



DEPARTMENT OF THE ARMY
JOINT FORCES HEADQUARTERS WEST VIRGINIA
1703 COONSKIN DRIVE
CHARLESTON, WEST VIRGINIA 25311-1026

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18 June 2018

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Director of the Joint Staff

OFFICE OF THE ATTORNEY GENERAL
WEST VIRGINIA
DEPARTMENT OF STATE

Honorable Mac Warner
Secretary of State
State of West Virginia
Charleston, West Virginia 25305

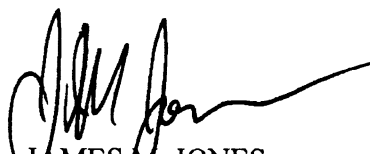
Dear Mr. Warner:

Per Executive Order 3-18, Regulatory Review, The Adjutant General's Department of West Virginia has reviewed all filed rules. The Adjutant General hereby rescinds 45 West Virginia Military Regulations, effective 18 June 2018. These rules shall be immediately repealed from the legislative rules list. Please see enclosed list of rescinded rules, which lists each rule and reasons for actions by this agency.

Should you have questions or concerns regarding this correspondence, please contact LTC Dena M. Lentz at Commercial 304-561-6350 or email at dena.m.lentz.mil@mail.mil.

Acknowledgement of receipt of these changes is requested.

Sincerely,



JAMES M. JONES
COL, GS, WVARNG
Director, Joint Staff

Enclosure
As stated

**Adjutant General's Department
Rules for Rescission
Effective 18 June 2018**

Agency	Title-Series	Name/Description of Rule	Current Effective Date	Reasons for Rescission
Adjutant General	<u>141-03</u>	WVMMR (ARMY) 608-4, Personal Affairs: Benefits for ARNG Members or their Survivors (no record of versions prior to 4/8/1969; Change 1 to this Publication is filed, effective 4/8/1969)	4/8/1969	Outdated, not been used by this agency in years, does not impact state budget or other policies in any way. Also, this program is covered by multiple Federal, National Guard Bureau, and State Guidelines, to include: AR 600-8-1, Army Casualty Operations/Assistance/Insurance; AR 930-4, Army Emergency Relief; DA Pam 360-526, Once a Veteran; SBP Made Easy, 2005 Addition (http://www.moaa.org/pubs_infoex_spbmead2.htm); Armed Forces Services Corporation (http://www.afsc-usa.com); US Army Human Resources Command (http://www.armyg1.army.mil/rso/PreRetirement.asp); US Army Resources Command - Army Reserve (http://www.hrc.army.mil/site/reserve/soldierservices/retirement); My Army Benefits (http://myarmybenefits.us.army.mil); Survivor Benefits Handbook (lists all of the above references). Local policy is not necessary; assistance can be requested through multiple members within the organization in the G1/MILPO section.
Adjutant General	<u>141-17</u>	WVMMR (ARMY) 340-5, Correspondence - Signatures (superseded Publication of same nomenclature/name, dated 10/22/1971; no record of versions prior to 10/22/1971)	1/15/1992	Outdated and does not impact state budget or other policies in any way. Also, this program is covered by Federal guidelines, to include: AR 25-50, Preparation and Managing Correspondence. Because this Publication is specific to the WVARNG, the information therein will be modified/updated and published locally in an Administrative SOP/WV PAM, effective date To Be Determined (TBD). The Administrative SOP/WV PAM will subsume CSR 141-17/WVMMR (ARMY) 340-5, CSR 141-41/WVMMR (ARMY) 310-2, CSR 141-52/WVMMR (ARMY) 310-4, CSR 141-78/WVMMR (ARMY) 310-3, CSR 141-66/WVMMR (ARMY) 340-3, and CSR 141-82/WVMMR (ARMY) 310-5.
Adjutant General	<u>141-22</u>	WVMMR (ARMY) 600-3, Officer Career Management (no record of versions prior to 11/20/1974)	11/20/1974	Outdated and does not impact state budget or other policies in any way. Also, this program is covered by Federal, National Guard Bureau, and State guidelines, to include: Smartbook/MILSUITE (subsumed DA Pam 600-3 and DA Pam 611-21; AR 623-3, DA Pam 623-3, NGR 600-100 and NGR 600-101. Because this Publication is specific to the WVARNG and adds to the regulations listed above, the information therein will be modified/updated and published locally, combining WVMMR (ARMY) 600-3, WVMMR (ARMY) 600-100-3, and WVMMR (ARMY) 600-100-1, effective date TBD.
Adjutant General	<u>141-23</u>	WVMMR (ARMY) 600-23 / WVMMR (AIR) 30-1, Nondiscrimination in Federally Assisted Programs (superseded Publication of the same nomenclature/name, dated 3/31/1970; other versions dated 1/26/2004 (not filed), 7/12/1976 (not filed))	1/11/1975	Outdated and does not impact other policies in any way. Also, this program is covered by Federal and National Guard Bureau guidelines, to include: DoD Directive 5500.11, Incorporating Change to Nondiscrimination in Federally Assisted Programs; Title 42 USC Sections 2000d through 2000d, Title VI of the Civil Rights Act of 1964, as amended; AR 600-23, Nondiscrimination in Federally Assisted Programs; AFI 36-2707, Nondiscrimination in Programs and Activities Assisted or Conducted by the Department of the Air Force, Title 42 USC § 701, Rehabilitation Act of 1973; Title 43 USC Chapter 76 § 6101, Age Discrimination in Federally Assisted Programs; DoD Directive 1020.1, Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the DoD, AR 600-7, Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Army, CNGBI 5000.01A, Chief of the NGB Issuances; CNGBI 9601.01, National Guard Discrimination Complaint Process; CNGBI 0402.01, National Guard Alternative Dispute Resolution; CNGBI Manual 0402.01, Alternate Dispute Resolution Procedures; Title 32 USC § 108, Forfeiture of Federal Benefits; DoD Directive 1350.2, DoD Military Equal Opportunity (MEO) Program; Executive Order 13160, Nondiscrimination on the Basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a Parent in Federally Conducted Education and Training Programs; Public Law 110-233, Genetic Information Nondiscrimination Act of 2010; Directive-Type Memorandum 16-005, Military Service of Transgender Service Members; CNGBI 9400.01, Nondiscrimination in Federally Assisted Programs. Local policy and procedures in support of above listed publications have been implemented at the agency level and do not need to be filed at the state as a CSR.
Adjutant General	<u>141-26</u>	WVMMR (ARMY) 11-2, WVARNG Internal Control Review Program (no record of versions prior to current)	6/21/1988	Outdated and obsolete; does not impact state budget or any other policy. Is covered under federal guidelines, to include: AR 11-2, Managers' Internal Control Program. This program is also managed by local SOP and does not need to be maintained at this level by CSR or Regulation.
Adjutant General	<u>141-29</u>	WVMMR (ARMY) 670-5, Uniform Requirements (Officers) (superseded WVMMR (ARMY) 670-5, dated 4/1/1977; other version dated 1/2/1969)	2/24/1993	Outdated, does not impact state budget or other policies in any way. Also, this program is covered by Federal guidelines, to include: AR 670-1 and DA Pam 670-1, Table C-1. No need for local agency or state policy/guidance for this program.
Adjutant General	<u>141-30</u>	WVMMR (ARMY) 600-100-3, Assignment and Promotion of Officers, West Virginia Army National Guard (no record of versions prior to current)	8/1/1978	Outdated and does not impact state budget or other policies in any way. Also, this program is covered by Federal, National Guard Bureau, and State guidelines, to include: Smartbook/MILSUITE (subsumed DA Pam 600-3 and DA Pam 611-21; AR 623-3, DA Pam 623-3, NGR 600-100 and NGR 600-101. Because this Publication is specific to the WVARNG and adds to the regulations listed above, the information therein will be modified/updated and published locally, combining WVMMR (ARMY) 600-3, WVMMR (ARMY) 600-100-3, and WVMMR (ARMY) 600-100-1, effective date TBD.
Adjutant General	<u>141-31</u>	WVMMR (ARMY) 600-100-1, Introduction to Officer Personnel Management System (no record of versions prior to current)	8/1/1978	Outdated and does not impact state budget or other policies in any way. Also, this program is covered by Federal, National Guard Bureau, and State guidelines, to include: Smartbook/MILSUITE (subsumed DA Pam 600-3 and DA Pam 611-21; AR 623-3, DA Pam 623-3, NGR 600-100 and NGR 600-101. Because this Publication is specific to the WVARNG and adds to the regulations listed above, the information therein will be modified/updated and published locally, combining WVMMR (ARMY) 600-3, WVMMR (ARMY) 600-100-3, and WVMMR (ARMY) 600-100-1, effective date TBD.
Adjutant General	<u>141-32</u>	WVMMR (ARMY) 600-100-2, Officer Personnel Management System SOP (no record of versions prior to current)	8/1/1978	Outdated and does not impact state budget or other policies in any way. Also, this program is covered by Federal, National Guard Bureau, and State guidelines, to include: Smartbook/MILSUITE (subsumed DA Pam 600-3 and DA Pam 611-21; AR 623-3, DA Pam 623-3, NGR 600-100 and NGR 600-101. Because this Publication is specific to the WVARNG and adds to the regulations listed above, the information therein will be modified/updated and published locally, combining WVMMR (ARMY) 600-3, WVMMR (ARMY) 600-100-3, and WVMMR (ARMY) 600-100-1, effective date TBD.
Adjutant General	<u>141-33</u>	WVMMR (ARMY) 351-3, Training - Noncommissioned Officer's Education System (superseded Publication of same nomenclature/name, dated 11/4/1989; prior version dated 8/12/1986)	11/18/1991	Obsolete due to major revisions to the Army School System (TASS); these revisions and the consolidation of TASS for the three components of Regular Army, Army National Guard, and the US Army Reserves are covered and managed by Federal guidelines, to include: AR 350-1, Army Training and Leader Development; AR 350-10, Management of Army Individual Training Requirements and Resources. Repeal of this regulation does not impact the state budget; there is no requirement for local policy or WV Pam to line out internal processes, as it is clearly defined in the references provided and managed in the web-based system known as the Army Training Requirements and Resource System (ATRRS).
Adjutant General	<u>141-34</u>	WVMMR (ARMY) 385-10, Administration of the West Virginia Army National Guard Safety Program (superseded Publication of same nomenclature/name, dated 12/1/1978; other versions dated 11/10/1982 and 1/28/2004 (not filed))	10/21/1992	Outdated, not been used by this agency in years, does not impact state budget or other policies in any way. Also, this program is covered by multiple Federal, National Guard Bureau, and State Guidelines, to include: AR 385-10, The Army Safety Program; DA Pam 385-1, Small Unit Safety Office / NCO Guide; DA PAM 385-10, Army Guidelines for Safety Color Codes, Signs, Tags, and Markings; DA PAM 385-16, System Safety Management Guide; DA PAM 385-24, The Army Radiation Safety Program; DA PAM 385-26, The Army Electrical Safety Program; DA PAM 385-30, Risk Management; DA PAM 384-40, Army Accident Investigations and Reporting; DA PAM 385-61, Toxic Chemical Agent Safety Standards; DA PAM 385-63, Range Safety; DA PAM 385-64, Ammunition and Explosives Safety Standards; DA PAM 385-65, Explosive and Chemical Site Plan Development and Submission; DA PAM 385-90, Army Aviation Accident Prevention Program; NGR 415-5, Army National Guard Military Construction Program Execution; CFR 29, OSHA Standards; NFPA 101 Life Safety Code (Fire Safety); NFPA 10, Standards for Portable Fire Extinguishers; NFPA 30, Flammable and Combustible Liquids Code. This publications are updated regularly; internal SOPs or other guidance within the agency are updated as appropriate.
Adjutant General	<u>141-35</u>	WVMMR (ARMY) 351-5, Training - West Virginia Military Academy (superseded Publication of same nomenclature/name, dated 11/6/1989; more recent version dated 12/20/1998 (not filed); prior versions dated 8/9/1986, 2/4/1982, 11/10/1978)	11/18/1991	Outdated and obsolete; does not impact state budget or other policies in any way. This program is now covered by the Course Management Plan, dated 1 May 2017, which replaced all former publications related to the Officer Candidate School. This governing document is produced and managed by the Maneuver Center at Ft. Benning, GA for all OCS programs Nationwide, to include programs at State ARNG Regional Training Institutes. The Army School System (TASS) revision and all TRADOC schools are governed through the CMP and POIs.