

**FY-05 NAVAL RESERVE OFFICER PROMOTION  
JUDGE ADVOCATE GENERAL'S CORPS  
SELECTION BOARD GUIDANCE**

Appendix

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## APPENDIX - A

### GENERAL GUIDANCE

1. **Duties of the Board President.** The president of the board has been appointed by me and shall perform prescribed administrative duties. The board president has no authority to constrain the board from recommending for promotion those fully qualified officers that the majority finds best qualified to meet the needs of the Navy.

2. **Board Proceedings.** Per DoD Instruction 1320.14 of 24 Sep 96, the following directions concerning communications and information apply to all board proceedings:

a. Each of you (president, members, recorders, and administrative support personnel) is responsible to maintain the integrity and independence of this selection board, and to foster careful consideration, without prejudice or partiality, of all eligible officers. DoD Instruction 1320.14 provides specific rules governing the conduct of officer selection boards and the actions of selection board personnel.

b. You must pay particularly close attention to the rules governing communications with and among other board members, the information authorized to be furnished to you, and the procedures you should follow if you believe that the integrity of this selection board has been improperly affected.

c. You may not receive, initiate, or participate in communications or discussions involving information that DoD Instruction 1320.14 precludes from consideration by a selection board. You are to base your recommendations on the material in each officer's military record, any information I have provided to the board in accordance with DoD Instruction 1320.14, and any information communicated to you by individual eligible officers under regulations I have issued. In your deliberations, you may discuss your own personal knowledge and evaluation of the professional qualifications of eligible officers to the extent that such matters are not precluded in law, DoD Instruction 1320.14, or Service regulations from consideration by a selection board or inclusion in an officer's military personnel record. You may not discuss or disclose the opinion of any person not a member of the board concerning an officer being considered unless that opinion is contained in material provided to the board under the provisions of DoD Instruction 1320.14.

d. When discussing your own personal knowledge concerning the professional qualifications of eligible officers, the board is reminded that if personal remarks, based on a member's personal knowledge, could be considered adverse, the member cannot discuss any personal knowledge or evaluation unless such matters are contained in the officer's official record or other material placed before the board in compliance with the law and

Service regulation. In addition, should an officer's record reveal the removal of a fitness report, the member may not discuss any personal knowledge regarding the circumstance which resulted in the removal of the report.

e. I am the only person who may appear in person to address you on other than administrative matters. All communications with this board, other than those that are clearly administrative, must be in writing, given to each of you, and made part of the board's record. I have designated in writing those persons authorized to provide routine administrative information to you.

f. Before the report of the promotion selection board is signed, the recommendations may be disclosed only to members of the board, recorders, and those administrative support personnel I have designated in writing. After you sign the board report, only the recommendations of the board may be disclosed. Except as authorized by DOD Instruction 1320.14 and sections 616(e), 618(f), 14104, or 14108(d) of title 10, U.S. Code, the proceedings of the board may not be disclosed to any person not a board member or board recorder.

g. If at any time you believe that you cannot in good conscience perform your duties as a member of the board without prejudice or partiality, you have a duty to request relief by me from this duty. I will honor any such request. If a member or recorder believes that the integrity of the board's proceedings has been affected by improper influence of military or civilian authority, misconduct by the board president or a member, or any other reason, or believes someone is exerting or attempting to exert inappropriate influence over the board or its proceedings, he or she has a duty to request from me or the Secretary of Defense relief from the obligation not to disclose board proceedings and, upon receiving it, to report the basis for this belief.

3. **Consideration of Officers Below Zone.** Below zone promotions are not authorized for Naval Reserve officers for FY-05 in grades above Lieutenant Junior Grade.

4. **Marital Status.** Promotion boards are prohibited from considering the marital status of a member or the employment, education, or volunteer service of a spouse.

5. **Area Tours.** Repeated tours in a particular geographic location should not be considered negatively, provided the officer has progressed in billet complexity, professional development, and leadership responsibility.

## **6. Adverse Information**

a. Just as you must consider positive performance, you must consider documented incidents of misconduct and substandard performance which are included in an officer's official service record in determining those officers who are best qualified for promotion. Members must give careful consideration to each such incident. For those eligible officers who are recommended for promotion and who have received disciplinary action, or whose privileged information record (Fiche Five/EMPRS Field Code 17) contains matters relating to conduct or performance of duty, every board member shall review the information contained therein personally prior to the final board decision.

b. Faced with many well-qualified officers, there may be a tendency to simplify your task by summarily putting aside the folders of officers whose past records are less than perfect; however, to do this is to fall short of your obligation. A judgment of the whole person and the whole record is required to determine whose future potential will serve the Navy best. You may conclude that particular adverse information undermines an officer's ability to serve successfully in a position of increased authority and responsibility, despite an otherwise outstanding record. On the other hand, you may find that an officer's overall outstanding performance demonstrates such potential for future service that it outweighs any deficiency noted in the record. Some officers will have learned from their mistakes in ways that make them stronger; others will have strengths that outweigh relative weaknesses in their records.

c. Make the best, not simply the most obviously defensible, choices. By doing this you will not only fulfill your obligation, you will also better serve the Navy.

7. **Show Cause Determination.** In addition to determining which officers are best qualified for promotion, the board shall review each record carefully to determine whether the officer's performance is such that the individual is considered suitable for retention. The board shall notify the Secretary of the Navy of the name of each officer whose record, in the opinion of a majority of board members, indicates the officer should be required to show cause for retention due to:

- a. Substandard performance of duty;
- b. Moral or professional dereliction;
- c. Misconduct; or,
- d. Because the officer's retention is not clearly consistent with the interests of national security.

## APPENDIX - B

### **SELECTION STANDARD AND SKILLS GUIDANCE**

1. **Selection Standard.** The board shall consider carefully, without prejudice or partiality, the record of every eligible officer. The officers selected will be those whom a majority of the members of the board consider best qualified for promotion giving due consideration to the needs of the Navy for officers with particular skills. In addition to the standard of best qualified, all officers recommended for promotion must be fully qualified; that is, each officer must be capable of performing the duties of the next higher grade. The best and fully qualified standard shall be applied uniformly to all eligible officers whether in, or above the promotion zone.
2. **Best Qualified Standard.** The needs of the Navy dictate that our future leaders possess the qualities to excel as leaders and commanders or in support of operational commanders. Proven excellence in leadership positions is the ultimate measure of the qualities required. Performance while in command, at sea, as well as potential for major command, is the ultimate test of fitness for promotion. Officers may have also demonstrated leadership, skill, integrity, and resourcefulness in other difficult and challenging joint and in-service assignments. Particular emphasis should be given, within the best and fully qualified standard, to selection of those who have demonstrated imagination and breadth of vision.
3. **Graduate Education.** Graduate education and specialty skills, represented by proven subspecialties, are important to our Navy and represent a key investment in our future. The Navy needs officers with formal technical and military education in a time of increasing technological sophistication. Advanced educational achievement is a significant career milestone in the development of future Navy leadership. The utilization of advanced education in subspecialty tours is an equally significant career milestone. In determining an officer's fitness for selection, you shall favorably consider graduate degrees, military education, and experience in specialized areas.
4. **Innovation and Efficiency.** In your deliberations, give careful consideration to the fact that the needs of the Navy have changed over the years and will continue to change. Please be especially alert for officers who embrace innovation and efficiency to find new solutions to our most challenging problems. The Navy needs bold officers who are willing to think creatively, take well-calculated risks, develop new ideas, and maximize capabilities through sound management practices. Seek to promote officers who have shown initiative in finding and pursuing the most effective ways of accomplishing our mission. In your consideration, recognize that the continued preeminence of the Navy in the future is inextricably linked to its ability