

**Personnel Security Clearance**

**MILITARY PERSONNEL  
SECURITY PROGRAM**

Effective 1 July 1973

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**1. Purpose.** This regulation prescribes the administrative procedures for the implementation of a personnel security program in the Army National Guard.

**2. Scope.** This regulation applies to members of the federally recognized Army National Guard of the several States, Puerto Rico, and the District of Columbia, and provides specific instructions pertinent to enlistment, reenlistment, Federal recognition, reporting information, flagging action, investigation, security clearances, and disposition of cases.

**3. Policy.** *a.* The provisions of AR 604-5 and AR 604-10, except as modified herein, will apply.

*b.* Information developed by investigative agencies cannot be divulged to individuals outside the Executive Branch of the Government. Therefore, the Chief, National Guard Bureau, will review all cases where derogatory information is revealed as the representative of the

respective States, and inform the State Adjutant General concerned of action required.

*c.* The provisions of AR 135-175 and AR 135-178 are applicable in cases of misconduct, inefficiency or undesirable habits or traits of character where derogatory suitability information is revealed by a Federal agency as a result of a counter-intelligence investigation.

*d.* Effective 1 January 1969, a background investigation or bring-up background investigation is required at least every 5 years for officers assigned to or to be assigned to general officer positions in the Army National Guard.

**4. Reporting information.** *a. Security information.* It is the duty of every member of the Army National Guard to report to his commanding officer any information coming to his attention which indicates that retention of any member may not be clearly consistent with the interest of national security. Examples of information which may provide a basis for re-

\*This regulation supersedes NGR 604-1, 15 March 1965, including C 1, 30 October 1968.

porting are contained in AR 604-10. Reports concerning members of the Army National Guard will be referred to the Chief, National Guard Bureau.

*b. Suitability information.* It is the duty of every member of the Army National Guard to report to his commanding officer any derogatory suitability information concerning any member of the Army National Guard that tends to indicate that favorable personnel action should be held in abeyance. Such personnel actions are described in AR 600-31. A report should be made on any military member AWOL; in hands of civil authorities; against whom civil court action or court-martial charges are being preferred or pending; against whom demotion or elimination proceedings are being initiated; and on whom investigations of allegations or incidents that reflect unfavorably upon the character or integrity of the member concerned are being conducted. Reports concerning officers and warrant officers will be forwarded through channels to the Chief, National Guard Bureau, and will contain sufficient detail to establish a basis for appropriate action. Reports concerning enlisted members will be forwarded through channels to the State Adjutant General.

**5. Action by local commander.** Upon receipt of derogatory information within the scope of AR 604-10, regarding a member of the Army National Guard, action will be taken as follows:

*a.* If the information available is sufficient for a positive recommendation that retention of the member concerned is warranted under the standards and criteria prescribed by AR 604-10, the commander will forward the case through channels to the Chief, National Guard Bureau, with a complete statement of facts and reasons for the recommendation. During the interim, the member may be retained in his present duty assignment. For the purpose of this regulation, a favorable National Agency Check is an investigation that either discloses no adverse suitability information or discloses suitability information that is determined by the Chief, National Guard Bureau, to be of

insufficient gravity to preclude Federal recognition as an officer in the National Guard:

*b.* If the information available is not sufficient for a positive recommendation, the commander will request the Chief, National Guard Bureau, to have additional investigation made.

*c.* Pending completion of any requested investigation, and prior to a final determination in the case, the commanding officer will take such action as is necessary to protect the security of his command. For those cases that fall within the criteria of paragraph 2-3, AR 604-10, action will include temporary assignment to specially controlled duties, suspension of the security clearance, if any, and denial of access to classified information pending completion of action on the case. In addition, the commanding officer will initiate action to insure that the personnel actions described in AR 600-31, are not accomplished without the prior approval of the Chief, National Guard Bureau. Requests for removal of suspension of favorable personnel actions in cases involving the national security will be submitted through Army National Guard channels to the Chief, National Guard Bureau, in writing or by teletype.

*d.* Reports forwarded to the National Guard Bureau will contain statements of all related facts and reasons for recommendation and will be accompanied by a current DD Form 98 and DD Form 398 (both forms in triplicate) and FBI fingerprint card (original copy only). In the case of enlisted men, one copy of DD Form 4 will be forwarded in addition to these forms.

*e.* Reports will be forwarded through Army National Guard channels. Upon receipt, the Chief, National Guard Bureau, will request such investigation be made as is necessary to support fully the allegation or suspicion or to disprove it.

**6. Armed Forces Security Questionnaire.** *a.* All members or prospective members of the Army National Guard are required to accomplish DD Form 98 as follows:

(1) Each applicant for enlistment or reenlistment in the Army National Guard pursuant to NGR 600-200.

(2) Each applicant for Federal recognition as an officer or warrant officer pursuant to NGR 600-100 and NGR 600-101 respectively.

b. If the applicant answers DD Form 98 in the negative, the original copy of the form will be placed in his personnel records jacket. In the case of an officer and warrant officer, the form will be prepared in duplicate and the duplicate copy will be forwarded with his application for Federal recognition to the Chief, National Guard Bureau.

c. If the applicant completes DD Form 98 with qualification, or if entries made thereon provide reason for belief that his Federal recognition or enlistment is not clearly consistent with the interest of national security, Federal recognition or enlistment will be held in abeyance. The DD Form 98, together with the DD Form 398 (both forms in triplicate) and the FBI fingerprint card (original copy only) will be forwarded through Army National Guard channels to the Chief, National Guard Bureau, for appropriate disposition. The applicant will not be Federally recognized nor enlisted without specific approval of the Secretary of the Army.

d. If the applicant refuses to accomplish DD Form 98 in its entirety, his Federal recognition or enlistment will be denied. The following data will be entered in the space provided for "Remarks" and the loyalty certificate will be forwarded to the Chief, National Guard Bureau, by letter of transmittal citing pertinent facts, for appropriate disposition:

Name  
 Date of birth  
 Place of birth  
 Home address  
 The above named individual refused to sign ARMED FORCES SECURITY QUESTIONNAIRE\_\_\_\_\_

(Date)

e. No applicant will be federally recognized, enlisted, or reenlisted without the specific approval of the Secretary of the Army if his separation from previous service indicates that he was relieved from active duty or discharged either as a security risk or for reasons other

than security while undergoing investigation under the provisions of AR 604-10 or of corresponding security regulations issued by the other military departments.

f. DD Form 98 will be accomplished in accordance with instructions on the form. Any member of the ARNG may act as witness to the execution of this form.

7. Security check for appointment and promotion of officers and warrant officers. *a General.* A favorable National Agency Check is a prerequisite for Federal recognition of officers and warrant officers on appointment in the Army National Guard and a favorable check of United States Army Investigative Records Repository (USAIRR) files as outlined in AR 381-130 is required prior to Federal recognition on promotion of Army National Guard officers or warrant officers.

b. *National Agency Check.*

(1) Documentary evidence of the favorable completion of a National Agency Check is required prior to the extension of permanent Federal recognition in the following instances:

- (a) Appointment as a commissioned officer from enlisted status.
- (b) Appointment as a warrant officer from enlisted status.
- (c) Appointment as a commissioned officer or warrant officer from status in any other Armed Force other than Reserve of the Army (ARNGUS or USAR).
- (d) Appointment as a commissioned officer or warrant officer from civilian status.

(2) Requests for National Agency Checks will be submitted by State adjutants general to the Army commander concerned, and will be accompanied by sufficient copies of DD Form 1584 (National Agency Check Request) and an FBI Fingerprint Card, properly completed by the applicant.

(3) When a National Agency Check has been completed previously, DA Form 873 (Certificate of Clearance and/or Security Determination), letters or indorsements from the Army commander are acceptable, provided they

indicate that a National Agency Check or investigation of broader scope has been completed favorably, date of such completion, place where investigation is on file, and signed by an officer having personal knowledge thereof; and further provided that National Agency Check was completed subsequent to 12 September 1950 and there has not been a break in the individual's military service within the active Army, Army National Guard, Army Reserve, or combination thereof.

(4) In the event proper evidence of completion of a favorable National Agency Check is not available, a copy of the DD Form 1584 requesting the conduct of a National Agency Check must accompany the NGB Form 62 and allied papers forwarded to the Chief, National Guard Bureau, in the case of applicants extended temporary Federal recognition. Temporary Federal recognition will be withdrawn immediately by the Chief, National Guard Bureau if, based on the National Agency Check, derogatory information is developed that would preclude extension of permanent Federal recognition. If not sooner withdrawn or replaced by permanent recognition, temporary Federal recognition will automatically terminate 6 months after its effective date.

*c. United States Army Investigative Records Repository.*

(1) A favorable USAIRR check is required prior to the extension of Federal recognition in the following instances:

(a) Promotion of commissioned officer or warrant officer.

(b) Appointment as a commissioned officer from commissioned officer of the USAR.

(c) Appointment as a warrant officer from commissioned officer status.

(d) Appointment as a warrant officer from warrant officer of the USAR.

(2) NGB Form 62 allied papers will be forwarded to the Chief, National Guard Bureau where USAIRR check will be initiated. Action by the Chief, National Guard Bureau, to extend Federal recognition will be held in abeyance pending receipt of evidence of favorable completion of USAIRR check.

*d. Transmission of results.*

(1) Army commanders will forward the results of a National Agency Check to State adjutants general only when such results are favorable. When derogatory information is revealed. Army commanders will forward derogatory information to the Chief, National Guard Bureau, for resolution, as follows:

(a) If the information is of a security or loyalty nature, obtain approval from Assistant Chief of Staff, Intelligence, prior to Federal recognition.

(b) If the information is of a suitability or fitness nature, determine whether of sufficient gravity to preclude Federal recognition.

(c) Notify the State Adjutant General if individual is not eligible for permanent Federal recognition.

(2) When USAIRR check reveals derogatory information, the following action will be taken:

(a) If the information is of a security or loyalty nature, it will be evaluated by the Assistant Chief of Staff, Intelligence, and if objection to Federal recognition is interposed, the Chief, National Guard Bureau, will be so notified.

(b) If the information is of a suitability or fitness nature, the Intelligence file will be forwarded to the Chief, National Guard Bureau, who will determine whether or not information is of sufficient gravity to preclude Federal recognition, or request Commander, RCPAC, to process the officer for elimination under provisions of AR 135-175, or refer case to the Department of the Army Suitability Evaluation Board, as appropriate.

8. Security clearances. Requests for investigation and the clearance of personnel handling CRYPTOLOGIC, TOP SECRET, SECRET and CONFIDENTIAL information and material will be processed in accordance with AR 604-5. State adjutants general are delegated the authority to grant clearances for access to CONFIDENTIAL information and material for members of the Army National Guard in their respective areas under the provisions of cited Army Regulations. This authority cannot be delegated further. Records of clearances

will be made available for annual inspection by The Inspector General.

a. All final and interim clearances must be recorded on the DA Form 66 (Officer Qualification Record) or DA Form 20 (Enlisted Qualification Record) as appropriate. An interim clearance certificate will be placed in the individual's field military 201 file until removed for cause or replaced by a certificate granting final clearance. When a final clearance certificate (DA Form 873) has been issued, the original copy furnished the State adjutant general will be forwarded to the custodian of the individual's record for file in the individual's field military 201 file and maintained as a permanent record (para 4.2, AR 604-5).

b. The maintenance or filing of clearance certificates (DA Form 873), except as indicated above, is prohibited unless the State Adjutant General has previously arranged with the Army commander that he be furnished an additional copy of the certificate for record at State level. Reproduction of DA Form 873 is authorized only for the purpose of evidence that a National Agency Check has been completed to accompany an application for Federal recognition of an officer or warrant officer (para 7b(3)).

c. Whenever security clearance of an Army National Guardsman is denied or revoked, the Army commander will inform the State Adjutant General of the determination only, and will forward the complete case to the Chief, National Guard Bureau, to determine appropriate personnel action required.

**9. Action following final review.** a. *Favorable determination.* The State Adjutant General will be advised of those cases resulting in a favorable determination in which event the provisions of AR 604-10, are applicable.

b. *Separation or discharge.*

(1) *General.* Where the approved findings of the Army Security Review Board indicate that a member of the Army National Guard should not be retained, he will be discharged. Members whose cases are being processed under the provisions of this regulation will not be

discharged for any reason prior to receipt of authority from the Chief, National Guard Bureau. In order to preclude the retention of members beyond the expiration of term of service, which is not authorized except under the conditions set forth in paragraph 11d, Manual for Courts Martial, United States, 1968 State adjutants general will request instruction from the Chief, National Guard Bureau, 60 days prior to the date of expiration of service of any member whose case is being processed under this regulation. Request will contain synopsis of facts in the case, the status of the individual, and any other information deemed pertinent.

(2) *Officers and warrant officers.* Commander, RCPAC, will effect the discharge of the member concerned from his appointment as a reservist of the Army, and the Chief, National Guard Bureau, will withdraw Federal recognition and advise the State Adjutant General.

(3) *Enlisted personnel.*

(a) The Chief, National Guard Bureau, will advise the State Adjutant General to effect the discharge of the member concerned from the Army National Guard and as a reservist of the Army.

(b) The character or type of discharge from Reserve of the Army status will be as directed by the Army Security Review Board. The Chief, National Guard Bureau, will advise or recommend to State authorities the character or type of discharge awarded or to be awarded.

(c) The letter of separation and/or discharge certificate will indicate "AR 604-10 applies."

(d) Separation or discharge orders issued pursuant to this regulation will be in letter order form, using appropriate format from NGR 310-4.

(e) Upon determination that an enlisted member is to be discharged from the service with an Undesirable Discharge under the provisions of this regulation, the authority accomplishing the discharge will, if the member concerned is in grade above Private E-1, automatically reduce member to Private E-1 without further administrative procedure by discharging the enlisted member in that grade.

Users of this publication are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications) to NGB-ARP, Washington, DC 20310.

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