NATIONAL GUARD BUREAU
1636 DEFENSE PENTAGON
WASHINGTON DC 20301-1636

NGB-ZA

JAN 13 2010

MEMORANDUM FOR PRESIDENT AND MEMBERS

SUBJECT: Memorandum of Instruction – Fiscal Years (FY) 2010-2012 Army National Guard of the United States (ARNGUS) Active Guard Reserve (AGR) Release from Active Duty (REFRAD) Boards

1. Authority. With the concurrence of the Assistant Secretary of the Army (Manpower and Reserve Affairs), I have authorized use of an AGR REFRAD board for the ARNGUS Title 10 AGR Program for FY 2010-2012.

2. Purpose. The purpose of this board is to consider and recommend to the Chief, National Guard Bureau (CNGB) those officers of the appropriate grade, branch, and area of concentration or functional area for release from the Title 10 AGR Program. The CNGB will authorize use of the AGR Release from Active Duty (REFRAD) process. Once authorized, the respective DARNG will convene an AGR REFRAD board to consider eligible Title 10 AGR officers for release from the Title 10 AGR Program.

3. Definition. The term "AGR officers" refers to ARNGUS AGR commissioned officers, commissioned warrant officers, and warrant officers.

4. Membership.

a. You have been appointed to serve on this board because the Army has confidence in your ability to recognize those least-qualified AGR officers who should be released from the Title 10 AGR Program. Bear in mind the serious nature of board duty and your obligation to ensure these proceedings remain above reproach at all times. The oath you have taken obliges you to ensure that all eligible officers are considered without prejudice or partiality. You will adhere to that oath and to all governing laws, directives, regulations, written administrative instructions regarding board procedures, and to these instructions in selecting AGR officers to be released from the Title 10 AGR Program. Your failure to do so may be cause to remove you from this board.

b. Your role as a board member is to select AGR officers to be released from the Title 10 AGR Program in order to meet the ARNGUS AGR strength needs so that the remaining reduced corps of AGR officers contains the "best qualified" officers. This task is instrumental in correcting the AGR officer grade imbalances and strength overages. In conducting your evaluation of each individual file, set aside parochial interests and personal perceptions. During your review of the files, do not forget the rare and

exceptional officer who may not "fit the mold" of your experience, but whose talents and contributions mark him or her for continued service in the Title 10 AGR Program.

5. General.

a. In accordance with the Assistant Secretary of the Army (Manpower and Reserve Affairs) Memorandum, dated 16 July 2007, subject: Implementing Guidance for the Army National Guard Active Guard Reserve Life Cycle Management, the board will consider all AGR officers meeting the eligibility criteria outlined in Annex A.

b. This board provides a fair and equitable force shaping process to meet the needs of the Army and the ARNGUS while ensuring AGR selection rates that will provide upward mobility for ARNGUS AGR officers.

6. Method and Number to be Selected. Your duty as a board member is to select AGR officers in the considered population for release from the Title 10 AGR Program. Annex A contains selection objectives reflecting the number of AGR officers that must be selected for release from the Title 10 AGR Program based on force structure requirements. The board must satisfy these selection objectives.

a. The board will use an Order of Merit List to recommend AGR officers to be released from the Title 10 AGR Program according to the requirements and selection objectives at Annex A. The selection objectives identify the number of AGR officers that the board must select for release based on the officers' grade, area of concentration, branch, or functional area.

b. The board must select the number of officers designated to satisfy each selection objective. The DARNG has authority to modify these selection objectives to meet the requirements of the Title 10 AGR Program up to the convene date of the board.

c. An AGR officer who has reached 18 years of active service (sanctuary) may not be discharged or transferred from an active status without the Soldier's consent prior to the date on which the member is entitled to be credited with 20 years of service. Unless an earlier date is requested by the Soldier, a Soldier who is selected for release will be released from the Title 10 AGR Program no earlier than 9 months and NLT 12 months from the date the approval memorandum is signed by the CNGB as determined by the DARNG.

d. Unless an earlier date is requested by the Soldier, an AGR officer who has more than 20 years of active Federal service (AFS) at the time the board convenes will be

released from the Title 10 AGR Program no earlier than 9 months and NLT 12 months from the approval memorandum is signed by the CNGB as determined by the DARNG.

7. Guidance. Your role as a board member is to retain future leaders. Leaders must visualize and describe a concept of operation, ensure subordinates embrace the mission, and execute tasks according to expectations. Leaders' vision and intent are essential, and they must clearly communicate their intent and insert personal involvement to ensure a concept is executed according to plan. Retain leaders who demonstrate the ability to create and sustain a climate that positively affects the lives of the Army Family, which includes Soldiers, retirees, veterans, DA civilians, and their families. Leaders develop a climate in which the Army Family is treated with fairness, justice, and equity. There are many qualities that I seek in all of our leaders. Because it is difficult to predict the exact combination of challenges our forces will face, we will field versatile land forces capable of dominance across the spectrum of conflict, and you will retain agile leaders capable of leading those forces in combat and running the Army. In fulfilling this important task, you should use the following points of reference and general guidance.

a. Strategic leadership. As an Army at war undergoing transformation, we need strategic leaders who are creative thinkers who guide the achievement of their organizational vision within the larger enterprise; build consensus; acquire and allocate resources; influence organization culture and shape complex and ambiguous external environments. We need leaders who lead by example to build effective organizations, grow the next generation of leaders, energize subordinates, seek opportunities to advance organizational goals, and balance personal and professional demands. They must demonstrate the highest standards of character, integrity, and professionalism. Our future leaders must be agile enough to recognize a critical point of opportunity and courageous enough to act upon it. Retaining an intelligent, bold, and audacious leader, rather than one focused on traditional pathways to success, is critical to today's Army. Leaders must be able to understand the complexities and dynamics of other cultures. They must be adept communicators able to motivate and influence people through the understanding of cultural dynamics and the ability to forge relationships.

b. Attributes. The Army requires agile and adaptive leaders able to handle the challenges of full spectrum operations in an era of persistent conflict. The operational environment in which this persistent conflict will be waged will be complex, multi-dimensional, and increasingly fought "among" the people. It is your charter that you retain officers that demonstrate the characteristics necessary to lead effectively in this complex environment. All Army leaders must be:

(1) competent in their core proficiencies and able to lead change in Army;

(2) broad enough to operate across the spectrum of conflict;

(3) able to operate in joint, interagency, intergovernmental, and multinational environments and leverage these capabilities in achieving their objectives;

(4) culturally astute and able to use this awareness and understanding to enhance their influence;

(5) courageous enough to see and exploit opportunities; and

(6) grounded in Army Values and the Warrior Ethos.

c. Leading change. We need leaders who are committed and willing to examine and develop new solutions for an evolving and dangerous world. Give special attention to officers who can:

(1) innovate, conceptualize, chart strategies, and formulate policies, as opposed to those who can merely organize solutions to problems;

(2) provide the direction and force to shape outcomes, rather than react successfully; and

(3) recognize and adapt amidst uncertainty and ambiguity.

Look for leaders who are able to break out of habitual thought patterns and improvise; who challenge the conventional wisdom; and who ask hard questions and encourage others to do the same. Our leaders must be innovative and demonstrate creativity in generating new ideas and objectives. They must be able to lead Soldiers and influence others in achieving their objectives. Leaders must have the conceptual ability to adapt to changing situations. They must successfully perform outside of their conventional training and experience. Our leaders should exhibit imagination in challenging subordinates to work outside of their comfort zones, and possess empathy and compassion for others. Officers retained in the Title 10 AGR Program should be leaders, trainers, and developers of teams, who value the unconventional experience of our young Warriors who have succeeded in combat in Iraq and Afghanistan, and work to develop them for future assignments.

d. Experience and education. It is important for the officers you retain to have the training and education to meet the current and future leadership requirements of both the Army and the Joint Force. To operate effectively at the strategic and national levels of government, it is critical to have the right officers leading our forces.

(1) Special attention should be given to officers having served or currently serving in a multiservice, joint or multinational command or activity that involved in the integrated employment or support of the land, sea, and air forces of at least two of the three Military Departments. The board should understand the challenging nature and demands of these types of assignments and give appropriate consideration in the overall evaluation of each officer's record.

(2) Retain those officers who have demonstrated the capability and potential to step into the toughest assignment and succeed from day one. These officers must be ready to deal with complex issues, not only inside the Army, but also at the senior levels of our government in the joint, interagency and allied arenas. They must be able to work with members of other Services and governmental agencies and gain the willing cooperation of multinational partners, both military and civilian. Leaders must possess relevant technical, tactical, joint, cultural, and geopolitical knowledge.

(3) The officers retained must understand doctrine for joint operations, to include operations with multinational, interagency, and indigenous forces. We must have leaders who can provide leadership in key areas that involve special administrative, managerial, and technical skills that can only be built over time.

e. Energy and fitness. Leaders must possess military bearing, be physically fit, and have sound health, strength, and endurance to sustain emotional health and cognitive abilities under prolonged stress. They must project confidence and inspire trust. Leaders must be resilient and able to recover quickly from shock, setbacks, and adversity while maintaining a mission and organizational focus. They develop disciplined and cohesive units and teams sustained at the highest readiness level possible. They make it a priority to promote and safeguard the morale, physical well-being, and welfare of the persons under their charge. You must bear in mind that there are officers currently serving in an active status who have disabilities. A disability that is the result of a disease, wound, or an injury should not, of itself be disqualifying. The fact that an officer has been retained in an active status is tantamount to establishing that he or she possesses the physical qualifications that would allow assignment to any position commensurate with grade, specialties, and profile limitations. This guidance is not to be confused with an officer's professional responsibilities for maintaining minimum standards of physical fitness and weight/body fat standards as prescribed in AR 600-9, The Army Weight Control Program, dated 27 November 2006.

f. Warrior Ethos and service. The Warrior Ethos is the foundation for our commitment to victory in peace and war. It is linked to our long-standing Army Values. Whether at war or in peace, we must retain officers who have the Warrior Ethos ingrained in their character and who have demonstrated it in their selfless service to the

nation. Retained officers must have the endurance and commitment to succeed in demanding combat and non-combat environments. We expect this from our Soldiers, so we must demand no less from our leaders. We need leaders who are committed to winning our Nation's wars and who exemplify the value of selfless service.

g. Marital status. Board members will not consider the marital status of any officer under consideration, or the employment, education, or volunteer service of an officer's spouse. In addition, the law and DOD directives require that officer evaluation reports not contain any information regarding the employment, education, or volunteer service activities of the officer's spouse or reflect favorably or adversely on an individual based solely on marital status. If any records contain such prohibited information, board members must disregard it.

h. Soldier and Family support. Seek the leaders who demonstrate support for Soldiers and their Families and understand and embrace the challenges of sustaining our all Volunteer Force.

i. Team building and leader development. Our leaders should exhibit imagination in challenging subordinates, and possess empathy and compassion. They should display the ability to build teams of subordinates, collaborate with peers, and understand how they contribute and are nested in the larger mission. The officers you retained should demonstrate commitment to the professional development of their military and civilian subordinates.

j. Diversity. The strength of our Army comes from our diversity. We need leaders who understand that unit effectiveness depends on the ability of people of different backgrounds to work together. With a culture that embraces diversity, the Army is able to operate successfully across the Nation and around the world. Army leaders, in particular, manage and promote diversity by creating and maintaining an inclusive environment where individual attributes are accepted, understood and valued–devoting special attention to growing diversity within the ranks and inspiring all Soldiers to be culturally astute, agile and adaptive public servants.

k. Enterprise management. Our leaders should have the ability to think holistically and recognize the consequences and effects their decisions have on not only their own commands, but on the Army enterprise. They must be critical thinkers who manage by establishing and enforcing accountability and cross-functional collaboration.

l. Operational factors. Previously accepted rules and conventions regarding personnel management timelines may no longer apply. While 24 months in key positions has traditionally been optimal, performance and demonstrated potential in

these positions is what is important, not the number of months spent in that position. The current operational environment has extended the time in leadership positions for some officers, while reducing the time in leadership positions for others. The length of time that an officer spends in a leadership position is not a factor to consider in evaluating the officer's potential for selection. Operational factors affect the assignments all officers receive – the constraints of time, Army requirements, positions available, and unit readiness. View an officer's experience not in terms of one key assignment, but as a combination of many assignments and deployments over time.

m. Assignment considerations. All assignments are important to sustain a trained and ready Army. Each career field in the Army places unique demands on the officer corps and serves an important Army need. The absence of combat experience, or support of deployed forces, for example, should not be a basis for nonselection.

(1) Given the current operational environment, pay particular attention to officers with service on, or with, Transition Teams and/or Provincial Reconstruction Teams (PRTs). Leaders in these billets can have a strategic impact. These billets have been deemed key and developmental positions.

(a) Transition Teams. The invaluable experience these officers are receiving in these tough assignments will posture them for success in future leadership positions. Transition Teams are the key force multiplier that is enabling the United States to hand over security responsibilities to host nation security forces. The members of the teams serve as advisors as well as the coalition link to force enablers for the command group and staff they advise. They directly represent the United States of America and are charged with coaching, teaching and mentoring host nation security forces while enabling the combat operations of indigenous forces. The board should understand the challenging nature and demands of these jobs and provide appropriate consideration in the overall evaluation of each officer's record.

(b) PRTs. The PRTs assist the Governments of Afghanistan and Iraq (GOA and GOI) in stabilizing the countries, encouraging international and non-governmental organizations to operate in rural areas, and facilitating reconstruction. Their primary functions focus on the coordination of the reconstruction process, identification of reconstruction projects, conducting change assessments, and liaising with regional commanders. Members of the PRTs work closely with provincial governors, local leaders and elders, GOA and GOI ministers, the United Nations, and other international agencies. The PRTs operate in remote areas where other non-governmental organizations traditionally have no presence, providing a more stable and secure environment and a tangible oversight of central government programs.

(2) Warrior Transition Unit (WTU): The Army created Warrior Transition Units at major installations across the force to streamline care for wounded Soldiers. The unique unit demands placed on cadre present unfamiliar challenges of both an emotional and intellectual nature as they are required to not only manage the healing process, but to coordinate with Families, units and organic medical personnel. Many Soldiers across all three components will form cadre for these units. Soldiers are typically assigned as WTU cadre for 18 to 24 months. Retention criteria for cadre are based on Soldiers' outstanding leadership qualities, exceptional performance and proven communication, and problem solving abilities.

n. Except as otherwise instructed in this Memorandum of Instructions (MOI), you will follow the board policies and procedures prescribed by the attached additional guidance (Annex B). You will conduct your selection process to ensure the consideration of all eligible officers without prejudice or partiality. The boards will abide by this guidance and will not use criteria other than those specified in this MOI.

o. Except as discussed in Annex B, do not communicate with anyone except a recorder or my designated representative concerning this board. After you sign the board report and submit it to NGB (NGB-ARH), board members are authorized to discuss board proceedings with the DARNG or his representatives prior to recess. You will not disclose specifics pertaining to the selection or nonselection of individuals during such a discussion.

p. In your duties as a board member, as a guide in your deliberations, keep in mind the evolving strategic environment, the gravity of our responsibilities, and the broad range of tasks the Army performs. As Army doctrine and force structure changes, it may be necessary to realign the strength and professional development goals of each branch and area of concentration to meet new challenges. Keep in mind the following: your role as a board member is to select for release from the Title 10 AGR Program those officers least qualified to make the greatest contribution to our Army in the years ahead. An officer's warrior ethos, experience, and past performance are important factors to consider in your selection.

q. The board president has no authority to constrain any board member from recommending for REFRAD those AGR officers that the majority finds least qualified to meet the needs of the ARNGUS, as provided for in this MOI.

r. During the board process keep in mind that you should not place undue emphasis on the diversity of assignments or the level at which duties are performed. All assignments are important to sustain a trained and ready Army. The absence of

command combat experience or support of deployed forces, for example, should not be a basis for selection to be released from the Title 10 AGR Program.

s. Adverse Information.

(1) For the purposes of this instruction, adverse information is any substantiated adverse finding or conclusion from an officially documented investigation or inquiry, or other official record or report. The board may use this information to determine which officers are least qualified to meet the needs of the Army consistent with the requirement for exemplary conduct set forth in 10 United States Code, section 3583.

(2) Section 3583 states that all commanding officers and others in authority in the Army are required to show in themselves a good example of virtue, honor, patriotism, and subordination; to be vigilant in inspecting the conduct of all persons who are placed under their command; to guard against and suppress all dissolute and immoral practices, and to correct, according to the laws and regulations of the Army, all persons who are guilty of them; and to take all necessary and proper measures, under the laws, regulations, and customs of the Army, to promote and safeguard the morale, the physical well-being, and the general welfare of the officers and enlisted persons under their command or charge.

8. Equal Opportunity.

a. The success of today's Army comes from total commitment to the ideals of freedom, fairness, and human dignity upon which our country was founded. People remain the cornerstone of readiness. To this end, equal opportunity for all Soldiers is the only acceptable standard for our Army. This principle applies to every aspect of career development and utilization in our Army, but is especially important to demonstrate in the selection process. To the extent that each board demonstrates that race, ethnic background, and gender are not discriminators in the REFRAD board process, our AGR officers will have a clear perception of equal opportunity in the selection process. The diverse backgrounds, ideas, and insights offered by Soldiers and citizens of all races and of both genders are a great source of strength for our Nation and our Army. We can best ensure that this source of strength endures by your strict avoidance of the consideration of any factors other than merit and ability as specified elsewhere in this MOI in the selection of AGR officers for release from the Title 10 AGR Program.

b. You must be alert to the possibility of past personal or institutional discrimination–whether intentional or inadvertent–in the assignment patterns, evaluations, or professional development of all officers. Such discrimination may be

unintentional, not motivated by malice, bigotry, or prejudice, and may have been the result of past service utilization practices. Indicators of discrimination may include disproportionately lower evaluation reports; assignments of lesser importance or responsibility; lack of opportunity to attend career-building military schools; gratuitous mention of race, ethnicity, or gender; or mention of an officer's organizational or institutional affiliations unrelated to duty performance and potential. Take these factors into consideration in assessing the degree to which an officer's record, as a whole, is an accurate reflection, free of bias, of that officer's performance and potential. The foregoing guidance shall not be interpreted as requiring or authorizing you to extend any preference of any sort to any officer or group of officers on the basis of race, ethnicity, or gender.

9. Thank you for your service as a member of this board. Your decisions will have a lasting effect on the Army and the ARNGUS. Our Soldiers and Army civilians deserve leaders who are competent in their duties and who treat them with dignity, respect, and fairness at all times. This ethic is essential to a cohesive and disciplined Army. Just as you have been charged to make your selections for release from the Title 10 AGR Program without prejudice or partiality, you must also retain officers who adhere to these principles if we are to sustain an Army that can win the next war.

10. The point of contact is COL Dennis P. Chapman, Chief, Personnel Policy and Readiness Division, at DSN 327-5904, 703-607-5904, or dennis.chapman@us.army.mil.

CRAIG R. MCKINLEY
General, USAF
Chief, National Guard Bureau

2 Encls
1. Annex A, Eligibility and Requirements
2. Annex B, Additional Guidance

Annex A, Eligibility and Requirements – Instructions for Fiscal Years (FY) 2010-2012 Army National Guard of the United States (ARNGUS) Active Guard Reserve (AGR) Release From Active Duty (REFRAD) Boards

1. General. The board will convene as scheduled and/or announced. The board will consider Title 10 ARNGUS AGR commissioned officers, commissioned warrant officers, and warrant officers for release from the Title 10 AGR Program.

2. Eligibility. ARNGUS AGR commissioned officers, commissioned warrant officers, and warrant officers meeting the criteria below constitute the considered population for this selection board.

a. Eligible for consideration by an AGR REFRAD board: AGR officers, to include AGR officers mobilized under the provisions of 10 U.S.C. sections 12302 or 12304, who have completed 18 or more years of AFS as of the convene date of the board will be considered if such officers' grade, branch, or functional area have been identified as overstrength in paragraph 3a below.

b. Ineligible for consideration by an AGR REFRAD board:

(1) AGR officers, regardless of years of AFS, will not be considered if their grade, branch, or functional area have not been identified as overstrength in paragraph 3a below.

(2) AGR officers, regardless of years of AFS, will not be considered if they are serving their initial three-year tour in the AGR Program on the board's convene date.

(3) AGR officers with an approved retirement date within 12 months of the board's convene date will not be considered.

(4) AGR officers with a separation date within 12 months of the board's convene date will not be considered. This includes officers who will be separated when they attain their mandatory removal date for age or years of service.

(5) AGR officers previously considered but not selected by an AGR REFRAD board held during the preceding calendar year will not be considered.

3. Method and Number to be Selected.

a. The board will select those "least qualified" for future service to be released from the Title 10 AGR Program. The board will select and recommend AGR officers by grade, Area of Concentration (AOC), Branch (BR), or Functional Area

(FA). The number of officers to be recommended for release from the Title 10 AGR Program by grade, AOC, BR, or FA is listed below.

Grade/Rank	AOC/BR/FA	Number to be Recommended
XXX	XXX	XXX
XXX	XXX	XXX

b. The number of AGR officers that the board must recommend to be released from the Title 10 AGR Program is fixed pursuant to subparagraph 3a, above.

c. The DARNG, or his designee may adjust the board's selection objective up to the convene date of the board.

d. Administrative. The ARNGUS AGR REFRAD Board has the authority to identify AGR officers for possible involuntary separation. Those officers identified will be required to "show cause" for retention in an active status in accordance AR 135-175, AR 600-8-24, or NGR 635-101, as appropriate. Officers may be identified for possible involuntary separation regardless of the established selection objective or whether they are recommended for release from the Title 10 AGR Program.

e. Use and follow these general procedures:

(1) Phase I (Evaluate and score files). Each board member will consider and evaluate the entire record of each officer under consideration. Each board member will award a numerical score to assess each officer's relative standing to serve in the Title 10 AGR Program.

(2) Phase II (Establish Order of Merit List). The board will then produce a separate Order of Merit List (OML) of all considered officers by grade, AOC, BR, and FA. In the OML, officers who are less qualified for continuation in the Title 10 AGR Program will rank below those who are better qualified.

(3) Phase III (Identify least qualified). From the OML from Phase II, the board will tentatively identify officers to be recommended for release from the Title 10 AGR Program based on the number specified in subparagraph 3a, above.

(4) Phase IV (Recommended List). The board will then produce from all the OMLs, a consolidated list of officers to be recommended for release from the Title 10 AGR Program. The board will ensure that the list of officers recommended for release from the Title 10 AGR Program contains the number of officers specified in subparagraph 3a, above. This recommended list will be used for the formal vote of the board. If pursuant to the procedures specified above, the board receives additional information concerning an officer under consideration, it may adjust the final OML(s) and the recommended list. At the conclusion of the deliberative process, the board will conduct a formal vote to ensure that no officer is recommended for release from the Title 10 AGR Program unless he or she receives the recommendation of a majority of the members of the board.

(5) Phase V (Identify show cause) Identify those officers who, in the opinion of the majority of the board, should be required to show cause for retention in an active status IAW AR 135-175, AR 600-8-24, or NGR 635-101, as appropriate. Criteria that may merit recommendation to show cause include substandard performance of duty, misconduct, moral or professional dereliction, or actions clearly inconsistent with national security. The board will then produce a list of all officers identified for possible involuntary separation.

Annex B, Additional Guidance – Instructions for Fiscal Years (FY) 2010-2012
Army National Guard of the United States (ARNGUS) Active Guard Reserve (AGR)
Release From Active Duty (REFRAD) Boards

1. General Requirements. The board will convene to consider all eligible AGR officers who meet the eligibility criteria listed in Annex A for release the Title 10 AGR Program. The AGR Manager will furnish the board with the names and official military records of the officers to be considered. Questions from board members regarding personnel records, eligibility of officers, and administrative procedures will be directed to the recorder who will obtain clarification or additional information from proper authority.

2. Information Considered.

a. In discharging your board duties, you may consider the following information furnished to the board:

(1) For the purposes of this board, information in an officer's consideration file will consist of DA Form 2-1, Officer Record Brief (ORB) and/or Personnel Qualification Report (PQR), the performance portion of the officer's Official Military Personnel File (OMPF), and military photograph. Each file must contain a memorandum stating whether the officer meets the medical retention standards and deployability standards in accordance with AR 600-60. Documents such as General Officer memorandum of reprimand and other documents considered disciplinary in nature will be accepted up to 2 weeks prior to the convening of the board cycle. Under limited circumstances, the board may be allowed to view the restricted file. The officer under consideration or the president of the board in accordance with AR 600-8-104, *Military Personnel Information Management/Records*, may request that the board consider information contained on the restricted file. The request must state specific reasons for the request. The DARNG or his designee will consider each request on a case-by-case basis. Only information directly related to the request may be provided to the board. If the request is approved, the OMPF custodian will place a copy of the approved request in the restricted file.

(2) Written communication from the officer being considered that addresses matters contained in the officer's military records will be accepted and considered by the board. You may not discuss or disclose to other members of the board third party information or the opinion of any person not a member of the board concerning an officer being considered unless that opinion is contained in material properly presented before the board.

b. The board may not use personal knowledge in its deliberations. In the event a board member has personal knowledge concerning an officer's performance or conduct which is not documented in the records provided to the board and the board member feels the information is of great significance, the board member will summarize the

information in writing and provide it in a sealed envelope to the board recorder. The board recorder will seek guidance from proper authority. Unless authorized to do so through the recorder, board members will neither disclose nor discuss the information with any other board member, nor disclose nor discuss the identity of the officer concerned.

3. Instructions Concerning Communications and Information.

a. Each of you (president, members, recorders, and administrative support personnel) is responsible to maintain the integrity and independence of this selection board and to foster the careful consideration, without prejudice or partiality, of all eligible officers.

b. You must pay particularly close attention to the rules governing communications with and among other board members, the information authorized to be furnished to you, and the procedures you should follow if you believe that the integrity of this selection board has been improperly affected.

c. You are to base your selection on the material in each officer's military record, any other official information properly provided to the board, and any information about his or her record provided by an officer under consideration in accordance with this MOI and other applicable guidance.

d. The DARNG is the only person who may appear in person on other than administrative matters. All communications with this board, other than those that are clearly administrative, must be in writing, given to each member, and made a part of the board's record. The DARNG, or his representative, may discuss highlights of the MOI with the board. Representatives of the DARNG may provide an informational brief to the board on administrative matters, such as the demographics of the population under consideration and the officer evaluation system. These briefings are informational in nature and do not constitute additional guidance to the board. The convening authority or designee will designate in writing those persons authorized to provide routine administrative information to the board. No other type of briefing is permitted unless it has been approved in advance by the convening authority or his designee.

e. Before the board report is signed, recommendations may be disclosed only to members of the board, recorders, and administrative support personnel designated in writing by the convening authority or designee. After the board report is signed by the members, only the recommendations of the board may be disclosed, and disclosure will be limited to those who process the board report for approval and release. Except as

authorized by the convening authority, the proceedings of the board may not be disclosed to any person who is not a board member, board recorder, or administrative support personnel serving on the specific board.

f. If at any time you believe that you cannot in good conscience perform your duties as a member of the board without prejudice or partiality, you have a duty to request relief from the DARNG, from this duty. If you believe that the integrity of the board's proceedings has been affected by improper influence of military or civilian authority, misconduct by the board president or a member, or any other reason, you have a duty to request relief from your obligation not to disclose board proceedings and, upon receiving it, to report the basis for your belief.

g. The board will be in recess once the results are submitted to NGB-ARH. The results will be sent directly by the board president to NGB-ARH and not reviewed by anyone outside of the board membership. The only exception is the AGR Manager or the Soldier appointed by the DARNG in lieu of the AGR Manager if their assistance was requested to produce the post board reports.

h. The board will adjourn after the DARNG approves the board results. Board files will be returned to the AGR office.

i. Board membership will not be revealed until the DARNG approves the board results.

4. Reports.

a. All reports, Order of Merit Lists (OML), and attest rosters will be marked "FOR OFFICIAL USE ONLY", and will be so marked until the results are released. Attest rosters will be signed by the board president and a board recorder. Rosters will include each officer's Name, Rank, SSN, Area of Concentration (AOC), Branch (BR), Functional Area (FA), date completed/will complete 20 years AFS, and Mandatory Removal Date (MRD). The following board reports for the DARNG will be submitted to National Guard Bureau, ATTN: NGB-ARH, 1411 Jefferson Davis Highway, Arlington, VA 22201 prior to recess:

(1) Action Report (AAR). The board president will highlight collective observations, concerns, and recommendations of the board with regard to the selection process and officer personnel management. In particular, this report will address specific personnel management concerns that relate to the board's inability to meet any selection requirement contained in the MOI. The convening authority may request, in writing, that the board president address other specific questions in this report.

(2) Board Statistical Reports. Two statistical summaries are required. One summary will include a breakdown of each grade by AOC/BR/FA and will show Total Considered, Total Recommended for release from the AGR Program, and percent selected for release from the AGR Program. The second summary will include a breakdown of the total number of female officers considered and selected and the rate percentage; total number of male officers considered and selected and the rate percentage; and the total number of minority officers considered and selected and the rate percentage.

b. Upon recess, the Board will issue a Report of Proceedings showing the results of their deliberations. The report will be sent to the office listed in paragraph 4a above and will include the following attest rosters, OMLs, and Lists:

(1) Separate Alpha Roster of the total considered Population.

(2) Separate OMLs by grade, branch, area of concentration, and functional area.

(3) List of the total recommended for release from the Title 10 AGR Program.

(4) List of the total not recommended for release from the Title 10 AGR Program.

(5) List of officers recommended for involuntary separation.

c. The following certificate will be attested to by each board member, recorder, and designated administrative support personnel:

(1) The board president, board members, board recorders, and designated administrative support personnel hereby certify that, to the best of their knowledge, the board complied with the instructions, that they were not subject to or aware of any censure, reprimand or admonishment resulting from the recommendation of the board or its exercise of any lawful function within the board's authorized discretion; that they were not subject to or aware of any attempt to coerce or influence improperly any action in the formulation of the board's recommendations; and that they were not party to, or aware of, any attempt at unauthorized communications.

(2) The board acting under oath and having in view the special fitness of officers and the efficiency of the Army, has carefully reviewed the record of every officer whose name was furnished to it as specified in the instructions. In the opinion of the majority of the board members, the officers named are the least qualified, as specified in the

instructions, among officers whose names were furnished to the board, and are hereby recommended to be released from the Title 10 AGR Program.

d. The following show cause certification statement will be included with the list of officers recommended for possible involuntary separation. "In the opinion of the majority of the members, the officers named on the enclosure(s) should be required to show cause for retention in an active status in accordance with AR 135-175, AR 600-8-24, or NGR 635-101, as appropriate."

5. Oaths.

a. The Board President will administer the following oath or affirmation to the recorder:

"Do You, (state your name), solemnly swear (or affirm) that you will keep a true record of the proceedings of this board, and further that you will not divulge the proceedings or results thereof pertaining to the recommendation of individual officers except to proper authority."

The board recorder shall respond: "I do."

b. The recorder shall administer the following oath or affirmation to each member of the board and administrative support personnel:

"I, (state your name), do solemnly swear (or affirm) that I will, without prejudice or partiality, and having in view the special fitness of officers, the efficiency of the Army, and the CNGB's MOI, perform the duties imposed on me, and further, that I will not divulge the proceedings or results thereof pertaining to the recommendation of individual officers except to proper authority."

Each member of the board shall respond: "I do."