



DEPARTMENT OF THE NAVY  
CHIEF OF NAVAL PERSONNEL  
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ARLINGTON, VA 22204-2472

19 Feb 13

From: Chief of Naval Personnel  
To: President, FY-13 Active-Duty Navy and Navy Reserve  
Enlisted Performance-Based Continuation Board

Subj: PRECEPT CONVENING A FY-13 BOARD TO CONSIDER ENLISTED  
MEMBERS OF THE NAVY, WITH GREATER THAN 19 YEARS SERVICE,  
FOR CONTINUATION ON ACTIVE-DUTY, IN A SELECTED RESERVE  
STATUS OR VOLUNTARY TRAINING UNIT

Encl: (1) Board's Membership  
(2) Selection Board Guidance

1. Membership, Date, Location, and Function

a. The selection board, consisting of you as president and the members listed in enclosure (1), is ordered to convene at Navy Personnel Command, Millington, TN, at 0800, 25 February 2013, or as soon as practicable thereafter.

b. The function of the board is to consider active-duty Navy, selected reserve, and voluntary training unit enlisted members, with greater than 19 years of service, for continuation on active-duty, in a selected reserve status or voluntary training unit. The board shall consider carefully, without prejudice or partiality, the record of every eligible candidate. The records and names of all eligible candidates, determined as of the date the board convenes will be furnished to the board.

c. I have personally appointed the members of this board. During the board process, the personnel assigned as board members work directly for me, under oath. The performance of these duties will have a greater effect on the future of the Navy than any other duty they perform. During the board process, all other duties of an assigned member are secondary to the board process and the utmost care will be given to ensure the process is not compromised or rushed to accommodate outside concerns. Each record reviewed represents years of service by the individual candidate. It is absolutely essential that our evaluation afford each eligible candidate fair and equitable consideration.

d. The board shall proceed per the guidance provided in enclosure (2), and any other guidance contained in this letter.

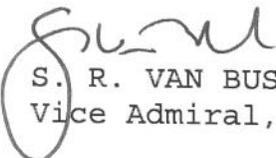
Subj: PRECEPT CONVENING A FY-13 BOARD TO CONSIDER ENLISTED MEMBERS OF THE NAVY, WITH GREATER THAN 19 YEARS SERVICE, FOR CONTINUATION ON ACTIVE-DUTY, IN SELECTED RESERVE STATUS OR VOLUNTARY TRAINING UNIT

2. Selection Standard. The board shall recommend for selection those candidates for continuation whom a majority of the board considers fully qualified to serve in their current pay grade and rating. That is, the candidate's qualifications and performance of duty must clearly demonstrate that they would be fully capable of performing the duties normally associated with their current pay grade.

3. No quotas are set for this board. The board is directed to select or not select as many as deemed appropriate within the guidance provided.

4. Unless expressly authorized or required by me, neither you nor any member of the board or administrative support personnel may disclose the proceedings, deliberations, or recommendations of the board. All board members, recorders, and administrative support personnel must comply fully with these requirements, and I expect you to emphasize the need for strict confidentiality.

5. In order to continually improve the selection board process, you are directed to offer written feedback regarding the guidance contained in the precept at the selection board call out to me. Your feedback should include, for example, whether the precept guidance was sufficiently direct, clear, and concise to assist you and the other board members in your duties as board members.

  
S. R. VAN BUSKIRK  
Vice Admiral, U.S. Navy

FY-13 PERFORMANCE-BASED BOARD FOR CONTINUATION OF ENLISTED  
PERSONNEL WITH GREATER THAN 19 YEARS SERVICE GUIDANCE

Appendix

Subject

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**General Guidance**

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- Board Proceedings
- Individual Augmentee (IA)/Overseas Contingency Operation Support Assignment (OSA)/Global War on Terrorism Support Assignment (GSA)/Afghanistan-Pakistan Hands (APH) Program Assignment
- Marital/Dependency Status
- Leadership of Diverse Organizations
- Area Tours
- Substandard or Marginal Performance Information

**B**

**Selection Standard**

- Provides standards and guidelines for consideration

**C**

**Equal Opportunity Guidance**

- Addresses Equitable Consideration for all Sailors

**D**

**Board Execution**

- Provides amplification to the board process.

**E**

**Board Reports**

- Addresses Content and Routing of Selection Board Reports

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**Oaths**

- Provides Oaths for Board Members and Support Personnel

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 continuation those candidates whom a 66% majority finds would be in the best interest of the Navy.

2. Board Proceedings. The following directions apply to all board proceedings:

a. Each of you (president, members, recorders, and administrative support personnel) must maintain the integrity and independence of this selection board, and foster careful consideration, without prejudice or partiality, of all eligible Sailors.

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 and Service regulations preclude from consideration by a selection board. Base your recommendations on the material in each Sailor's military record, any information I have provided to the board in accordance with DoD and Service regulations, and any information communicated to you by individual eligible Sailors under regulations I have issued. In your deliberations, you may discuss your own personal knowledge and evaluation of the professional qualifications of eligible Sailors to the extent that such matters are not precluded by law, or DoD and Service regulations from consideration by a selection board or inclusion in a Sailor's military personnel record. You may not discuss or disclose the opinion of any person not a member of the board concerning a Sailor being considered unless that opinion is contained in material provided to the board.

d. When discussing your own personal knowledge concerning the professional qualifications of eligible Sailors, the board is reminded that if such personal remarks could be considered

adverse, the member cannot discuss that personal knowledge or evaluation unless such matters are contained in the Sailor's official record or other material placed before the board in compliance with the law and Service regulation. In addition, should a Sailor's record reveal the removal of a fitness report or evaluation, the member may not discuss any personal knowledge regarding the circumstance which resulted in the removal of the report.

e. The Master Chief Petty Officer of the Navy (MCPON) and I are the only persons 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. To ensure impartiality, you may not visit or communicate with detailers, placement officers, community managers, or any candidate immediately prior to or during the board. Communications with outside parties (i.e., other than board members, a recorder, assistant recorders, board sponsors, and administrative support personnel) before, during, or after the board relating in any way to the board or its proceedings are prohibited. Questions concerning the propriety of any communications prior to the board should be addressed to the board sponsors. Proceedings, deliberations, or recommendations of the board may not be disclosed unless expressly authorized or required by me or Commander, Navy Personnel Command.

g. Before the board report 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, the recommendations of the board may be disclosed only after I have made the results public. I will release the names of the selectees for notification after the board's report is approved. Do not discuss the names of recommended selectees until after those recommended have been notified. However, you may never disclose the names of those not selected for continuation by this board. The proceedings and deliberations of the board may not be disclosed to any person who is not a board member, a board recorder, assistant recorder, or administrative support personnel.

h. 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, a recorder, or assistant recorder believes that the integrity of the board's proceedings have 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 relief from the obligation not to disclose board proceedings and, upon receiving it, to report the basis for this belief.

i. During the period the board is in session, you are not authorized to hold social gatherings/meetings that involve groups of board members/recorders, non-board members, and non-administrative support personnel. Discussions involving board actions may only be held in board spaces with recorders present.

3. Individual Augmentee (IA)/Overseas Contingency Operation Support Assignment (OSA)/Global War on Terrorism Support Assignment (GSA)/Afghanistan-Pakistan Hands (APH) Program Assignment. Due to operational demands, IA/OSA/APH assignments may result in a candidate missing the opportunity to serve in a community-recognized milestone or career gate. These individuals are developing valuable combat and nation-building skills under stressful conditions that may be vital to the successful joint prosecution of Overseas Contingency Operations and the National Defense Strategy. The eligible may also be evaluated by a reporting senior unfamiliar with the candidate's occupational specialty and the Navy evaluation/fitness report system. Therefore, attention must be taken in reviewing these candidates' records.

4. Marital/Dependency Status. Selection boards are prohibited from considering the marital or dependency status of an eligible Sailor or the employment, education, or volunteer service of an eligible Sailor's spouse.

5. Leadership of Diverse Organizations. When reviewing a Sailor's potential for continuation, consider that the Navy benefits when Navy leadership possesses a broad spectrum of experience with a depth and breadth of vision. The Navy needs innovative and bold leaders who think creatively, challenge assumptions, and take well-calculated risks that maximize effectiveness. Leadership results and command success through team performance are significant criteria for consideration. Today's Navy is manned by Sailors representing 24 different

ethnic groups and literally hundreds of cultural heritages. In light of this diversity, you should give careful attention to selecting Sailors who have demonstrated the potential to lead a diverse workforce, and create circumstances for the success of all Sailors. The Navy's ability to meet this leadership challenge depends, in part, on having CPO leaders capable of influencing diverse groups of people to successfully complete their assigned mission.

6. Area Tours. If a Sailor's record contains multiple or consecutive tours in a particular geographic location, it should not be viewed negatively, provided the Sailor has progressed in billet complexity, professional development, and leadership responsibility. Likewise, you may positively consider those Sailors who have demonstrated the ability to succeed in challenging assignments in diverse geographic locations, particularly overseas.

7. Substandard or Marginal Performance Information. Just as you must consider positive performance, you must consider incidents of misconduct, substandard, or marginal performance documented in a Sailor's official service record when determining those Sailors to be recommended for continuation. For those Sailors who are recommended for continuation and who have received disciplinary action, or whose official military personnel file contains substandard or marginal performance relating to conduct or performance of duty, that is documented within the past five years, every board member in that respective tank shall be briefed on the adverse information contained therein prior to the final board decision.

## APPENDIX - B

### SELECTION STANDARD

1. The board shall consider carefully, without prejudice or partiality, the record of every eligible Sailor. The Sailors selected for continuation will be those Sailors whose continued service is considered to be in the best interest of the Navy by a 66% majority of the members of the board.

2. The following considerations should guide your recommendations. Members assigned to brief individual records are expected to use these considerations to guide their briefs' review and structure. Each board member is expected to apply this guidance when deliberating and voting. Considerations are:

a. The Navy requires Master Chief Petty Officers, Senior Chief Petty Officers and Chief Petty Officers (CPO) to serve as leaders that demonstrate the ability to develop Sailors and enforce standards while conducting themselves in a consistently professional and ethical manner. Their personal and professional attributes include being a visible leader, setting the tone of the unit, and serving as the technical experts in their chosen field. They produce well trained enlisted and officer teams. They teach, uphold, and enforce standards while providing proactive solutions that are well founded and linked to mission accomplishment. They demonstrate uncompromising integrity, take full responsibility for their actions while demonstrating loyalty to seniors, peers and subordinates. They encourage open and frank communication that increases unit efficiency, mission readiness and mutual respect. They define our past and guide the Navy's future to enhance pride in service to our country. They have positive command and Navy wide mission impact. They demonstrate adherence to Navy and DoD ethical standards, physical fitness, loyalty to the Navy Core Values and the CPO Mission, Vision, and Guiding Principles.

b. Subparagraph 2a sets forth the standard for CPO performance. Substandard or marginal performance indicators shall be specifically addressed when considering whether a Sailor's continuation is in the best interest of the Navy:

(1) Documented misconduct involving either UCMJ (i.e., courts-martial, non-judicial punishment, etc.) or civilian offenses;

(2) Moral or professional dereliction such as Relief for Cause or Detachment for Cause;

(3) Evaluation/fitness report continuity gap of greater than 90 days;

(4) Evaluation/fitness report, during the period reviewed, with marks suggesting substandard or marginal performance of duty to include:

(a) Receipt of any promotion recommendation of "Significant Problems" or "Progressing";

(b) A decline in performance defined as a decline in two or more trait grades by the same reporting senior on subsequent reports.

1. A decline in promotion recommendation caused by forced distribution is not considered a decline in performance or an adverse report.

2. A decline in trait grades from a frocked promotion status to a regular promotion status or transfer between a command's shore and sea components with the same reporting senior is not in itself considered a decline in performance or an adverse report. However, if the decline in promotion recommendation or trait grades is based on performance, then the report is considered adverse and the evaluation/fitness report comments should justify the decline.

3. A member receiving a drop in two or more trait grades when transitioning from the Fitness Report & Counseling Record (E7-06) (NAVPERS 1610/2) to the Evaluation & Counseling Record (E7-E9) (NAVPERS 1616/27) shall not be considered a substandard or marginal performance indicator, unless there is sufficient information in the comment section of the evaluation to indicate that the drop in trait grades was due to reasons other than the transition to the new form.

(c) Receipt of an evaluation or fitness report with an individual trait grade of 2.00 or below;

(5) Multiple documented Physical Readiness Program failures.

(6) Any documented circumstance related to performance which results in a Sailor's inability to perform in their rating/duties; for example:

(a) A loss of security clearance in a rating that requires a member to maintain continuous eligibility.

(b) A Sailor who is disqualified from performing their primary rating/duties in accordance with the Lautenberg Amendment of 1996. The Lautenberg Amendment makes it a felony for any person who has been convicted of a "misdemeanor crime of domestic violence" to ship, transport, possess or receive firearms or ammunition. The amendment also makes it a felony for any person to sell, transfer, or otherwise dispose of a firearm or ammunition to a person whom he or she knows has a reasonable cause to believe has a qualifying conviction. These prohibitions apply to members with qualifying convictions, including those in federal or state court for a misdemeanor crime of domestic violence. For the Navy, a qualifying conviction includes all special and general courts-martial, and civilian felony and misdemeanor convictions adjudged after 27 November 2002 for crimes of domestic violence. The term qualifying conviction does not include foreign convictions, convictions at summary courts martial, or the imposition of non-judicial punishment. It also does not include deferred prosecutions or similar alternative dispositions in civilian courts.

(7) Other documented substandard or marginal performance indicators that the Sailor's continuation may be inconsistent with national security interests or may otherwise not be in the best interest of the Navy.

c. Sailors continued by a previous board remain subject to a continuation determination by this board. A Sailor's continuation by a previous board does not limit consideration by this year's board of any aspect of the Sailor's record during the last five years.

d. Continuation shall be presumed to be in the best interest of the Navy for Sailors who have no documented substandard or marginal performance indicators as described in subparagraph 2b.

e. For a Sailor who has documented substandard or marginal performance indicators as described in subparagraph 2b, continuation shall not be presumed to be in the best interest of

the Navy. A Sailor with documented substandard or marginal performance indicators shall not be recommended for continuation unless a 66% majority of the panel members in the tank, considering the standard of performance provided above in paragraph 2a, find that the Sailor's record (entire record of service) is otherwise so meritorious as to overcome concerns raised by the substandard or marginal performance indicators so that their continued service is in the best interest of the Navy.

f. Fully Qualified. All eligible candidates recommended for continuation must be fully qualified; that is, capable of performing the duties of their paygrade. Eligibles that do not meet that standard shall not be recommended for continuation. Eligibles fully qualified for continuation demonstrate an appropriate level of leadership, technical and managerial skills, integrity, commitment to the personal and professional development of subordinates and resourcefulness in difficult and challenging assignments. Their attributes include rating expertise, demonstrated ability to communicate up and down the chain of command, loyalty to seniors, subordinates, peers and the command and recognition of our Navy's heritage. They must clearly demonstrate adherence to Navy and DoD ethical and physical fitness standards, and loyalty to Navy Core Values. When a candidate's records contain substandard or marginal performance indicators listed in paragraph 2b of this appendix, and the candidate's record is not otherwise so meritorious as to overcome concerns raised by the substandard or marginal performance indicators, that candidate shall be considered not fully qualified.

## APPENDIX - C

### EQUAL OPPORTUNITY GUIDANCE

1. The Department of the Navy is dedicated to equality of treatment and opportunity for all personnel without regard to race, religion, color, gender, or national origin. The Navy strives to maintain a professional working environment in which an individual's race, religion, color, gender or national origin will not limit his or her professional opportunities. Accordingly, within this board's charter to determine the eligibles that are "best and fully qualified," you must ensure that eligibles are not disadvantaged because of their race, religion, color, gender or national origin.
2. Your evaluation of all eligibles must afford them fair and equitable consideration. You should be particularly vigilant in your evaluation of records to take care that no candidate's selection opportunity is disadvantaged by service utilization policies or practices. You should evaluate each eligible's potential to assume greater, more challenging responsibilities, the overriding factor being performance of assigned duties.
3. The Navy has assigned some eligibles outside of traditional career development patterns. In addition, other utilization policies or practices, such as those based on statutory restrictions on the assignment of women, may have had an effect on career opportunities. These assignments, though beneficial to the Navy, may have foreclosed to the eligibles so assigned opportunities available to other eligibles. Such assignment practices should not prejudice the selection of these eligibles for selection. Successful performance of assigned duties is the key in measuring an eligible's potential for selection. Accordingly, in determining the qualification for selection of any eligible that has been affected by such utilization policies or practices, duty performed well in such assignments should be given weight equal to duty performed well by an eligible not affected by such policies or practices.
4. This guidance should not be interpreted as requiring or permitting preferential treatment of any eligible or group of eligibles on the grounds of race, religion, color, gender or national origin.

## APPENDIX - D

### BOARD EXECUTION

1. The board will be conducted utilizing Appendix A, B, and C, in determining those candidates whose continued service is in the best interest of the Navy. Records are reviewed for substandard or marginal performance indicators listed in Appendix B, paragraph 2b. Continuation is presumed for records without documented substandard or marginal performance indicators. However, those with documented substandard or marginal performance indicators will be reviewed against the standard listed in Appendix B, paragraph 2a. Records are briefed in the tank for voting to determine whether the Sailor's record is otherwise so meritorious as to overcome concerns raised by the substandard or marginal performance indicators so that their continued service is in the best interest of the Navy. Continuation requires a 66% approval vote.

2. The MCPON Leadership Mess is defined as Fleet, Force and Command Master Chiefs that are serving a Flag Officer. To ensure appropriate review of candidates in these leadership positions, their records will not be randomly distributed throughout the board but will be reviewed by a designated panel consisting of two Captains, six Fleet, Force and/or Command Master Chiefs that are currently serving at the three and four star Flag level and one recorder. This panel will review the records of the MCPON Leadership Mess in addition to their other board duties. MCPON shall provide the names of those serving in his Leadership Mess to the board sponsor so that those records can be identified and randomly distributed to the members of this panel. Any MCPON Leadership Mess record which contains a documented substandard or marginal performance indicator as detailed in Appendix-B, para 2.b., will be briefed in the tank utilizing the same standard as the other panels. Voting in the tank on the records of the MCPON Leadership Mess will not be limited to this separate panel and will include every board member in that respective tank group.

APPENDIX - E

BOARD REPORTS

1. The record of the board's proceedings shall be compiled by the recorder, assistant recorder(s), and administrative support personnel. The written report of the board shall be signed by the board president, members, recorder, and assistant recorders. It shall contain, separately, the names of the candidates recommended for continuation and those not selected for continuation with appropriate selection statistics as well as the following items:

a. All instructions, information, and guidance that were provided to the board.

b. Certification that:

(1) To the best of your knowledge, the board complied with all instructions contained in the precept and, as appropriate, other letters of guidance or instruction provided by me;

(2) You were not subject to or aware of any censure, reprimand, or admonishment about the recommendations of the board or the exercise of any lawful function within the authorized discretion of the board;

(3) You were not subject to or aware of any attempt to coerce or influence improperly any action in the formulation of the board's recommendations;

(4) You were not party to or aware of any attempt at unauthorized communications;

(5) To the best of your knowledge, the board carefully considered the records of each candidate whose name was furnished to the board;

(6) The candidates recommended for continuation are, in the opinion of the majority of the members of the board, fully qualified for continuation to meet the needs of the Navy among those candidates whose names were furnished to the board;

(7) You are aware that the names of those selected for continuation will be released to the public after the board report is approved, and you know that you may not disclose the

recommended selectees until the names are released to the public;

(8) You are aware that the names of those not selected for continuation will be released privately after the board report is approved, and you know that you may never disclose the names of those not recommended for continuation; and

(9) You understand that, except as authorized by Naval Regulations you may never disclose the proceedings and deliberations of the board to any person who is not a board member, recorder, or assistant recorder.

c. A list of all candidates eligible for consideration.

d. Precept.

2. The report shall be forwarded for approval to me via the Commander, Navy Personnel Command.

APPENDIX - F

ENLISTED BOARD OATHS

1. The president of the board or a commissioned officer shall administer the following oath or affirmation to the recorder and assistant recorder(s):

"Do you, and each of you, solemnly swear (or affirm) that you will keep a true record of the proceedings of this board, and you will not divulge the proceedings of this board except as authorized or required by the Chief of Naval Personnel or higher authority, so help you God?"

2. The commissioned officer of the board support staff shall administer the following oath or affirmation to the members of the board:

"Do you, and each of you, solemnly swear (or affirm) that you will perform your duties as a member of this board without prejudice or partiality, having in view both the special fitness of candidates and the efficiency of the naval service, and you will not divulge the proceedings of this board except as authorized or required by the Chief of Naval Personnel or higher authority, so help you God?"

3. The president of the board or a commissioned officer shall administer the following oath or affirmation to the administrative support personnel:

"Do you, and each of you, solemnly swear (or affirm) that you will not divulge the proceedings of this board except as authorized or required by the Chief of Naval Personnel or higher authority, so help you God?"