



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
1000 NAVY PENTAGON
WASHINGTON, DC 20350-1000

SECNAVINST 1412.9B
CMC (MPP-35)
7 Feb 2006

SECNAV INSTRUCTION 1412.9B

From: Secretary of the Navy

Subj: MARINE CORPS LIMITED DUTY OFFICER AND WARRANT OFFICER
PROGRAMS, PROMOTIONS, AND CONTINUATION PROCEDURES

Ref: (a) Title 10, United States Code
(b) ManMed, Chap. 15 (NOTAL)
(c) MCO 1040.42A
(d) MCO P6100.12
(e) SECNAVINST 5510.30A
(f) MCO P1900.16F
(g) DODINST 1320.14 of 24 Sep 96
(h) SECNAVINST 1401.3A
(i) SECNAVINST 1920.6C
(j) SECNAVINST 1401.1B
(k) Career Compensation Act of 1949
(l) DODINST 1320.4 of 14 Mar 95

Encl: (1) Procurement and Appointment of Warrant Officers in
the Marine Corps Active Component
(2) Procurement and Appointment of Warrant Officers in
the Marine Corps Reserve Component
(3) Procurement and Appointment of Limited Duty Officers
in the Marine Corps
(4) Promotion Procedures
(5) Continuation Procedures
(6) Sample Application Format and Data Sheet for Limited
Duty Officer and Warrant Officer Programs

1. Purpose. To publish policy and procedures relating to the
administration of the Marine Corps' restricted officer programs
per references (a) through (l) as set forth by enclosures (1)
through (6).

2. Cancellation. SECNAVINST 1120.11A, SECNAVINST 1210.6A and
SECNAVINST 1412.9A.

Distribution Statement A: Approved for public release; distribution
is unlimited.

PCN: 21600011400

7 Feb 2006

3. Scope. This instruction applies to Marine Corps Limited Duty Officer (LDO) and Warrant Officer (WO) programs in the Regular Marine Corps and to the WO program in the Marine Corps Reserve.

4. Background. This instruction incorporates significant changes to the restricted officer program which have occurred due to the passage of the Warrant Officer Management Act in 1991, implementation of recommendations from the 1993 Restricted Officer Program Study, the 1996 Warrant Officer Conference, and the 1998 and 2000 Restricted Officer Program Review.

5. Definitions. The Marine Corps total force is organized into an Active and Reserve Component. There are two categories of officers that support the officer requirements in these components. The officers are identified according to the types of duty that they may be assigned. These officers are either "restricted" to a particular type of duty, or are "unrestricted" in the duties to which they may be assigned.

a. A "restricted officer" is an officer who possesses unusual talent or expertise and is limited, or "restricted" to filling positions which are too specialized in scope to permit the effective development and continued use of broadly trained unrestricted officers. There are two types of restricted officers: warrant officers and limited duty officers.

(1) A "warrant officer" is a technical officer specialist who performs duties that require extensive knowledge, training, and experience with the employment of particular capabilities which are beyond the duties and responsibilities of senior noncommissioned officers.

(2) A "limited duty officer" is a technical officer specialist who performs duties that require extensive knowledge, training, and experience with the employment of particular capabilities which are beyond the duties and responsibilities of a warrant officer and which cannot be met by an unrestricted officer.

b. An "unrestricted officer" is an officer in the grade of second lieutenant or above, who is not designated as a limited duty officer. Unrestricted officers provide the flexibility for use in a broad span of managerial and career broadening assignments, which are necessary to meet Marine Corps requirements.

7 Feb 2006

6. Responsibilities

a. The Commandant of the Marine Corps (CMC) is responsible for the accuracy, currency, modification, and distribution of this instruction.

b. Commanding officers shall ensure that this instruction is reviewed by all Marine restricted officers, unrestricted officers who evaluate restricted officers, and enlisted Marines interested in applying for the LDO and WO programs.

7. Certification. Reviewed and approved this date.

William A. Navas, Jr.
Assistant Secretary of the Navy
(Manpower and Reserve Affairs)

Distribution:

Electronic only, via Navy Directives Website

<http://neds.daps.dla.mil>

7 Feb 2006

Procurement and Appointment of
Warrant Officers in the Marine Corps Active Component

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

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

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

2. WARRANT OFFICER GRADES. The five warrant officer 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 warrant officers, other than warrant officers described in section 582 of reference (a), who are on active duty. SECNAV may establish competitive categories for promotion. Warrant officers in the same competitive category compete for promotion as vacancies occur within their category.

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

3. ACCESSIONS

a. Each active component warrant officer military occupational specialty (MOS) is a separate competitive category. Warrant officers are accessed, appointed, trained, assigned, and promoted to meet specific technically-oriented billets within each warrant officer MOS.

b. The number of accessions or authorized selections for each warrant officer competitive category is determined by a number of factors and constraints. These factors include the

7 Feb 2006

relative size (structure) of the MOS and the projected attrition within the MOS.

c. CMC (MPP-30) will determine which warrant officer 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 message requesting applications.

4. ELIGIBILITY CRITERIA. To be eligible to become a warrant officer in the active component, enlisted Marines must be technically and professionally qualified for the MOS to which applying and must meet the following criteria (see paragraphs 16, 17, 18, and 19 for additional eligibility criteria for Marine Band, Drum and Bugle Corps, Recruiting, and Marine Gunner appointments):

- 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 16 years of active Naval service on the date of appointment. Date of appointment will be the February prior to attending the Warrant Officer Basic Course (WOBC).
- 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 warrant officer prescribed by reference (b). 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 Commanding General, Marine Corps Recruiting Command (CG MCRC).
- g. Have passed the most recent physical fitness test.
- 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.

7 Feb 2006

(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 on the American College Test (ACT). Applicants submitting SAT or ACT test scores will submit a certified copy of the test report.

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

5. WAIVERS OF ELIGIBILITY CRITERIA. CMC may consider requests for waiver of any eligibility requirement contained in paragraph 4 of this enclosure (except those established by statute or specifically identified as not waivable in the convening MARADMIN message) in the following instances:

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

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

6. APPLICATIONS

a. Eligible enlisted Marines must submit a written application for appointment as a warrant officer per reference (c) and the convening MARADMIN message for the warrant officer program.

b. Reference (c) provides administrative guidance in the application and appointment process for the warrant officer program.

7. SELECTION PROCESS

a. CMC will convene, by precept, an annual board to select qualified enlisted Marines for appointment to the grade of warrant officer. Separate boards may be convened for Recruiting and Marine Gunner appointments.

b. The authority to convene warrant officer selection boards may be delegated to the Deputy Commandant for Manpower and Reserve Affairs (DC M&RA).

7 Feb 2006

c. A board convening MARADMIN message 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 major or above on the active-duty list of the Marine Corps. At least one member of the board will be a limited duty officer, except for boards considering Marine Gunners and Recruiters.

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 numbers furnished by CMC (MPP-30). The numbers furnished by CMC (MPP-30) are the maximum number that may be selected in each warrant officer MOS. The board is not required to select to the number authorized for each MOS, however, unused allocations in one or more MOSs may only be reallocated to other MOSs as determined by CMC (MPP-30).

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 CMC (MMSB).

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

7 Feb 2006

appointment as warrant officers and are the best qualified for appointment as warrant officers in the MOS for which recommended. Each report shall be submitted to SECNAV for approval or disapproval in whole, or in part, via DC M&RA, CMC, and the Judge Advocate General of the Navy (NJAG) 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 except as authorized or required by SECNAV. The recommendations of the board shall not be disclosed until approved by SECNAV. Upon SECNAV approval, a MARADMIN message will be published announcing the list of Marines approved to be appointed to the grade of WO.

8. APPOINTMENTS

a. After SECNAV approval, Marines shall be permanently appointed to the grade of warrant officer in February of the year in which they will attend the Warrant Officer Basic Course (WOBC), or as otherwise determined by CMC, under the following guidelines:

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

(2) Marines selected to the Recruiter or Marine Gunner warrant officer program will be appointed/commissioned per paragraph 18 and 19, respectively, of this enclosure.

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

c. Marines selected for the warrant officer program must be found physically qualified for appointment by the Chief, Bureau of Medicine and Surgery, and must pass the physical fitness test, as outlined in reference (d), prior to appointment.

d. A Marine selected for the warrant officer program who does not meet the physical qualifications established in references (b) and (d) for appointment, or who will be physically disqualified from attending the WOBC will not be appointed. The individual will remain on the list of Marines approved to be appointed to the grade of Warrant Officer, and once medically qualified, will have an appointment date

7 Feb 2006

consistent with other warrant officers with whom he or she attends the WOBC.

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

f. A Marine selected for the warrant officer program who is not qualified/prepared to attend the WOBC will only be appointed/commissioned upon written approval by CMC (M&RA).

g. A Marine selected for the warrant officer program is considered to have accepted the appointment upon signing the Appointment Acceptance and Record Form (NAVMC-763). The CG MCRC 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.

h. A Marine selected for the warrant officer 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.

9. DELAY OF APPOINTMENTS

a. Purpose. The sole purpose of delaying the appointment of an individual, who is qualified to attend the WOBC, 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 SECNAV.

b. Authority

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

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

7 Feb 2006

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 (f) 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 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, CG MCRC, or by 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 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 CMC for decision via the officer exercising general courts-martial jurisdiction over the individual. 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. CMC may ratify and extend this period of delay for good cause.

7 Feb 2006

f. Appointment following Delay. An individual whose appointment is delayed under paragraph 9, 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 CMC determines that the individual was unqualified for appointment for any part of the delay. If CMC makes such a determination, CMC may adjust such date of rank, effective date of pay and allowances as CMC considers appropriate under the circumstances.

g. Removal following Delay. If CMC determines that an individual's whose appointment has been delayed under paragraph 9 is unqualified for appointment, CMC shall request that SECNAV remove the individual's name from the list of individuals previously approved for appointment.

10. TERMINATION OF APPOINTMENTS

a. SECNAV may terminate the appointment of any regular warrant officer at any time within three years after the date when an officer accepted the original appointment. SECNAV may terminate the appointment of any temporary warrant officer at anytime for any reason.

b. The authority, under section 1165 of reference (a) and enclosure (4) of reference (i), to terminate the appointment of a W-1 at any time within three years after the date when an officer accepted the original appointment, for substandard performance of duty as defined by enclosure (3) of reference (i), is delegated to CMC.

c. A W-1 who is separated under section 1165 of reference (a) may be entitled to separation pay, or may, if requested and in compliance with reference (i), be authorized reenlistment in the former enlisted grade. If reenlisted, the individual is not entitled to separation pay.

d. The authority, under section 515 of reference (a), to authorize, when requested by the affected officer, reenlistment of a W-1 whose appointment is terminated for substandard performance of duty is delegated to CMC. A W-1 discharged under section 1165 of reference (a) and enclosure (4) of reference (i) may not be enlisted in a grade lower than the grade held immediately before appointment as a warrant officer. Such reenlistment is at the discretion of CMC.

7 Feb 2006

11. THE WARRANT OFFICER BASIC COURSE (WOBC)

a. Marines selected to the warrant officer program are required to attend the WOBC upon appointment as a warrant officer. Temporary warrant officers will attend the WOBC at the discretion of CMC.

b. Course mastery is applied to all Marines without deference to age, gender, or physical ability. If a warrant officer is unable to pass an event at the WOBC, the commanding officer of The Basic School possesses the authority to:

(1) Reassign the warrant officer to a basic officer course company for instruction/remediation and evaluation; or

(2) Require the warrant officer to repeat WOBC the following year; or

(3) Recommend termination of appointment in accordance with reference (i).

c. Any decision to defer an appointed warrant officer from attending a scheduled WOBC will be made by CMC (MM).

12. ASSIGNMENT OF LINEAL PRECEDENCE. A warrant officer's lineal precedence number is determined based upon class standing at the WOBC. Appointment as a warrant officer represents a new phase in a Marine's career. While enlisted experience is especially valuable to a warrant officer, it is his or her performance as a warrant officer that will determine standing within each competitive category.

13. PROMOTION. Warrant officers compete for promotion within their MOS (competitive category) for specific billet vacancies in the next higher grade. This paragraph provides specific guidance for regular WO/CWO promotions. Enclosure (4) provides additional promotion board guidance that is applicable to all promotions discussed in this instruction.

a. Grade Authorizations. Promotions to CW05 are limited to five percent of the total number of warrant officers on active duty. To ensure an adequate career progression to CW05 for each CWO, the following grade allocations will normally be applied to each MOS:

CW05:	5%	CW04:	15%
CW03:	30%	WO/CW02	50%

7 Feb 2006

b. Promotion Opportunity. The following promotion opportunity guidelines are provided for regular CWO promotions:

(1) CWO2. Warrant officers are promoted to CWO2 based on time in grade (TIG) requirements as determined by SECNAV. Warrant officers may be promoted without board action to CWO2 at the minimum amount of TIG, which is 18 months. An example of computing eligibility for promotion under this authority is illustrated in the case of a W-1 whose date of rank is 2 February 2004. Such officer will complete 18 months in grade on 1 August 2005 and will be eligible for promotion the following day, 2 August 2005.

(2) CWO3. The promotion opportunity to CWO3 will be as close to 90 percent as can be attained.

(3) CWO4. The promotion opportunity to CWO4 will be as close to 70 percent as can be attained.

(4) CWO5. The promotion opportunity to CWO5 will be as close to 50 percent as can be attained.

c. Eligibility for Promotion Consideration

(1) CWOs who are on the active duty list on the date the board convenes and who have served at least 2 years TIG are eligible for consideration for promotion if there is a projected billet vacancy in that officer's grade and competitive category MOS, except as provided in enclosure (4), paragraphs 3a, 3b, and 3c.

(2) If there is a projected billet vacancy and eligible officers, then the number of eligible officers that will be placed in-zone (based upon their lineal precedence number (relative seniority in grade)) will be of sufficient numbers to meet the desired minimum target promotion opportunities. If there are more officers with the minimum TIG than can be moved in-zone to meet the desired opportunity, then those officers who are not placed in-zone will compete for promotion from the below-zone. Officers may be selected for promotion from the below-zone, but will not receive a failure of selection if not selected.

(3) A CWO who has been considered for promotion by a selection board, but not selected, shall be considered for promotion by each subsequent selection board that considers officers in his or her grade and competitive category until he

7 Feb 2006

or she is retired or separated or he or she is selected for promotion.

d. Consideration for Promotion Within Specified Times.

CWOs in the grades of CWO2 or CWO3 who have 5-years TIG and have never been considered for promotion shall be placed in-zone on the next CWO promotion board and given a promotion opportunity appropriate for their grade. If selected and qualified, these officers will be promoted no later than their 6-year TIG anniversary, or as soon thereafter as possible subject to the approval of the selection list by the President.

e. Effecting Promotions

(1) Promotions for CWOs on a promotion list will normally commence within two months following the President's approval of the appointments, provided there is a billet vacancy. Promotion of warrant officers in one competitive category may be effected without regard for the relative seniority of warrant officers of the same grade in other competitive categories.

(2) CWOs who are selected with less than 3-years TIG will not be promoted earlier than their 3-year anniversary.

(3) A promotion MARADMIN message is published each month that will provide the promotion authority for those officers who will be promoted on the first of the next month, and a projection for subsequent promotions in the following month. Prior to release of the MARADMIN message, CMC (MMPR-1) shall screen the names of the officers projected to be promoted for adverse information. Officers whose records contain adverse information shall have their promotion delayed. See paragraph 13 of enclosure (4) for delay procedures for promotion to the grades of CWO3, CWO4 and CWO5.

f. Delay of Promotion (W-1s). Promotions to the grade of CWO2 may be delayed at any time prior to the 18-month TIG requirement noted in paragraph 13(b)(1) of this enclosure. The purpose of delay is to determine whether the W-1 is qualified for promotion.

(1) Authority to Delay. The authority to delay the promotion of a W-1 is delegated to CMC, his designee, and commanding officers exercising special court-martial convening authority.

7 Feb 2006

(2) Basis for Delay. The promotion of a W-1 may be delayed in accordance with the criteria established by paragraph 13(a) of enclosure 4.

(3) Notification of Delay and Delay Procedures. The W-1 must be given written notice of the grounds for delay before the effective date of the promotion, unless it is impractical to do so, in which case such written notice shall be given as soon as practicable. The W-1 shall acknowledge receipt of such notification in writing. A W-1 whose promotion has been delayed shall be afforded the opportunity to submit a written statement to CMC concerning the delay. If the W-1 declines to make a statement, he or she shall submit a signed statement to that effect. The notice of delay, the written acknowledgment of receipt of such notification, and the written statement shall be forwarded to CMC for decision via the officer exercising general court-martial jurisdiction over the W-1. CMC shall determine whether the W-1 is qualified for promotion.

(4) Limitation on Delay. A promotion to the grade of CWO2 may not be delayed more than 6 months after the date the officer would have otherwise been promoted. CMC may ratify and extend this period of delay for good cause.

g. Not qualified for Promotion (W-1s). In those cases where CMC determines a W-1 is not qualified for promotion, that W-1 may be reconsidered for promotion, separated, or retired if eligible, in accordance with paragraph 15 of enclosure (4).

14. CONTINUATION. This paragraph provides specific guidance for the continuation of active component warrant officers/chief warrant officers. SECNAV shall, whenever the needs of the Marine Corps require, convene selection boards to recommend officers for continuation. As a matter of efficiency, promotion selection boards may reconvene as continuation selection boards. Enclosure (5) contains additional continuation board guidance that is applicable to all active component restricted officers.

a. An active component chief warrant officer who is selected for deferment of involuntary retirement shall be notified of his or her selection and afforded an opportunity to accept or decline continuation. If the chief warrant officer declines to continue on active duty, he or she shall be transferred to the retired list in accordance with Chapter 65 of reference (a).

7 Feb 2006

b. The Marine Corps continuation policy for active component warrant officers is as follows:

(1) CWO5. CWO5s subject to mandatory retirement for total years of active service (30 years) will be continued for a period that will permit them to complete 2 years of active service in the grade of CWO5. In no case will such an officer be continued beyond 60 days after becoming 62 years of age.

(2) CWO4. CWO4s who have twice failed selection to CWO5 and who are not retirement eligible may be continued until they qualify for retirement. CWO4s who have twice failed selection to CWO5 and who are retirement eligible will be involuntarily retired no later than the first day of the seventh month after the date on which SECNAV approves the report of the promotion board, unless continued by a board to meet the needs of the Marine Corps. CWO4s selected for CWO5 who are subject to mandatory retirement for total years of active service (30 years) will be continued for a period that will permit them to complete 2 years of active service in the grade of CWO5. In no case will an officer be continued beyond 60 days after becoming 62 years of age.

(3) CWO3. CWO3s who have twice failed selection to CWO4 and who are not retirement eligible may be continued until they qualify for retirement. CWO3s who have twice failed selection to CWO4 and who are retirement eligible will be involuntarily retired no later than the first day of the seventh month after the date on which SECNAV approves the report of the promotion board, unless continued by a board to meet the needs of the Marine Corps. CWO3s selected for CWO4 who are subject to mandatory retirement for total years of active service (30 years) will be continued for a period that will permit them to complete 2 years of active service in the grade of CWO4. In no case will an officer be continued beyond 60 days after becoming 62 years of age.

(4) CWO2. CWO2s who have twice failed selection to CWO3 and have at least 18 years of active service on the first day of the seventh month after the date on which SECNAV approves the report of the promotion board will be continued without board action until they qualify for retirement. The board is authorized to recommend continuation for those CWO2s who have twice failed selection to CWO3 and who do not have at least 18 years active service. In no case will an officer be continued beyond 60 days after becoming 62 years of age.

7 Feb 2006

(5) WO. The first three years of warrant officer service is a probationary period. W-1s found not qualified for promotion may be reconsidered for promotion, separated, or retired if eligible, in accordance with paragraph 15 of enclosure (4).

c. Continuation on Active Duty to Complete Disciplinary Action. When any action has been commenced against a warrant officer with a view to trying such officer by court-martial and such officer has a mandatory separation or retirement date under reference (a), CMC may delay the separation or retirement of the officer, without prejudice to such action, until the completion of the action.

d. Deferment of Retirement or Separation for Medical Reasons. SECNAV may defer, for not more than four months, the retirement under section 1263 or 1305 of reference (a), as prescribed in reference (i), of any warrant officer if, because of unavoidable circumstances, evaluation of his or her physical condition and determination of his/her entitlement to retirement or separation for physical disability require hospitalization or medical observation that cannot be completed before the date when he or she would otherwise be required to retire under that statute. Requests for deferral under this authority shall be forwarded to SECNAV for review and action via CMC (MMSR).

15. ASSIGNMENT POLICY

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

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

16. 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 warrant officer or chief warrant officer. 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

7 Feb 2006

as temporary appointments under this paragraph. U.S. Marine Band appointments shall be made by SECNAV under section 5596 of reference (a). These appointments are temporary; therefore, SECNAV may revoke the appointments at any time. Temporary appointments do not change the permanent status of the Marine in regard to promotion or appointment. Warrant officers and chief warrant officers approved for temporary appointment may be considered for further temporary promotion if recommended by the Director, U.S. Marine Band.

17. 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 warrant officer or chief warrant officer. 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 Corps are eligible for nomination as temporary warrant officers and chief warrant officers. U.S. Marine Drum and Bugle Corps appointments shall be made by SECNAV under section 5596 of reference (a). These appointments are temporary; therefore, SECNAV may revoke the appointments at any time. Temporary appointments do not change the permanent status of the Marine in regard to promotion or appointment. Warrant officers and chief warrant officers approved for temporary appointment may be considered for further temporary promotion if recommended by the Commanding Officer, U.S. Marine Drum and Bugle Corps.

18. RECRUITING APPOINTMENTS

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

b. In addition to the eligibility criteria outlined in paragraph 4 of this enclosure, career recruiters (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 service on the date of appointment to CWO (usually 1 February). Waivers of the 20-years maximum service limitation will be considered on a case-by-case basis.

c. A MARADMIN message announcing the Enlisted to Warrant Officer (Recruiter) Selection Board and requesting applications

7 Feb 2006

will be published by the CG MCRC. This MARADMIN message will announce the convening date of the board, specify any additional eligibility requirements, and provide a date when applications are due to CMC.

d. The Enlisted to Warrant Officer (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 Warrant Officer (Recruiter) will be appointed by commission, by the President, to the grade of CWO2 and will be assigned the PMOS 9815. Career recruiters, in the grade of staff sergeant, selected to Warrant Officer (Recruiter) will be appointed to the grade of W-1.

f. Recruiting warrant officers/chief warrant officers will be appointed in February prior to WOBC attendance. After graduation from WOBC, recruiting warrant officers/chief warrant officers 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 warrant officers/chief warrant officers.

19. MARINE GUNNER APPOINTMENTS. Infantry unit leaders in the grade of gunnery sergeant and above are eligible to compete for the Enlisted to Warrant Officer (Marine Gunner) Program. Marine Gunners are infantry weapons specialists. Marine Gunners advise infantry, light armored reconnaissance, and reconnaissance unit commanders on the tactical employment of organic weapons systems.

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

(1) Have served a successful tour of duty as an Infantry Unit Leader (PMOS 0369).

(2) Must be at least a gunnery sergeant.

7 Feb 2006

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

(4) Have no less than 16 or more than 23 years of active service on the date of appointment to CW02.

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

c. Applications will be submitted per the current edition of reference (c).

d. The Enlisted to Warrant Officer (Marine Gunner) Selection Board will consist of a colonel as the board president and at least four additional members in the grade of lieutenant colonel. All members must be Infantry Officers (PMOS 03XX).

e. Infantry unit leaders selected for chief warrant officer will be appointed, by commission, by the President, to the grade of CW02 in February of the year in which they will attend the Warrant Officer Basic Course (WOBC), or as otherwise determined by CMC.

7 Feb 2006

Procurement and Appointment of
Warrant Officers in the Marine Corps Reserve Component

1. WARRANT OFFICER GRADES. The five warrant officer 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. Per section 12241(b) of reference (a), appointments in the grade of warrant officer are made by SECNAV. Appointments in Reserve component chief warrant officer grades are made by commission by SECNAV.

b. SECNAV shall maintain a single list of all reserve warrant officers who are in an active status in the Reserves. SECNAV may establish competitive categories for promotion. Warrant officers in the same competitive category compete for promotion as vacancies occur within their category.

2. ACCESSIONS

a. There are Reserve component warrant officer requirements in the Active Reserve (AR) and the Other than AR (OTAR) competitive categories.

(1) AR Competitive Category. The AR structure supports requirements for three military occupational specialties (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) OTAR Competitive Category. The OTAR competitive category consists of chief warrant officers 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. CMC (RAP) will determine which reserve warrant officer MOSs are projected to be "OPEN" for applications each year. The list will be published approximately 60 days prior to the

7 Feb 2006

convening date of the selection board via a MARADMIN message requesting applications.

3. ELIGIBILITY CRITERIA. To apply for the Reserve component warrant officer program, Reserve component enlisted Marines must be technically and professionally qualified for the MOS to which applying. 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 date of appointment to Reserve warrant officer. Date of appointment for AR warrant officers will be in February prior to attending the Active component WOBC. Date of appointment for OTAR warrant officers will be the February prior to attending the Reserve WOBC (RWOBC).
- 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 warrant officer as prescribed by reference (b). 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 passed the most recent physical fitness test.
- 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.

7 Feb 2006

(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 on the American College Test (ACT). Applicants submitting SAT or ACT test scores will submit a certified copy of the test report.

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

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

"I understand that selection to the grade of warrant officer 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 warrant officer 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 warrant officer. I further understand selection to the grade of warrant officer 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."

7 Feb 2006

4. WAIVERS OF ELIGIBILITY CRITERIA. CMC may consider requests for waiver of any eligibility requirement contained in paragraph 3 of this enclosure (except those established by statute or specifically identified as not waiverable in the convening MARADMIN message) in the following instances:

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

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

5. APPLICATIONS

a. Eligible enlisted Marines must submit a written application for appointment as a Reserve Warrant Officer per reference (c) and the convening MARADMIN message.

b. Reference (c) provides administrative guidance in the application and appointment process.

6. SELECTION PROCESS

a. CMC will convene, by precept, an annual board to select qualified enlisted Marines for appointment to the grade of warrant officer. This authority may be delegated to DC M&RA.

b. A board convening MARADMIN message 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 major 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 numbers furnished by

7 Feb 2006

the CMC (RAP). The numbers furnished by CMC (RAP) are the maximum number that may be selected in each warrant officer competitive category. The board is not required to select to the number authorized for each warrant officer competitive category.

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 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 CMC (MMSB).

h. Precepts for convening boards to recommend eligible applicants for appointment as warrant officers shall be reviewed by the SJA to CMC and DC, M&RA at least 30 days prior to the convening date of the board. The precept shall be forwarded to 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 warrant officers and are the best qualified for appointment as warrant officers in the MOS for which recommended. Each report shall be submitted to SECNAV for approval or disapproval in whole, or in part, via DC M&RA, CMC, and NJAG 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 SECNAV. The recommendations of the board shall not be disclosed until approved by SECNAV. Upon SECNAV approval, a MARADMIN message will be published announcing the list of Marines approved to be appointed to the grade of warrant officer.

7. APPOINTMENTS

a. After SECNAV approval, Marines selected to the AR and OTAR warrant officer programs shall be permanently appointed to the grade of warrant officer in February of the year that they will attend the WOBC, or as determined by CMC.

7 Feb 2006

b. Reserve warrant officers are not commissioned officers. Reserve warrant officers are commissioned by warrant by SECNAV when promoted to CW02.

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

d. Marines selected for the Reserve warrant officer program must be found physically qualified for appointment by the Chief, Bureau of Medicine and Surgery, and must pass the physical fitness test as outlined in reference (d) prior to appointment.

e. A Marine selected for the Reserve warrant officer program who does not meet the physical qualifications established in references (b) and (d) for appointment, or who will be physically disqualified from attending the WOBC/RWOBC will not be appointed. The individual will remain on the list of Marines approved to be appointed to the grade of warrant officer and, once medically qualified, will have an appointment date consistent with other warrant officers with whom he or she attends the WOBC/RWOBC.

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

g. A Marine selected for the Reserve warrant officer program who is not qualified/prepared to attend the WOBC/RWOBC will only be appointed/commissioned upon written approval by CMC (M&RA).

h. A Marine selected for the Reserve warrant officer program is considered to have accepted the appointment upon signing the Appointment Acceptance and Record Form (NAVMC-763). CMC (MCRC) 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 warrant officer 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.

7 Feb 2006

8. DELAY OF APPOINTMENTS

a. Purpose. The sole purpose of delaying the appointment of an individual who is qualified to attend the WOBC/RWOBC 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 SECNAV.

b. Authority

(1) The authority to delay original appointments as warrant officers is delegated to CMC, his designee, and commanding officers exercising special court-martial authority. This authority may not be re-delegated further.

(2) 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 (f) 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 CMC.

7 Feb 2006

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; the Director, Reserve Affairs Division, or by 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 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 CMC for decision via the officer exercising general courts-martial jurisdiction over the individual. 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. CMC may ratify and extend this period of delay for good cause.

f. Appointment following Delay. An individual whose appointment is delayed under paragraph 8, 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 CMC determines that the individual was unqualified for appointment for any part of the delay. If CMC makes such a determination, CMC may adjust the date of rank, and effective date of pay and allowances as CMC considers appropriate under the circumstances.

g. Removal following Delay. If CMC determines that an individual whose appointment has been delayed under paragraph 8 is unqualified for appointment, CMC shall request that SECNAV remove the individual's name from the list of individuals approved for appointment.

9. TERMINATION OF APPOINTMENTS

a. Appointments to Reserve permanent warrant officer grades are for an indefinite term and are held at the pleasure of SECNAV.

7 Feb 2006

b. The authority to terminate the appointment of a Reserve warrant officer at any time within 5 years after the date when an officer accepted the original appointment, for substandard performance of duty as defined by enclosure (3) of reference (i), is delegated to CMC.

c. A warrant officer who is separated under this paragraph may request to be authorized reenlistment in the former enlisted grade.

d. The authority to authorize reenlistment of a W-1 whose appointment is terminated for substandard performance of duty is delegated to CMC. A W-1 discharged under enclosure (4) of reference (i) may not be enlisted in a grade lower than the grade held immediately before appointment as a warrant officer. Reenlistment is at the discretion of CMC.

10. THE WARRANT OFFICER BASIC COURSE (WOBC) AND RESERVE WOBC (RWOBC)

a. AR selectees will be ordered to attend WOBC upon appointment to the grade of warrant officer.

b. SMCR selectees will be ordered to attend RWOBC upon appointment to the grade of warrant officer. RWOBC inquiries should be addressed to CMC (RAM-4).

c. Course mastery is applied to all Marines without deference to age, gender, or physical ability. If a warrant officer is unable to pass an event at the WOBC or RWOBC, the commanding officer of TBS possesses the authority to:

(1) Reassign a warrant officer to a basic officer course company for instruction/remediation and evaluation; or

(2) Require warrant officers dropped for a medical reason to repeat WOBC/RWOBC the following year; or

(3) Recommend termination of appointment in accordance with reference (i).

d. Any decision to defer an appointed warrant officers from attending a scheduled WOBC/RWOBC will be made by CMC (RA).

11. ASSIGNMENT OF LINEAL PRECEDENCE. A warrant officer's lineal precedence number is determined based upon their

7 Feb 2006

seniority in their permanent enlisted grade at the time of appointment to warrant officer.

12. PROMOTION. AR warrant officers compete for promotion within their MOS (competitive category) for specific billet vacancies in the next higher grade. Reserve warrant officers in the OTAR competitive category compete for promotion in one competitive category regardless of MOS. This paragraph provides specific guidance for Reserve warrant officer/chief warrant officer promotions. Enclosure (4) provides additional promotion board guidance that is applicable to all promotions discussed in this instruction.

a. Grade Authorizations

(1) AR. AR competitive categories will be grade shaped as similar as practicable to the grade authorizations allowed for Active component warrant officer competitive categories.

(2) OTAR. The OTAR competitive category consists of chief warrant officers in the SMCR, IRR, and in an active status in the Standby Reserve. There are no finite warrant officer requirements for officers in this competitive category. Therefore, promotions within this competitive category are based on grade allocation percentages that other warrant officer competitive categories have been grade shaped to. These are:

CWO5:	5%
CWO4:	15%
CWO3:	30%
WO/CWO2:	50%

b. Promotion Opportunity

(1) Reserve warrant officers are promoted to CW02 based on TIG requirements as determined by SECNAV. Reserve warrant officers may be promoted without board action to CW02 at the minimum amount of TIG, which is 18 months. An example of computing eligibility for promotion under this authority is illustrated in the case of an OTAR W-1 whose date of rank is 2 February 2004. Such officer will complete 18 months time in grade on 1 August 2005 and will be eligible for promotion the following day, 2 August 2005.

(2) CWO3. The promotion opportunity to CW03 will be as close to 90 percent as can be attained.

7 Feb 2006

(3) CWO4. The promotion opportunity to CWO4 will be as close to 70 percent as can be attained.

(4) CWO5. The promotion opportunity to CWO5 will be as close to 50 percent as can be attained.

c. Eligibility for Promotion Consideration

(1) A chief warrant officer must be in an active status to be considered for promotion. Chief warrant officers may be considered for promotion if they have served continuously on the active duty list of the Marine Corps or in an active status on the Reserve active-status list, or a combination of the two, for the 1-year period immediately preceding the convening date of the selection board considering them for promotion.

(2) Chief warrant officers who have served at least 2-years TIG are eligible for consideration for promotion if there is a projected billet vacancy in that officer's grade and competitive category MOS, except as provided in enclosure (1), paragraphs 3a, 3b, and 3c.

(3) If there is a projected billet vacancy and eligible officers, then the number of eligible officers that will be placed in-zone (based upon their lineal precedence number (relative seniority in grade)) will be of sufficient numbers to meet the desired minimum target promotion opportunities. If there are more officers with the minimum TIG who can be moved in-zone to meet the desired opportunity, then those officers that are not placed in-zone will compete for promotion from the below-zone. Officers may be selected for promotion from the below-zone, but will not receive a failure of selection if not selected.

(4) A chief warrant officer who has been considered for promotion by a selection board, but not selected, shall be considered for promotion by each subsequent selection board that considers officers in his or her grade and competitive category until he or she is retired or separated or he or she is selected for promotion.

(5) OTAR chief warrant officers are required to submit a Reserve qualification summary (HQMC Version 1-02) to the President of the selection board, which must be received no later than the convening date of the board. Reserve career retirement credit reports (CRCR) are required and are reviewed by selection boards. The CRCR's will be provided to the board

7 Feb 2006

by CMC (MMPR). Reserve chief warrant officers must ensure their CRCR is accurate and up-to-date.

d. Consideration for Promotion Within Specified Times. AR chief warrant officers in the grades of CWO2 or CWO3 who have 5-years TIG and have never been considered for promotion shall be placed in-zone on the next chief warrant officer promotion board and given a promotion opportunity appropriate for their grade. If selected and qualified, AR officers will be promoted no later than their 6-year TIG anniversary, or as soon thereafter as possible subject to the approval of the selection list by SECNAV.

e. Effecting Promotions

(1) Promotions for chief warrant officers on a promotion list will normally commence within two months following SECNAV's approval of the appointments, provided there is a billet vacancy. Promotion of warrant officers in one competitive category may be affected without regard for the relative seniority of warrant officers of the same grade in other competitive categories.

(2) Chief warrant officers who are selected with less than 3-years TIG will not be promoted earlier than their 3-year anniversary.

(3) A Reserve warrant officer or chief warrant officer who has been selected for promotion by a selection board, and who at the time he or she would otherwise be promoted is ineligible for promotion because he or she has been transferred to an inactive status, shall be treated as if he or she has not been considered for promotion. If he or she later returns to an active status, his or her name shall not be placed on a list for promotion to the next higher grade until he or she is again considered and selected for promotion.

(4) A Reserve warrant officer's selection for promotion in either the AR or OTAR competitive category carries over if the officer changes competitive categories within the Reserve or is augmented into the Active component.

(5) A promotion MARADMIN message is published each month that will provide the promotion authority for those officers who will be promoted on the first of the next month, and a projection for subsequent promotions in the following month. Prior to release of the MARADMIN message, CMC (MMPR-1) shall

7 Feb 2006

screen the names of the officers projected to be promoted for adverse information. Officers whose records contain adverse information shall have their promotion delayed. See paragraph 13 of enclosure (4) for delay procedures for promotion to the grades of CWO3, CWO4, and CWO5.

f. Delay of promotion (W-1s). Promotions to the grade of CWO2 may be delayed at any time prior to the 18-month TIG requirement noted in 12(b)(1) of this enclosure. The purpose of delay is to determine whether the Reserve W-1 is qualified for promotion.

(1) Authority to Delay. The authority to delay the promotion of a Reserve W-1 is delegated to CMC, his designee, and commanding officers exercising special court-martial convening authority.

(2) Basis for Delay. The promotion of a Reserve W-1 may be delayed in accordance with the criteria established by paragraph 13(a) of enclosure 4.

(3) Notification of Delay and Delay Procedures. The Reserve W-1 must be given written notice of the grounds for delay before the effective date of the promotion, unless it is impractical to do so, in which case such written notice shall be given as soon as practicable. The Reserve W-1 shall acknowledge receipt of such notification in writing. A Reserve W-1 whose promotion has been delayed shall be afforded the opportunity to submit a written statement to CMC concerning the delay. If the Reserve W-1 declines to make a statement, he or she shall submit a signed statement to that effect. The notice of delay, the written acknowledgment of receipt of such notification, and the written statement shall be forwarded to CMC for decision via the officer exercising general court-martial jurisdiction over the Reserve W-1. CMC shall determine whether the Reserve W-1 is qualified for promotion.

(4) Limitation on Delay. A promotion to the grade of CWO2 may not be delayed more than 6 months after the date the officer would have otherwise been promoted. CMC may ratify and extend this period of delay for good cause.

g. Not qualified for Promotion (W-1s). In those cases where CMC determines a Reserve W-1 is not qualified for promotion, that Reserve W-1 may be reconsidered for promotion, separated, or retired if eligible, in accordance with paragraph 15 of enclosure (4).

7 Feb 2006

13. Continuation. Reserve warrant officers/chief warrant officers will be continued per the procedures prescribed by CNO and CMC.

a. A Reserve chief warrant officer who is selected for deferment of involuntary retirement shall be notified of his or her selection and afforded an opportunity to accept or decline continuation. If the chief warrant officer declines to continue in an active status, he or she shall be transferred to the retired Reserve or the retired list in accordance with section 12732 of reference (a).

b. The Marine Corps continuation policy for Reserve warrant officers is as follows:

(1) CW05

(a) Reserve CW05s subject to mandatory retirement for total years of active service (30 years) will be continued for a period that will permit them to complete 2 years of active service in the grade of CW05. In no case will such an officer be continued beyond the last day of the month after becoming 60 years of age.

(b) Reserve CW05s may be continued beyond 30 years qualifying service subject to the needs of the Selected Reserve, as determined by CMC (RA). This provision does not apply to CW05s required to separate due to age or failure to meet minimum participation requirements.

(2) CW04

(a) Reserve CW04s who twice fail selection to CW05 may be continued in an active status until completing 30 years qualifying service, unless required by other provisions to be separated due to age or failure to meet participation requirements.

(b) Reserve CW04s who twice fail selection to CW05 and who have at least 30 years of qualifying service, will be removed from active status on the 1st day of the 7th month following the second failure of selection unless selectively continued. Officers who are to be removed from an active status with 30 years qualifying service shall be given an opportunity to transfer to the appropriate retired Reserve.

7 Feb 2006

(c) Reserve CW04s who twice fail selection to CW05 may be continued beyond 30 years qualifying service subject to the needs of the Selected Reserve. This provision does not apply to CW04s required to separate due to age or failure to meet minimum participation requirements.

(d) Reserve CW04s on active duty with the AR program who twice fail selection to CW05 may be continued until completion of 20 years active duty, so long as they continue to be selected for retention on active duty by an AR board. Such officers not selected will be released from active duty.

(3) CW03, CW02. Unless retired or separated under some other provision of law or policy, a Reserve CW03 or CW02 who has twice failed of selection for promotion to the next warrant officer grade and who has:

(a) Performed more than 20 years of active service or who has performed at least 20 years of service computed under section 12732 of reference (a) on either the date when the SECNAV approves the report of the promotion selection board; or the date when his or her name was removed from a promotion list, whichever applies, shall be transferred to the inactive status list, or upon his or her request, to the Marine Corps Reserve retired list.

(b) Performed at least 18 but less than 20 years of service computed under section 12732 of reference (a) on the date when SECNAV approves the report of the promotion selection board or the date when his or her name was removed from the promotion list, whichever applies, shall not be discharged or transferred from an active status without his or her consent before the earlier of the following dates unless sooner separated for cause:

1. The date on which he or she is entitled to be credited with 20 years of service computed under section 12732 of reference (a); or

2. If he or she has at least 19 years of service, computed 2 under section 12732 of reference (a), the second anniversary of the date on which he or she would otherwise be discharged or transferred from an active status; or

3. If he or she has at least 18 but less than 19 years of service, computed under section 12732 of reference

7 Feb 2006

(a), the third anniversary of the date on which he or she would otherwise be discharged or transferred from an active status.

4. Performed less than 18 years of service, computed under section 12732 of reference (a), on either the date when SECNAV approves the report of the selection board; or the date when his or her name is removed from the promotion list, whichever applies, may be continued based upon the needs of the Marine Corps Reserve. Chief warrant officers separated for failure of promotion may request enlistment, and in the discretion of SECNAV be enlisted in a grade not lower than that held immediately before original appointment as a warrant officer. In making recommendations to SECNAV, DC M&RA shall consider the individual's record of service as a warrant officer, the length of service performed as a warrant officer, and the needs of the service in the MOS in which the individual would serve in an enlisted status.

(c) Not requested transfer to the Marine Corps Reserve retired list per paragraph 3(a) above, is not eligible for retention in an active status as provided in paragraph 3(b), and does not request enlistment as provided in paragraph 3(b)(4), or is denied enlistment, shall be honorably discharged from the Marine Corps Reserve.

(4) WO. The first 5 years of a Reserve warrant officer service is a probationary period. Reserve W-1s found not qualified for promotion may be reconsidered for promotion, separated, or retired if eligible, in accordance with paragraph 15 of enclosure (4).

c. Deferment of Retirement or Separation for Medical Reasons

(1) If, in the case of a warrant officer required to be retired or separated, and consistent with section 14519 of reference (a), SECNAV determines that the evaluation of the physical condition of the officer and determination of the officer's entitlement to retirement or separation for physical disability require hospitalization or medical observation and that such hospitalization or medical observation cannot be completed with confidence in a manner consistent with the officer's well being before the date on which the officer would otherwise be required to retire or be separated, SECNAV may defer the retirement or separation of the officer.

7 Feb 2006

(2) A deferral of retirement or separation under paragraph 13c(1) may not extend for more than 30 days after the completion of the evaluation requiring hospitalization or medical observation.

7 Feb 2006

Procurement and Appointment of
Limited Duty Officers in the Marine Corps

1. Limited Duty Officer (LDO). The two types of LDOs are as follows:

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

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

2. 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 (a), appointments in the grade of permanent LDO captain are made by the President.

b. SECNAV shall maintain a single list of all LDOs who are on active duty. SECNAV may establish competitive categories for promotion. LDOs in the same competitive category compete for promotion as vacancies occur within their category.

3. Accessions

a. Each active 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. CMC (MPP-30) will determine which LDO MOSs are projected to be "OPEN" for applications each year. The list will be

7 Feb 2006

published approximately 60 days prior to the convening date of the selection board via a message requesting applications.

4. Eligibility Criteria. To be eligible to become a permanent LDO in the active component, chief warrant officers must meet the following criteria:

- a. Be a citizen of the United States.
- b. Be serving as a chief warrant officer in the active component with not less than 8 years of warrant officer service at the time the selection board convenes, and have not less than 10 and not more than 20 years of active service at the time the selection board convenes.
- c. Meet the requisite physical standards for appointment as an LDO prescribed by reference (b). 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 CMC (MM).
- d. Have passed the most recent physical fitness test.
- e. Have previously served in the warrant officer 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. Meet any additional eligibility criteria as may be prescribed in the convening MARADMIN message.

5. Waivers of Eligibility Criteria

a. CMC (MM), may, under the following circumstances, consider waivers of eligibility criteria:

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

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

b. 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 only for those

7 Feb 2006

warrant officers who have not previously had an opportunity to apply for the program. Warrant officers 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 prior to mandatory retirement will be continued by a continuation selection board to meet minimum TIG promotion requirements.

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

6. Applications

a. Eligible chief warrant officers must submit a written application for appointment as an LDO per reference (c) and the annual convening MARADMIN message 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 CMC (MMOA-3) in the convening MARADMIN message.

7. Selection Process

a. CMC will convene, by precept, an annual board to select qualified chief warrant officer for appointment to the grade of permanent LDO captain.

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

c. 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.

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

7 Feb 2006

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

g. Each board may recommend for appointment eligible applicants in numbers not in excess of the numbers furnished by the CMC (MPP-30). The numbers furnished by 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 number authorized for each MOS.

h. 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 CMC (MMSB).

i. Precepts for convening boards to recommend eligible applicants for appointment as LDOs shall be reviewed by the SJA to CMC and CMC (MPP-30) at least 30 days prior to the convening date of the board. The precept shall be forwarded to CMC 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 LDOs and are the best qualified for appointment as LDOs in the MOS for which recommended. Each report shall be submitted to SECNAV for approval or disapproval in whole, or in part, via the DC M&RA, CMC, and NJAG 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 except as authorized or required by SECNAV. The recommendations of the board shall not be disclosed until approved by SECNAV. Upon approval, a MARADMIN message will be published announcing the LDO selections.

7 Feb 2006

8. Appointments

a. Chief warrant officers 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 (a). The President, or 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 9 below, chief warrant officers 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 chief warrant officers previously selected for appointment as LDOs within their competitive category have been appointed, except for those whose appointments have been delayed.

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

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

9. 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 SECNAV.

7 Feb 2006

b. Authority. The authority to delay original appointments as LDOs under this section is delegated to CMC. This authority may not be redelegated.

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 (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 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

(1) 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 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 under paragraph 9 of this paragraph shall be afforded the opportunity to submit a written statement to 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 CMC for decision via the officer exercising general courts-martial jurisdiction over the individual.

7 Feb 2006

(2) If a recommendation for delay is made within 10 days of the scheduled date of appointment, CMC (MMOA-3) shall be advised by Naval message of such recommendation and of whether the individual has been officially notified of the delay. In that circumstance, the documents referred to in paragraph 9d(1) above shall be forwarded to CMC (MMOA-3) as soon as practicable.

(3) If the delay is approved by CMC, the commander recommending the delay will be notified of this decision and provided further procedural guidance by CMC (MMOA-3). If 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 SECNAV via 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, CMC determines removal action is still warranted, the recommendation for removal, the individual's statement, and the remainder of the case file shall be submitted to SECNAV for decision. A recommendation for removal shall be submitted to SECNAV prior to the expiration of the time limit prescribed in paragraph 9e.

e. 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 SECNAV upon the request of CMC, or by CMC upon the written request of the individual concerned.

f. Appointment following Delay. An individual whose appointment is delayed under paragraph 9, 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.

10. Frothing of LDO Selects

a. The frothing authority for LDO selects is CMC (MM). To be eligible for frothing, 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 frothing request with justification to CMC (MMOA-3) for processing.

7 Feb 2006

b. The officer may only be frocked after the President has approved the selection list that contains the officer's name (per section 531 of reference (a)).

11. Assignment of Lineal Precedence. An LDOs lineal precedence number is established in the same relative seniority held in each officer's permanent chief warrant officer grade.

12. 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 succeed to command activities which have a primary function corresponding to the MOS of the officer concerned.

13. Promotion. This paragraph provides specific guidance for LDO promotions. Enclosure (4) provides additional promotion board guidance that is applicable to all promotions discussed in this instruction.

a. LDOs compete for promotion within their MOS (competitive category) for specific billet vacancies in the next higher grade. Each LDO competitive category has specific grade requirements for each of their billets. These grade billet requirements are the grade authorizations for each LDO competitive category.

b. Promotion Opportunity. The promotion and retention laws for permanent LDOs are contained in the Defense Officer Promotion Management Act (DOPMA), chapter 36 of reference (a). The Marine Corps develops promotion plans to meet the following DOPMA promotion opportunity guidelines.

(1) Major. The promotion opportunity target for selection to major is 80 percent plus or minus 10 percent (8 of 10 officers in-zone may be selected for promotion). However, with very small cell LDO competitive categories, this may not always be possible. At a minimum, the Marine Corps will develop promotion zones for at least a 67 percent opportunity (2 of 3 officers in-zone selected for promotion).

7 Feb 2006

(2) Lieutenant Colonel. The promotion opportunity target for selection to lieutenant colonel is 70 percent plus or minus 10 percent (7 of 10 officers in-zone may be selected for promotion). However, with very small cell LDOs competitive categories, this may not always be possible. At a minimum, the Marine Corps will develop promotion zones for at least a 50 percent opportunity (1 of 2 officers in-zone selected for promotion).

c. Eligibility for Promotion Consideration

(1) A promotion selection board may be convened by SECNAV when the needs of the service requires it to meet the grade and skill requirements of the Marine Corps. Therefore, promotion selection boards are held for any LDO competitive category to a particular grade when a billet vacancy in that grade is projected to occur.

(2) LDO captains and majors who are on the active-duty list on the date the board convenes and who have served at least 3 years TIG are eligible for consideration for promotion, except as provided in enclosure (1), paragraphs 3a, 3b, and 3c, and if there is a projected billet vacancy in that officer's grade and competitive category MOS. The minimum TIG may be waived based on the needs of the Marine Corps to a lesser TIG to allow officers one or two opportunities for consideration in the below-zone.

(3) If there is a projected billet vacancy and eligible officers, then the number of eligible officers will be placed in-zone based on their lineal precedence number (relative seniority in grade) to meet the desired minimum target promotion opportunities. If there are more officers with the minimum TIG than can be moved in-zone to meet the desired opportunity, then those officers that are not placed in-zone will compete for promotion from the below-zone. Officers may be selected for promotion from the below-zone, but will not receive a failure of selection if not selected.

d. Officers who enter on active duty and are on the active-duty list on the date the board convenes will be eligible for consideration for promotion under this instruction unless eligibility is deferred under paragraph 13e.

7 Feb 2006

e. Deferred Eligibility

(1) Deferment of eligibility is intended to provide officers who otherwise would have been in-zone or above-zone an opportunity to obtain active-duty experience, qualifications, and significant evaluation before being considered by a promotion board. Officers whose promotion eligibility is deferred will be considered as officers in- or above-zone, as appropriate, as if their eligibility had not been deferred. Eligibility will be deferred as follows:

(2) CMC may, with the officer's consent or at his or her request, at any time prior to the convening of the first selection board to consider his or her record, defer the officer's eligibility for consideration in-zone or above-zone for promotion up to one year from the date the officer entered on active duty and was subject to placement on the active-duty list. An officer's written request for deferment must be submitted to the Commandant of the Marine Corps, Headquarters U.S. Marine Corps (MMPR-1), Harry Lee Hall, 17 Lejeune Road, Quantico VA 22134-5104. Requests must arrive no later than the convening date of the selection board before which the officer would normally be eligible.

(3) Reinstatement. An eligibility deferral, waived under paragraph 13e(1), will not be reinstated.

f. Effecting Promotions

(1) Promotions for officers on a promotion list will normally commence the month after the Senate confirms the nominations, provided there is a billet vacancy. Promotion of officers from one competitive category may be effected without regard for the relative seniority of officers of the same grade in other competitive categories.

(2) A promotion MARADMIN message is published each month that will provide the promotion authority for those officers who will be promoted on the first of the next month, and a projection for subsequent promotions in the following month. Prior to release of the MARADMIN message, CMC (MMPR-1) shall screen the names of the officers projected to be promoted for adverse information. Officers whose records contain adverse information shall have their promotion delayed. See paragraph 13 of enclosure (4) for delay procedures.

7 Feb 2006

14. Continuation

a. Continuation selection boards for LDOs shall be convened, whenever the needs of the Marine Corps require, by SECNAV. As a matter of efficiency, promotion selection boards may reconvene as continuation selection boards. Enclosure (5) contains additional continuation board guidance that is applicable to all active component restricted officers.

b. LDOs who have twice failed selection for promotion to the next higher grade will be retired or separated from active duty unless continued on active duty subject to the needs of the Marine Corps.

c. The Marine Corps continuation policy for LDOs, per Chapter 36 of reference (a), is as follows:

(1) To ensure that Marine Corps requirements are met to the greatest extent practicable, continuation boards will be held for permanent LDOs selected to the grades of lieutenant colonel or major to continue on active duty those selected officers who will otherwise be subject to involuntary retirement for total years active service before they have time to complete 2 years in the grade of major or 3 years in the grade of lieutenant colonel. The period of continuation will be such that these officers will be able to complete 2 years in the grade of major or 3 years in the grade of lieutenant colonel.

(2) Section 6383 of reference (a) provides for the continuation of captains and majors who have twice failed selection to the next higher grade if these individuals possess skills needed by the Service. If the promotion plan cannot fill the skill requirements of a particular competitive category, a continuation board will be authorized to continue permanent LDO captains and majors that have twice failed selection for promotion to the next higher grade for a period of 2 years.

15. U.S. Marine Band Appointments

a. Per section 6222 of reference (a), 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 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

7 Feb 2006

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, by and with the advice and consent of the Senate. 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 (a).

(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 (a).

16. U.S. Marine 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 CMC determines to be necessary. Appointments shall be made without the requirement of a formal selection board process. CMC 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. 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:

7 Feb 2006

(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 (a).

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 (a).

Promotion Procedures

1. Purpose

a. This enclosure pertains to the promotion of permanent regular LDOs to higher permanent grades as set forth in sections 611-646 of reference (a), and to the promotion of temporary LDOs to higher temporary grades pursuant to section 5596 of reference (a).

b. This enclosure pertains to the promotion of permanent regular chief warrant officers to higher permanent chief warrant officer grades per sections 571-583 of reference (a), and to the promotion of permanent chief warrant officers in the Marine Corps Reserve.

2. Promotion Zones. For each promotion selection board there are normally three zones established: above-zone, in-zone, and below-zone. The zones are defined as follows.

a. Above-Zone

(1) Officers in the same grade and competitive category as the officers in-zone, who are senior to the senior officer in the in-zone, and who have failed selection for promotion at least once.

(2) Above-Zone, Not Previously Considered. Officers in the same grade and competitive category as the officers in-zone, who are senior to the senior officer in-zone, but who have neither been removed from a promotion list to that grade (other than after having been placed on that list after a selection from below-zone), nor failed of selection to that grade, are considered as in-zone officers, and are referred to as officers above-zone, not previously considered.

b. In-Zone. Officers in the same grade and competitive category who:

(1) Have neither failed of selection for promotion to the next higher grade nor have been removed from a promotion list to that grade (other than after having been placed on that list after a selection from below-zone); and

(2) Are senior to the officer designated by SECNAV as the junior officer in-zone.

7 Feb 2006

c. Below-Zone. Officers in the same grade and competitive category who are eligible for promotion and are junior to the junior officer in the in-zone.

3. Officers Precluded From Promotion Consideration

a. SECNAV may preclude from consideration by a selection board an officer who would otherwise be eligible to be considered, if that officer has an established separation date that is within 90 days after the date on which the board is convened.

b. Officers placed on the active-duty list after the date a board convenes are not eligible for consideration for that board.

c. An officer whose name is on a promotion list for the next higher grade; or who is recommended for promotion in the report of an earlier selection board that is pending approval is not eligible for consideration by the board.

d. Officers who enter on active duty and are on the active-duty list on the date the board convenes will be eligible for consideration for promotion under this instruction.

4. Promotion Planning Factors

a. Convening of Selection Boards. SECNAV shall, whenever the needs of the Marine Corps so require, convene promotion selection boards to recommend officers for promotion to the next higher grade. Warrant officer and LDO selection boards are held depending upon projected billet vacancies in the competitive categories. A MARADMIN message announcing the convening of promotion selection boards will be released at least 30 days prior to the convening date of the board.

b. Promotion Plan. CMC (MPP-35) shall submit annual warrant officer/Reserve warrant officer/LDO promotion plans to SECNAV, via the NJAG for legal review, at least 45 days prior to the convening dates of promotion selection boards. The promotion plans will contain the following elements:

(1) Number authorized to select by grade and category
MOS.

(2) Promotion zones.

7 Feb 2006

(3) Promotion opportunity.

(4) Maximum below-zone selections. Below-zone selections may not exceed 10 percent of the number recommended for promotion. If the number is less than one, the board may recommend one such officer.

(5) 90-day exclusion provision.

(6) Continuation guidance.

5. Promotion Precepts

a. CMC (MMPR-1) will submit precepts for promotion selection boards, and such SECNAV letters of guidance and instruction as SECNAV may deem necessary, to SECNAV, via NJAG for legal review, at least 15 days prior to the convening dates of such boards. The precept shall be addressed to the president of the board, who also serves as a member of the board. The precept shall include the instructions of SECNAV governing the conduct of the board and shall appoint the president, members, and administrative support personnel of the board. The text of enclosure (4) of reference (g) shall be included in the precept and shall be read to each person participating in the conduct of the board on the convening date of the promotion board to which they are assigned or on the date of assignment to the board, whichever is later. The precept shall also contain the certification provided for in subparagraph E4.1.7 of reference (g).

b. The precept shall require the promotion selection board to certify that the board has carefully considered the record of each officer whose record was furnished to the board and that, in the opinion of the majority of the members of the board, the officers recommended for promotion are fully qualified for promotion and are the best qualified to meet the needs of the Marine Corps from among those officers whose names were furnished to the board.

6. Promotion Board Membership Composition. The composition of promotion boards shall be determined under section 612 of reference (a) for LDOs, and section 573 of reference (a) for chief warrant officers. The composition for Reserve chief warrant officer promotion boards shall be determined under reference (h). The composition shall include a board president, members, recorders, and administrative support personnel as

7 Feb 2006

specified in reference (h) whose duties are further outlined in reference (g). CMC shall ensure the board president, members, and recorders of the board adhere to the board proceedings outlined in paragraphs 6.2.1 and 6.2.2. of reference (g).

7. Oath. Each member of a promotion selection board shall swear, or affirm, that he or she will perform his or her duties as a member of the board without prejudice or partiality and having in view both the special fitness of officers and the efficiency of the Marine Corps. Each recorder and assistant recorder shall swear, or affirm, that he or she will keep a true record of the proceedings of the board. Each member, recorder, assistant recorder, and administrative support personnel shall swear, or affirm, that he or she will not disclose the proceedings or recommendations of the board except as authorized or required by SECNAV or higher authority.

8. Information Furnished to Promotion Selection Boards. The following information shall be furnished to each promotion selection board at the time it is convened by the authority indicated:

a. SECNAV will specify in the precept the maximum number of officers in each grade and competitive category that the board may recommend for promotion consistent with the annual promotion plan. The boards are not required to select to the numbers provided.

b. CMC shall provide the names of all officers who are to be considered by the board in order of seniority.

c. CMC shall supply the pertinent records of each officer to be considered by the board. Such records shall include all documents, including fitness reports, that are essential for a fair and substantially accurate and complete portrayal of the officer's career as of the date the board convenes. Fitness reports, personal awards or other documents with ending dates after the convening date of the board will not be added to these records even if received while the board is in session. If the board requests information to amplify or clarify official records provided to the board, the board may request such information from SECNAV, via CMC. Information from outside an officer's official record may not be provided to a board if that information, under Service regulations, could not otherwise be included in the officer's official record without notice to the officer and an opportunity for the officer to comment on it.

7 Feb 2006

9. Communication with Promotion Selection Boards. Officers eligible for consideration by a promotion board may communicate directly in writing with the board President. The communication may call attention to any matter concerning the officer that the officer considers important. It may include, as attachments, correspondence from any other individual.

a. Correspondence not originated or endorsed by the eligible officer, including endorsements or other letters written on behalf of that officer and forwarded under separate cover, is not acceptable and will not be provided to the board. Correspondence that contains classified information will not be accepted.

b. Officers who desire to communicate with a promotion board shall forward written communication to the president of the board to the address noted in the convening MARADMIN message. An eligible officer's correspondence must arrive no later than the day before the convening date of the selection board which is to consider his or her record. Correspondence received after a board is convened will not be submitted to the board.

c. The selection board shall consider all correspondence that complies with the above requirements.

d. Except as provided by this paragraph, no person may furnish unsolicited information or opinion regarding officers to be considered by a selection board.

10. Proceedings, Recommendations, Reports, and Action on Reports of Selection Boards

a. Except as authorized or required by SECNAV, the Secretary of Defense, or the President, no member or recorder of a promotion selection board shall disclose the proceedings or recommendations of a promotion selection board.

b. The LDO promotion selection board shall submit a report to the Principal Deputy Under Secretary of Defense for Personnel and Readiness (PDUSD (P&R)) for approval via, first; CMC for his recommendations; second, NJAG for legal review; and third, SECNAV. In addition, the LDO promotion selection board that considered officers with service in joint duty assignments will be forwarded to the Chairman of the Joint Chiefs of Staff for review under section 618(b) of reference (a). The chief warrant officer promotion selection boards shall submit a report to

7 Feb 2006

SECNAV for approval via, first; CMC for his recommendations, and second; NJAG for legal review. The report shall list the names of the officers recommended for promotion in order of seniority by competitive category. The reports shall be in writing and shall be signed by each board member and recorder. The reports shall certify that the board has complied with all instructions contained in its precept and, as appropriate, other letters of guidance or instruction provided by SECNAV.

c. The LDO promotion selection board shall report the name of each officer whose record, in the opinion of a majority of the members of the board, indicates that the officer should be required to show cause for retention on active duty. The requirement to show cause can arise from substandard performance of duty, moral or professional dereliction, misconduct, or if retention is not clearly consistent with the interests of national security. LDOs so reported by a promotion selection board may be processed for administrative separation.

d. The LDO promotion selection boards shall include in its report the names of those officers considered and not recommended for promotion by the board who submitted to the board a request not to be selected for promotion or who otherwise directly caused their nonselection through written communication to the board. Any officer who submits such a request will still be considered for promotion and will incur a failure of selection if not recommended for promotion by the board. Per section 1174(a)(3) of reference (a), the officers so reported will not be entitled to separations pay.

e. The chief warrant officer and Reserve chief warrant officer promotion selection board shall report the names of those officers whose records and/or reports establish, in its opinion, their unfitness or unsatisfactory performance in their grade or that their retention is not clearly consistent with the interests of national security. Officers so reported by a promotion selection board may be processed for administrative separation.

f. Under the authority of reference (1) and SECNAV guidance, CMC shall, prior to submission of the board report to SECNAV, screen the names of the officers recommended for promotion by the board for adverse material which may not have been in an officer's record and known to board members. Depending upon the nature of the adverse material, an officer's appointment may be withheld from nomination pending adjudication or further review by SECNAV.

7 Feb 2006

g. CMC shall forward the report of the promotion selection board and nomination for appointment of the selected officers to NJAG for legal review prior to submission to SECNAV. Per reference (1), the LDO lieutenant colonel promotion selection board shall provide the Under Secretary of Defense for Acquisition, Technology, and Logistics a statistical comparison of acquisition corps and LDO promotion selection rates in accordance with the selection guidance established under section 1731(b) of reference (a).

h. If, after reviewing the report of a promotion selection board, SECNAV determines that the board acted contrary to law or regulation, SECNAV shall return the report to the board for further proceedings. Upon receipt of a report that has been returned by SECNAV for further proceedings, the board (or a subsequent promotion selection board for the same grade and competitive category) shall conduct such proceedings as may be necessary in order to revise the report and shall resubmit the report, as revised, to SECNAV in accordance with the provisions of this enclosure for the original submission of promotion selection board reports to SECNAV.

i. When the report of the LDO promotion selection board is approved by PDUSD (P&R) and the chief warrant officer and Reserve chief warrant officer reports are approved by SECNAV, the names of the officers approved for promotion shall be placed on a single promotion list for each grade and competitive category, in order of seniority of such officers on their respective active-duty list.

(1) SECNAV shall nominate the names of the officers on the LDO promotion list to the Senate and the chief warrant officers to the President, via the Deputy Secretary of Defense, for appointment to their selected grades.

(2) In an effort to consolidate actions, the active chief warrant officer nominations submitted to the President shall also contain the names of those W-1s anticipated to be promoted within the same fiscal year as the officers recommended for promotion by the selection board.

(3) SECNAV may, if it is deemed appropriate when there are unresolved allegations concerning a nominated officer's qualifications for promotion, withhold the officer's from the list of names submitted to the Senate or President, as

7 Feb 2006

appropriate, for appointment pending resolution of the allegations.

(4) SECNAV shall announce to the public, via ALNAV, the names of the LDOs recommended for promotion when the nomination is transmitted to the President. The names of the active chief warrant officers and Reserve chief warrant officers recommended for promotion shall be announced to the public when the report of the board is approved by SECNAV. SECNAV may withhold from the ALNAV the names of those officers whose names were withheld from nomination.

j. Only the President may remove the name of an officer recommended for promotion from the report of the selection board. However, SECNAV may remove the name of an officer from a promotion list. CMC may forward requests for such actions to SECNAV for review and appropriate action.

k. Promotion of the LDOs whose names were submitted to the Senate for appointment may, upon Senate confirmation, take effect.

l. Promotion of the active chief warrant officers whose names were submitted to the President for appointment by commission, may upon the President's approval, take effect.

m. Promotion of the Reserve chief warrant officers whose names were approved by SECNAV may, upon SECNAV's approval, take effect.

11. Promotion Announcements. A promotion MARADMIN message is published each month that will provide the promotion authority for those officers who will be promoted on the first of the next month, and a projection for subsequent promotions in the following month. Prior to release of the MARADMIN message, CMC (MMPR-1) shall screen the names of the officers projected to be promoted for adverse information. Officers whose records contain adverse information shall have their promotion delayed.

12. Effective Date of Promotion. Except as provided in paragraph 13 of this enclosure or as otherwise provided by law, the date of rank of an officer promoted to a higher grade is the date of appointment. Appointments will be considered accepted and effective on the date specified in the promotion MARADMIN message unless the officer concerned expressly declines the appointment. Written requests for declination of appointment should be submitted on or before the effective date, but not

7 Feb 2006

later than 30 days from the effective date. Requests for declination must be submitted to Commandant of the Marine Corps, Headquarters U.S. Marine Corps (MMPR-1), Harry Lee Hall, 17 Lejeune Road, Quantico, VA 22134-5104. The appointment will be deemed effective unless the request for declination is received by the 30th day after the effective date. Additionally, any statement or action by an officer that signals their acceptance of the appointment, forever waives their right to decline. See paragraph 14 of this enclosure for additional guidance pertaining to declination of appointment.

13. Delay of Promotion. Prior to effecting a promotion, CMC, his designee, or commanding officers exercising special court-martial convening authority may delay an officer's promotion. If the promotion is delayed, the delaying officer shall, within 10 days, or as soon as practicable, forward the information required by paragraph 13b to SECNAV for ratification.

a. Criteria for Promotion Delay. Promotion may be delayed under this instruction if:

(1) Sworn charges against the officer have been received by an officer exercising general court-martial jurisdiction over the officer and such charges have not been disposed of.

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

(3) Processing for separation for cause has been initiated under reference (i).

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

(5) There is cause to believe that the officer is mentally, physically, morally, or professionally unqualified. Officers with physical disabilities received in the line of duty who have been retained in an active status or whose medical conditions are in the process of being reviewed for retention shall not be denied promotion.

b. Command Requests for Delay

(1) Commanding officers who consider delay of an officer's promotion warranted and delay an officer's promotion, shall submit justification for the delay to SECNAV, via CMC

7 Feb 2006

(MMPR-1), within 10 days of receipt of the promotion MARADMIN message, or as soon thereafter as practicable.

(2) Each justification for delay to SECNAV must include the following documents:

(a) A copy of the notification to the officer.

(b) A statement by the officer. If the officer declines to make a statement, the officer concerned shall submit a signed statement to that effect.

(c) Supporting rationale for delay from the officer's commanding officer based on his or her knowledge of the officer involved.

(d) A recommendation by CMC.

c. Notification of Grounds for Delay. The promotion of an officer may be delayed only if the officer has been given written notice of the grounds for the delay before the effective date of the promotion, unless it is impractical to do so, in which case such written notice shall be given as soon as practicable.

d. Limitations on Delay. The promotion of an officer may not be delayed for more than six months after the date on which the officer would otherwise have been promoted, unless SECNAV specifies a further period of delay. CMC will submit timely requests, with supporting rationale, for any extension of delay of promotion. An officer's promotion may not be delayed more than 90 days after final action has been taken in any criminal case against the officer in a Federal or State court, more than 90 days after final action has been taken in any court-martial against the officer, or more than 18 months after the date on which the officer would otherwise have been promoted, whichever is later.

e. Removal from the Promotion List. If during a delay of promotion, it is determined that removal from the promotion list is appropriate, removal action under paragraph 14 of this enclosure may be initiated. Although removal action is contemplated, requests for delay extensions as provided in paragraph 13d shall be submitted to SECNAV as necessary until the officer's name is removed from the promotion list.

7 Feb 2006

f. Subsequent Promotion

(1) If a promotion has been delayed under paragraph 13a(1)-13a(5) and

(a) no disciplinary action is taken against the officer; charges against the officer are withdrawn or dismissed,

(b) the officer is not ordered administratively separated under reference (i); or

(c) the officer is acquitted of the charges brought against him or her, the officer shall be retained on the promotion list and shall, upon promotion to the next higher grade, have the same date of rank, and the same effective date for the pay and allowances of the grade to which promoted and the same position on the active-duty list as he or she would have had if no delay had occurred, except as provided below.

(2) If SECNAV determines that the officer was unqualified for promotion for any part of the delay, the date of rank, effective date of pay and allowances, and position on the active-duty list may be adjusted.

14. Removal from a Promotion List

a. SECNAV may remove the name of an officer who is on a promotion list at any time before the promotion is effective. An officer, whose name was withheld from appointment or whose promotion was delayed, shall not have his or her promotion effected until such time that the reason for withholding or delaying has been resolved.

b. If an officer's name is removed from the promotion list by SECNAV action, CMC (MMPR-1) shall notify that officer in writing of his or her removal from the promotion list and the resulting effect on promotion status under paragraphs 15 and 16. CMC (MMPR-1) shall forward SECNAV's action and the officer's official response to the officer's OMPF.

15. Not Qualified for Promotion (W-1s). The SECNAV delegates to the CMC the authority to determine whether W-1s are qualified for promotion.

7 Feb 2006

a. Per section 1165 of reference (a), non-retirement eligible warrant officers, with less than 36 months of continuous active service since the date of original appointment who are serving in the grade of W-1 and found not qualified for promotion to CW02 may be honorably discharged by SECNAV, upon the recommendation of CMC, not later than the end of the 36-month period beginning on the date on which the W-1s were first appointed. Per section 12241(c) of reference (a), non-retirement eligible Reserve warrant officers, with less than 60 months of service since the date of original appointment who are serving in the grade of W-1 and found not qualified for promotion to CW02 may be honorably discharged by SECNAV, upon the recommendation of CMC, not later than the end of the 60 month period beginning on the date on which the W-1s were first appointed. All non-retirement eligible warrant officers that have been found not qualified for promotion to CW02 and were not separated pursuant to section 1165 or section 12241(c) of reference (a), shall be reconsidered for promotion to CW02, upon the W-1's request, after 1 year from the date that the W-1 was determined not qualified for promotion.

b. Per section 1166 of reference (a), non-probationary warrant officers or retirement eligible warrant officers serving in the grade of W-1 who have been found not qualified for promotion to CW02, shall be referred to a Board of Inquiry (BOI) for a determination on whether the W-1 is fit for continued service. A determination of not qualified for promotion to CW02 is evidence of unfitness for continued service.

(1) A non-probationary W-1 that is determined to be unfit for continued service by a BOI, convened pursuant to section 1166 of reference (a), shall be discharged.

(2) A non-probationary W-1 that is determined to be fit for continued service by a BOI, convened pursuant to section 1166 of reference (a), shall be reconsidered for promotion to CW02, upon the W-1's request, after 1 year from the date that the W-1 was determined not qualified for promotion. W-1s that are again determined not qualified for promotion to CW02 shall not be again referred to a BOI and will be reconsidered for promotion to CW02, upon the W-1's request, after 1 year from the date the W-1 was last determined not qualified for promotion, until the W-1 is promoted, retired, or separated under some other provision of law.

(3) A retirement eligible W-1 that is determined to be unfit for continued service by a BOI, convened pursuant to

7 Feb 2006

section 1166 of reference (a), shall be retired. Per section 1371 of reference (a), recommendations for a retirement grade determination are neither appropriate nor required.

(4) A retirement eligible W-1 that is determined to be fit for continued service by a BOI, convened pursuant to section 1166 of reference (a), shall be reconsidered for promotion to CWO2, upon the W-1's request, after 1 year from the date that the W-1 was determined not qualified for promotion. W-1s that are again determined not qualified for promotion to CWO2 shall not be again referred to a BOI and will be reconsidered for promotion to CWO2, upon the W-1's request, after 1 year from the date the W-1 was last determined not qualified for promotion, until the W-1 is promoted, retired, or separated under some other provision of law.

16. Eligibility of Officers Removed from Promotion List

a. An officer whose name is removed from a promotion list continues to be eligible for consideration for promotion. If an officer is recommended for promotion by the next selection board convened for that officer's grade and competitive category and the officer is promoted, SECNAV may under section 1552 of reference (a), upon such promotion, grant the officer the same date of rank, the same effective date for pay and allowances for the grade to which promoted, and the same position on the active-duty list as the officer would have had if the officer's name had not been removed from the first promotion list.

b. If an officer whose name was removed from a promotion list is not recommended for promotion by the next selection board convened for the officer's grade and competitive category, or if the officer's name is again removed from the list of officers recommended for promotion, the officer shall be treated for all purposes to have twice failed of selection for promotion.

17. Failure of Selection for Promotion

a. Officers who are in- or above-zone and are considered but not selected for promotion will be considered to have failed of selection for promotion to the next higher grade.

b. An officer whose name was removed from a promotion list and is not recommended for promotion by the next promotion board convened for the officer's grade and competitive category, or if the officer's name is again removed from the list of officers

7 Feb 2006

recommended for promotion, the officer shall be considered for all purposes to have twice failed of selection for promotion.

c. Officers who fail of selection for promotion remain eligible for consideration by subsequent promotion boards as long as they remain on the active-duty list. Two or more failures of selection subjects an officer to involuntary retirement or separation under references (a) and (i). Officers subject to retirement or discharge are not eligible for further consideration for promotion.

d. Officers in- or above-zone who are selected for promotion but decline the appointment shall be considered to be above-zone for subsequent promotion selection boards. Per reference (i), they will not be considered to have failed of selection for promotion for purposes of entitlement to separation pay under section 1174 of reference (a).

18. Counseling of Officers Who Fail of Selection for Promotion. CMC (MMAA-4)/CMC (CMT) shall provide, upon request, counseling for active duty officers who fail of selection for promotion. The Reserve Affairs Career Management Team shall provide counseling for Reserve chief warrant officers. Counseling shall consist of reviewing the officer's record and indicating any factors that may account for not having been selected. The counselor will be an officer experienced in officer personnel matters who is senior to and, when practicable, in the same competitive category as the officer requesting counseling. The counselor may not be an officer who served as a member, recorder, or administrative support personnel for a promotion board that failed to select the requesting officer for promotion.

19. Special Selection Boards. Officers eligible for promotion in- or above-zone who were either not considered by a selection board, or who were considered, but due to defects in the board's proceedings as to them, did not receive lawful or proper consideration, may request consideration by a special selection board. Submit special selection board requests to CMC (MMPR-1) under the requirements provided in reference (j). Special selection boards shall be convened, as determined by SECNAV, under the procedures established in reference (j).

7 Feb 2006

Continuation Procedures

1. Purpose. This enclosure pertains to the continuation on active duty of eligible permanent LDOs and Regular warrant officers who are subject to involuntary retirement under section 6383 or 1305 of reference (a). .

2. General

a. Continuation selection boards shall be convened, whenever the needs of the Marine Corps require, by SECNAV to consider officers for deferment of involuntary separation or retirement. The requirement for continuation will be a part of the annual promotion plan. As a matter of efficiency, promotion selection boards may reconvene as continuation selection boards.

b. The results of continuation selection boards shall be made known sufficiently in advance of the date of involuntary retirement so as to allow officers who are selected for deferment, and those who are not selected for deferment, a reasonable period of time for personal planning. However, the results shall not be released prior to release of the promotion selection board which reconvened to consider the officers for continuation.

c. Each officer who is (1) continued on active duty, (2) not subsequently promoted or continued for a further period, and (3) not on a promotion list or continuation list shall, unless sooner retired, be retired upon the expiration of the period for which the officer's service was continued. Each officer shall be retired on the first day of the first month following the month in which the officer completes his or her period of continued service.

d. Any deferral of retirement and continuation on active duty under this instruction shall be for a period not to exceed 5 years, and such period may not extend beyond the date of the officer's 62nd birthday.

3. Continuation of LDOs

a. Under section 6383(a) of reference (a) and the provisions of reference (i), a permanent LDO who holds the grade of lieutenant colonel or major in the Regular Marine Corps is subject to involuntary retirement on the last day of the month

7 Feb 2006

in which he/she completes a total of 30 years of active naval service (other than active duty for training in a Reserve component). In addition, under section 6383(b) of reference (a) and the provisions of reference (i), a permanent LDO who holds the grade of major in the Regular Marine Corps and is not on a promotion list to the next higher grade is subject to involuntary retirement not later than the first day of the seventh month beginning after the month in which the President approves the report of a promotion selection board in which the officer is considered as having failed of selection for promotion to the grade of lieutenant colonel for the second time.

b. A permanent LDO who is serving in the grade of lieutenant colonel or major and subject to involuntary retirement may, subject to the needs of the service, be continued on active duty under section 6383(i) of reference (a), if the officer is selected by a continuation selection board.

c. A permanent LDO whose retirement is deferred under section 6383(i) of reference (a) and who is not subsequently promoted may not be continued on active duty beyond 24 years of active commissioned service if in the grade of major, or 28 years of active commissioned service if in the grade of lieutenant colonel, or beyond age 62, whichever is earlier. Consistent with these limitations, each continuation board convened under this enclosure will be provided guidance concerning the period of continuation that the board may recommend for each officer. No officer may be deferred for a period of more than 5 years by any one selection board.

d. A permanent LDO who is selected for deferment of involuntary retirement shall be notified of his/her selection and afforded the opportunity to accept or decline it. If the permanent LDO declines to continue on active duty, he/she shall be retired in accordance with section 6383(a)-(c) of reference (a). The results of continuation selection boards shall be made known sufficiently in advance of the date of involuntary retirement so as to allow those permanent LDOS who are selected for deferment, and those who are not selected for deferment, a reasonable period of time for personal planning.

e. Each officer who is (1) continued on active duty, (2) not subsequently promoted or continued for a further period, and (3) not on a promotion list or continuation list shall, unless sooner retired, be retired upon the expiration of the period for which the officer's service was continued. Each officer shall

7 Feb 2006

be retired on the first day of the first month following the month in which the officer completes his/her period of continued service.

4. Continuation of Chief Warrant Officers

a. Per section 1305(c) of reference (a), the SECNAV may defer the retirement of any regular warrant upon the recommendation of a continuation selection board and with the consent of the warrant officer, but not later than 60 days after he/she becomes 62 years of age.

b. No officer may be deferred for a period of more than 5 years by any one selection board.

5. Continuation Selection Board Procedures

a. Notice of Convening. Notice of convening of a continuation selection board shall be issued at least 30 days before such board is convened. The notice shall include the convening date of the board and such additional information that will permit eligible officers to communicate with the continuation selection board.

b. Continuation Board Membership Composition. The composition shall include a board president, members, recorders, and administrative support personnel as specified in reference (h).

c. Oath. Each member of the board shall swear, or affirm, that he or she will perform his or her duties as a member of the board without prejudice or partiality and having in view both the special fitness of officers and the efficiency of the Marine Corps. Each recorder and assistant recorder shall swear, or affirm, that he or she will keep a true record of the proceedings of the board. Each member, recorder, assistant recorder, and administrative support personnel shall swear, or affirm, that he or she will not disclose the proceedings or recommendations of the board except as authorized or required by SECNAV or higher authority.

d. Information Furnished to Continuation Selection Boards

(1) SECNAV will provide the following information to each continuation board at the time it is convened:

7 Feb 2006

(a) The minimum and maximum periods of continuation that the board may recommend.

(b) The maximum number of officers that the board may recommend for continuation.

(c) Information on the skill needs and qualifications for officers in each grade under consideration and such other information and guidelines as may be necessary to enable the board to perform its functions properly.

(2) CMC shall provide the names and pertinent records of officers to be considered for continuation.

e. Board Reports. Board reports shall be forwarded to SECNAV for approval or disapproval in whole or in part via CMC for his recommendations and NJAG for legal review. Each report shall be in writing and shall be signed by all members and recorders. The report of each continuation board shall certify that the board has carefully considered the record of each officer whose name was furnished to the board and that, in the opinion of a majority of the members of the board the officers recommended for continuation are fully qualified for continuation and that their continuation is in the best interest of the Marine Corps.

f. Under SECNAV guidance, CMC shall, prior to submission of the board report to SECNAV, screen the names of the officers recommended for continuation by the board for adverse material which may not have been in an officer's record and known to board members. Depending upon the nature of the adverse material, an officer's selection for continuation may be disapproved by SECNAV.

7 Feb 2006

Sample Application Format and Data Sheet for Limited Duty Officer
and Warrant Officer Programs

SSIC
CODE
DATE

From: Grade, Full Name, SSN, MOS, and USMC/USMCR
To: Commandant of the Marine Corps (MORE)
Via: Immediate commanding officer and endorsing chain of command

Subj: REQUEST FOR APPOINTMENT UNDER THE FISCAL YEAR (XX) LIMITED DUTY
OFFICER/WARRANT OFFICER PROGRAM (RESERVE OR REGULAR)/WARRANT OFFICER
(MARINE GUNNER) PROGRAM (as appropriate)

Ref: (a) SECNAVINST 1412.9B
(b) MCBul 1040 of (date)
(c) MCO P1070.12K

Encl: (1) Data Sheet
(2) Certified copy of NAVMC 763 (Appointment Acceptance and Record)
(LDO applicants only)
(3) Certified copy of SRB page 12 and 13 (if applicable)
(4) Certified copy of SRB pages 3 and 23 or Record of Service (ROS)
(applicable to sergeants only)
(5) Certified copy of BIR and BTR
(6) NAVMC 10476 (Reserve Qualification Summary) (Reserve applicants
only)
(7) Certified copy of Scholastic Aptitude Test/American College Test
(SAT/ACT) Test Report (if applicable)
(8) Certified copy of evidence of security investigation (if
investigation not on BTR)
(9) Certified copy of SRB page 8a
(10) Certified copy of college transcripts and evidence of degree (if
applicable)
(11) Photograph

1. I am eligible (except for [type of waiver]) and apply for the Fiscal Year (XX) (enter appropriate program) as outlined in references (a) and (b). Enclosures (1) through (11) (as applicable) are attached as requested. The following information is submitted:

a. "I, (Full Name), if selected for appointment to (LDO/WO) and upon acceptance of such appointment, agree to remain (on active duty/in the Ready Reserve) for a period of not less than 3 years, unless sooner separated for cause under the provisions of SECNAVINST 1920.6C, Administrative Separation of Officers. I understand that this obligation will run concurrently with any other legal obligation in force and will not serve to decrease any such obligation."

Reserve personnel on the Full Time Support (FTS) Program must include the following statement:

Enclosure (6)

7 Feb 2006

"If selected for appointment to the Reserve Warrant Officer Program, and upon acceptance of such appointment, I agree to request release from my FTS contract in order to comply with reference (a), enclosure (3), par 3d."

Subj: REQUEST FOR APPOINTMENT UNDER THE FISCAL YEAR (yr.) LIMITED DUTY OFFICER/WARRANT OFFICER PROGRAM (RESERVE OR REGULAR)/WARRANT OFFICER (MARINE GUNNER) PROGRAM (as appropriate)

- b. Date of Birth: YYYYMMDD.
- c. Permanent grade and Date of Rank: (W-? or E-?) YYYYMMDD.
- d. List off-duty education courses. (Attach transcripts, if available.)
- e. List military schools and correspondence courses completed. (Include school now attending and/or correspondence course(s) currently enrolled in, if applicable.)
- f. I have a NAC/Background Investigation (BI)/Special Background Investigation (SBI) completed by the Defense Investigative Service on (date); or I do not have a NAC/BI/SBI, but I initiated one on (date). Enclosure (8) applies (if applicable).
- g. Active naval service as of (date of appointment): XX yrs XX mos XX days. If other than naval service is included in your Armed Forces Active Duty Base Date (AFADBD), include branch of service, periods of service and highest grade held.
- h. Amount of commissioned service, if a former officer: XX yrs XX mos XX days (if applicable).
- i. MOS for which applying (as appropriate):
 - (1) First Choice:
 - (2) Second Choice:
 - (3) "I am willing to accept any MOS in which the board considers me qualified."
- j. Amount of creditable service for retirement purposes as of (date of appointment): XX yrs XX mos XX days. (Reserve applicants only.)
- k. ASVAB EL, SAT, ACT test score and date tested (or ASVAB/ACB-61/AFCT GT score for Marine Gunner). Ensure enclosures (5) and (7) are enclosed to verify scores. Should enclosure (5) not contain the ASVAB score, retest as outlined by MCO 1230.5A (WO applicants only).
- l. List years of actual experience and key billets held in first and second choice MOSs (if applicable).
- m. Unit telephone number and point of contact. (Indicate your admin office's DSN or commercial numbers only. DO NOT use FTS numbers.)
- n. Recent photo per reference (c) is attached as enclosure (X).

Signature of applicant

7 Feb 2006

DATA SHEET

Instructions: Applicant must complete items A through K (or L, if applicable) utilizing the space provided in column 2. Please use Courier or Pica 10 pitch print. ALL CHARACTERS MUST BE IN CAPS.

- | COLUMN 1 | COLUMN 2 |
|---|--------------------|
| A. LAST NAME | |
| B. FIRST NAME | |
| C. MIDDLE INITIAL | |
| D. SSN (NO SPACES) | |
| E. PRESENT GRADE | |
| F. PRESENT MOS | |
| G. MOS FOR WHICH APPLYING (1 ST CHOICE ONLY) | |
| H. RACE/ETHNIC CODE (PER BTR) | |
| I. AGE (AS OF COMMISSIONING DATE - YY MM) | |
| J. ACTIVE NAVAL SERVICE (AS OF COMM DATE - YY MM) | |
| K. EL/GT SCORE (AS APPROPRIATE) | |
| L. RESERVE ON FTS (IF APPLICABLE) | Y / N (CIRCLE ONE) |

-----HQMC-----ACTION-----ONLY-----	
<u>CHECKLIST</u>	<u>ENDORSEMENTS</u>
_____ PHOTOGRAPH	_____ RECOMMENDED/NOT RECOMMENDED
_____ PAGE 12, SRB	
_____ PAGE 8A, SRB	_____ MISSING
_____ PAGE 3, SRB	_____ EL VERIFICATION
_____ ROS (Sgts only)	_____ BIR & BTR
_____ <u>BIR & BTR</u>	_____ PAGE 12
_____ CITIZEN	_____ PAGE 8A
_____ DOB	_____ PAGE 3/ROS
_____ R/E	_____ NAC EVIDENCE
_____ ANS/TIS	
_____ EL/SAT	
_____ NAC	

TO BE REPRODUCED AS NEEDED