



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD BUREAU
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NGB-J1-TNS

8 June 2007

MEMORANDUM FOR THE HUMAN RESOURCES OFFICERS OF ALL STATES, THE COMMONWEALTH OF PUERTO RICO, THE U.S. VIRGIN ISLANDS, AND THE DISTRICT OF COLUMBIA

SUBJECT: Authority of the Adjutant General to Approve or Disapprove a Dual Status Technician's Request to be Reassigned to a Unit That Will Be Mobilized (TN-07- 049)

1. This memorandum serves to provide guidance regarding the authority of the Adjutant General to decline military assignment of a Dual Status technician to a unit that is to be mobilized.
2. National Guard members do not reassign themselves or order themselves to military duty. These actions must be initiated by appropriate military authorities. Assignments within the National Guard are the prerogative of the Adjutant General.
3. The Adjutant General is not under any obligation to reassign a member to another unit. USERRA does not require an Adjutant General to reassign a member to another unit simply because the member may request it, even when the motive behind the request is a desire to be mobilized.
4. The authority of the Adjutant General to approve or disapprove a technician's request to be reassigned to another unit, to include a unit about to be mobilized, does not conflict with USERRA.
5. NGB-JA concurs with this memorandum.
6. Questions or requests for additional information regarding this issue may be directed to CPT G. Robert Bravo, NGB-J1-TNS, DSN 327-1456, CML 703-607-1456, or galo.r.bravo@us.army.mil.
7. This memorandum will expire one year from the date of publication unless sooner rescinded or superseded.


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Chief, Office of Technician Personnel