

1 June 2013

Personnel

**INDIVIDUAL CONSENT STATEMENT - FEDERAL  
DUTY AND GOVERNOR'S CONSENT – CONUS AND OCONUS***COMPLIANCE WITH THIS PUBLICATION IS MANDATORY*

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OPR: CA ANG/A3  
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Supersedes: CA ANGI 36-2201, 1 March 2013

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Pages: 5

This publication establishes procedures and responsibilities for accomplishment and maintenance of Individual Consent Statements for federal training/duty performed both inside and outside the United States, its territories and possessions, and other duty performed in a federal status under authority of Section 12301(d), Title 10, United States Code (U.S.C.). Additionally, this instruction outlines the requirements for obtaining Governor's consent (or equivalent) for federal duty when applicable per Title 10, U.S.C. It applies to all members of the California Air National Guard. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with (IAW) Air Force Manual (AFMAN) 33-363, *Management of Records*, and disposed of IAW Air Force Records Information Management System (AFRIMS) Records Disposition Schedule (RDS). This publication may not be supplemented.

**SUMMARY OF REVISIONS**

Changes the requirement for consent statements to be accomplished only once per enlistment for enlisted personnel and once for officers unless transferred to a different wing/group. Rescinds CA ANG Form 5 and 6. Requires individual consent statements to be filed in the Orderly Room Personnel Information File (PIF) and/or Unit Deployment Folder.

**1. Background.** Section 12301(d), Title 10, U.S.C. (voluntary activation), requires the consent of the Governor and consent of the individual concerned for active duty in a federal status. In order to assure that individuals are consenting to these active duty tours, the Governor requires that Individual Consent Statements be signed and retained on file for certain types of active duty tours.

1.1. The Governor has delegated authority to The Adjutant General to require and maintain Consent Statements from members of the California Air National Guard who are subject to call to federal active duty. This includes deployments, operations and training both inside and outside the Continental United States (CONUS/OCONUS), when the member is required to be in a Title 10 U.S.C. 12301(d) status.

1.2. Deployments/duty performed under Section 12301(d), Title 10, U.S.C., by one or more California Air National Guardsmen, must be coordinated with the HQ CA ANG/A3 for Adjutant General Consent prior to the deployment of California Air National Guard personnel.

1.3. Extracts of relevant sections of Title 10, United States Code, are included in Attachment 1.

## 2. Voluntary Federal CONUS/OCONUS Deployments:

2.1. Commanders will ensure that each member of his or her unit called to active duty under the provision of Section 12301(d), Title 10, U.S.C., for duty has a signed Individual Consent Statement (CA ANG Form 4) on file prior to the publication of the training or deployment order.

2.2. Upon enlistment and each reenlistment/extension, enlisted members are required to sign a CA ANG Form 4, Individual Consent Statement. Individual statements will be kept on file in the Unit Orderly Room Personnel Information File and/or with the Unit Deployment Folder.

2.3. Officers are only required to sign and have a CA ANG Form 4 on file once unless transferring to a different unit. Individual consent statements should be kept in the Unit Orderly Room Personnel Information File and/or in the Unit Deployment Folder.

2.5. Governor's consent under Section 12301(d), Title 10, U.S.C., for both CONUS and OCONUS duty/deployments, is delegated to the Adjutant General in accordance with Governor's General Order Number 2012-02, dated 31 July, 2012. Installation Deployment Officers/Logistics Readiness Squadron (LRS) Plans and Integration Offices (LGRDX) are responsible for reporting all Title 10 duty/deployment activity to HQ CA ANG/A3 or designee a minimum of 60 days prior to the Required Delivery Date (RDD). Short notice deployments identified inside of the 60 day window and changes to previously submitted information, will be reported as soon as practical. Air Expeditionary Force (AEF) deployments will be reported a minimum of 180 days in advance.

2.5.1. HQ CA ANG/A3 ensures that proposed Title 10 deployment data is presented to the Air Staff and Adjutant General during periodic update briefings. Adjutant General consent, when required, should be considered granted unless servicing wing LRS/LGRDX is notified otherwise by HQ CA ANG A3/A3O or Director of Staff.

2.5.2. HQ CA ANG/A3 or designee will maintain Title 10 duty/deployment visibility through wing LRS/LGRDX.

2.5.3. Classified deployment details will be forwarded by wings/group to HQ CA ANG A3 via SIPRNET or secure communication when required.

JON K. KELK, Brig Gen, CA ANG  
Commander

### Attachments

1. Glossary of References and Supporting Information
2. Governor's General Order Number 2012-02

## Attachment 1

### GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

#### *References*

#### ARMED FORCES - TITLE 10, UNITED STATES CODE

##### Section 12301(b)

At any time, an authority designated by the Secretary concerned may, without the consent of the persons affected, order any unit, and any member not assigned to a unit organized to serve as a unit, in an active status in a reserve component under the jurisdiction of that Secretary to active duty for not more than 15 days a year. However, units and members of the Army National Guard of the United States or the Air National Guard of the United States may not be ordered to active duty under this Subsection without the consent of the governor of the State (or, in the case of the District of Columbia National Guard, the commanding general of the District of Columbia National Guard).

##### Section 12301(d)

At any time, an authority designated by the Secretary concerned may order a member of a reserve component under his jurisdiction to active duty, or retain him on active duty, with the consent of that member. However, a member of the Army National Guard of the United States or the Air National Guard of the United States may not be ordered to active duty under this subsection without the consent of the governor or other appropriate authority of the State concerned.

##### Section 12301(f)

The consent of a Governor described in subsections (b) and (d) may not be withheld (in whole or in part) with regard to active duty outside the United States, its territories, and its possessions because of any objection to the location, purpose, type, or schedule of such active duty.

#### *Prescribed Forms*

CA ANG Form 4, Individual Consent Statement for Federal CONUS/OCONUS Duty

#### *Abbreviations and Acronyms*

ACA – Aerospace Control Alert  
AFRCC – U.S. Air Force Rescue Coordination Center  
CONUS – Continental United States  
MAFFS – Modular Airborne Fire Fighting System  
NIFC – National Interagency Fire Center  
NORAD – North American Air Defense Command  
OCONUS – Outside the Continental United States

**Terms**

**Active Duty** – For the purposes described in this instruction, active duty refers to any tour of duty in a federal status under Section 12301(d), Title 10, U.S.C., whether performed inside or outside of the United States, Puerto Rico, Virgin Islands, Guam, the District of Columbia, and U.S. territories, to include duties performed for the North American Air Defense Command (NORAD) Aerospace Control Alert (ACA) Program, search and rescue duties in a federal status on land or at sea, or for support of the Modular Airborne Fire Fighting System (MAFFS) in a federal status.

**Individual Consent Statement** – A signed statement by a member of the California Air National Guard signifying his or her consent to be called to federal active duty.



OFFICE OF THE GOVERNOR

GOVERNOR'S GENERAL ORDER NUMBER 2012-02

I hereby delegate to the Adjutant General the authority to consent to the mobilization of California National Guard members to federal military active duty and to enter into letters of agreement to support federal missions. This delegation is provided in accordance with section 12301(d) of Title 10 of the United States Code.

This Order will remain in effect unless rescinded.

Dated: July 31, 2012

A handwritten signature in black ink that reads "Edmund G. Brown Jr." with a large flourish at the end.

Governor Edmund G. Brown Jr.  
Commander-in-Chief