

TITLE 5A

DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS

CHAPTER 1

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS ORGANIZATIONAL RULES

Authority

N.J.S.A. 38A:3-6(n), (o) and 52:14B-3 and 4.

Source and Effective Date

R.1999 d.44, effective January 7, 1999.
See: 31 N.J.R. 401(a).

Executive Order No. 66(1978) Expiration Date

Chapter 1, Department of Military and Veterans Affairs Organizational Rules, expires on January 7, 2004.

Chapter Historical Note

Chapter 1, Organization of the New Jersey Department of Military and Veterans' Affairs, was filed and became effective as R.1990 d.200 on March 12, 1990. See: 22 N.J.R. 1117(c). Pursuant to Executive Order No. 66(1978), Chapter 1 expired on March 12, 1995.

Chapter 1, Department of Military and Veterans Affairs Organizational Rules, was adopted as R.1999 d.44, effective January 7, 1999. See: Source and Effective Date. Administrative correction. See: 31 N.J.R. 638(b).

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SUBCHAPTER 1. OPERATION AND ORGANIZATION OF THE DEPARTMENT

5A:1-1.1 Mission

The mission of the New Jersey Department of Military and Veterans Affairs is to provide command and control services to the New Jersey Army and Air National Guard and to administer State provided veterans programs and services within New Jersey.

5A:1-1.2 Organization

The Department of Military and Veterans Affairs is organized into three groupings in addition to the Office of the Adjutant General which reflects the major reporting and operational functions of the Department. These groupings are: Veterans Affairs; Central Support Services; and the New Jersey National Guard.

5A:1-1.3 Office of the Adjutant General

(a) The Adjutant General, a member of the Governor's Cabinet, is the Chief Executive Officer of the Department and oversees all functions of the Department of Military and Veterans Affairs. Concurrently, he or she is appointed as a General Officer in the New Jersey National Guard in accordance with N.J.S.A. 38A:3-3 and serves as its commander. The Adjutant General is assisted by two deputies and one assistant commissioner as well as a number of offices which report directly to him.

(b) The Deputy Adjutant General is one of two principal assistants to the Adjutant General. The Deputy Adjutant General oversees the general operations of the Department as directed by the Adjutant General and acts in the place of the Adjutant General in his or her absence. In addition to all other requirements, he or she may be appointed as a General Officer in the New Jersey National Guard in accordance with N.J.S.A. 38A:3-5.

(c) The Administrator of Veterans Affairs is one of two principal assistants to the Adjutant General. The Administrator oversees the general operations of the veterans programs of the Department and in the performance of this duty carries the title of Deputy Commissioner, Veterans Affairs, in recognition of his responsibilities. In addition to all other requirements, the Deputy Commissioner must be an honorably discharged veteran of the Armed Forces of the United States.

(d) The Adjutant General as the commander of the State's National Guard is assisted in the supervision of the Department's Federal operations by a Command Administrative Officer (Federal Chief of Staff) who has principal responsibility for all Federal staff activities concerning the New Jersey Army National Guard including:

1. A Construction Facilities Management Office;
2. A Logistics Office;
3. A Personnel and Community Services Office;
4. A Plans Operations and Training Office; and
5. A State Army Aviation Office.

(e) In matters relating to the command and control of the National Guard, both the Army and Air National Guard are hierarchical military organizations, the senior commanders of which report directly to the Adjutant General in matters regarding their commands. The Adjutant General is supported in this area by two Assistant Adjutants General, Army and Air.

(f) In matters relating to Federal resources directed at supporting the National Guard, The Adjutant General is assisted and advised by the United States Property and Fiscal Officer who is employed by the Federal government.

(g) In the normal course of events, the following special staff reports directly to the Adjutant General in their respective areas:

1. The Public Affairs Officer;
2. The Senior Army Advisor;
3. The Inspector General;
4. The Command Sergeant Major;
5. The Office of Policy Planning and Compliance;
6. The Human Resources Officer;
7. The Air Executive Officer; and
8. The Legal Advisor to the Adjutant General (Federal Issues). The State Attorney General's office and the assigned Deputy Attorney General handle State legal issues.

(h) The following commissions and councils advise the Adjutant General directly on matters within their respective areas of interest:

1. Agent Orange Commission;
2. Council on Armed Forces and Veterans' Affairs;
3. Korean Veterans' Memorial Committee;
4. New Jersey Veterans' Memorial Home—Menlo Park Advisory Council;
5. New Jersey Veterans' Memorial Home—Paramus Advisory Council;
6. New Jersey Veterans' Memorial Home—Vineland Advisory Council;
7. Veterans' Services Council; and
8. Vietnam Veterans' Memorial Committee.

5A:1-1.4 Central Support Services

(a) The Central Support Services provides the general services and operational support required by the Department as a whole and its two major programs, Veterans Affairs and the New Jersey National Guard.

(b) Central Support Services is organized under the Assistant Commissioner for Support Services who is responsible for the following program areas:

1. Information Management Division;
2. Fiscal Division;
3. Personnel Division;
4. Installations Division;
5. National Guard Training Center;
6. Office of Government Relations; and
7. Affirmative Action/Employee Relations Office.

5A:1-1.5 Veterans Affairs

(a) The Department of Military and Veterans Affairs is charged with the two-fold responsibility of supervising, administering and maintaining the facilities, programs and services provided by the State of New Jersey to its veterans and their families and with addressing their concerns and future needs.

(b) Veterans Affairs is organized under the Deputy Commissioner of Veterans Affairs who is responsible for the following program areas:

1. Division of Veterans Health Care Services;
2. Division of Veterans Programs; and
3. Bureau of Cemeteries and Memorials.

5A:1-1.6 New Jersey National Guard

(a) The New Jersey National Guard is the militia of the State of New Jersey. The policy governing the National Guard is outlined in 32 U.S.C. § 102.

(b) The New Jersey Department of Military and Veterans Affairs, with respect to the New Jersey National Guard, has two basic missions. These are:

1. The Federal mission of the Department is to provide trained units and qualified personnel for day-to-day Federally mandated active component support missions as well as trained units and qualified personnel available for active duty in time of war or national emergency in support of United States' war or emergency plans at such times as the nation's active forces may require augmentation.
2. The State mission is to be able to provide units organized, equipped and trained to protect life and property and to preserve peace, order and public safety in support of civil authorities.

(c) Under the command of the Adjutant General, Headquarters, New Jersey State Area Command (NJ-STARC) provides command, control and supervision to Army National Guard units allotted to New Jersey which include the following major subordinate commands:

1. 50th Brigade;
2. 42d Division Support Command;
3. 57th Troop Command;
4. 254th Regiment (Combat Arms); and
5. The Training and Training Technology Battle Laboratory.

(d) Under the command of the Adjutant General, Headquarters, New Jersey Air National Guard provides command, control and supervision to Air National Guard units allotted to New Jersey, which include the following major subordinate commands.

1. The 108th Air Refueling Wing; and
2. The 177th Fighter Wing.

5A:1-1.7 Public information requests

(a) The public may obtain general information concerning the Department of Military and Veterans Affairs by writing to or telephoning the Public/Command Information Office, Department of Military and Veterans Affairs, PO Box 340, Trenton, NJ 08625-0340, (609) 530-6939.

(b) Requests for release of records maintained by the Department are governed by the New Jersey Right To Know Law, N.J.S.A. 47:1A-1 et seq., N.J.S.A. 38A:3-10, U.S. Department of Defense Freedom of Information Act (FOIA) Program Regulation 5400.7-R, Department of the Army FOIA Regulation 25-55 and Department of the Air Force FOIA Instruction 37-131.

(c) Fee assessments for direct costs for search, review and duplication will be charged in accordance with the guidance provided in the document cited in (b) above.

(d) Government agencies, veterans and members of the National Guard are exempt from the cost indicated in (c) above.

5A:1-1.8 Procedure to petition for a rule

(a) An interested person may petition for the promulgation, amendment or repeal of any rule of the Department of Military and Veterans Affairs. A petition shall be in writing, shall be legible and intelligible and shall be signed by the petitioner. Each petition shall contain the following information:

1. The full name and address of the petitioner;
2. The substance or nature of the rulemaking which is requested;
3. The reasons for the request; and
4. The statutory authority under which the Department may take the requested action.

(b) Departmental action taken in response to the petition will be in accordance with N.J.S.A. 52:14B-4(f) and N.J.A.C. 1:30-3.6.

New Rule, R.1999 d.168, effective June 7, 1999.
See: 31 N.J.R. 708(a), 31 N.J.R. 1482(a).