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MARINE CORPS ORDER 1040.42B

From: Commandant of the Marine Corps
To: Distribution List

Subj: WARRANT OFFICER (WO) AND LIMITED DUTY OFFICER (LDO)
ACCESSION PROGRAMS

Ref: (a) SECNAVINST 1412.9B
(b) 5 U.S.C. 552a
(c) SECNAVINST 5211.5E
(d) SECNAV M-5210.1
(e) Title 10, U.S. Code
(f) ManMed, Chap. 15 (NOTAL)
(g) MCO 6100.13A
(h) SECNAVINST 5510.30B
(i) MCO 1900.16 w/CH 1
(j) SECNAVINST 1920.6C CH-5
(k) SECNAV Notice 5210
(l) MCO 5210.11F

Encl: (1) Warrant Officer (WO) and Limited Duty Officer (LDO)
Accession Program Procedures

1. Situation. This Order provides policy and guidelines for the administration of the Warrant Officer (WO) and Limited Duty Officer (LDO) accession programs per the references (a) through (l).

2. Cancellation. MCO 1040.42A.

3. Mission. As required, the Marine Corps will select officers for accession to WO or LDO in order to maintain required restricted officer inventory.

DISTRIBUTION STATEMENT A: Approved for public release;
distribution is unlimited.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. The Marine Corps will execute required accession programs to meet the restricted officer inventory requirements.

(2) Concept of Operations. The Marine Corps will manage the restricted officer inventory through the execution of WO and LDO accession programs. As necessary, the Deputy Commandant, Manpower and Reserve Affairs (DC M&RA), will convene appropriate selection boards to consider officers for the following programs: Enlisted to WO (Regular), Enlisted to WO (Recruiter), Enlisted to Chief Warrant Officer (CWO) (Gunner), Enlisted to WO (Reserve), and CWO to LDO. The DC M&RA may convene additional selection boards when necessary for new military occupational specialties (MOS) with eligibility criteria more restrictive than that of the Enlisted to WO (Regular) program.

(a) Enlisted to Warrant Officer (WO) (Regular). A selection board is the process used to determine which Regular component enlisted Marines will be selected for appointment to WO to meet inventory requirements in all MOSs other than 4810 and 0306. A separate selection board is held under this paragraph for MOS 5502.

(b) Enlisted to Warrant Officer (WO) (Recruiter). A selection board is the process used to determine which Regular component enlisted Marines will be selected for appointment to WO to meet inventory requirements in MOS 4810.

(c) Enlisted to Chief Warrant Officer (CWO) (Gunner). A selection board is the process used to determine which Regular component enlisted Marines will be selected for appointment, by commission, to CWO to meet inventory requirements in MOS 0306.

(d) Enlisted to Warrant Officer (WO) (Reserve). A selection board is the process used to determine which Reserve component enlisted Marines will be selected for appointment to WO to meet Active Reserve (AR) and Other Than AR (OTAR) inventory requirements.

(e) Chief Warrant Officer (CWO) to Limited Duty Officer (LDO). A selection board is the process used to

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determine which Regular component CWOs will be selected for appointment to LDO to meet inventory requirements.

b. Subordinate Element Missions

(1) Deputy Commandant, Manpower and Reserve Affairs (DC M&RA) shall:

(a) Make policy, manage, and administer the restricted officer programs addressed herein.

(b) Convene appropriate selection boards as required to consider Marines for accession to WO and LDO in the Marine Corps. The authority to convene WO selection boards may be delegated to the Commanding General, Marine Corps Recruiting Command (CG MCRC).

(c) Ensure all policies and procedures outlined in this Order are upheld and easily accessible.

(2) Commanding General, Marine Corps Recruiting Command (CG MCRC) shall:

(a) Manage, administer, and convene WO accession selection boards.

(b) Manage post-board statistics and selection results, to include scroll for appointment.

(c) Manage the deferment and delay of WOs prior to appointment/commission. Report deferment and delay of WO selects to the Commandant of the Marine Corps (CMC) Military Personnel Policy Branch (JPL) prior to appointment/commission.

(d) Report command delay to the CMC (JPL) prior to appointment/commission.

(3) Commanding General, Training and Education Command shall:

(a) Ensure procedures are established for the appointment and administration of WO upon attending the WO Basic Course (WOBC) or other Basic Officer Course (BOC) at The Basic School (TBS).

(b) Ensure WO student rosters are provided to the CMC (Manpower Management (MM), Manpower Plans and Policy (MP),

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and Reserve Affairs Policy (RAP)) for inventory and program management.

(c) Ensure the appropriate administrative codes are reported for each WO in the Marine Corps Total Force System (MCTFS) upon appointment/commissionion.

(4) Director, Manpower Management (MM) shall:

(a) Manage, administer, and convene LDO accession selection boards.

(b) Manage the LDO post-board statistics and selection results, to include scroll for appointment.

(c) Ensure the correct and appropriate codes are reported for each LDO in MCTFS upon appointment.

(d) Manage the deferment, assignment, revocation, and removal of appointments for appointed/commissioned WOs.

5. Administration and Logistics

a. Administrative instructions and eligibility requirements for each of the restricted officer accession programs are located in the applicable enclosure to this Order and additional instructions will be provided via Marine Administrative Message (MARADMIN) as necessary.

b. Recommendations concerning the contents of this Order may be forwarded to the CMC (MP).

c. Privacy Act. Any misuse or unauthorized disclosure of Personally Identifiable Information (PII) may result in both civil and criminal penalties. The Department of Navy (DON) recognizes that the privacy of an individual is a personal and fundamental right that shall be respected and protected. The DON's need to collect, use, maintain, or disseminate PII about individuals for purposes of discharging its statutory responsibilities will be balanced against the individuals' right to be protected against unwarranted invasion of privacy. All collection, use, maintenance, or dissemination of PII will be in accordance with the Privacy Act of 1974, as amended by section 522a of reference (b) and implemented per reference (c).

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d. Records Management. Records created as a result of this Order shall be managed according to National Archives and Records Administration approved dispositions per references (d) and (k) to ensure proper maintenance, use, accessibility, and preservation, regardless of format or medium. Refer to reference (l) for Marine Corps records management policy and procedures.

6. Command and Signal

a. Command. This Order is applicable to the Marine Corps Total Force.

b. Signal. This Order is effective the date signed.



M. A. ROCCO
Deputy Commandant for
Manpower & Reserve Affairs

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Chapter 1

Warrant Officer (Regular Component) Programs

1. Definitions. The following definitions, unless otherwise qualified, shall apply throughout this enclosure:

a. Permanent Regular Warrant Officer (WO). An officer of the Regular Marine Corps serving on active duty in a permanent WO grade under section 571 of reference (e).

b. Temporary Regular Warrant Officer (WO). A warrant or commissioned WO temporarily appointed under section 5596 of reference (e) whose permanent status is enlisted.

2. Warrant Officer (WO) Grades. The five WO grades are:

Chief Warrant Officer, W-5, CWO5
Chief Warrant Officer, W-4, CWO4
Chief Warrant Officer, W-3, CWO3
Chief Warrant Officer, W-2, CWO2
Warrant Officer, W-1, WO

a. The Secretary of the Navy (SECNAV) shall maintain a single list of all WOs, other than WOs described in section 582 of reference (e), who are on active duty.

b. WOs with less than three years since the date of accepting their original appointment are probationary officers.

3. Accessions

a. Each Regular component WO MOS is a separate competitive category. WOs are accessed, appointed, trained, assigned, and promoted to meet specific technically-oriented billets within each WO MOS.

b. The number of accessions or authorized selections for each WO competitive category is determined by a number of factors and constraints. These factors include the relative size (structure) of the MOS and the projected attrition within the MOS.

c. The CMC (Manpower Plans and Policies (MPP)-30) will determine which WO MOSs are projected to be "open" for applications each year. The list will be published

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approximately 60 days prior to the convening date of the selection board via a MARADMIN.

4. Eligibility Criteria. To be eligible to become a WO in the Regular component, Regular component enlisted Marines must be technically and professionally qualified for the MOS to which applying and must meet the following criteria (see paragraphs 14, 15, 16, and 17 for additional eligibility criteria for Marine Band, Drum and Bugle Corps, Recruiting, and Marine Gunner appointments, respectively):

- a. Be a citizen of the United States.
- b. Be serving on active duty in the Regular Marine Corps.
- c. Be serving in the grade of sergeant or above.
- d. Have not less than 8 nor more than 20 years of active Naval service as of the convening date of the board.
- e. Be a high school graduate or possess the service-accepted equivalent as prescribed by current directives.
- f. Meet the requisite physical standards for appointment as a WO prescribed by reference (f). Selectees who fail to meet the minimum physical standards for appointment may be appointed upon the recommendation of the Chief, Bureau of Medicine and Surgery, for a waiver of the standards approved by the CG MCRC.
- g. Have achieved a first-class on the most recent PFT and CFT.
- h. Possess one of the following aptitude test scores:
 - (1) An Armed Services Vocational Aptitude Battery (ASVAB) Electrical Composite (EL) standard score of 110 or higher.
 - (2) A combined math and verbal score of 1000 or higher on the Scholastic Aptitude Test (SAT); or
 - (3) A combined math and English score of 39 or higher or 22 composite score for the American College Test (ACT). Applicants submitting SAT or ACT test scores will submit a certified copy of the test report. Only the most recent test taken is authorized for test score validation.

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i. Meet any additional eligibility criteria as may be prescribed in the convening MARADMIN.

5. Waivers of Eligibility Criteria. The CG MCRC may consider requests for waiver of any eligibility requirement contained in paragraphs 4, 14, 15, 16, and 17 of this chapter (except those established by statute) in the following instances:

a. When gross inequity to the applicant would otherwise result; or

b. When, in the judgment of the CG MCRC, extraordinary circumstances cause such a waiver to be in the best interest of the Marine Corps.

6. Applications

a. Eligible enlisted Marines must submit an application for appointment as a WO per the convening MARADMIN for the applicable WO program.

b. This Order and the convening MARADMIN provide administrative guidance in the application and appointment process for the WO programs under this chapter.

7. Selection Process

a. The DC M&RA will convene, by precept, an annual board to select qualified enlisted Marines for appointment to WO. Separate boards may be convened for Recruiting and Marine Gunner appointments. Additional separate boards may be convened for a new MOS with eligibility criteria more restrictive than that of the Enlisted to WO (Regular) program (i.e., Cyberspace).

b. The authority to convene WO selection boards may be delegated to the CG MCRC.

c. A board-convening MARADMIN will be published approximately 60 days prior to the board convening date, listing the MOSs that are "open" for application.

d. The selection board will consist of at least five members serving in the grade of CWO4 or above on the active-duty list of the Marine Corps. At least one member of the board will be a LDO, except for boards considering Marine Gunners and Recruiters.

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e. Each board member shall swear or affirm that he or she will perform his or her duties as a member of the board without prejudice or partiality with a view towards the special fitness of officers and the efficiency of the Marine Corps.

f. Only the convening authority for the board may replace a board member in the event an appointed board member becomes unavailable after the board convenes.

g. The board may recommend for appointment eligible applicants in numbers not in excess of the allocations furnished by the CMC (MPP-30). The allocations furnished by the CMC (MPP-30) are the maximum number that may be selected in each WO MOS. The board is not required to select to the allocation authorized for each MOS, however, unused allocations in one or more MOSs may only be reallocated to other MOSs as determined by the CMC (MPP-30). The CMC (MPP-30) may identify allocations for alternate selection in each WO MOS.

h. Each eligible Marine may communicate in writing with the President of the selection board. Such communication must be received no later than the day before the convening date of the board. The written communication may call attention to any matter that the applicant considers important. Fitness reports and material that should properly be a part of the official military personnel file (OMPF), however, should be sent directly to the CMC (MMRP).

i. Precepts for convening boards to recommend eligible applicants for appointment as WOs shall be reviewed by the Staff Judge Advocate (SJA) to the CMC and the CMC (MPP-30) at least 30 days prior to the convening date of the board. The precept shall be forwarded to the CMC's designee for approval at least 10 days prior to the convening date of the board.

j. Each selection board will submit one or more written reports signed by all members and the recorder(s). Each report shall certify that, in the opinion of at least a majority of the members, the applicants recommended therein are qualified for appointment as WOs and are the best qualified for appointment as WOs in the MOS for which recommended. Each report shall be submitted to the CMC for approval or disapproval in whole, or in part, via the DC M&RA, and SJA to the CMC, for legal review of the report.

k. The proceedings of the selection board shall not be disclosed to any person not a member or recorder of the board

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except as authorized or required by the CMC. The recommendations of the board shall not be disclosed until approved by the CMC. Upon the CMC's approval, a MARADMIN will be published announcing the list of Marines approved to be appointed.

1. The DC M&RA Promotions Branch (MMPR), shall screen the official records of Service members recommended for appointment for adverse matters as enumerated in paragraph 9c of this chapter. This screening shall include Joint Personnel Adjudication System (JPAS), Defense Central Index of Investigations (DCII), and Inspector General of the Marine Corps (IGMC) records. If such screening identifies adverse matters, the appointment shall be delayed in accordance with paragraph 9 of this chapter.

8. Appointments

a. After the CMC's approval, board results are authorized for dissemination and WO appointment scrolls are forwarded to the Secretary of Defense (SECDEF). A Marine shall be appointed/commissioned to his or her selected grade of WO after passing TBS induction requirements, or as otherwise determined by the DC M&RA, under the following guidelines:

(1) WOs are not commissioned officers; WOs are commissioned by the President of the United States when promoted to CW02.

(2) Marines selected to the Recruiter or Marine Gunner WO program will be appointed/commissioned per paragraph 16 and 17, respectively, of this chapter.

b. Marines selected for the WO program will incur a 3-year obligation from the date of appointment or commission.

c. Marines selected for the WO program must be found physically qualified for appointment by the Chief, Bureau of Medicine and Surgery.

d. A Marine selected for the WO program who does not meet the physical qualifications established in references (f) and (g) for appointment, or who will be physically disqualified from attending TBS will be deferred to the next available WOBC, and not appointed. Written notification will be provided by the CG MCRC. The individual will remain on the list of Marines approved to be appointed to the grade of WO for no more than two

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deferments, after which time, if not medically qualified, the CG MCRC shall recommend that the individual be removed from such list. Once medically qualified, a Marine on the list approved to be appointed to WO will have an appointment date consistent with other WOs with whom he or she attends the WOBC or a BOC as assigned.

e. A Marine selected for the WO program who, due to personal hardship, is not prepared to attend TBS will not be appointed. The individual will remain on the list of Marines approved to be appointed to the grade of WO for no more than two deferments, after which time, if not prepared, the CG MCRC shall recommend that the individual be removed from such list. If prepared to attend TBS, the Marine will have an appointment date consistent with other WOs with whom he or she attends the WOBC or a BOC.

f. The CMC (MM) will approve and manage deferment requests of appointed WOs. The CMC (MM) will recommend termination of appointment when a WO does not complete the WOBC or a BOC within 36 months of being appointed.

g. Each selectee must possess a current satisfactorily completed Entrance National Agency Check (ENTNAC) or higher security clearance investigation prior to appointment as a WO. If an ENTNAC has not been conducted, a National Agency Check (NAC) must be initiated per the current edition of reference (h).

h. A Marine selected for a WO program who is not qualified/prepared to attend the WOBC will only be appointed/commissioned upon written approval by the DC M&RA.

i. A Marine selected for the WO program is considered to have accepted the appointment upon signing the Appointment Acceptance and Record Form (NAVMC-763). The commanding officer of TBS shall ensure the NAVMC-763 is provided to the selectee in sufficient time to allow the Marine to accept or decline the appointment prior to the effective date of appointment.

j. A Marine selected for the WO program who declines the appointment must do so in writing to the CG MCRC. A Marine who declines shall be treated as if he or she had not been considered and recommended for appointment.

k. A Marine selected for the WO program who is not appointed due to removal of appointment or declination of

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appointment may submit a new application to become a WO if they meet eligibility criteria.

9. Delay of Appointments

a. Purpose. The sole purpose of delaying the appointment of an individual, who is qualified to attend TBS, beyond the scheduled date of appointment is to provide a reasonable period of time to determine whether the name of that individual should be removed from the approved list of individuals recommended for appointment by the CMC.

b. Authority

(1) The CMC, his designee, and commanding officers exercising special court-martial convening authority may delay original appointments as WOs. This authority may not be delegated.

(2) The CG MCRC shall be advised of any appointment delay and advised of whether the individual has been officially notified of the delay.

c. Basis for Delay. The appointment of an individual will be delayed under this paragraph if:

(1) An investigation is being conducted to determine whether disciplinary action of any kind should be brought against the individual.

(2) Sworn charges against the individual have been received by an officer exercising summary courts-martial jurisdiction over the individual, and final action on such charges has not been determined.

(3) The individual has been notified under the provisions of reference (i) that he or she will be processed for administrative separation for cause.

(4) A criminal proceeding in a Federal or State court is pending against the individual.

(5) There is cause to believe that the individual is mentally, physically, morally or professionally unqualified.

(6) There is cause to believe that the individual does not meet the eligibility requirements set forth in this Order,

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except for those which have been waived by the CMC, or his designee.

d. An appointment may not be delayed under this paragraph unless the individual has been given written notice of the grounds for delay by the officer exercising special courts-martial jurisdiction over the individual, the CG MCRC, the CMC's designee, or by the CMC. If it is impractical to do so before the scheduled date of appointment, such written notice shall be given as soon as practicable. The individual shall acknowledge receipt of such notification in writing. An individual whose appointment has been delayed shall be afforded the opportunity to submit a written statement to the CMC concerning the delay. If the individual declines to make a statement, he or she shall submit a signed statement to that effect. The notice of delay, the written acknowledgement of receipt of such notification, and the written statement shall be forwarded to the CMC for decision via the officer exercising general courts-martial jurisdiction over the individual. The CMC shall determine whether the officer is qualified for appointment.

e. Limitation on Delay. An appointment may not be delayed more than 90 days after the scheduled date of appointment. The CMC, or his designee, may ratify and extend this period of delay for good cause.

f. Appointment Following Delay. An individual whose appointment is delayed under this paragraph, and who is later determined to be qualified for appointment may, upon such appointment, have the same date of rank and the same effective date for pay and allowances in the grade to which appointed had no delay occurred, unless the CMC, or his designee determines that the individual was unqualified for appointment for any part of the delay. If the CMC makes such a determination, the CMC, or his or her designee, may adjust such date of rank, effective date of pay and allowances as appropriate under the circumstances.

g. Removal Following Delay. If the CMC determines that an individual whose appointment has been delayed under this paragraph is unqualified for appointment, the CMC shall remove the individual's name from the list of individuals previously approved for appointment.

10. Termination of Appointments. SECNAV may terminate the appointment of any regular WO at any time within three years after the date when an officer accepted the original

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appointment. SECNAV may terminate the appointment of any temporary WO at any time for any reason.

11. The Basic School (TBS)

a. Marines selected to the WO program are required to attend and successfully complete the WOBC or BOC as assigned. Temporary WOs will attend the WOBC or BOC at the discretion of the CMC (MM). Authority to waive WOBC attendance for permanent and temporary WOs resides with the DC M&RA.

b. A first-class PFT score is required on check-in at TBS before WO selectees may be appointed. Failure to attain a first-class PFT may result in dismissal from the course.

c. Course mastery is applied to all Marines without deference to age, gender, or physical ability. If a WO is unable to complete the WOBC or BOC as assigned, the commanding officer of TBS shall take one of the following actions:

(1) Reassign the WO to a BOC company for instruction/remediation and evaluation if the WO fails to complete the WOBC and is able to complete a BOC; or

(2) Require the WO to repeat WOBC the following year if the WO cannot complete the WOBC due to injury or hardship (nonacademic failure), and is not capable of completing a BOC; or

(3) Recommend termination of appointment in accordance with reference (j) if a WO fails the WOBC (or BOC) and does not display the necessary requirements to continue service as a WO.

d. At the completion of each scheduled WOBC or BOC, the commanding officer of TBS shall notify the CMC (MM) of:

(1) The full name, grade, Electronic Data Interchange Personal Identifier (EDIPI), and lineal standing of each WO who successfully completed the course.

(2) The full name, grade, EDIPI, and lineal standing of each WO who failed to complete a previous course but has since successfully remediated with another WOBC or BOC.

(3) The full name, grade, EDIPI, and highest previous enlisted grade of each WO who failed to complete the WOBC or BOC.

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e. Any decision to defer an appointed WO from attending an assigned WOBC or BOC shall be coordinated with the CMC (MM).

12. Assignment of Lineal Precedence. A WO's lineal precedence number is determined based upon class standing at TBS. Appointment as a WO represents a new phase in a Marine's career. While enlisted experience is especially valuable to a WO, it is his or her performance as a WO that will determine standing within each competitive category.

13. Assignment Policy

a. WOs will only be assigned to billets that are in their MOS and that are designated as restricted officer billets. WOs may not be assigned to billets designated for unrestricted officers. This does not preclude a WO from being assigned additional duties as deemed appropriate.

b. WOs may be assigned to command activities which have a primary function corresponding to the MOS of the officer concerned.

14. United States (U.S.) Marine Band Appointments. The Director, U.S. Marine Band, may nominate members of the U.S. Marine Band, in the grade of staff sergeant or higher, for officer positions in the U.S. Marine Band. These members shall be appointed to a temporary grade of WO or CWO. The grade to which appointed will be determined with a view towards ensuring that no reduction in pay and allowances occurs when appointed. Only members of the U.S. Marine Band are eligible for nomination of temporary appointments under this paragraph. U.S. Marine Band appointments shall be made by CMC under section 5596 of reference (e). These appointments are temporary; therefore, CMC may revoke the appointments at any time. Temporary appointments do not change the permanent status of the Marine in regard to promotion or appointment. WOs and CWOs approved for temporary appointment may be considered for further temporary promotion if recommended by the Director, U.S. Marine Band.

15. Drum and Bugle Corps Appointments. The Commanding Officer, U.S. Marine Drum and Bugle Corps, may nominate members of the Drum and Bugle Corps, in the grade of staff sergeant or higher, for officer positions in the U.S. Marine Drum and Bugle Corps. These members shall be appointed to a temporary grade of WO or CWO. The grade to which appointed will be determined with a view towards ensuring no reduction in pay and allowances occurs when appointed. Only members of the U.S. Marine Drum and Bugle

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Corps are eligible for nomination of temporary appointments under this paragraph. U.S. Marine Drum and Bugle Corps appointments shall be made by CMC under section 5596 of reference (e). These appointments are temporary; therefore, CMC may revoke the appointments at any time. Temporary appointments do not change the permanent status of the Marine in regard to promotion or appointment. WOs and CWOs approved for temporary appointment may be considered for further temporary promotion if recommended by the Commanding Officer, U.S. Marine Drum and Bugle Corps.

16. Recruiting Appointments

a. Career recruiters in the grade of staff sergeant and above are eligible to compete for the Enlisted to WO (Recruiter) Program.

b. In addition to the eligibility criteria outlined in paragraph 4 of this chapter, career recruiters holding Primary MOS (PMOS) 8412 must have served a successful tour of duty as a career recruiter in a career recruiter billet to be eligible to apply and must have not less than 8 or more than 20 years of active Naval service as of the convening date of the board. Waivers of the 20-year maximum service limitation will be considered on a case-by-case basis.

c. A MARADMIN announcing the Enlisted to WO (Recruiter) Selection Board and requesting applications will be published by the CG, MCRC. This MARADMIN will announce the convening date of the board, specify any additional eligibility requirements, and provide a date when applications are due to the CMC.

d. The Enlisted to WO (Recruiter) Selection Board will consist of a colonel as the board president and at least four additional members in the grade of lieutenant colonel. A majority of the members must be currently serving in or have served a tour of duty in recruiting.

e. Career recruiters, in the grade of gunnery sergeant, selected to WO (Recruiter) will be appointed by commission, by the President, to the grade of CWO2. Career recruiters, in the grade of staff sergeant, selected to WO (Recruiter) will be appointed to the grade of W-1. Recruiting WOs/CWOs will be assigned the PMOS 4810.

f. Recruiting WOs/CWOs shall be appointed/commissioned to his or her selected grade of WO after passing TBS induction

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requirements. After graduation from TBS, recruiting WOs/CWOs will attend the next available Recruiting Management Course.

g. Officers are not entitled to receive special duty assignment (SDA) pay. As such, SDA pay will be discontinued for career recruiters selected and appointed as WOs/CWOs.

17. Marine Gunner Appointments. Infantry Unit Leaders, Light Armored Reconnaissance (LAR) Unit Leaders, Reconnaissance Unit Leaders, and Critical Skills Operators in the grade of gunnery sergeant and above are eligible to compete for the Enlisted to WO (Gunner) Program. Marine Gunners are infantry weapons specialists. Marine Gunners advise infantry, LAR, reconnaissance unit commanders, and Marine Raider commanders on the tactical employment of organic weapons systems.

a. In addition to the eligibility criteria outlined in paragraph 4 of this chapter, applicants must also meet the following criteria:

(1) Have served as a LAR Unit Leader (PMOS 0313), Reconnaissance Unit Leader (PMOS 0321), Critical Skills Operator (PMOS 0372), or Infantry Unit Leader (PMOS 0369).

(2) Must be at least a gunnery sergeant with one year time in grade as of the convening date of the Enlisted to WO (Gunner) Selection Board.

(3) Have no more than 23 years of active naval service as of the convening date of the board.

(4) Must have a GT score of 110 or higher (score may be based on either the ASVAB or ACB-61).

b. A MARADMIN announcing the Enlisted to WO (Gunner) Selection Board and requesting applications will be published by the CG, MCRC. This MARADMIN will announce the convening date of the board, specify any additional eligibility requirements, and provide a date when applications are due to the CMC.

c. Applications will be submitted per the convening MARADMIN.

d. The Enlisted to WO (Gunner) Selection Board will consist of a colonel as the board president, four members in the grade of lieutenant colonel, up to two CW05 Marine Gunners as voting

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members, and one CW05 Marine Gunner as the Recorder. All members must be Infantry Officers (PMOS 03XX).

e. The staff non-commissioned officers selected for CWO will be appointed, by commission, by the President, to the grade of CW02.

Chapter 2

Warrant Officer (WO) (Reserve Component) Program

1. Warrant Officer (WO) Grades. The five WO grades in the Reserve component are as follows:

Chief Warrant Officer, W-5, CWO5
Chief Warrant Officer, W-4, CWO4
Chief Warrant Officer, W-3, CWO3
Chief Warrant Officer, W-2, CWO2
Warrant Officer, W-1, WO

a. Appointments in the grade of WO in the Reserve component are made by SECDEF. Appointments in Reserve component CWO grades are made by commission by SECDEF.

b. The CMC shall maintain a single list of all Reserve WOs who are in an active status in the Reserves.

2. Accessions

a. There are Reserve component WO requirements in the AR and the OTAR competitive categories.

(1) Active Reserve (AR) Competitive Category. The AR structure supports requirements for three MOSs. These are: (1) MOS 0170 - Personnel Officer; (2) MOS 6004 - Aircraft Maintenance Engineer Officer; and (3) MOS 6502 - Aviation Ordnance Officer. Each AR MOS is a separate competitive category within the AR competitive category.

(2) Other Than Active Reserve (OTAR) Competitive Category. The OTAR competitive category consists of CWOs in the Selected Marine Corps Reserve (SMCR), Individual Ready Reserve (IRR), and the Standby Reserve (Active-Status List). The SMCR structure is based on specified grade requirements; however, the IRR and the Standby Reserve have no such structure requirements.

b. The CMC (RAP) will determine which reserve WO MOSs are projected to be "open" for applications each year. The list will be published approximately 60 days prior to the convening date of the selection board via a MARADMIN.

3. Eligibility Criteria. To apply for the Reserve component WO program, Reserve component enlisted Marines must be technically and professionally qualified for the MOS to which applying.

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Civilian experience and skills will be taken into consideration for technical proficiency, however, the applicant must still be fully qualified in the enlisted feeder MOS for that specialty. Additionally, Reserve component enlisted Marines must meet the following criteria:

- a. Be a citizen of the United States.
- b. Be in an active status in the Reserve component and have served continuously in that status for the 1-year period preceding the convening date of the board.
- c. Have attained a minimum grade of sergeant as of the application deadline.
- d. Have not less than 8 or more than 20 years of total qualifying service as of the convening date of the board.
- e. Be a high school graduate or possess the service-accepted equivalent as prescribed by current directives.
- f. AR/OTAR applicants must meet the physical standards for appointment as a WO as prescribed by reference (f). Selectees who fail to meet the minimum physical standards for appointment may be appointed upon the recommendation of the Chief, Bureau of Medicine and Surgery, for a waiver of the standards approved by the CG MCRC.
- g. Have achieved a first-class on the most recent PFT and CFT.
- h. Possess one of the following aptitude test scores:
 - (1) An ASVAB EL standard score of 110 or higher.
 - (2) A combined math and verbal score of 1000 or higher on the SAT; or
 - (3) A combined math and English score of 39 or higher or 22 composite score for the ACT. Applicants submitting SAT or ACT test scores will submit a certified copy of the test report. Only the most recent test taken is authorized for test score validation.
- i. Meet any additional eligibility criteria as may be prescribed in the convening MARADMIN.

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j. SMCR WO applicants must indicate the billets they are applying for in their application. The CMC (RAP) will identify vacant SMCR WO billets in the convening MARADMIN for the Enlisted to WO (Reserve) Selection Board. Applicants should be aware that they will be required to affiliate with the unit to which selected prior to appointment to WO. Selectees not affiliating with the identified SMCR unit will not be appointed to WO. Therefore, SMCR WO applications must include the following statement:

"I understand that selection to the grade of WO requires that I affiliate with the designated unit for a period of 3 years. If I fail to affiliate with the designated unit prior to the appointment date, I understand that I will not be appointed."

k. AR Marines may apply for SMCR MOS vacancies as well as AR MOS vacancies; however, an AR Marine who is selected for an SMCR MOS vacancy and accepts appointment in that MOS, will not be retained on active duty in the AR program. Further, they will be subject to the requirement to apply for an SMCR billet described in the above paragraph. AR WO applications that include a request for consideration in an SMCR MOS requirement must include the following statement in addition to the other application requirements:

"I understand that if I am selected for and accept appointment in one of the SMCR MOS requirements for which I have applied, I will be released from active duty in the AR program no later than the day before the date in which I accept appointment to WO. I further understand selection to the grade of WO requires that I affiliate with the designated unit for a period of 3 years. If I fail to affiliate with the designated unit prior to the appointment date, I understand that I will not be appointed."

4. Waivers of Eligibility Criteria. The CG MCRC may consider requests for waiver of any eligibility requirement contained in paragraph 3 of this chapter (except those established by statute) in the following instances:

a. When gross inequity to the applicant would otherwise result; or

b. When, in the judgment of the CG MCRC, extraordinary circumstances cause such a waiver to be in the best interest of the Marine Corps.

5. Applications

a. Eligible enlisted Marines must submit an application for appointment as a Reserve WO per the convening MARADMIN.

b. This Order and the convening MARADMIN provide administrative guidance in the application and appointment process for the WO programs under this chapter.

6. Selection Process

a. The DC M&RA will convene, by precept, an annual board to select qualified enlisted Marines for appointment to the grade of WO in the Reserve component. This authority may be delegated to the CG MCRC.

b. A board-convening MARADMIN will be published approximately 60 days prior to the board convening date listing the MOSs and billets that are "open" for application.

c. The selection board will consist of at least five members serving in the grade of CWO4 or above, at least half of which will be officers on the Reserve Active-Status List.

d. Each board member shall swear or affirm, that he or she will perform his or her duties as a member of the board without prejudice or partiality with a view towards the special fitness of officers and the efficiency of the Marine Corps.

e. Only the convening authority may replace a board member in the event an appointed board member becomes unavailable after the board convenes.

f. The board may recommend for appointment eligible applicants in numbers not in excess of the allocations furnished by the CMC (RAP). The allocations furnished by the CMC (RAP) are the maximum number that may be selected in each WO MOS. The board is not required to select to the allocation authorized for each MOS, however, unused allocations in one or more MOSs may only be reallocated to other MOSs as determined by the CMC (RAP). The CMC (RAP) may identify allocations for alternate selection in each WO MOS.

g. Each eligible Marine may communicate in writing with the President of the selection board. Such communication must be received no later than the day before the convening date of the board. The written communication may call attention to any

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matter that the applicant considers important. Fitness reports and material that should properly be a part of the OMPF, however, should be sent directly to the CMC (MMRP).

h. Precepts for convening boards to recommend eligible applicants for appointment as WOs shall be reviewed by the SJA to the CMC and the DC M&RA (RAP) at least 30 days prior to the convening date of the board. The precept shall be forwarded to the CMC for approval at least 10 days prior to the convening date of the board.

i. Each selection board will submit one or more written reports signed by all members and the recorder(s). Each report shall certify that, in the opinion of at least a majority of the members, the applicants recommended therein are qualified for appointment as WOs and are the best qualified for appointment as WOs in the MOS for which recommended. Each report shall be submitted to the CMC for approval or disapproval in whole, or in part, via the DC M&RA and SJA to the CMC, for legal review of the report.

j. The proceedings of the selection board shall not be disclosed to any person not a member or recorder of the board except as authorized or required by the CMC. The recommendations of the board shall not be disclosed until approved by the CMC. Upon the CMC's approval, a MARADMIN will be published announcing the list of Marines approved to be appointed to the grade of WO.

k. The DC M&RA (MMPR), shall screen the official records of Service members recommended for appointment for adverse matters as enumerated in paragraph 8c of this chapter. This screening shall also include JPAS, DCII, and IGMC records. If such screening identifies adverse matters, the appointment shall be delayed in accordance with paragraph 8 of this chapter.

7. Appointments

a. After CMC approval, board results are authorized for dissemination and WO appointment scrolls are forwarded to the SECDEF. Marines selected to the AR and OTAR WO programs shall be permanently appointed to his or her selected grade of WO after passing TBS induction requirements, or as determined by the DC M&RA.

b. Reserve WOs are not commissioned officers; reserve WOs are commissioned by warrant by SECDEF when promoted to CW02.

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c. Marines selected for the Reserve WO program will incur a 3-year obligation from the date of appointment.

d. Marines selected for the Reserve WO program must be found physically qualified for appointment by the Chief, Bureau of Medicine and Surgery. Additionally, minimum PFT and CFT requirements for TBS attendance may be announced annually via MARADMIN.

e. A Marine selected for the Reserve WO program who does not meet the physical qualifications for appointment, or who will be physically disqualified from attending TBS will not be appointed. The individual will remain on the list of Marines approved to be appointed to the grade of WO and, once medically qualified, will have an appointment date consistent with other WOs with whom he or she attends the WOBC or a BOC.

f. Each selectee must possess a current satisfactorily completed ENTNAC or higher security clearance investigation prior to appointment as a WO. If an ENTNAC has not been conducted, a NAC must be initiated per the current edition of reference (h).

g. A Marine selected for the Reserve WO program who is not qualified/prepared to attend TBS will only be appointed/commissioned upon written approval by the DC M&RA.

h. A Marine selected for the Reserve WO program is considered to have accepted the appointment upon signing the Appointment Acceptance and Record Form (NAVMC-763). The commanding officer of TBS shall ensure the NAVMC-763 is provided to the selectee in sufficient time to allow the Marine to accept or decline the appointment prior to the effective date of appointment.

i. A Marine selected for the Reserve WO program who declines the appointment must do so in writing to the CG MCRC. A Marine who declines appointment shall be treated as if he or she had not been considered and recommended for appointment.

8. Delay of Appointments

a. Purpose. The sole purpose of delaying the appointment of an individual who is qualified to attend TBS beyond the scheduled date of appointment is to provide a reasonable period of time to determine whether the name of that individual should

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be removed from the approved list of individuals recommended for appointment by the CMC.

b. Authority

(1) The CMC, his designee, and commanding officers exercising special court-martial convening authority may delay original appointments as WOs. This authority may not be delegated.

(2) The CG MCRC and the CMC (RA) shall be advised of any appointment delay and advised of whether the individual has been officially notified of the delay.

c. Basis for Delay. The appointment of an individual will be delayed under this section if:

(1) An investigation is being conducted to determine whether disciplinary action of any kind should be brought against the individual.

(2) Sworn charges against the individual have been received by an officer exercising summary courts-martial jurisdiction over the individual and final action on such charges has not been determined.

(3) The individual has been notified under the provisions of reference (i) that he or she will be processed for administrative separation for cause.

(4) A criminal proceeding in a Federal or State court is pending against the individual.

(5) There is cause to believe that the individual is mentally, physically, morally or professionally unqualified.

(6) There is cause to believe that the individual does not meet the eligibility requirements set forth in this instruction, except for those which have been waived by the CMC, or his designee.

d. An appointment may not be delayed under this paragraph unless the individual has been given written notice of the grounds for delay by the officer exercising special courts-martial jurisdiction over the individual; the Director, Reserve Affairs Division, or by the CMC. If it is impractical to do so before the scheduled date of appointment, such written notice

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shall be given as soon as practicable. The individual shall acknowledge receipt of such notification in writing. An individual whose appointment has been delayed shall be afforded the opportunity to submit a written statement to the CMC concerning the delay. If the individual declines to make a statement, he or she shall submit a signed statement to that effect. The notice of delay, the written acknowledgement of receipt of such notification, and the written statement shall be forwarded to the CMC for decision via the officer exercising general courts-martial jurisdiction over the individual. The CMC shall determine whether the officer is qualified for appointment.

e. Limitation on Delay. An appointment may not be delayed more than 90 days after the scheduled date of appointment. The CMC may ratify and extend this period of delay for good cause.

f. Appointment Following Delay. An individual whose appointment is delayed under this paragraph, and who is later determined to be qualified for appointment may, upon such appointment, have the same date of rank and the same effective date for pay and allowances in the grade to which appointed had no delay occurred, unless the CMC determines that the individual was unqualified for appointment for any part of the delay. If the CMC makes such a determination, the CMC may adjust the date of rank, and effective date of pay and allowances as the CMC considers appropriate under the circumstances.

g. Removal Following Delay. If the CMC determines that an individual whose appointment has been delayed under this paragraph is unqualified for appointment, the CMC shall remove the individual's name from the list of individuals approved for appointment.

9. Termination of Appointments. Appointments to Reserve permanent WO grades are for an indefinite term and are held at the pleasure of the SECNAV.

10. The Basic School (TBS)

a. AR selectees are required to attend and successfully complete the WOBC or a BOC as assigned within 60 months of original appointment as an AR WO. Course mastery is applied to all Marines without deference to age, gender, or physical ability.

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b. SMCR selectees are required to attend and successfully complete the WOBC or a BOC as assigned within 60 months of original appointment as a SMCR WO. TBS inquiries should be addressed to the CMC (RAM-4). Course mastery is applied to all Marines without deference to age, gender, or physical ability.

c. A first-class PFT score is required on check-in at TBS before WO selectees may be appointed. Failure to attain a first-class PFT may result in dismissal from the course.

d. If a WO fails to complete a scheduled WOBC, the commanding officer of TBS shall immediately notify the CG MCRC and the CMC (RAM-4) and shall take one of the following actions:

(1) Reassign a WO to a BOC company for instruction/remediation and evaluation. If less than 54 months have elapsed since original appointment, the WO's failure to complete a scheduled WOBC is not attributable to an injury or hardship, and in the commanding officer's judgment the WO is able to pass the BOC, the commanding officer may reassign a WO to a BOC company for instruction, remediation and evaluation. Failure to complete remediation with a BOC company shall be treated as a failure to complete a scheduled WOBC for all purposes in this paragraph and shall trigger all required follow-on actions.

(2) Require WOs to repeat WOBC the following year. If less than 44 months have elapsed since original appointment and the WO failed to complete a scheduled WOBC due to an injury or hardship, the commanding officer may require the WO to attend the next scheduled WOBC.

(3) Recommend Termination of Appointment. If the WO's failure to complete a scheduled WOBC indicates, in the commanding officer's judgment, that the WO does not display the necessary requirements to continue service as a WO, then the commanding officer may recommend termination of appointment in accordance with reference (j) and paragraph 9 of this chapter.

(4) Mandatory Appointment Termination. If any WO fails to complete a scheduled WOBC, and will not be able to successfully remediate before the expiration of 56 months after original appointment, the commanding officer shall recommend termination of appointment in accordance with reference (j) and paragraph 9 of this chapter.

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e. At the completion of each scheduled WOBC or BOC, the commanding officer of TBS shall notify the CMC (RAP) of:

(1) The full name, grade, EDIPI, and lineal standing of each WO who successfully completed the course.

(2) The full name, grade, EDIPI, and lineal standing of each WO who failed to complete a previous course but has since successfully remediated with another WOBC or BOC.

(3) The full name, grade, EDIPI, and highest previous enlisted grade of each WO who failed to complete the WOBC or BOC.

f. Any decision to defer an appointed WO from attending an assigned WOBC or BOC shall be coordinated with the CMC (RAP).

11. Assignment of Lineal Precedence. A Reserve WO's lineal precedence number is determined based upon their seniority in their permanent enlisted grade at the time of appointment to WO.

Chapter 3

Limited Duty Officer (LDO) Program

1. Definitions. The two types of LDOs are as follows:

a. Permanent Limited Duty Officer (LDO). A permanent commissioned officer appointed under section 5589 of reference (e) in a permanent grade above CWO, W-5, and designated for limited duty.

b. Temporary Limited Duty Officer (LDO). A commissioned officer temporarily appointed under section 5596 of reference (e) in a grade above CWO, W-5, who is designated for limited duty and whose permanent status is CWO, WO, or enlisted member.

2. Limited Duty Officer (LDO) Grades. There are three LDO grades within the Marine Corps:

Lieutenant Colonel, O-5
Major, O-4
Captain, O-3E

a. Per section 531 of reference (e), appointments in the grade of permanent LDO captain are made by the President, or his designee.

b. SECNAV shall maintain a single list of all LDOs who are on active duty.

3. Accessions

a. Each Regular component LDO MOS is a separate competitive category. LDOs are accessed, appointed, assigned, and promoted to meet specific technically-oriented billets within each LDO MOS.

b. The number of accessions (authorized selections) for each LDO competitive category is determined by projecting attrition from within that competitive category.

c. The CMC (MPP-30) will determine which LDO MOSs are projected to be "open" for applications each year. The list will be published approximately 60 days prior to the convening date of the selection board via a MARADMIN.

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4. Eligibility Criteria. To be eligible to become a permanent LDO in the Regular component, CWOs must meet the following criteria:

- a. Be a citizen of the United States.
- b. Be serving as a CWO in the Regular component with not less than 8 years of WO service by 1 March of the year of application, and have not less than 10 and not more than 20 years of active service by 1 March of the year of application.
- c. Meet the requisite physical standards for appointment as an LDO prescribed by reference (f). Selectees who fail to meet the minimum physical standards for appointment may be appointed upon the recommendation of the Chief, Bureau of Medicine and Surgery, and a waiver of the standards by the CMC (MM).
- d. Have achieved a first-class on the most recent PFT and CFT.
- e. Have previously served in the WO feeder MOS for the LDO MOS in which applying, or be qualified without any additional training for the competitive category for which appointment is desired.
- f. Have no disciplinary actions pending.
- g. Meet any additional eligibility criteria as may be prescribed in the convening MARADMIN.

5. Waivers of Eligibility Criteria

a. The CMC (MM) may consider requests for waiver of any eligibility requirement contained in paragraph 3 of this chapter (except those established by statute) in the following instances:

(1) When gross inequity to the applicant would otherwise result; or

(2) When, in the judgment of the CMC (MM), extraordinary circumstances cause such a waiver to be in the best interest of the Marine Corps.

b. The requirement to have 8 years of WO service may be waived to no less than 5 years of WO service by 1 March of the year of application.

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c. Requests for waivers of the minimum time in service (TIS) and disciplinary action will not be considered for the permanent LDO program. The maximum TIS requirement will only be considered to 22 years on a case-by-case basis for those CWOs who have not previously had an opportunity to apply for the program. CWOs selected to LDO with the maximum TIS waiver accept their appointments with the understanding that they may reach 30 years of service for mandatory retirement prior to competing for promotion to lieutenant colonel. Officers will not be continued past mandatory retirement in order to compete for promotion. However, an officer selected for promotion prior to mandatory retirement will be continued by a continuation selection board to meet minimum TIG promotion requirements.

d. Requests for waivers must be included in the application and properly endorsed through the chain of command.

6. Applications

a. Eligible CWOs must submit an application for appointment as an LDO per the annual convening MARADMIN soliciting applications for the LDO program.

b. The MOSs/competitive categories for which application is made shall be listed in order of preference. An applicant may apply for appointment in not more than two MOSs for which qualified. The MOSs for which application is made shall be as prescribed by the CMC (MMOA-3) in the convening MARADMIN.

c. This Order and the convening MARADMIN provide administrative guidance in the application and appointment process for the LDO programs under this chapter.

7. Selection Process

a. The DC M&RA will convene, by precept, an annual board to select qualified CWOs for appointment to the grade of permanent LDO captain.

b. The authority to convene LDO selection boards may be delegated to Director, MM.

c. A board convening MARADMIN will be published approximately 60 days prior to the board convening date listing the MOSs that are "open" for application.

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d. The selection board will consist of at least five members serving in the grade of major or above on the active-duty list of the Marine Corps. Members of the board shall also include an LDO from each of the LDO competitive categories under consideration.

e. The convening date of the board will be prescribed by the CMC (MMOA-3) in the convening message.

f. Each board member shall swear or affirm that he or she will perform his or her duties as a member of the board without prejudice or partiality with a view towards the special fitness of officers and the efficiency of the Marine Corps.

g. The convening authority may replace a board member in the event an appointed member becomes unavailable after the board convenes.

h. Each board may recommend for appointment eligible applicants in numbers not in excess of the allocations furnished by the CMC (MPP-30). The allocations furnished by the CMC (MPP-30) are the maximum number which may be selected in each LDO MOS, however, the board is not required to select to the allocation authorized for each MOS. The CMC (MPP-30) may identify allocations for alternate selection in each LDO MOS.

i. Each eligible officer may communicate in writing with the President of the selection board. Such communication must be received no later than the day before the convening date of the board. The written communication may call attention to any matter that the officer considers important. Fitness reports and material that should properly be a part of the OMPF, however, should be sent directly to the CMC (MMRP).

j. Precepts for convening boards to recommend eligible applicants for appointment as LDOs shall be reviewed by the SJA to the CMC and CMC (MPP-30) at least 30 days prior to the convening date of the board. The precept shall be forwarded to the CMC for approval at least 10 days prior to the convening date of the board.

k. Each selection board will submit one or more written reports signed by all members and the recorder(s). Each report shall certify that, in the opinion of at least a majority of the members, the applicants recommended therein are qualified for appointment as LDOs and are the best qualified for appointment as LDOs in the MOS for which recommended. Each report shall be

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submitted to the CMC for approval or disapproval in whole, or in part, via the DC M&RA and SJA to the CMC, for legal review of the report.

l. The proceedings of the selection board shall not be disclosed to any person not a member or recorder of the board except as authorized or required by the CMC. The recommendations of the board shall not be disclosed until approved by the CMC. Upon the CMC's approval, a MARADMIN will be published announcing the LDO selections.

m. Any Service member recommended for appointment whose official record contains adverse information that has not been previously vetted shall be referred to the CMC via CMC (JPL) for determination of suitability for appointment. Adverse information has been previously vetted if any of the following actions have taken place: the show cause authority has reviewed the adverse information and determined the Service member will not be required to show cause for retention; a board of inquiry or administrative separation board has reviewed the adverse information and made a recommendation to retain the Service member; or a promotion was delayed because of the adverse information, but after a review of the adverse information the Service member subsequently promoted.

8. Appointments

a. CWOs selected to the LDO program shall be permanently appointed as LDOs in the grade of captain (O-3E) under sections 5589 and 531 of reference (e). The President, or his designee makes permanent LDO appointments.

b. The date of rank of selectees as permanent LDOs in the grade of captain is the date of appointment to that grade. Appointments in one competitive category may be effected without regard for the relative seniority of the CWOs in other competitive categories. Except for those whose appointments are delayed under the provisions of paragraph 14 below, CWOs selected and approved for appointment as LDOs will be appointed as vacancies occur in the MOS to which selected. Selectees in the same MOS will be appointed by seniority as determined by their lineal precedence number. Appointments from an approved list will be made only after CWOs previously selected for appointment as LDOs within their competitive category have been appointed, except for those whose appointments have been delayed.

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c. A CWO selected for the LDO program is considered to have accepted the appointment upon signing the Appointment Acceptance and Record Form (NAVMC-763). The CMC (MMOA-3) shall ensure that the NAVMC-763 is provided to the selectee in sufficient time to allow the CWO to accept or decline the appointment prior to the effective date of appointment.

d. A CWO selected for the LDO program who declines the appointment must do so in writing to the CMC (MMOA-3). A CWO who declines appointment shall be treated as if he or she had not been considered and recommended for appointment.

9. Frocking of Limited Duty Officer (LDO) Selects

a. The frocking authority for LDO (selects) is the CMC (MM). To be eligible for frocking, an LDO captain (select) must be serving in or be within 60 days of serving in a billet requiring the LDO grade and MOS for which selected. Commands should submit a frocking request with justification to the CMC (MMOA-3) for processing.

b. The officer may only be frocked after the President, or his designee, approved the selection list that contains the officer's name (per section 531 of reference (e)).

10. Assignment of Lineal Precedence. An LDO's lineal precedence number is established in the same relative seniority held in each officer's permanent CWO grade.

11. Assignment Policy

a. LDOs will only be assigned to billets that are in their MOS and that are designated as LDO billets. LDOs may not be assigned to billets designated for unrestricted officers. This does not preclude an LDO from being assigned additional duties as deemed appropriate.

b. LDOs may be assigned to command activities which have a primary function corresponding to the MOS of the officer concerned.

12. United States (U.S.) Marine Band Appointments

a. Per section 6222 of reference (e), U.S. Marine Band shall be comprised of one director, two assistant directors, and other personnel in such number and grades as SECNAV determines to be necessary. Appointments shall be made without the

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requirements of a formal selection board process. SECNAV may designate the Director and Assistant Directors of the U.S. Marine Band from qualified members of the Marine Corps. A member so designated by SECNAV may be appointed by the President, by and with the advice and consent of the Senate, to a commissioned grade in the regular Marine Corps. Such appointments shall be temporary and SECNAV may revoke any designation as Director or Assistant Director of the U.S. Marine Band. Temporary appointments do not change the permanent status of the officer in regard to promotion or appointment.

b. A Marine designated as Assistant Director of the U.S. Marine Band will be appointed a temporary first lieutenant, without the requirement of a formal board process, by the President or the SECDEF. A Marine designated as the Director of the U.S. Marine Band will be appointed in the temporary grade of captain, except that a member who, at the time of his or her designation, holds an appointment in a higher grade may be appointed in that higher grade, but not above lieutenant colonel.

c. Other members of the band will be appointed as follows:

(1) SECNAV may make temporary appointments, not above the grade of captain, per section 5596 of reference (e).

(2) Appointments above the grade of captain shall be made by the President, by and with the advice and consent of the Senate, under sections 5596 and 6222 of reference (e).

13. Drum and Bugle Corps Appointments

a. The U.S. Marine Drum and Bugle Corps shall be comprised of one commanding officer and other personnel in such numbers and grades as the SECNAV determines to be necessary. Appointments shall be made without the requirement of a formal selection board process. The SECNAV may designate the commanding officer and other members from qualified members of the U.S. Marine Drum and Bugle Corps. Officers shall be appointed based on the procedures outlined below. Such appointments shall be temporary; therefore, SECNAV may revoke the appointments at any time. Temporary appointments do not change the permanent status of the officer in regard to promotion or appointment.

b. The Commanding Officer, Marine Barracks, shall recommend an officer to be designated as the Commanding Officer, U.S.

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Marine Drum and Bugle Corps from qualified members of the U.S. Marine Drum and Bugle Corps. Appointment to this position shall be as follows:

(1) A member recommended for appointment above the grade of captain shall be appointed by the President, by and with the advice and consent of the Senate, to a commissioned grade in the regular Marine Corps.

(2) A member recommended for appointment, not above the grade of captain, shall be appointed by SECNAV per section 5596 of reference (e).

c. Other members of the U.S. Marine Drum and Bugle Corps shall be appointed, not above the grade of captain, by SECNAV per section 5596 of reference (e).

14. Delay of Appointments

a. Purpose. The sole purpose of delaying the appointment of an individual beyond the scheduled date of appointment is to provide a reasonable period of time to determine whether the name of that individual should be removed from the approved list of individuals recommended for appointment by the CMC.

b. Authority. The CMC may delay original appointments of LDOs under this section. This authority may not be re-delegated.

c. Basis for Delay. The appointment of an individual may be delayed under this section if:

(1) An investigation is being conducted to determine whether disciplinary action of any kind should be brought against the individual.

(2) Sworn charges against the individual have been received by an officer exercising summary courts-martial jurisdiction over the individual and final action on such charges has not been determined.

(3) The individual has been notified under the provisions of reference (j) that he or she will be processed for administrative separation for cause.

(4) A criminal proceeding in a Federal or State court is pending against the individual.

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(5) There is cause to believe that the individual does not meet the eligibility requirements set forth in this instruction, except for those which have been waived by the CMC.

d. Notification of Delay and Delay Procedures. An appointment may not be delayed under this paragraph unless the individual has been given written notice of the grounds for delay by the officer exercising special courts-martial jurisdiction over the individual or by the CMC. If it is impractical to do so before the scheduled date of appointment, such written notice shall be given as soon as practicable. The individual shall acknowledge receipt of such notification in writing. An individual for whom delay of appointment is recommended shall be afforded the opportunity to submit a written statement to the CMC (MMOA-3) concerning the delay. If the individual declines to make a statement, he or she shall submit a signed statement to that effect. The recommendation for delay, the written copy of notification, the written acknowledgment of receipt of such notification, and the written statement shall then be forwarded to the CMC for decision via the officer exercising general courts-martial jurisdiction over the individual.

e. If the CMC later determines the individual's name should be removed from the approved list of names of individuals recommended for appointment, the individual shall be notified of such action and be afforded the opportunity to submit a written statement to the CMC. If the individual declines to make a statement, he or she shall submit a signed statement to that effect. If, after reviewing the individual's statement, the CMC determines removal action is still warranted, the CMC shall make a decision as to removal prior to the expiration of the time limit prescribed in paragraph 14f, below.

f. Limitation on Delay. An appointment may not be delayed more than 90 days after final action has been taken by appropriate authority. The periods of delay prescribed in this paragraph may be extended by the CMC.

g. Appointment Following Delay. An individual whose appointment is delayed under this paragraph, and who is later determined to be qualified for appointment, may, upon such appointment, have the same date of rank and the same effective date for pay and allowances in the grade to which appointed, had no delay intervened.

Chapter 4

Procedures to Delay/Remove Appointment

1. The purpose of delaying an appointment is to provide a reasonable period of time to determine whether the name of that individual should be removed from the list approved by the CMC.
2. The appointment of an individual may be delayed for the following reasons:
 - a. An investigation is being conducted to determine whether disciplinary action of any kind should be brought against the individual.
 - b. Sworn charges against the individual have been received by an officer exercising special courts-martial jurisdiction over the individual and such charges have not been disposed of.
 - c. The individual is being processed for an administrative separation for cause.
 - d. A criminal proceeding in a Federal or State court is pending against the individual.
 - e. There is cause to believe that the individual does not meet the eligibility requirements per this Order, except those which have been waived by the CMC.
3. An appointment may not be delayed unless the individual has been given written notice of the grounds for the delay by the officer exercising special courts-martial jurisdiction over the individual or by the CMC. The individual shall acknowledge receipt of such notification in writing. The individual shall be afforded an opportunity to submit a written statement to the CMC concerning the delay. If the individual declines to make a statement, the individual must submit a statement to that effect. This chapter contains a sample notification letter to the individual being delayed, a sample acknowledgment of notification statement, and the recommendation to the CMC to delay the appointment.
4. An appointment may not be delayed more than 90 days after final action has been taken by the appropriate authority.
5. The commander recommending the delay will be notified of the decision and provided further procedural guidance by the CMC.

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6. Upon completion of the basis for delay, if the CMC determines that the individual's name should be removed from the selection list, the individual will be notified of such action and be afforded the opportunity to submit a written statement to the CMC. Follow the same guidance as in paragraph 3 above. This chapter contains sample notification letter, acknowledgment of receipt, and recommendation for removal from the selection list.

7. The recommendation for removal, the individual's statement, and the remainder of the case file shall be forwarded to the CMC for decision. The recommendation for removal must be submitted to the CMC prior to the expiration of the time limit.

8. An individual whose appointment was delayed and is later determined to be qualified for appointment, may have the same date of rank and the same effective date for pay and allowances had no delay intervened.

Chapter 5

Sample Documentation to Delay/Remove Appointment

Figure 5-1.--Sample Request to Delay Appointment

SSIC
DATE

From: Commanding Officer
To: Commandant of the Marine Corps

Via: (1) Commanding General (SNM's command)
(2) Commanding General, Marine Corps Recruiting Command
(Code OE), 3280 Russell Road, Quantico, VA 22134-5103

Subj: REQUEST TO DELAY APPOINTMENT TO WARRANT OFFICER ICO
SERGEANT JOHN J. DOE EDIPI/PMOS USMC

Ref: (a) MCO 1040.xx

Encl: (1) CO, _____ (SSIC) ltr of (date)
(2) SNM's acknowledgement of notification

1. Per the reference, I recommend SNM's appointment to WO be delayed pending (basis for delay).
2. Background paragraph regarding outcome of basis for delay.
3. Sergeant Doe has been notified of the proposed action per enclosures (1) and (2).
4. SNM has/has not submitted a statement on his behalf.
5. Point of contact and telephone number regarding this matter is:

SIGNATURE OF COMMANDING OFFICER

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Figure 5-2.--Sample Notification of Delay to Warrant Officer
(WO)

SSIC
DATE

From: Commanding Officer
To: Sergeant John J. Doe EDIPI/PMOS
Subj: NOTIFICATION OF REQUEST TO DELAY APPOINTMENT
Ref: (a) MCO 1040.xx
Encl: (1) Acknowledgement of Notification

1. On _____, the Commandant of the Marine Corps approved the selection list for appointment to the grade of WO.
2. Subsequent to the release of the selection results, (explain the basis for delay (i.e., pending investigation, civil charges, etc)). As a result and per the reference, your appointment to WO is being delayed until all investigatory, administrative, or disciplinary proceedings are completed. At that time, a decision will be made as to what, if any, further action is necessary regarding your appointment.
3. You have the opportunity to make a statement concerning this matter. The enclosure is an acknowledgement of receipt. Please return this acknowledgement and any matters you wish to submit at this time, within 10 days of your receipt of this letter. The enclosure and any matters you wish to submit should be addressed, through your chain of command, to the Commandant of the Marine Corps via the Commanding General, Marine Corps Recruiting Command (OE), 3280 Russell Road, Quantico, VA 22134-5103.

SIGNATURE OF COMMANDING OFFICER

Figure 5-3.--Sample Acknowledgement of Warrant Officer (WO)
Appointment Delay Notification

SSIC
DATE

From: Sergeant John J. Doe EDIPI/PMOS USMC
To: Commandant of the Marine Corps

Via: (1) Commanding Officer
(2) Commanding General (SNM's command)
(3) Commanding General, Marine Corps Recruiting Command

Subj: ACKNOWLEDGEMENT OF NOTIFICATION

Ref: (a) CO, _____ (SSIC) ltr of (date)

1. I acknowledge receipt of the reference notifying me of your recommendation concerning my delay of appointment to WO.

2. I understand I may submit a written statement to the Commandant of the Marine Corps via the Commanding General, Marine Corps Recruiting Command (OE).

3. I understand that all materials I desire to submit must be provided within 10 days of the receipt of the reference.

4. () I desire to submit a statement to the Commandant of the Marine Corps.

() I do not desire to submit a statement at this time.

SIGNATURE

Date Notified: _____

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Figure 5-4.--Sample Request for Removal from the Warrant Officer
(WO) Selection List

SSIC
DATE

From: Commanding Officer
To: Commandant of the Marine Corps

Via: (1) Commanding General (SNM's command)
(2) Commanding General, Marine Corps Recruiting Command
(Code OE), 3280 Russell Road, Quantico, VA 22134-5103

Subj: REMOVAL FROM THE FYXX _____ SELECTION LIST ICO
SERGEANT JOHN J. DOE EDIPI/PMOS USMC

Ref: (a) MCO 1040.xx

Encl: (1) Results of (basis for delay)
(2) CO, _____ (SSIC) ltr of (date)
(3) SNM's acknowledgement of notification

1. Per the reference, I recommend SNM's name be removed from the subject selection list under the authority of reference (a).
2. Background paragraph regarding outcome of basis for delay. Enclosure (1) contains the results of (basis for delay).
3. Sergeant Doe has been notified of the proposed action per enclosures (1) and (2).
4. SNM has/has not submitted a statement on his behalf.
5. Point of contact and telephone number regarding this matter is:

SIGNATURE OF COMMANDING OFFICER

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Figure 5-5.--Sample Notification of Removal from Warrant Officer
(WO) Selection List

SSIC
DATE

From: Commanding Officer
To: Sergeant John J. Doe EDIPI/PMOS

Subj: NOTIFICATION OF REQUEST TO REMOVE YOUR NAME FROM THE
SELECTION LIST

Ref: (a) MCO 1040.xx

Encl: (1) Acknowledgement of Notification

1. On _____, the Commandant of the Marine Corps approved a request to delay your appointment to Warrant Officer pending (basis for delay).

2. As a result of (basis for delay findings) and per the reference, I am recommending the Commandant of the Marine Corps remove your name from the selection list.

3. You have the opportunity to make a statement concerning the matter to the Commandant of the Marine Corps. The enclosure is an acknowledgement of receipt. Return this acknowledgement and any matters you wish to submit at this time, within 10 days of your receipt of this letter. The enclosure and any matters you wish to submit should be addressed, through your chain of command, to the Commandant of the Marine Corps via the Commanding General, Marine Corps Recruiting Command (OE), 3280 Russell Road, Quantico, VA 22134-5103.

SIGNATURE OF COMMANDING OFFICER

Figure 5-6.--Sample Acknowledgement of Warrant Officer (WO)
Removal Notification

SSIC
DATE

From: Sergeant John J. Doe EDIPI/PMOS USMC
To: Commandant of the Marine Corps

Via: (1) Commanding Officer
(2) Commanding General (SNM's command)
(3) Commanding General, Marine Corps Recruiting Command

Subj: ACKNOWLEDGEMENT OF NOTIFICATION

Ref: (a) CO, _____ (SSIC) ltr of (date)

1. I acknowledge receipt of the reference notifying me of the recommendation to remove my name from the selection list.

2. I understand I may submit a written statement to the Commandant of the Marine Corps.

3. I understand that all materials I desire to submit must be provided within 10 days of the receipt of the reference.

4. () I desire to submit a statement to the Commandant of the Marine Corps.

() I do not desire to submit a statement at this time.

SIGNATURE

Date Notified: _____