

• **20 V.S.A. § 363. Officers generally**

(a)(1) The General Assembly shall biennially elect an Adjutant and Inspector General for a term of two years.

(2) An Adjutant and Inspector General appointed to fill a vacancy occurring during a term shall serve the remainder of the unexpired term.

(b)(1) The Adjutant and Inspector General shall be granted the rank of a major general within the State.

(2) A candidate for Adjutant and Inspector General shall:

- have attained the rank of Colonel (O-6) or above;

- be a current member of the U.S. Army, the U.S. Air Force, the U.S. Army Reserve, the U.S. Air Force Reserve, the Army National Guard, the Air National Guard, or be eligible to return to active service in the Army National Guard or Air National Guard; and

- be a graduate of a Senior Service College; and

- eligible for Federal Recognition.

(c)(1) The Adjutant General may appoint a Deputy with the approval of the Governor. The Adjutant General may also appoint an Assistant Adjutant General for Army, an Assistant Adjutant General for Air, an Assistant Adjutant General for Joint Operations, a Command Sergeant Major, and a Command Chief Master Sergeant, without pay, with the approval of the Governor.

(2) The Adjutant and Inspector General may remove the appointed assistant adjutant generals and sergeants and shall be responsible for their acts.

(3) Upon appointment, each Assistant Adjutant General shall be a federally recognized officer of the National Guard of the rank of lieutenant colonel or above, and shall have a rank of colonel or brigadier general within the State, and the Command Sergeant Major shall be a federally recognized noncommissioned officer of the National Guard of the rank of master sergeant or first sergeant or above, and the Command Chief Master Sergeant shall be a federally recognized noncommissioned officer of the rank of senior master sergeant.

(4) The Deputy, assistants, and sergeants shall perform duties as the Adjutant and Inspector General shall direct.

(d)(1) In the absence or disability of the Adjutant and Inspector General, the Deputy shall perform the duties of that office.

(2) In case a vacancy occurs in the office of Adjutant and Inspector General, the Deputy shall assume and discharge the duties of the office until the vacancy is filled.

(e) Appointments made pursuant to subsections (a) and (c) of this section shall be in writing and recorded in the Office of the Secretary of State.

(f) All other officers of the National Guard shall be chosen in accordance with rules adopted by the Adjutant and Inspector General consistent with the laws of this State and the United States. (Amended 1959, No. 81, eff. April 2, 1959; 1961, No. 2 eff. Feb. 16, 1961; 1965, No. 125, § 19, eff. July 2, 1965; 2003, No. 5, § 1; 2005, No. 67, § 1; 2017, No. 113 (Adj. Sess.), § 115; 2021, No. 10, § 3.)

Discussion Points for Various Criteria Scenarios:

The Adjutant General (TAG) is the spokesperson for the Vermont National Guard on many fronts to include local, national, and international. It is extremely important that the TAG can function/travel as a General Officer at the earliest possible opportunity. The rank/status of the TAG matters when vying for a seat at the table with the other TAGs, gaining national committee assignments, etc.

To be able to represent Vermont and the Vermont National Guard effectively as described above, the TAG must be eligible to be a member of the Vermont National Guard. Otherwise, they would be interacting as a civilian and wouldn't have the ability to perform the many inherently federal function of the job as the senior military member within the state.

Rationale for recommending at least an O-6 (Colonel) verses O-5 (Lt. Colonel);

- Sufficient Candidate pool within the state
 - o 4 – O-7 (Brigadier General)
 - o 30 – O-6 (Colonel) 18 – Army, 12 – Air
- In most instances this candidate pool already has the senior service college completed.
- Brigadier Generals can be breveted to Major General upon appointment as TAG, pending federal recognition to the rank of Major General.
- Colonels can be breveted to Brigadier General upon appointment as TAG, pending federal recognition to the rank of Brigadier General.
- Allowed to travel within the U.S. at the breveted rank. Must travel out of country at their non-brevetted rank.
- Federal recognition can take as much as one year or more.

Scenario if the candidate is an O-5 (Lt. Colonel);

- Unless a senior O-5, the individual would need to accomplish the senior service college, which can take 1-2 years depending on method of study.
- The candidate can't be breveted to O-6. (??)
- Requires federal recognition to O-6 (Colonel), then (??) time in grade as an O-6 to be promoted to O-7 (brigadier General).
- Once promoted top O-6 the candidate can be breveted to O-7 (Brigadier General).
- Probable timeline from O-5 to being federally recognized as an O-7 (brigadier General) is 3+ years, depending on senior service college status.