DEPARTMENT OF THE AIR FORCE
Headquarters US Air Force
Washington DC 20310-2500

NGR (AF) 36-1

8 March 1993

General Officer Personnel

FEDERAL RECOGNITION OF GENERAL OFFICER APPOINTMENT AND PROMOTION IN THE AIR NATIONAL GUARD OF THE UNITED STATES AND AS A RESERVE OF THE AIR FORCE

This regulation outlines the procedures for Federal recognition of appointment or promotion of general officers in the Air National Guard and as a Reserve of the Air Force in accordance with Title 10 United States Code, Chapter 837 and Title 32 United States Code, Chapter 3. In addition, this regulation should be used in conjunction with AFR 36-9, NGR (AF) 35-2, and NG (AF) Pamphlet 26-4.

Summary of Changes. Changed the designation from ANGR 36-01 to NGR (AF) 36-1. Realigned paragraphs by separating appointment from promotion procedures. Added Federal recognition board proceedings. Clarified security requirements. Included the National Security Management Course and other service equivalent level professional military education (PME) required for promotions. Updated the processing procedures for promotion and established promotion propriety actions.

	Paragraph
Terms Explained	1
Federal Recognition Policies	2
Federal Recognition Board	3
Appointment Policies	4
Persons Ineligible for Appointment of Federal Recognition	5
Appointment Eligibility Requirements	6
Promotion Policies	7
Special Requirements for Certain Positions	8
Processing Procedures	9
Approval of Waivers	10
Promotion Propriety Actions	11

1. Terms Explained. For the purpose of this regulation the following applies:

a. Appointment. Initial assignment by a State of an officer to a vacant UMD general officer position (as defined in applicable directives or other approval authority) prior to Federal recognition as a general officer.

b. Federal Recognition. Acknowledgment by the Federal government that an individual appointed within the ANG meets the prescribed Federal standards for the grade and position to which appointed or promoted by the state.

c. Initial Appointment. An original appointment in the Air National Guard or a reappointment in the Air National Guard after separation therefrom.

d. Promotion. Advancement as a Reserve of the Air Force to the next higher grade. Requires formal nomination by the President and confirmation by the U.S. Senate.

e. Reserve of the Air Force. The Federal status possessed by members of the Air National Guard of the United States (ANGUS) and the United States Air Force Reserve (USAFR). This term is not used to identify an Air Force component or organization.

f. State. All States, Puerto Rico, the Virgin Islands, Guam, and the District of Columbia.

g. Tenure of Office Appointments. Those individuals who are appointed to the position of Adjutant General or Assistant Adjutant General under 10 U.S.C. Chapter 837.

2. Federal Recognition Policies:

a. The appointment of officers to general officer positions in the Air National Guard is a function of the State concerned as distinguished from Federal recognition of each appointment or promotion. Appointment and Federal recognition shall be made without regard to race, color, creed, sex, or national origin.

b. The criteria prescribed herein are minimum requirements that qualify applicants for consideration by a general officer Federal recognition board. Qualification does not constitute a guarantee of Federal recognition. Federal recognition will not be extended until confirmation as a Reserve of the Air Force by the U.S. Senate. However, temporary Federal recognition may be extended to an officer whose original appointment in the ANG is in a general officer grade.

c. A person may not be Federally recognized in a grade above major general. An Assistant Adjutant General will not be Federally recognized in a grade above brigadier general. State Code must specifically authorize and provide for an Assistant Adjutant General (Air) in the grade of brigadier general. Executive orders implementing a State Code without a specific grade are not sufficient.

d. Federal recognition of a State appointment and promotion as a Reserve of the Air Force are concurrent actions in the general officer grades. An officer may not be Federally recognized without also being promoted or appointed as a Reserve of the Air Force. The authority to grant Federal recognition is the Chief, National Guard Bureau.

e. Except as provided in paragraph 4a, appointment or promotion as a Reserve of the Air Force is to a permanent grade and for an indefinite period.

f. Each application for Federal recognition of

Supersedes ANGR 36-01, 1 July 1975
OPR: NGB-GO/AF (Ms. H. Reinhardt)
No. of Printed Pages: 7
Approved by: Lt Gen Conaway
Edited by: Ms. N. Salch
Distribution: F

appointment or promotion under the provisions of this regulation will be endorsed as follows:

(1) Applications for the position of State Adjutant General must be endorsed by the Governor.

(2) All other applications must be endorsed by the State Adjutant General.

g. In order to be Federally recognized, a person must be appointed to a vacant authorized position in the Air National Guard of a State, and except as provided in paragraph 4f, be examined by a Federal recognition board for the grade and position to which appointed.

h. The effective date of Federal recognition and promotion as a Reserve of the Air Force is the date of U.S. Senate confirmation.

3. Federal Recognition Board:

a. Federal Recognition Boards considering persons for appointment or promotion under the provisions of this regulation will be convened at a location as determined by the Secretary of the Air Force. (State Federal recognition boards are not required for general officer grades). A minimum of two boards will be held each year to consider individuals for appointment or promotion to general officer positions/grades conducted in accordance with AFR 36-9.

b. The task of the Air National Guard General Officer Federal Recognition Board is to examine the officers under consideration to determine which are qualified for Federal recognition and promotion or appointment as a Reserve of the Air Force to the grade concerned. Members will serve under oath and are expected to perform their duties without prejudice or partiality, having in view the physical, moral, and professional fitness of the officers under consideration.

c. Boards are appointed by the Secretary of the Air Force and will consist of a minimum of three voting members and a minimum of one non-voting recorder.

d. The board will assemble at the time and place determined by the Secretary of the Air Force. The president of the board will ensure the following actions are completed:

(1) That each board member reads the Secretary of the Air Force Memorandum of Instruction.

(2) The recorder administers the following oath to the other board members: "Do you (naming each member) swear (or affirm) that you will faithfully perform your duties as a member of this board without prejudice or partiality, having in view both the special fitness of the officer and the efficiency of the Air Force in the matter now before you; and not to reveal information about the board conduct and results except as provided for in regulation or law, so help you God?".

(3) The president will then administer the following oath to the recorder(s) and board support personnel: "Do you (naming each) swear (or affirm) that you will faithfully and impartially discharge your duties as recorder(s) and administrative assistant(s) of the board in the matter now before you; and not to reveal information about the board conduct and results except as provided for in regulation or law, so help you God?".

e. Each candidate for appointment or promotion will be examined without regard to race, religion, sex, color, creed, or national origin to determine their general physical, moral, and professional fitness for the grade and position for which they are being considered.

f. The board will conduct a review of records to determine which officers are qualified for brigadier general and major general. Each member will indicate whether or not the officer is fully qualified for promotion to brigadier general or major general using a "Yes/No" vote. After all records are reviewed, each record with a "No" vote from one or more members of the board will be discussed and a new vote will be called. Once this is accomplished a list of the eligibles who received a majority "Yes" vote will be placed on a list and put before the board. The board will review the list to ensure the Secretarial guidance has been met. Any deviations will be discussed and made part of the board record.

g. A Report of Proceedings will be prepared by the recorder and signed by all members, certifying:

(1) That to the best of its knowledge, the board complied with the law, AFR 36-9 and NGR (AF) 36-1;

(2) That the board or any of its members were not subject to or aware of any censure, reprimand, or admonishment about the recommendations of the board or the exercise of any lawful function within the authorized discretion of the board.

(3) That the board members were not subject to or aware of any attempt to coerce or influence improperly any action in the formulation of the board's recommendations;

(4) That the board members were not party to or aware of any attempt at unauthorized communications;

(5) That, to the best of the board's knowledge, the board reviewed the records of each officer whose name was furnished; and,

(6) That the officers recommended for promotion are, in the opinion of the majority of the board, fully qualified to meet the needs of the Air National Guard.

h. Proceedings and recommendations of the board will be regarded by the members and recorders as PRIVILEGED INFORMATION and may not be disclosed to any person not a member of this board. When the report has been signed by the members of the board, the board will be adjourned and the results forwarded to the Secretary of the Air Force.

i. No one factor, including the personal views a member has of an officer, should be the sole determinant for selection. Rather, each factor should be given appropriate weight using the whole person concept.

j. The selection process is devised to give all eligibles fair and equitable consideration. Since the

board's task is to conduct a review to determine which officers meet federal standards for promotion, the criteria used to make this determination will be based on evidence of potential to assume the higher grade. Such evidence may be found by considering the following criteria:

(1) Duty performance as reflected in evaluation reports.

(2) Breadth of experience.

(3) Promotion recommendations.

(4) Leadership potential.

(5) Professional military and civilian education.

(6) Specific achievements noted in OERs/OPRs or by the receipt of State or Federal awards and decorations.

(7) Participation in the Air National Guard.

(8) Any other facet of the officer's record to include, when required, experience in a unique skill.

k. No person may direct the board to recommend or non-recommend a particular officer.

l. Any board member who believes he or she cannot in good conscience perform his or her duties as a member of the board without prejudice or partiality has a duty to request relief from such duty. Such a request will be honored. Any board member who believes the integrity of the board's proceedings has been adversely affected by improper influence of superior military or civilian authority, misconduct of the board president or a member, or any other reason, has a duty to request relief from his or her obligation from the Secretary of the Air Force or the Secretary of Defense, and upon receiving it, to report the basis for his or her belief to that authority.

m. The Chief, National Guard Bureau may extend temporary Federal recognition under 32 USC 308 to a candidate who meets the following requirements:

(1) Is found qualified by the board for appointment.

(2) Is not currently a Reserve commissioned officer of the Air Force.

(3) Is on State appointment orders to a grade and position for which found qualified.

(4) Has subscribed to the temporary oath of office (NGB Form 337).

n. The effective date of temporary Federal recognition will be the date it is extended by the Chief, National Guard Bureau. Each person receiving temporary Federal recognition will be advised by the Chief, National Guard Bureau:

(1) Of the meaning of temporary Federal recognition, its duration, and the results if it is not replaced with permanent Federal recognition. (See (4) below).

(2) That during such temporary Federal recognition, he/she will perform federal duties as if appointed as a Reserve of the Air Force.

(3) That the action of the board is not final, pending extension of permanent Federal recognition by the Chief, National Guard Bureau, and appointment as a Reserve of the Air Force.

(4) Temporary Federal recognition may be withdrawn at any time. If not withdrawn or replaced by permanent Federal recognition, it terminates 6 months after its effective date.

o. Individuals will not meet a Federal recognition board until they have met all of the requirements for promotion or appointment in accordance with this regulation. NGB/CC will review all applications and certify to AF/DP that the minimum requirements outlined in law and this regulation have been met for Federal recognition prior to any individual meeting a board.

p. NGB-GO/AF will furnish the documents and supporting papers required by this regulation and those submitted by the States, plus records from the Master Personnel Record Group as necessary.

4. Appointment Policies:

a. A promotion received as a result of assignment to a tenure of office position vacates any previous appointment held, and, upon termination of a tenured appointment, an officer will have his/her Federal recognition withdrawn; and:

(1) be transferred in grade to the Retired Reserve, if qualified and applies therefore, or;

(2) be discharged from his/her reserve appointment and appointed in the reserve grade held by him/her as a reserve officer of the Air Force immediately before his/her appointment as Adjutant General or Assistant Adjutant General, if he/she is qualified and applies for that appointment, or;

(3) be discharged from their reserve appointment.

b. Tenure of office appointments may be only one grade higher than the last grade held.

c. A person other than an Adjutant General or Assistant Adjutant General whose appointment is to an authorized position in the State Headquarters may not be Federally recognized unless he/she has served at least 3 consecutive satisfactory years as a commissioned officer in the active Air National Guard.

d. person appointed to the position of Adjutant General or Assistant Adjutant General of a State, if otherwise qualified, may be Federally recognized and appointed in the same grade as a Reserve of the Air Force for his/her tenure of office only.

e. Individuals (without prior commissioned service) whose initial assignment is as the Adjutant General, may be Federally recognized and appointed in the grade for which qualified.

f. A member of the Air Force Reserve appointed to an authorized position in the Air National Guard, in the same grade in which he/she holds an appointment as a Reserve of the Air Force, is exempt from examination by a Federal recognition board. The Chief, National Guard Bureau, will extend temporary Federal recognition to the Air Force Reserve officer applicant upon receipt of the application for Federal recognition of State appointment. Temporary Federal recognition will be effective on the date the officer is appointed in the Air National Guard of the State, and will expire automatically, unless sooner terminated or replaced by permanent Federal recognition, 6

months from the effective date. At any time during the processing of an application that an officer is found to be ineligible for permanent Federal recognition, temporary Federal recognition will be withdrawn.

g. Mandatory Training Points. Training will be performed in accordance with NGR (AF) 50-1. If an officer fails to meet these minimum requirements, he/she will be reassigned from the position.

(1) Granting Waivers. Only the Chief, National Guard Bureau, may excuse a member from any part of the active or inactive duty training requirement during a member's retirement year.

(2) Requests for waiver will be considered only for personal hardship or other extraordinary circumstances.

(3) The officer must submit the request for waiver through command channels to the Chief, National Guard Bureau, ATTN: NGB-GO/AF, when it becomes apparent that he/she will be unable to meet these training requirements. The request must reach the Chief, National Guard Bureau, at least 30 days before the end of the retirement year. Included in the request will be a detailed justification for failure to meet the particular training requirements.

5. Persons Ineligible for Appointment of Federal Recognition:

a. AFR 36-15 lists conditions which make applicants ineligible for Reserve of the Air Force status and thus for appointment and Federal recognition. The only exceptions are for Adjutants General and Assistant Adjutants General.

b. In addition to the ineligibility criteria in AFR 36-15, applicants with any of the following are ineligible for appointment and Federal recognition and waivers are not authorized:

(1) Disqualifying physical impairment, disease or medical condition.

(2) Documented alcoholism.

(3) Excessive or detracting tattoos which advocate sexual, racial, ethnic or religious slurs which, when exposed from a military uniform, detract from a proper military image. In questionable cases, forward photographs to NGB-GO/AF for eligibility determination.

(4) Any person employed by the Federal Government unless a certificate of availability is obtained from the agency in which employed.

(5) Individuals who were discharged due to hardship, dependency or inability to perform active Federal service, unless it has been determined and documentary evidence is submitted with the application for Federal recognition that such hardship, dependency, or inability to perform active Federal service no longer exists.

(6) Individuals who were discharged for physical disability unless the disability for which discharged no longer exists.

6. Appointment Eligibility Requirements. Each officer must meet the following eligibility criteria in order to be considered by a Federal recognition board convened under this regulation:

a. Citizenship. Each individual must be a citizen of the United States. An individual who is not a citizen of the United States by birth must furnish a certificate by an officer, notary public, or other person authorized by law to administer oaths, giving the following information: I certify that I have seen the original Certificate of Citizenship Number (state number) (or certified copy of the court order establishing citizenship), stating that (name) was admitted to United States Citizenship by the Court of (state) on (date). The following person(s) was/were named in the certificate as a minor child/children: (name all and ages).

NOTE: Under no circumstances will facsimiles or copies, photographic or otherwise, be made of naturalization certificates.

b. Individuals being considered for Federal recognition under the provisions of this regulation must possess a Top Secret security clearance. For those individuals who do not already possess a Top Secret clearance, a background investigation must be initiated prior to the convening date of the Federal recognition board.

c. Physical standards. Must be physically qualified for world-wide duty in accordance with AFR 160-43. Waivers of physical disability for which the individual is receiving compensation will not be granted. The physical examination must be completed by an active duty Air Force medical facility within 6 months preceding the scheduled date of the Federal recognition board. ANGRC/SG will review and certify all reports of medical examinations.

d. Moral Standards. Must possess high moral character and personal qualifications.

e. Age. Must not have reached the age indicated below for the grade and/or position for which recommended on the date of consideration by the Federal recognition board.

GRADE	AGE
Major General	58
(Adjutant General)	62
Brigadier General	56
(Adjutant General)	62
(Assistant Adjutant General)	58

7. Promotion Policies:

a. The provisions of paragraph 6b, c, d, and e, apply toward ANG promotions.

b. Professional Military Education (PME). Satisfactory completion of the Air War College, the Industrial College of the Armed Forces, or National Security Management Course, through correspondence, in-residence or seminar attendance programs is mandatory for line promotions. Tenured officers and ANG assistants in professional categories are exempt from this requirement. Nonresident PME courses of another service in which a member enrolled after 1 April 1985 will not be acceptable if an equivalent Air Force nonresident course exists. PME courses

(resident or nonresident) of another service, completed by an officer while a member of another service, are acceptable.

c. Promotion Service. Criteria for promotion service will be as indicated below.

(1) For Federal recognition in the grade of major general, 1 year in the grade of brigadier general.

(2) For Federal recognition in the grade of brigadier general, 2 years in the grade of colonel.

d. Training Requirements. For promotion and Federal recognition in the grade of brigadier general or major general, an officer must have trained satisfactorily in the 2 years immediately preceding the Federal recognition board. A minimum satisfactory year for the purpose of this regulation is one in which the officer has accrued at least 50 retirement points during his/her retirement year, exclusive of gratuitous points and those points earned for correspondence courses. Waivers will be considered only for those instances in which circumstances beyond the officer's control precluded him/her from attaining the necessary 50 points.

e. Position Vacancy. Must be appointed by the State to an authorized general officer position.

f. With the exception of tenure positions and ANG Assistants, a member being considered for promotion to brigadier general must serve at least 6 months in a general officer position. The six month requirement does not have to be met again upon subsequent promotion to major general.

8. Special Requirements for Certain Positions. In addition to the requirements outlined above, individuals must possess the following additional qualifications for positions as indicated:

a. Wing Commander:

(1) A USAF aeronautical rating.

(2) Current flying status.

(3) Current proficiency in the type aircraft assigned to his/her command.

(4) Possess a commission in one of the Armed Forces for a period of at least 12 years, of which a minimum of 10 years must have been in an air component of the Armed Forces.

(5) A minimum of 3 consecutive years of satisfactory service in the Air National Guard.

(6) Currently occupy a Wing Commander position.

b. Chief of Staff, State Headquarters (These requirements apply even when the position is carried on the manning document under a different title):

(1) A USAF aeronautical rating.

(2) Current flying status. (Note: Required only if position is authorized a RPI Code 8).

(3) Possess a commission in one of the Armed Forces for a period of at least 12 years, of which a minimum of 10 years must have been in an air component of the Armed Forces.

(4) A minimum of 3 consecutive years of satisfactory service in the Air National Guard.

(5) Currently occupy a Chief of Staff position.

c. Deputy, Chief of Staff, State Headquarters (These requirements apply even when the position is carried on the manning document under a different title):

(1) Current flying status. (Note: Required only if position is authorized a RPI Code 8).

(2) Possess a commission in one of the Armed Forces for a period of at least 12 years, of which a minimum of 10 years must have been in an air component of the Armed Forces.

(3) A minimum of 3 consecutive years of satisfactory service in the Air National Guard.

(4) Currently occupy a Deputy, Chief of Staff position.

d. ANG Assistants. Additional qualifications are as outlined in ANGP 36-15.

e. State Adjutant General:

(1) Must be duly appointed to the position of State Adjutant General.

(2) Grade in which Federally recognized will be determined as follows:

(a) Officers or former officers who have served in the grade of colonel for a minimum of 2 years may be Federally recognized in the grade of brigadier general; or those who have served in the grade of brigadier general for a minimum of 1 year may be Federally recognized in the grade of major general for the period of their tenure of office.

(b) Officers or former officers of the Armed Forces who have attained a grade of colonel or below may be Federally recognized under the provisions of NGR (AF) 36-2 as a State Adjutant General in the highest grade held.

(c) State Adjutants General Federally recognized in accordance with NGR (AF) 36-2 in a grade below brigadier general may qualify for subsequent Federal recognition in a higher grade upon meeting the requirements of the minimum years of promotion service (time in grade), and upon determination by the Federal recognition board that the officer is professionally qualified for the higher grade.

f. Assistant State Adjutant General:

(1) Must have served 2 years in the grade of colonel.

(2) Possess a commission in one of the Armed Forces for a period of at least 12 years, of which a minimum of 10 years must have been in an air component of the Armed Forces.

(3) A minimum of 3 consecutive years of satisfactory service in the Air National Guard.

9. Processing Procedures:

a. The Chief, National Guard Bureau, will announce, via message, the scheduled convening date of the Federal recognition board as furnished by the SAF and a suspense date for receipt of applications in the National Guard Bureau.

b. A completed application must include the following documents. Additional supporting documentation, as required, will be announced in the message. Applications will be endorsed to the Chief, National Guard Bureau, NGB-GO/AF.

(1) For promotion recommendations to major

general, a letter of recommendation must be personally signed by the Governor or Adjutant General, as appropriate.

(2) For promotion recommendations to brigadier general, an AF Form 709, Promotion Recommendation, Completed IAW AFR 36-9, and signed by the Adjutant General or governor, as appropriate.

(3) AF Form 24, Application for Appointment as Reserves of the Air Force or USAF without Component.

(4) State order assigning the officer to an authorized general officer position.

(5) State promotion order.

(6) Statement of Understanding, if required. Technicians, other than those occupying wing commander positions are ineligible unless nomination packages include a clear, unequivocal statement of understanding, signed by the Adjutant General and officer concerned, that technician employment will be terminated NLT 14 days following date of U.S. Senate confirmation as a brigadier general. Technicians should contact their State SPMO for further information.

(7) Standard Form 88, 93, and 520. Physical examination must be completed by an active duty Air Force base medical facility within 6 months preceding the scheduled date of the Federal recognition board.

(8) Certificate of current flying status and proficiency in current type aircraft, if required.

(9) Most recent individual flight record printout, if required.

(10) Official Photograph. NOTE: This photograph is taken for the specific purpose of meeting a Federal recognition board. It must comply to the fullest with AFR 36-93 and AFR 35-10.

(11) OPR's that close out up to 60 days immediately preceding the board will be forwarded no later than 45 days after the close out to NGB-GO/AF.

10. Approval of Waivers. Requests for waivers of non-statutory eligibility requirements in paragraphs 6, 7, and 8 above must be submitted through the Chief, National Guard Bureau to the Secretary of the Air Force for approval. Such requests must contain full justification citing the extraordinary circumstances involved. They must be signed by the Adjutant General or Governor and be submitted to the Chief, National Guard Bureau, ATTN: NGB-GO/AF, prior to submission of the promotion application.

11. Promotion Propriety Actions:

a. Withdrawal: The Governor or Adjutant General may withdraw a nomination for promotion at any time prior to the convening of the Federal recognition board. The request to withdraw a promotion nomination should be sent to NGB/CC in sufficient time prior to the Federal recognition board to allow for proper disposition.

b. Delaying a Promotion Nomination. In accordance with 10 U.S.C. 8363(g), promotion nominations may be delayed when there is doubt as to whether an officer should be promoted.

(1) The Adjutant General or higher-level authority may initiate recommendations for delay. The Adjutant General will notify the officer, in writing, of the reasons for the delay and will give the officer 15 days to provide written comments. The notification should be given before the effective date of promotion. If the Adjutant General cannot give initial notice in writing, he or she may give it orally, but must follow by written notice as soon thereafter as practicable.

(2) The Secretary of the Air Force is the approval authority for initial delays up to 6 months. Requests for extensions in excess of 6 months must be processed to arrive in sufficient time for the Secretary to act on the extension before the expiration date of the existing delay. When the basis for a delay ceases to exist, prompt action should be initiated to terminate it. The Secretary of the Air Force is the approval authority for termination of delays.

c. Removing an officer from a Promotion Nomination List. In accordance with 10 U.S.C. 8377, officers are removed from a promotion list when it is determined they should not be promoted.

(1) The Adjutant General or higher-level authority may initiate a recommendation for removal. The Adjutant General will notify the officer, in writing, and give him or her an opportunity to review the evidence and to provide written comments. If the Adjutant General cannot give initial notice in writing, he or she may give it orally, but must follow by written notice as soon as practicable. The Adjutant General must notify the officer before the effective date of promotion, unless a delay is in effect, then the Adjutant General must notify the officer before the expiration of the delay.

(2) Once a removal action is initiated, a promotion nomination is effectively delayed until action is taken by the President to remove the name or action is taken to terminate the removal. The Secretary of the Air Force is the approval authority for termination of removal actions.

d. A person determined as not qualified by a Federal recognition board for Federal recognition of a promotion under the provisions of this regulation may not be reconsidered for Federal recognition in that grade or position for a period of 9 months. If considered for promotion the second time and again determined as not qualified, he/she must be reassigned to a position compatible with their grade, and will not be considered again for promotion to the higher grade. This reassignment provision does not apply to Adjutants General and Assistant Adjutants General.

BY ORDER OF THE SECRETARY OF THE AIR FORCE

JOHN B. CONAWAY
Lieutenant General, USAF
Chief, National Guard Bureau

OFFICIAL

E. DARDEN BAINES
Director
Administrative Services