOD to do so.

(3) Attendance at EANGUS Executive Council meetings at DOD expense is not authorized.

d. U.S. Government Agencies

(1) This paragraph does not apply to military technicians whose attendance at U.S. Government agency meetings is prescribed in TPM 400.

(2) NGB approval is required in advance for attendance at U.S. Government agency meetings, excluding those sponsored by DOD. Individual attendance must satisfy all of the criteria in paragraph 4.

6. **Attendance by NGB Staff and DOD Expense.** Agenda topics will determine the number and type of NGB staff members in attendance at private organization meetings.

7. **Requests for Support.** Office of Public Affairs (NGB-PA) is the NGB point of contact for requests for support to private organizations. TAGS/Commanders receiving requests for support to private organizations that require approval from other than TAG and who want to provide it will send the requests and a listing of their proposed support to NGB-PA so as to arrive not later than 65 days before the event.

8. **Requests for Participation.** Those TAGs receiving requests to participate in private organization events ad DOD expense that require approval from other than TAG and want such attendance approved will send the request to NGB-PA for approval by Chief, NGB so as to arrive not later than 30 days before the event.

BY ORDER OF THE SECRETARIES OF THE ARMY AND THE AIR FORCE:

HERBERT R. TEMPLE, JR.
Lieutenant General, USA
Chief, National Guard Bureau

OFFICIAL

HARRY M. LESLEY, Colonel, USAF
Executive, National Guard Bureau

Distribution: ARNG (A,B,C)
ANG (F)

Internal Control Review Checklist
(NGR 37-106/ANGR 177-07)

TASK: Financial Management

SUBTASK: Other Finance and Accounting Activities

THIS CHECKLIST: Approval for Official Participation at Meetings Of Private Organizations and Government Agencies Outside the Department of Defense.

ORGANIZATION:

ACTION OFFICER:

REVIEWER:

DATE COMPLETED:

ASSESSABLE UNIT: State ARNG Chief of Staff.

EVENT CYCLE: Approving requests for participation at meetings.

Step 1: Initial review of individual's request for approval to attend meeting.

Risk:

1. Attendance of requesting individual is of little or no benefit to mission/job performance.

2. Federal funds will be improperly expended.

Control Objective: Only requests with valid justification will be submitted.

Control Technique: Justification for participation at meetings must be submitted with request.

Test Question:

1. Are requests fully documented and directed to the appropriate authority for decision?

Response: YES___ NO___ NA___
Remarks*

2. Do you ensure that requestors are not voting delegates?

Response: YES___ NO___ NA___
Remarks*

3. Do you ensure that requestors are not elected officers?

Response: YES___ NO___ NA___
Remarks*

Step 2: Requests for attendance are reviewed and forwarded through chain of command.

Risk: Improper requests will be forwarded through the chain of command.

Control Objective: Process only valid requests through chain of command.

Control Technique: Validate request through the use of existing criteria and NGB issued documents certifying valid conference/meeting requirements early in the review process.

Test Question:

1. Do requests comply with the criteria for attendance at Government expense?

Response: YES___ NO___ NA___
Remarks*

2. Do you ensure that permissive TDY, administrative leave or leave is not a more appropriate status for attendance?

Response: YES___ NO___ NA___
Remarks*

Step 3: Decision made on request.

Risk: Federal funds will be expended for attendance at meetings/conences which provide sufficient return to the Government through enhanced job performance.

Control Objective: Appropriate people are designated as attendees to those meetings/conferences which provide sufficient return to the Government.

Control Technique:

1. Requests are analyzed against organizational goals/missions and requestors position within the structure.

2. Requests are analyzed against the stated purpose, agenda and requirements of meeting/conference.

Test Questions:

1. Is the requestor the most appropriate attendee from the standpoint of the organizational gain?

Response: YES___ NO___ NA___
Remarks*

2. Do requests follow the criteria established in NGR 37-106 and AR 1-211?

Response: YES___ NO___ NA___
Remarks*

3. Do subordinate commands adequately screen requests?

Response: YES___ NO___ NA___
Remarks*

Step 4: Release of notification of approval/disapproval

Risk: Federal funds will be approved for obligation by unauthorized personnel.

Control Objective: Decision making on requests for attendance follows the designated channels.

Control Technique: Publicize the appropriate channel of processing requests for attendance to all levels of command.

Test Question:

1. Is specific approval authority clearly defined and documented in local area regulation or directive?

Response: YES___ NO___ NA___
Remarks*

***Explain rationale for YES responses or provide cross-reference to where the rationale can be found. For NO responses, cross-reference to where corrective actions plans can be found. If response is NA, explain rationale.**

I attest that the above listed internal controls provide reasonable assurance that ARNG resources are adequately safeguarded. I am satisfied that if the above controls are fully operational, the internal controls for this subtask throughout the Army National Guard are adequate.

Chief, Office of Policy and Liaison, NGB
FUNCTIONAL PROPONENT

I have reviewed this subtask within my organization and have supplemented the prescribed internal control review checklist when warranted by unique environmental circumstances. The controls prescribed in this checklist, as amended, are in place and operational for my organization (except for the weaknesses described in the attached plan, which includes schedules for correcting the weaknesses).

OPERATING MANAGER (Signature)