



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

SECNAVINST 1412.11
ASN (M&RA)
27 Jun 2019

SECNAV INSTRUCTION 1412.11

From: Secretary of the Navy

Subj: MARINE CORPS WARRANT OFFICER PROMOTION AND CONTINUATION
AND LIMITED DUTY OFFICER CONTINUATION PROCEDURES

Ref: (a) 10 U.S.C.
(b) DoD Instruction 1320.14 of 11 December 2013
(c) SECNAVINST 1401.3B
(d) SECNAVINST 1920.6 Series
(e) SECNAVINST 1420.3
(f) DoD Instruction 1320.04 of 3 January 2014
(g) SECNAVINST 1402.1
(h) SECNAVINST 1400.1C
(i) MCO 1900.16
(j) SECNAVINST 5200.35G
(k) SECNAV M-5214.1

Encl: (1) Definitions
(2) Promotion of Regular Warrant Officers
(3) Promotion of Reserve Warrant Officers
(4) Chief Warrant Officer Promotion Procedures
(5) Continuation of Warrant Officers
(6) Continuation of Limited Duty Officers

1. Purpose. To publish policy and procedures relating to the administration of the Marine Corps Warrant Officer and Limited Duty Officer (LDO) programs, per references (a) through (i) as set forth in enclosures (1) through (6).

2. Cancellation. SECNAVINST 1412.9B.

3. Applicability

a. This instruction applies to warrant officer promotions and continuation in the Regular Marine Corps and Marine Corps Reserve and LDO continuation in the Regular Marine Corps.

b. This instruction does not apply to LDO promotions in the Regular Marine Corps, which is governed by reference (e).

c. This instruction also does not apply to the accession and original appointment of warrant officers in the Regular Marine Corps or Marine Corps Reserve, or LDOs in the Regular Marine Corps. The Commandant of the Marine Corps (CMC) must promulgate regulations governing the accession and original appointment of warrant officers and LDOs.

4. Policy

a. This instruction establishes promotion and continuation guidance for warrant officers in the Regular Marine Corps and Marine Corps Reserve, as governed by reference (a). Enclosures (2), (3), and (4) of this instruction provide promotion guidance for warrant officers and explain the processes for effecting promotions to the next higher grade. Enclosure (5) contains continuation procedures for warrant officers.

b. This instruction and enclosure (6) establish continuation guidance for LDOs in the Regular Marine Corps, as governed by reference (a).

5. Responsibilities

a. The Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN (M&RA)) is responsible for the management oversight of the Department of the Navy (DON) Commissioned Officer Promotion Program and performs additional functions related to commissioned officer promotion actions pursuant to express delegation by the Secretary of the Navy (SECNAV).

b. The CMC or designee, as applicable, is assigned responsibility to:

(1) Administer the policies and procedures prescribed in this instruction;

(2) Prepare and submit promotion and continuation plans to SECNAV for any fiscal year in which the needs of the service so require;

(3) Issue notice to eligible officers of the convening of promotion and continuation selection boards at least 30 calendar days prior to the convening date of the boards;

(4) Submit precepts and board products to the Judge Advocate General (JAG) no later than 35 days prior to the proposed convening dates;

(5) Ensure the membership of promotion and continuation selection boards complies with reference (c) and this instruction;

(6) Conduct promotion and continuation selection boards convened by SECNAV based on the needs of the Marine Corps;

(7) Furnish information and written instructions to promotion selection boards and continuation selection boards in accordance with references (a) through (i);

(8) Ensure all investigative files, to include the DoD Inspector General, Naval Inspector General, Equal Opportunity Employment, Equal Opportunity, National Crime Information Center (if authorized), Central Clearance Facility, JAG, and other service database files, are reviewed for adverse or reportable information, as defined, per reference (f), on officers who are selected for promotion or continuation;

(9) If there is adverse or reportable information, as defined by reference (f), concerning an officer who is recommended for promotion or continuation, provide SECNAV with a recommendation of whether or not the officer should be withheld from the promotion or continuation list in order to permit further review of his or her record;

(10) If SECNAV withholds an officer from the promotion or continuation list, then provide the officer with written notice of all reasons for the withhold and the opportunity to make a statement to SECNAV. Upon review of the officer's statement and service record, provide SECNAV with a recommendation of whether the officer should be promoted or whether the officer's continuation is in the best interests of the Marine Corps in light of the information that was the basis for the withhold;

(11) Forward the reports of promotion selection boards and continuation selection boards to SECNAV via the JAG, for legal review, and ASN (M&RA);

(12) Publish the results of promotion selection boards and continuation selection boards to affected officers after approval of the report of the board;

(13) Afford an officer who is selected for promotion or continuation with an opportunity to accept or decline the appointment or continuation;

(14) Ensure officers not recommended for selection by a continuation selection board are retired or discharged, as appropriate, pursuant to references (a), (d), and (i);

(15) Maintain statistical data on the numbers, by grade, of warrant officers and LDOs continued and not continued, and whose retirements have been deferred;

c. The JAG will review promotion and continuation plans, precepts, and board reports for legal sufficiency in accordance with reference (a) and this instruction.

d. Commanding officers must carry out delegated responsibilities from CMC, as applicable, and will ensure this instruction is reviewed by all affected warrant officers and LDOs and the officers who evaluate them.

6. Records Management

a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned according to the records disposition schedules found on the Directives and Records Management Division (DRMD) portal page:
<https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/SitePages/Home.aspx>.

b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact your local Records Manager or the DRMD program office.

7. Internal Controls. In accordance with reference (j), the establishment and use of internal controls and accounting procedures are mandated to ensure: effectiveness and efficiency

of operations; reliability of financial reporting; and compliance with applicable laws and regulations. Additionally, as part of the annual Manager's Internal Controls Program report, the Marine Corps will provide ASN (M&RA) with copies of the sections of their reports that are relevant to the Marine Corps warrant officer promotion and continuation and LDO continuation procedures. The reports will include summary descriptions of internal controls used, their sufficiency, and any identified weaknesses or deficiencies.

8. Reports. The reporting requirement contained in paragraph 7 is exempt from information collection control, per reference (k), Part IV, paragraph 7n.



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DEFINITIONS

1. Unrestricted Officer. A commissioned officer in the grade of second lieutenant or above, who is not designated as an LDO. 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.
2. Limited Duty Officer. A commissioned officer serving under an LDO appointment in the Regular Marine Corps in a grade above chief warrant officer, W-5. These officers are restricted officers designated for limited duty in a technical field or specialty that requires extensive knowledge, training, and experience. There are no LDOs in the Marine Corps Reserve.
3. Permanent Limited Duty Officer. A commissioned officer serving under a permanent LDO appointment under section 8139 of reference (a) in the Regular Marine Corps, in a permanent grade above chief warrant officer, W-5, and designated for limited duty.
4. Warrant Officer. An officer who holds a commission or warrant in a warrant officer grade. The term warrant officer refers to an officer serving under a permanent appointment under reference (a) in the grade of W-1 on the warrant officer Active-Duty List (ADL) or Reserve Active-Status List.
5. Chief Warrant Officer. A warrant officer who is serving under a permanent appointment under reference (a) in the grades of W-2, W-3, W-4, and W-5 is a chief warrant officer.
6. 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).
7. Creditable Active Service. The term creditable active service means active service that could be credited to a warrant officer under section 511 of the Career Compensation Act of 1949, as amended (63 Sta. 802).

PROMOTION OF REGULAR WARRANT OFFICERS

1. General. This enclosure pertains to the promotion of permanent Regular warrant officers on the warrant officer active-duty list to permanent warrant officer grades in the Marine Corps per Chapter 33A of reference (a).

2. Warrant Officer Grades. The five warrant officer grades in the Marine Corps Regular component 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. Pursuant to section 574 of reference (a), SECNAV must maintain a single list of all warrant officers, other than warrant officers described in section 582 of reference (a), who are on active duty. Reference (h) establishes competitive categories for promotion for Regular warrant officers.

b. Warrant officers with less than three years since the date of accepting their original appointments are probationary officers per section 1165 of reference (a).

3. Promotion. Warrant officers compete for promotion within their competitive categories (Military Occupational Specialties (MOS)) to the next higher grade. This paragraph provides specific guidance for Regular warrant officer promotions. Enclosure (4) of this instruction provides additional guidance.

a. Grade Authorizations. Section 571 of reference (a) limits promotions of CWO5 to five percent of the total number of warrant officers on active duty. To ensure an adequate career progression to CWO5 for each chief warrant officer, the following grade allocations should be applied to each MOS:

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

b. Promotion Opportunity. Warrant officer promotion opportunities are based on forecasted vacancies in each competitive category to meet authorized inventory requirements.

The following promotion opportunity guidelines in Figure 1 are provided for Regular chief warrant officer promotions. If CMC recommends deviations from these guidelines to attain or maintain the authorized grade strength, then the promotion plan must include the rationale to support the proposed deviations.

Figure 1. Warrant Officer Promotion Plan Guidelines

Promotion to Grade	Opportunity	Variance
CWO2	All Fully Qualified	N/A
CWO3	90 %	+/- 10%
CWO4	70 %	+/- 10%
CWO5	50 %	+/- 10%

c. Time in Grade

(1) Section 573 of reference (a) establishes the minimum Time In Grade (TIG) requirement for warrant officers in the grade of W-1. Warrant Officers (W-1) may be promoted without board action to CWO2 after serving 18 months on active duty in the grade of W-1. An example of computing eligibility for promotion under this authority is illustrated in the case of a W-1 whose date of rank is 1 February 2019. Such officer will complete 18 months in grade on 31 July 2020 and will be eligible for promotion the following day, 1 August 2020.

(2) Section 574 of reference (a) establishes the minimum TIG requirement for chief warrant officers. Chief Warrant Officers in the grades of CWO2 to CWO4 who are on the active-duty list on the date the board convenes may be considered for promotion after serving at least two years on active duty in grade, if there are projected billet vacancies in that officer's grade and competitive category, except as provided in enclosure (4), paragraph 3.

(3) If there are projected billet vacancies and eligible officers, then the number of eligible officers who will be placed in-zone (based upon their seniority in grade determined by precedence number) 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 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.

d. Eligibility for Promotion Consideration. Pursuant to section 577 of reference (a), a Warrant Officer who has been considered for promotion by a selection board, and not selected, will be considered for promotion by each subsequent selection board that considers officers in that grade and competitive category until retired, separated, or selected for promotion, except as provided in enclosure (4), paragraph 3. However, the following statutory exceptions apply:

(1) A warrant officer who is subject to retirement or discharge under section 580 of reference (a) and reference (d) after twice failing of selection for promotion is not eligible for further consideration for promotion.

(2) A warrant officer who has at least 18 but not more than 20 years of creditable active service on the date SECNAV approves the report of the board or on the date of the officer's removal from a promotion list, whichever applies, may be considered for promotion under section 580 of reference (a) until he or she is retired.

(3) A warrant officer in the grade of CWO4 who has twice failed selection for promotion, but is continued on active duty pursuant to procedures prescribed in section 580 of reference (a) and this instruction, is eligible for further consideration for promotion while remaining on active duty.

e. Consideration for Promotion Within Specified Times. Chief warrant officers in the grades of CWO2 or CWO3 who have five years TIG and have never been considered for promotion from the in-zone may be placed in-zone on the next chief warrant officer promotion board. If selected, these officers will be promoted no later than their six year TIG anniversaries, or as soon thereafter as possible, subject to the approval of the appointments by the Secretary of Defense (SECDEF).

f. Promotion of Selectees

(1) Officers on a promotion list will be appointed as Regular Warrant Officers in the next higher grade as additional officers are needed in each grade and competitive category after

SECNAVINST 1412.11
27 Jun 2019

SECDEF's approval of the appointments. Promotions will be made in the order in which the names of officers appear on the promotion list for each competitive category as vacancies become available, except for those officers whose promotions have been withheld or delayed. Promotion of officers from one competitive category will be effected regardless of the relative seniority of officers of the same grade in other competitive categories.

(2) Chief Warrant Officers will not be promoted earlier than accruing three years TIG.

(3) CMC shall prescribe monthly numbers, by competitive category and grade, of officers to be promoted and must announce the names of those officers promoted from the approved promotion list within the monthly numbers authorized.

PROMOTION OF RESERVE WARRANT OFFICERS

1. General. This enclosure pertains to the promotion of permanent Reserve warrant officers, not on the warrant officer active-duty list, to permanent Reserve warrant officer grades in the Marine Corps Reserve, per Chapter 1207 of reference (a).

2. Warrant Officer Grades. The five warrant officer grades in the Marine Corps Reserve component 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. Per section 12241(b) of reference (a) and reference (f), appointments in Reserve component warrant officer grades are made by SECDEF.

b. SECNAV must maintain a single list of all Reserve warrant officers who are in an active status in the Reserves.

3. Competitive Categories. There are Reserve warrant officer requirements in Active Reserve (AR) competitive categories and Other Than Active Reserve (OTAR) competitive categories. The AR consists solely of AR chief warrant officers. The OTAR consists of chief warrant officers in the Selected Marine Corps Reserve (SMCR), Individual Mobilization Augmentee (IMA), Individual Ready Reserve (IRR), and in an active status in the Standby Reserve. The following competitive categories are established for Reserve warrant officers according to their military occupational specialties (MOS). Each annual promotion plan will establish the competitive categories for which promotion selection boards will be held in each warrant officer grade. Deputy Commandant for Manpower and Reserve Affairs (DC (M&RA)) may submit a request to ASN (M&RA) to establish or de-establish a competitive category. If changes occur and this enclosure is not updated, each annual promotion plan will publish promotion zones for the current competitive categories.

a. AR:

<u>MOS</u>	<u>SKILL</u>
0170	Personnel
6004	Aircraft Maintenance Engineer
6502	Aviation Ordnance

b. OTAR:

<u>MOS</u>	<u>SKILL</u>
0170	Personnel
0205	Master Analyst
0210	Counterintelligence/Human Source Intelligence
0430	Mobility
0620	Space and Waveform Integration
0630	Network Engineering
0670	Data Systems Engineering
0803	Target Acquisition
1120	Utilities
1310	Engineer Equipment
1390	Bulk Fuel
2110	Ordnance Vehicle Maintenance
2120	Weapons Repair
2125	Electro-Optic Instrument Repair
2305	Explosive Ordnance Disposal
2340	Ammunition
2602	Signals Intelligence/Electronic Warfare
2805	Electronics Maintenance
3010	Ground Supply Operations
3102	Distribution Management
3302	Food Service
3408	Financial Management Resource
3510	Motor Transport Maintenance
5702	Chemical, Biological, Radiological and Nuclear Defense
5804	Corrections
5805	Criminal Investigation
5910	Aviation Radar Systems Maintenance
5950	Air Traffic Control Systems Maintenance
5970	Tactical Data Systems Maintenance
6004	Aircraft Maintenance Engineer
6302	Avionics
6502	Aviation Ordnance

6604 Aviation Supply Operations
6802 Meteorology and Oceanography
7002 Expeditionary Airfield and Emergency Services
7380 Tactical Systems/Mission Specialist

4. Promotion. Reserve warrant officers compete for promotion within their AR and OTAR competitive categories by MOS as vacancies occur in each grade. This paragraph provides specific guidance for Reserve warrant officer promotions. Enclosure (4) of this instruction provides additional guidance.

a. Grade Authorizations. The Reserve warrant officer competitive categories will be managed as closely as possible to the Regular component grade authorizations. The following grade authorizations should be applied to each MOS:

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

b. Promotion Opportunity. The following promotion opportunity guidelines in Figure 1 are provided for Reserve chief warrant officer promotions. If CMC recommends deviations from these guidelines to attain or maintain the authorized grade strength, then the promotion plan must include the rationale to support the proposed deviations.

Figure 1. Reserve Warrant Officer Promotion Plan Guidelines

Promotion to Grade	Opportunity	Variance
CW02	All Fully Qualified	N/A
CW03	90 %	+/- 10%
CW04	70 %	+/- 10%
CW05	50 %	+/- 10%

c. Time in Grade

(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 18 months' TIG. 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 1 February 2019. Such officer will complete 18 months in grade on 31 July 2020

and will be eligible for promotion the following day, 1 August 2020.

(2) 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 one-year period immediately preceding the convening date of the selection board considering them for promotion.

(2) Chief Warrant Officers who have served at least two years TIG are eligible for consideration for promotion if there are projected billet vacancies in that officer's grade and competitive category, except as provided in enclosure (4), paragraph 3.

(3) If there are projected billet vacancies and eligible officers, then the number of eligible officers who will be placed in-zone (based upon their seniority in grade determined by precedence number) 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 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.

5. Eligibility for Promotion Consideration

a. A chief warrant officer who has been considered for promotion by a selection board, and not selected, will be considered for promotion by each subsequent selection board that considers officers in that grade and competitive category until retired, separated, or selected for promotion, except as provided in enclosure (4), paragraph 3.

b. A chief warrant officer may be subject to involuntary retirement or separation under reference (a) and enclosure (5) of reference (d), unless continued by a board. Enclosure (5) of this instruction establishes continuation policy.

c. Consideration for Promotion Within Specified Times. AR Chief Warrant Officers in the grades of CW02 or CW03 who have

five years TIG and have never been considered for promotion from the in-zone may be placed in-zone on the next chief warrant officer promotion board. If selected, AR officers will be promoted no later than their six year TIG anniversaries, or as soon thereafter as possible, subject to the approval of the appointments by SECDEF.

d. Promotion of Selectees

(1) Officers on a promotion list will be appointed as Reserve warrant officers in the next higher grade as additional officers are needed in each grade and competitive category after SECDEF's approval of the appointments. Promotions will be made in the order in which the names of officers appear on the promotion list for each competitive category as vacancies become available, except for those officers whose promotions have been withheld or delayed. Promotion of officers from one competitive category will be effected regardless of the relative seniority of officers of the same grade in other competitive categories.

(2) Chief warrant officers will not be promoted earlier than accruing three years TIG.

(3) CMC shall prescribe monthly numbers, by competitive category and grade, of officers to be promoted and must announce the names of those officers promoted from the approved promotion list within the monthly numbers authorized.

(4) A warrant officer's selection for promotion from an AR or OTAR competitive category carries over if the officer changes competitive categories within the Marine Corps Reserve or is augmented into the Regular component.

(5) A 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, will be treated as if the officer has not been considered for promotion. If the officer later returns to an active status, his or her name must not be placed on a list for promotion to the next higher grade until the officer is again considered by a board and selected for promotion.

CHIEF WARRANT OFFICER PROMOTION PROCEDURES

1. General. This enclosure pertains to the promotion of permanent Regular chief warrant officers to higher permanent chief warrant officer grades per sections 571 to 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 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, including the junior officer so designated.

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

(1) Maximum below-zone selections for Regular warrant officers are established by section 575 of reference (a), which provides that below-zone selections for Regular Chief Warrant Officers may not exceed 10 percent of the total number "recommended" for promotion. If the number is less than one, the board may recommend one such officer.

(2) Maximum below-zone selections for Reserve warrant officers are established under this instruction. Below-zone selections for Reserve chief warrant officers may not exceed 10 percent of the maximum number of officers the board is "authorized" to recommend for promotion. If the number is less than one, the board may recommend one such officer.

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 or reserve-active status list, as applicable, 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 is not eligible for consideration by the board.

4. Promotion Planning Factors

a. Promotion Plan. The CMC, Manpower Plans Programs and Budget (MPP-35) must submit annual Regular component promotion plans and the CMC, Reserve Affairs Policy, Plans and Programming (RAP) must submit annual Reserve component promotion plans to SECNAV, via the JAG for legal review and ASN (M&RA). SECNAV must receive the promotion plans no later than 45 calendar days prior to the convening dates of the first promotion selection board of the fiscal-year promotion cycle. Any significant changes to the promotion plans in any grade or competitive category, required by events occurring after the plan has been approved, must also be submitted to SECNAV. Any proposed

changes must account for the promotion selection board notice requirements of paragraph 4b of this enclosure. The promotion plans will contain the following elements:

- (1) Number authorized to select by grade and competitive category;
- (2) Promotion opportunity;
- (3) Promotion zones;
- (4) Maximum below-zone selections;
- (5) Eligibility for promotion consideration;
- (6) Limitations on promotion eligibility, such as the 90-day exclusion provision described in paragraph 3a of this enclosure;
- (7) Continuation guidance.

b. Convening of Selection Boards. SECNAV will, whenever the needs of the Marine Corps so require, convene promotion selection boards to recommend warrant officers for promotion to the next higher grade. Warrant Officer selection boards are held depending upon projected billet vacancies in each grade and competitive category in accordance with enclosures (2) and (3) of this instruction. A MARADMIN message announcing the convening of promotion selection boards will be released at least 30 days prior to the convening dates of the boards. The notice will include the names, precedence numbers, and dates of rank of the junior and Senior Warrant Officers in the promotion zone as of the date of notification; the name, precedence number and date of rank of the junior eligible Warrant Officer, if applicable; the date the board will convene; and information regarding eligible Warrant Officers' rights to communicate with the promotion selection board and of their responsibility to ensure their personnel records are substantially accurate and complete.

5. Promotion Precepts

a. The CMC, Manpower Management, Promotions Branch (MMPR-1) will submit precepts for promotion selection boards, and such

letters of guidance and instruction as SECNAV may deem necessary, to SECNAV, via JAG for legal review and ASN (M&RA). SECNAV must receive precepts for review and approval no later than 20 calendar days prior to the convening dates of such boards. The precept will be addressed to the president of the board and signed by SECNAV or designee. The precept must include the written instructions and guidelines from SECNAV governing the conduct of the board, including the information set forth in reference (b) regarding the content of written instructions to the board. The precept will appoint the president, members, and administrative support personnel of the board. Each person assigned as a member, recorder, or assistant recorder, or designated as administrative support staff must receive a copy and review the contents of reference (b) and this enclosure, upon receipt of notification that they have been assigned duties associated with the conduct of a promotion selection board.

b. The precept will require the promotion selection board to certify that the board 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. Membership. The composition of promotion boards for Regular chief warrant officers must be determined under section 573 of reference (a), and reference (c). The composition for Reserve chief warrant officer promotion boards must be determined under reference (c). The composition for promotion selection boards will include a board president, members, recorders, and administrative support personnel as specified in reference (c) whose duties are further outlined in reference (b). The CMC must ensure the board president, members, and recorders of the board adhere to the board proceedings outlined in reference (b) and this instruction. The recorders must keep the true record of the board proceedings and at least one recorder must be present during all board deliberations.

7. Oaths

a. Members of a promotion selection board must swear, or affirm, that they will perform their duties as members of the board without prejudice or partiality, having in view both the special fitness of officers and the efficiency of the Marine Corps.

b. Recorders must swear, or affirm, that they will keep a true record of the proceedings of the board.

c. Members, recorders, and the administrative support personnel must swear, or affirm, that they 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. SECNAV will issue written instructions to promotion selection boards in accordance with reference (b) and this instruction. The written instructions and guidance to a board must not include information on particular officers. All information furnished to a board must be made part of the board record. The following information must be furnished, by the authority indicated, to each board at the time it is convened:

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 from the list of eligible officers, consistent with the annual promotion plan. The boards are not required to select to the numbers provided.

b. The CMC will provide the names of all eligible officers in each competitive category in order of seniority who are to be considered by the board based on the criteria in the annual promotion plan as of the date the board convenes.

c. The CMC will supply the pertinent records of each officer to be considered by the board. Such records must 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 the 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.

d. Only SECNAV, or designee, may provide additional guidance to promotion selection boards. The written instructions, information, or guidance furnished to a promotion selection board may not be modified, withdrawn, or supplemented after the board submits its report to SECNAV, except as provided in this instruction.

9. Communication with Promotion Selection Boards. All communications, other than those communications that are only administrative in nature, shall be in writing, furnished to all board members, and made a part of the board's record. An audio or video recording is an acceptable means of communication with the board, so long as a written transcript is made a part of the board record. No one, other than SECNAV, shall appear in person to address a board on any matter. This does not restrict the furnishing of administrative information to the board by the staff designated in writing by SECNAV or designee to assist the board. Oral communications of routine administrative information among board members, recorders, and administrative support personnel is authorized to the extent that it is necessary to facilitate the work of the board.

a. Officers eligible for consideration by a promotion selection board may communicate directly in writing with the board. The communication may call attention to any matter concerning the officer that the officer considers important. It may include, as attachments, correspondence from other individuals. 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 considered third-party correspondence and will not be accepted or provided to the board. Correspondence that contains classified information will not be accepted.

b. Officers who desire to communicate with a promotion selection board must 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 ten calendar days prior to the convening date of the board which is to consider his or her record. Correspondence received after this date will not be submitted to the board.

c. The selection board must 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 SECDEF, or the President, no member or recorder of a promotion selection board will disclose the proceedings or recommendations of a promotion selection board.

b. The promotion selection board report must list the names of the officers recommended for promotion in order of seniority by competitive category. The reports must be in writing and must be signed by each board member and recorder. The reports must 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 chief warrant officer promotion selection boards must report the names of those officers whose records and 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 by the show cause authority in accordance with reference (d).

d. Under the authority of reference (f) and SECNAV guidance, the CMC must, prior to submission of the board report to SECNAV, screen the names of the officers recommended for

promotion by the board for adverse or reportable information which may not have been in an officer's record and known to board members. The CMC must ensure that all officers recommended for promotion are screened through existing databases (the DoD Inspector General, Naval Inspector General, Equal Opportunity Employment, Equal Opportunity, National Crime Information Center (if authorized), Central Clearance Facility, JAG, and other service database files) to identify any adverse or reportable information on any officer recommended for promotion. Depending upon the nature of the adverse or reportable information, an officer's name may be withheld from the appointment scroll pending adjudication or further review by SECNAV.

e. The CMC must forward the report of the promotion selection board and nomination for appointment of the selected officers to SECNAV via JAG for legal review and ASN (M&RA).

f. If, after reviewing the report of a promotion selection board, SECNAV determines that the board acted contrary to law or regulation or guidelines, SECNAV will return the report to the board for further proceedings. SECNAV may modify, withdraw, or supplement instructions, information, or guidelines, as part of a written explanation to the board. Upon receipt of a report that has been returned by SECNAV, the board (or a subsequent promotion selection board for the same grade and competitive category) will conduct such proceedings as necessary to revise the report and will resubmit the report, as revised, to SECNAV via CMC and JAG for legal review.

g. When promotion selection board reports are approved by SECNAV, the names of the officers approved for promotion will be placed on a single promotion list for each grade and competitive category, in order of seniority of such officers on their respective warrant officer active-duty list or reserve active-status list and forwarded to SECDEF. The names of those W-1s anticipated to be promoted to the grade of CW02 within the same fiscal year as the officers recommended for promotion by the selection board shall also be included on the scroll. SECDEF will sign the scroll.

h. Only SECNAV may remove the name of an officer recommended for promotion from the report of a promotion selection board.

i. When the approved report of a promotion selection board recommends an officer who is unfit or has demonstrated unsatisfactory performance, section 1166, per reference (a), and (d), delineate the procedures for effecting the retirement or separation of a Regular warrant officer whose name is so reported.

j. As determined by SECNAV, the name of any officer with adverse or reportable information may be withheld from the scroll. Upon official dissemination of the names of the selected officers by ALNAV message, CMC shall notify the officers, whose names were withheld from the scroll, in writing of their status.

k. An officer who was withheld and is subsequently recommended for promotion shall have his or her name placed on a scroll and forwarded to SECDEF for approval. If approved, the officer shall be promoted in the same manner as an officer whose promotion was delayed in paragraph 13 of this enclosure. An officer whose name has been withheld and is subsequently found not qualified for promotion must have his or her name removed from the promotion list in the same manner described in paragraph 14 of this enclosure and will subject to the provisions contained in paragraphs 16 and 17 of this enclosure.

11. Dissemination of Names. The names of the officers recommended for promotion in the report of a promotion selection board shall be disseminated as follows:

a. In the case of CWOs, such names may be disseminated upon SECNAV approval of the board report.

b. Dissemination will be by ALNAV message. CMC shall submit the proposed message.

c. CMC may propose to SECNAV to withhold from the scroll and ALNAV the names of officers in the following categories:

(1) There is adverse or reportable information, as defined by reference (f), pertaining to the officers;

(2) Officers against whom sworn court-martial charges have been preferred, but not disposed of;

(3) Officers pending criminal proceeding in a federal, state, or local court;

(4) Officers against whom an investigation is being conducted to determine whether disciplinary or administrative action of any kind should be initiated;

(5) Officers for which processing for separation for cause has been initiated under reference (d); or

(6) There is cause to believe that the officers are mentally, physically, morally, or professionally unqualified.

d. The names of the officers selected for promotion, other than those whose names were withheld from an ALNAV, must be promptly disseminated within Department of the Navy as soon as authorized.

12. Effective Date of Promotion

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

b. 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. Officers must decline the appointment within 30 days of the effective date of promotion. An officer's written request 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.

13. Delay of Promotion. Prior to effecting a promotion, the CMC, or designee, or commanding officer exercising special

court-martial convening authority may delay an officer's promotion. If the promotion is delayed, the delaying officer must as soon as practicable, forward the information required by paragraph 13.c to CMC.

a. Delay of Promotion to the Grade of CW02. Promotions to the grade of CW02 may be delayed at any time prior to an officer in the grade of W-1 serving 18-months TIG. The purpose of the delay is to determine whether the W-1 is qualified for promotion.

(1) 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 must be given as soon as practicable. The W-1 must acknowledge receipt of such notification in writing. A W-1 whose promotion has been delayed must be afforded the opportunity to submit a written statement to the CMC concerning the delay. If the W-1 declines to make a statement, he or she must submit a signed statement to that effect. The notice of delay, the written acknowledgment of receipt of such notification, and the written statement must be forwarded to the CMC for decision via the officer exercising general court-martial jurisdiction over the W-1. The CMC, or designee, will determine whether the W-1 is qualified for promotion. If the CMC, or designee, determines the W-1 was unqualified for promotion for any part of the delay, the WO's date of rank, effective date of pay and allowances, and position on the active-duty list or reserve active-status list, as applicable, may be adjusted.

(2) Limitation on Delay. A promotion to the grade of CW02 may not be delayed more than six months after the date the warrant officer would have otherwise been promoted. The CMC, or designee, may ratify and extend this period of delay for good cause.

(3) Not qualified for Promotion (W-1s). In those cases, where the 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 this enclosure.

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

(1) There is adverse or reportable information, as defined by reference (f), pertaining to the officers;

(2) Officers against whom sworn court-martial charges have been preferred, but not disposed of;

(3) Officers pending criminal proceeding in a federal, state, or local court;

(4) Officers against whom an investigation is being conducted to determine whether disciplinary or administrative action of any kind should be initiated;

(5) Officers for which processing for separation for cause has been initiated under reference (d); or

(6) There is cause to believe that the officers are mentally, physically, morally, or professionally unqualified.

c. Command Requests for Delay

(1) A commanding officer who delays an officer's promotion, must submit justification for the delay to CMC (MMPR-1) immediately and prior to the member's scheduled promotion date, or as soon thereafter as practicable.

(2) Each justification for delay to CMC 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 must submit a signed statement to that effect; and

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

d. 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 must be given as soon as practicable. The officer must acknowledge receipt of such notification in writing. An officer whose promotion has been delayed must be afforded the opportunity to submit a written statement to the CMC concerning the delay. If the officer declines to make a statement, he or she must submit a signed statement to that effect. The notice of delay, the written acknowledgment of receipt of such notification, and the written statement must be forwarded to the CMC via the officer exercising general court-martial jurisdiction over the officer.

e. 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 CMC specifies a further period of delay. The CMC will submit timely requests, with supporting rationale, for any extensions 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.

f. 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. Requests for delay extensions as provided in paragraph 13e must be submitted to SECNAV, or designee, as necessary until the officer's name is removed from the promotion list.

g. Subsequent Promotion

(1) If a promotion has been delayed under paragraph 13 of this enclosure, and upon consideration of adverse information is found qualified for promotion; and

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

(b) The officer is not ordered administratively separated under reference (d); or

(c) The officer is acquitted of the charges brought against him or her, then the officer must be retained on the promotion list and will, 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 or reserve active-status list as he or she would have had if no delay had occurred, except as provided in paragraph 13g(2).

(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 or reserve active-status list may be adjusted.

14. Removal from a Promotion List

a. Pursuant to sections 579 and 12242 of reference (a), SECNAV may remove the name of an officer who is on a promotion list to the grade of CWO3, CWO4, or CWO5 at any time before the officer promotes. An officer, whose name was withheld from appointment or whose promotion was delayed, will not promote until SECNAV makes a determination.

b. If an officer's name is removed from the promotion list by SECNAV action, the CMC (MMPR-1) must 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. The CMC (MMPR-1) must forward SECNAV's action and the officer's official response to the officer's Official Military Personnel File (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 to the grade of CWO2. If the CMC, or designee, 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 or reserve active-status list may be adjusted.

a. Reference (d) governs the involuntary separation of Regular and Reserve warrant officers. Per section 1165 of

reference (a), Regular non-retirement eligible warrant officers, with less than three years 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 CWO2 may be honorably discharged by SECNAV, upon the recommendation of the CMC, not later than the end of the three-year period beginning on the date on which the W-1s were first appointed. Per section 12241(c) of reference (a), appointments in permanent Reserve warrant officer grades are held at the pleasure of SECNAV. Accordingly, non-retirement eligible Reserve warrant officers, with less than five years of service since the date of original appointment who are serving in the grade of W-1 and found not qualified for promotion to CWO2 may be honorably discharged by SECNAV, upon the recommendation of the CMC, not later than the end of the five-year period beginning on the date on which the W-1s were first appointed. All non-retirement eligible warrant officers who have been found not qualified for promotion to CWO2 and were not separated pursuant to section 1165 or section 12241(c) of reference (a), must be reconsidered for promotion to CWO2, upon the W-1's request, after one 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 CWO2, must be referred to a Board of Inquiry (BOI) for a determination on whether the W-1 is fit for continued service before separation or termination of appointment. A determination of not qualified for promotion to CWO2 is evidence of unfitness for continued service.

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

(2) A non-probationary W-1 who is determined to be fit for continued service by a BOI, convened pursuant to section 1166 of reference (a), must be reconsidered for promotion to CWO2, upon the W-1's request, after one year from the date that the W-1 was determined not qualified for promotion. A W-1 who is again determined not qualified for promotion to CWO2 will not be again referred to a BOI and must be reconsidered for promotion to CWO2, upon the W-1's request, after one 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 who is determined to be unfit for continued service by a BOI, convened pursuant to section 1166 of reference (a), must be retired in accordance with section 1371 of reference (a).

(4) A retirement eligible W-1 who is determined to be fit for continued service by a BOI, convened pursuant to section 1166 of reference (a), must be reconsidered for promotion to CWO2, upon the W-1's request, after one year from the date that the W-1 was determined not qualified for promotion. A W-1 who is again determined not qualified for promotion to CWO2 will not be again referred to a BOI and must be reconsidered for promotion to CWO2, upon the W-1's request, after one 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. 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 579 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.

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 recommended for promotion, must be considered for all purposes to have twice failed of selection for promotion.

c. Enclosure (2), paragraph 3d, and enclosure (3), paragraph 5, govern promotion eligibility for Regular and Reserve Warrant Officers who fail of selection for promotion.

d. Officers in- or above-zone who are selected for promotion but decline the appointment will be considered to be above-zone for subsequent promotion selection boards. A declination of promotion will constitute a failure of selection for promotion and the officer will be removed from the promotion list. 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 for Officers Who Fail of Selection for Promotion. The CMC, Manpower Management Records and Performance (MMRP-50) must provide, upon request, counseling for Regular Chief Warrant Officers who fail of selection for promotion. The Reserve Affairs Career Management Team must provide counseling for Reserve chief warrant officers. Counseling will 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 assistant for a promotion board that failed to select the requesting officer for promotion.

19. Posthumous Promotions. Section 1521 of reference (a) and reference (f) establish provisions to issue posthumous promotions. The following criteria apply:

a. Officers and enlisted Marines may be appointed, by SECNAV, to the next higher grade if:

(1) The officer or enlisted Marine had been appointed to a commissioned grade but was not able to accept the appointment due to death;

(2) successfully completed the course at an officers' training school and was recommended for appointment to a commissioned grade by the commanding officer or officer in

charge of the school but was unable to accept the appointment because of death; or,

(3) The officer or enlisted Marine was officially recommended for appointment or promotion to a commissioned grade but was not able to accept the appointment due to death.

b. The officer's name shall be carried on the records of the Marine Corps as if the officer had served in the grade in which posthumously promoted from the date of the approval of the board report to the date of death.

c. A posthumous promotion issued in accordance with reference (a) and this instruction shall require certification by SECNAV that, at the time of death of the member, the member was qualified for appointment to that higher grade.

d. CMC shall determine whether the officer has adverse or reportable information as defined by reference (f) and inform SECNAV prior to SECNAV issuing a posthumous promotion.

e. No beneficiary is entitled to any bonus, gratuity, pay, or allowances by virtue of a posthumous promotion.

CONTINUATION OF WARRANT OFFICERS

1. General. This enclosure pertains to the continuation on active duty, or in an active status, of eligible permanent Regular and Reserve warrant officers who are subject to discharge or retirement under section 580, 1305, or 12244 of reference (a). The term continuation also refers to deferment of involuntary retirement.

a. Continuation selection boards will be convened, whenever the needs of the Marine Corps require, by SECNAV to consider officers for continuation or deferment of involuntary retirement. The need for continuation will be a part of the annual promotion plan. Promotion selection boards may adjourn and convene as continuation selection boards.

b. Each officer who is (1) continued on active duty or in an active status, (2) not subsequently promoted or continued for an additional period, and (3) not on a promotion list or continuation list will, unless sooner retired, be retired upon the expiration of the period for which the officer's service was continued. Each officer must 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.

c. The maximum length of continuation or deferment of involuntary retirement is five years.

2. Continuation of Regular Component Warrant Officers. In accordance with section 580 and 1305 of reference (a), this paragraph provides guidance for the continuation or deferment of involuntary retirement for Regular warrant officers.

a. Regular warrant officers may be subject to involuntary retirement or separation under reference (a) and enclosure (4) of reference (d), unless continued on active duty.

(1) Failure of selection for promotion. Pursuant to section 577 of reference (a), a Regular chief warrant officer in the grade of W-2, W-3, or W-4, who has twice failed of selection for promotion to the next higher grade, will be retired or separated.

(2) Years of Service. Pursuant to section 1305 of reference (a), a Regular warrant officer who has 30 years of creditable active service will be retired 60 days after the date on which the officer completes that service.

(3) Age. Pursuant to section 1263 of reference (a), a Regular warrant officer who has at least 20 years of creditable active service, and who is at least 62 years of age, must be retired 60 days after becoming that age.

b. Deferment of Retirement or Separation for Medical Reasons. SECNAV may defer, for not more than four months, the retirement or separation under section 580, 1263, or 1305 of reference (a), as prescribed in reference (d), of any warrant officer if, because of unavoidable circumstances, evaluation of his or her physical condition and determination of his or her entitlement to retirement or separation for physical disability require hospitalization or medical observation that cannot be completed before the date on which he or she would otherwise be required to retire under section 580, 1263, or 1305 of reference (a). Requests for deferral under this authority must be forwarded to SECNAV via the CMC, Manpower Management Separation and Retirement (MMSR).

c. Disciplinary Action. SECNAV may continue any warrant officer subject to discharge or retirement under section 580 of reference (a) against whom any action has been commenced with a view to trying the officer by court-martial, without prejudice to such action, until the completion of the action.

d. Continuation Policy

(1) WO. WOs will not be continued. Paragraph 15 of enclosure (4) provides guidance for WOs not qualified for promotion.

(2) CWO2. A continuation selection board may recommend continuation for those CWO2s who are subject to separation or retirement under reference (d) who have twice failed of selection to the next higher grade.

(3) CW03

(a) A continuation selection board may recommend continuation for those CW03s who are subject to separation or retirement under reference (d) who have twice failed of selection to the next higher grade.

(b) A continuation selection board may also recommend continuation for those CW03s selected to the next higher grade who are subject to mandatory retirement for total years of creditable active service. The period of continuation will be such that these officers can complete two years in the grade of CW04.

(4) CW04

(a) A continuation selection board may recommend continuation for those CW04s who have twice failed of selection to the next higher grade.

(b) A continuation selection board may also recommend continuation for those CW04s selected to the next higher grade who are subject to mandatory retirement for total years of creditable active service. The period of continuation will be such that these officers can complete two years in the grade of CW05.

e. Deferral of Involuntary Retirement. Per section 1305(c) of reference (a), SECNAV may defer the retirement of any Regular warrant officer upon the recommendation of a continuation selection board and with the consent of the warrant officer.

3. Continuation of Reserve Chief Warrant Officers. This paragraph provides guidance for continuation of Reserve chief warrant officers.

a. Reserve chief warrant officers may be subject to involuntary retirement or separation under reference (a) and enclosure (5) of reference (d), unless continued.

(1) Failure of Selection for Promotion. A Reserve chief warrant officer in the grade of W-2, W-3, or W-4, who has twice failed of selection for promotion to the next higher grade and is not on a promotion list will be retired or separated.

(2) Years of Service. A Reserve warrant officer who has at least 30 years of active service, other than active duty for training, or who has at least 30 years of service computed under section 12732 of reference (a), must be transferred to the Retired Reserve or the Marine Corps Reserve Retired List, as appropriate, not later than six months after they complete that service.

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

(1) WO. WOs will not be continued. Paragraph 15 of enclosure (4) provides guidance for WOs not qualified for promotion.

(2) CWO2, CWO3. A CWO2 or CWO3 who has twice failed of selection for promotion to the next higher warrant officer grade, is not on a promotion list, and has 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 by a board to meet the needs of the Marine Corps Reserve.

(3) CWO4

(a) Reserve CWO4s who have twice failed of selection for promotion to CWO5 and who are not retirement eligible may be continued. CWO4s selected for CWO5 who are subject to mandatory retirement for years of service will be continued for a period that will permit them to complete two 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.

(b) AR CWO4s who twice fail selection to CWO5 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. Officers not selected will be released from active duty.

(4) CW05

(a) Reserve CW05s may be continued beyond 30 years of active service subject to the needs of the Selected Reserve, as determined by the CMC (Reserve Affairs).

(b) Reserve CW05s subject to mandatory retirement for years of service will be continued for a period that will permit them to complete two years of active service in the grade of CW05. In no case will an officer be continued beyond 60 days after becoming 62 years of age.

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.

(2) A deferral of retirement or separation under paragraph 3c(1) may not extend for more than 30 days after the completion of the evaluation requiring hospitalization or medical observation.

4. Continuation Selection Board Procedures

a. Notice of Convening. Notice of convening of a continuation selection board must be issued at least 30 days before such board is convened. The notice must 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 will include a board president, members, recorders,

and administrative support personnel as specified in reference (c).

c. Oaths

(1) Members of a continuation selection board must swear, or affirm, that they will perform their duties as members of the board without prejudice or partiality, having in view both the special fitness of officers and the efficiency of the Marine Corps.

(2) Recorders must swear, or affirm, that they will keep a true record of the proceedings of the board.

(3) Members, recorders, and the administrative support personnel must swear, or affirm, that they 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 in accordance with the guidance in this enclosure:

(a) The maximum number or percentage of officers that the board may recommend for continuation. SECNAV may also provide a minimum number or percentage of officers that the board may recommend for continuation.

(b) 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) The CMC must provide the names and pertinent records of officers to be considered for continuation.

e. Continuation Selection Board Results

(1) The report of the board will be forwarded to ASN (M&RA) via CMC, and JAG for legal review.

(2) A scroll with the officers recommended for continuation is not required.

(3) The results of a continuation selection board will be made known to affected officers after ASN (M&RA) approves the report of the board.

f. Withhold Procedures

(1) CMC may recommend to SECNAV that an officer be withheld from the continuation list for the following reasons:

(a) There is adverse or reportable information, as defined by reference (f), pertaining to the officer;

(b) Sworn court-martial charges have been preferred, but not disposed of;

(c) There is a pending criminal proceeding in a federal, state, or local court;

(d) An investigation is being conducted to determine whether disciplinary or administrative action of any kind should be initiated;

(e) Processing for separation for cause has been initiated under reference (d); or

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

(2) An officer who has been withheld from the continuation list must be provided written notice of all reasons for the withhold and an opportunity to make a statement to SECNAV. Only SECNAV, or designee, may remove an officer from the continuation list.

(3) An officer not recommended for continuation by a continuation selection board will be retired or discharged as appropriate pursuant to sections 580 and 12244 of reference (a) and in accordance with enclosure (4) of reference (d).

(4) An officer recommended for continuation, but removed by SECNAV from the continuation list, will be retired or

SECNAVINST 1412.11
27 Jun 2019

discharged not later than the first day of the seventh calendar month beginning after the month in which SECNAV removed the officer from the continuation list.

(5) An officer who is selected for continuation under this instruction shall be afforded an opportunity to accept or decline it. An officer who is selected for and declines continuation, shall be retired or separated per sections 580 and 12244 of reference (a) and in accordance with enclosure (4) or reference (d)

CONTINUATION OF LIMITED DUTY OFFICERS

1. General. This enclosure governs the continuation on active duty of eligible permanent LDOs who are subject to involuntary retirement under section 8372 of reference (a). The term continuation also refers to deferment of involuntary retirement or selective retention.

a. Continuation selection boards will be convened, whenever the needs of the Marine Corps require, by SECNAV to consider officers for continuation or deferment of involuntary retirement. The need for continuation will be a part of the annual promotion plan. Promotion selection boards may adjourn and convene as continuation selection boards.

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

c. Any deferral of retirement and continuation on active duty under this instruction will be for a period not to exceed five years, and such period must not extend beyond age 62.

d. If a non-retirement eligible LDO is subject to discharge but is within two years of qualifying for retirement under section 8323 of reference (a), the LDO must be retained until retirement eligible under enclosure (4) of reference (d).

2. LDO Grades. There are three LDO grades within the Marine Corps:

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

3. Continuation

a. LDOs may be subject to involuntary retirement or separation under reference (a) and enclosure (4) of reference (d), unless continued under the provisions of this enclosure.

(1) Failure of Selection for Promotion. Pursuant to section 8372(b) of reference (a), a permanent LDO who holds the grade of captain or major in the Regular Marine Corps and is not on a promotion list to the next higher grade, must be discharged or retired, if eligible to retire, 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 next higher grade for the second time.

(2) Mandatory Retirement for Years of Active Service. Pursuant to section 8372(a) of reference (a), a permanent LDO who holds the grade of captain, major, or lieutenant colonel in the Regular Marine Corps is subject to involuntary retirement on the last day of the month following the month in which he or she completes a total of 30 years of active naval service (other than active duty for training in a Reserve component).

b. The Marine Corps continuation policy for LDOs, per Chapter 843 of reference (a), is as follows:

(1) LDO captains and majors who have twice failed of selection to the next higher grade may be continued under section 8372 of reference (a) if these officers possess skills needed by the Marine Corps. If a promotion plan cannot fill the skill requirements of a particular competitive category, a continuation selection board will be authorized to continue these officers for a period of three years.

(2) LDO majors or lieutenant colonels who are subject to involuntary retirement for years of active service before they have time to complete sufficient TIG in order to retire at that grade may be continued under section 8372 of reference (a). A continuation selection board will be authorized to continue these officers until they can complete two years in the grade of major or three years in the grade of lieutenant colonel. SECNAV may waive the minimum TIG based on the needs of the Marine Corps to two years or less.

c. A permanent LDO whose retirement is deferred under section 8372(k) of reference (a) and this instruction and who is not subsequently promoted may not be continued on active duty beyond 20 years of active commissioned service if in the grade of captain, 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.

d. A permanent LDO who is selected for deferment of involuntary retirement must be notified of his or her selection and afforded the opportunity to accept it or decline it. If the officer declines to continue on active duty, he or she must be retired in accordance with section 8372(a) through (c) of reference (a).

4. Continuation Selection Board Procedures

a. Notice of Convening. Notice of convening of a continuation selection board must be issued at least 30 days before such board is convened. The notice must 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 will include a board president, members, recorders, and administrative support personnel as specified in reference (c).

c. Oaths

(1) Members of a continuation selection board must swear, or affirm, that they will perform their duties as members of the board without prejudice or partiality, having in view both the special fitness of officers and the efficiency of the Marine Corps.

(2) Recorders must swear, or affirm, that they will keep a true record of the proceedings of the board.

(3) Members, recorders, and the administrative support personnel must swear, or affirm, that they 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 in accordance with the guidance in this enclosure:

(a) The maximum number or percentage of officers that the board may recommend for continuation. SECNAV may also provide a minimum number or percentage of officers that the board may recommend for continuation.

(b) 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) The CMC must provide the names and pertinent records of officers to be considered for continuation.

e. Continuation Selection Board Results

(1) The report of the board will be forwarded to ASN (M&RA) via CMC, and JAG for legal review.

(2) A scroll with the officers recommended for continuation is not required.

(3) The results of a continuation selection board will be made known to affected officers after ASN (M&RA) approves the report of the board.

f. Withhold Procedures

(1) CMC may recommend to SECNAV that an officer be withheld from the continuation list for the following reasons:

(a) There is adverse or reportable information, as defined by reference (f), pertaining to the officer;

(b) Sworn court-martial charges have been preferred, but not disposed of;

(c) There is a pending criminal proceeding in a federal, state, or local court;

(d) An investigation is being conducted to determine whether disciplinary or administrative action of any kind should be initiated;

(e) Processing for separation for cause has been initiated under reference (d); or

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

(2) An officer who has been withheld from the continuation list must be provided written notice of all reasons for the withhold and an opportunity to make a statement to SECNAV. Only SECNAV, or designee, may remove an officer from the continuation list.

(3) An officer not recommended for continuation by a continuation selection board will be retired or discharged as appropriate pursuant to section 8372 of reference (a) and in accordance with enclosure (4) of reference (d).

(4) An officer recommended for continuation, but removed by SECNAV from the continuation list, will be retired or discharged not later than the first day of the seventh calendar month beginning after the month in which SECNAV removed the officer from the continuation list.

(5) An officer who is selected for continuation under this instruction shall be afforded an opportunity to accept or decline it. An officer who is selected for and declines continuation, shall be retired or separated per section 8372 of reference (a) and in accordance with enclosure (4) of reference (d).