

GENERAL OFFICERS

General Officer Grade during Permissive TDY and Terminal Leave

You asked whether a lieutenant general could maintain his grade during 20 days of permissive TDY followed by 30 days of terminal leave, which period would be continuous from the time he is relieved from his position and the date of his retirement.

He would continue to hold his grade during that period. A general or lieutenant general shall continue to hold his grade “while awaiting retirement, beginning on the day he is relieved from the position [of importance and responsibility] and ending on the day before his retirement, but not for more than 60 days.” 10 U.S.C. § 601(b)(5). This period may include permissive TDY and/or terminal leave.

A related issue is whether a retiring general or lieutenant general would count against the statutory limits on the number of general officers during this period. He would not count against either the limit for the total number of Air Force general officers or the limit for the number of Air Force general officers above the grade of major general “during the 60-day period” of “leave pending . . . retirement.” 10 U.S.C. § 525(e)(1); 10 U.S.C. § 526(e). The Air Force General Officer Management Office (AF/DPG) reports that all Services apply this rule to allow a continuous period of either permissive TDY, terminal leave or both to follow relief from the last duty position held by any general or lieutenant general. The permissive TDY is authorized as “transition leave of absence,” a type of administrative absence, pursuant to DoDI 1327.06, *Leave and Liberty Policy and Procedures* (2009), which implements 10 U.S.C. § 704, *Use of leave; regulations*.

A retiring general or lieutenant general who has left his or her final job and entered a period of permissive TDY and/or terminal leave will not be allowed to return to active duty without express permission of the Air Force Chief of Staff, coordinated through AF/DPG, as active duty general officers do count against the statutory “headspace” limits.