



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
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SECNAVINST 1421.7B CH-1
OP-13OR
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SECNAV INSTRUCTION 1421.7B CHANGE TRANSMITTAL 1

From: Secretary of the Navy

Subj: PROMOTION AND SELECTIVE RETENTION OF WARRANT AND CHIEF
WARRANT OFFICERS ON INACTIVE DUTY IN THE NAVAL RESERVE

Encl: (1) Revised pages 3 and 4 of enclosure (1)

1. Purpose. To provide revised reserve chief warrant officer promotion board membership requirements.
2. Action. Remove pages 3 and 4 of enclosure (1) of the basic instruction and replace with enclosure (1) of this change transmittal.


John Lehman
Secretary of the Navy

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SECNAVINST 1421.7B
OP-130R
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SECNAV INSTRUCTION 1421.7B

From: Secretary of the Navy

Subj: PROMOTION AND SELECTIVE RETENTION OF WARRANT AND CHIEF WARRANT OFFICERS ON INACTIVE DUTY IN THE NAVAL RESERVE

Ref: (a) Title 10, United States Code
(b) SECNAVINST 1920.6A

Encl: (1) Regulations governing the promotion and selective retention of warrant and chief warrant officers on inactive duty in the Naval Reserve

1. Purpose. To prescribe regulations governing the promotion and selective retention of warrant and chief warrant officers on inactive duty in the Naval Reserve pursuant to references (a) and (b).

2. Cancellation. SECNAVINST 1421.7A.

3. Background. Promotion of Naval Reserve warrant and chief warrant officers is governed by section 598 of reference (a) which prescribes that such promotions shall be governed by such regulations as the Secretary of the Navy may prescribe. Section 1001 of reference (a) prescribes that the Secretary shall, by regulation prescribe standards and qualifications for the retention and promotion of members of the reserve components under his jurisdiction.

4. Action. The Chief of Naval Operations, the Judge Advocate General, Board for Correction of Naval Records, and, under the CNO, Chief of Naval Personnel, Deputy Chief of Naval Operations (MPT), and Commander, Naval Military Personnel Command are responsible for carrying out the policy and procedures in enclosure (1).

5. Report. The reports required by this instruction are exempt from reports control by DOD Directive 5000.19 of 12 March 1976.

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See page 2

CHASE UNTERMEYER
Assistant Secretary of the Navy
(Manpower and Reserve Affairs)

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REGULATIONS GOVERNING THE PROMOTION AND SELECTIVE RETENTION OF
WARRANT AND CHIEF WARRANT OFFICERS ON INACTIVE DUTY IN THE NAVAL
RESERVE

1. Purpose. To establish regulations governing the promotion and selective retention of all warrant and chief warrant officers on inactive duty in the Naval Reserve pursuant to Title 10 United States Code Sections 598 and 1001.

2. Definitions For The Purpose of These Regulations

a. WARRANT OFFICER -- A member of the U.S. Naval Reserve who holds an appointment in the grade of W-1 and who (unless otherwise indicated) is serving on inactive duty.

b. CHIEF WARRANT OFFICER -- A member of the U.S. Naval Reserve who holds an appointment in a chief warrant officer grade (W-2 through W-4) and who (unless otherwise indicated) is serving on inactive duty.

c. ACTIVE STATUS -- The status of a warrant or chief warrant officer who is a member of the Ready Reserve (USNR-R) or the Standby Reserve Active (USNR-S1).

d. INACTIVE STATUS -- The status of a warrant or chief warrant officer who is on the Inactive Status List (USNR-S2).

e. PROMOTION SELECTION BOARD -- A board convened under the authority of section 598 of reference (a) and this enclosure to recommend warrant or chief warrant officers for promotion to a higher chief warrant officer grade. (A)

3. Promotion Eligibility Requirements.

a. Active Status Requirements. A warrant or chief warrant officer must be in an active status to be considered for promotion or to be promoted. A warrant or chief warrant officer who has been in an inactive status may be considered for promotion under these regulations only if he or she has served continuously in an active status during the 12-month period immediately preceding the convening date of the selection board which will consider him or her for promotion. A warrant or chief warrant officer may be promoted under these regulations only if he or she has served continuously in an active status during the 12-month period immediately preceding his or her date of appointment to the next higher grade.

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b. Service Credit. Upon original appointment as a warrant or chief warrant officer, the Secretary of the Navy shall credit an appointee for promotion purposes with all prior active service performed in the grade to which so appointed or in any higher chief warrant officer or commissioned grade. Service once credited for appointment to a warrant or chief warrant officer grade may not be credited again for promotion in a warrant or chief warrant officer grade.

c. Effective Date of Transfer to Inactive Status. A warrant or chief warrant officer who has been selected for promotion by a selection board convened pursuant to these regulations, and who at the time he or she would otherwise be promoted is ineligible for promotion because he or she has been transferred to an inactive status, shall be treated as if he or she has not been considered for promotion. If he or she later returns to an active status, his or her name shall not be placed on a list for promotion to the next higher grade until he or she is again considered and selected for promotion pursuant to these regulations.

d. Service in Grade

(1) Each warrant or chief warrant officer shall be considered by a selection board for promotion to the next higher chief warrant officer grade in time to permit promotion, if selected, as of the day after the date on which he or she will complete the number of years of service in an active status in his or her present grade which is required:

(a) One year, if in grade W-1.

(b) Three years, if in grade W-2 or W-3.

(2) Except as authorized by the Secretary of the Navy, each chief warrant officer, W-2, and chief warrant officer, W-3 shall be considered by a selection board for accelerated promotion to the next higher chief warrant officer grade in time to permit promotion, if selected, as of the day after the date on which he or she will complete two years of service in his or her present grade.

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(3) For purposes of promotion, service in grade shall be computed from the dates of rank for warrant officers, W-1, and from the dates of eligibility for promotion to their present warrant officer grades for chief warrant officers, W-2, and chief warrant officers, W-3.

e. Continuing Eligibility. Each warrant or chief warrant officer who is eligible to be considered for promotion continues to be eligible for consideration for promotion until he or she is selected or transferred to an inactive status.

4. Numbers That May Be Selected for Promotion. The Secretary of the Navy shall prescribe the number of warrant or chief warrant officers who may be selected for promotion to chief warrant officer, W-2, W-3, or W-4.

a. The number so prescribed for a grade may not be less than 80 percent of the number of warrant and chief warrant officers who are being considered for the first time under paragraph 3d.1 for promotion to that grade.

b. The Secretary shall prescribe the number of chief warrant officers, W-2, and chief warrant officers, W-3, who may be selected for accelerated promotion. The number so prescribed may not exceed five percent of the number prescribed under paragraph 4a for promotion to the grade under consideration, unless five percent of the number prescribed under paragraph 4a is less than one, in which case the number authorized for accelerated promotion shall be one.

5. Promotion Selection Boards. The Secretary shall, whenever the needs of the service require, but at least once a year, convene selection boards to recommend warrant and chief warrant officers (except chief warrant officers, W-4) for promotion to the next higher grade.

a. Notice of Convening. The Secretary of the Navy will issue notice of convening of a promotion selection board at least 30 days before a selection board is convened. The notice shall include (1) the grade or grades of the warrant and/or chief warrant officers to be considered for selection; (2) for each grade, the dates of rank of the senior and junior warrant or chief warrant officers, as applicable, eligible for consideration for selection under paragraph 3d.1 and of the junior chief warrant officer eligible for consideration for selection under paragraph 3d.2

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(3) the date the board will convene. The notice shall also inform eligible warrant and/or chief warrant officers of their right to communicate with the selection board. The Chief of Naval Personnel shall submit a proposed notice for Secretarial signature at least 40 days prior to the proposed convening date of the board.

b. Precept

(1) The Secretary of the Navy will convene promotion selection boards by written order (precept). The precept shall include the instructions of the Secretary of the Navy governing the conduct of the board and shall appoint the president and members of the board. The precept shall be addressed to the president of the board. The Chief of Naval Personnel shall submit a proposed precept for Secretarial signature at least 10 days prior to the proposed convening date of promotion selection boards.

(2) The precept shall require that the selection board certify that the board has carefully considered the case of each warrant and/or chief warrant officer whose name was furnished to the board and that in the opinion of the majority of the acting members of the board, the warrant officers recommended for promotion to W-2 are fully qualified for promotion and/or that the chief warrant officers, W-2 and W-3, recommended for promotion are best qualified for promotion.

c. Membership

R) (1) Each board shall consist of at least seven commissioned officers serving in the grade of chief warrant officer (W-4) or commander or above. There shall be at least five members serving in the grade of commander or above and at least one chief warrant officer (W-4) serving on the Board. At least half must be members of the Naval Reserve except as otherwise prescribed by the Secretary, but in all cases the Board must contain at least one Reserve member. The President of the board shall serve as a member.

(2) Five members, including at least one chief warrant officer, shall constitute a quorum.

(3) No officer may serve as a member of two consecutive selection boards.

(4) Guidance on selection board representation is not to be used to sponsor any single interest, but is to be used to enhance the knowledge, experience and understanding of the total board membership.

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d. Oath. Each member of a promotion selection board shall swear, or affirm, to perform the duties as a member of the board without prejudice or partiality and having in view both the special fitness of warrant and/or chief warrant officers and the efficiency of the Navy.

e. Information To Be Furnished Promotion Selection Boards. The following information shall be furnished to each promotion selection board at the time it is convened:

(1) The Secretary of the Navy shall specify in the precept the maximum number of warrant or chief warrant officers in each grade that the board may recommend for promotion.

(2) The Chief of Naval Personnel shall provide the names of all warrant or chief warrant officers in each grade who are to be considered by the board, in order of seniority.

(3) The Chief of Naval Personnel shall supply the pertinent records of each warrant and/or chief warrant officer to be considered by the board. Such records shall include all documents, including evaluations, that are essential for a fair and substantially accurate and complete portrayal of the warrant or chief warrant officer's career.

(4) The Secretary of the Navy shall provide in the board precept and Secretarial letters of guidance or instruction such other information and guidelines as may be necessary to enable the board to perform its functions properly.

6. Communication with Promotion Selection Boards.

Only a warrant or chief warrant officer who is eligible for consideration by a promotion selection board convened under this instruction may send a written communication to the selection board. Such communication must arrive at the Commander, Naval Military Personnel Command, not later than the convening date of the board. The warrant or chief warrant officer's written communication may include as attachments correspondence from an individual concerning the eligible warrant or chief warrant officer. The communication shall not criticize or reflect upon the character, conduct or motives of any officer. The written communication may call the attention of the board to any matter considered by the warrant or chief warrant officer to be

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important in his or her case. The promotion selection board shall give consideration to any such written communication timely received.

7. Proceedings, Recommendations, Reports, and Action on Reports of Promotion Selection Boards

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

b. A board convened under these regulations shall submit a written report of the results of its deliberations to the Secretary of the Navy. The names of warrant and/or chief warrant officers selected for promotion shall be arranged in the board's report in order of seniority in grade. All acting members and the recorder of the board shall sign the report and shall certify that the board carefully considered the case of each warrant and/or chief warrant officer whose name was furnished to the board and that a majority of the members of the board who acted in arriving at the recommendations are of the opinion that the warrant or chief warrant officers selected for promotion are fully qualified or best qualified for promotion. The Secretary may approve or disapprove all or part of the report.

c. The Judge Advocate General shall review the report of each promotion selection board for legality prior to being submitted to the Secretary of the Navy.

d. If, after reviewing the report of a promotion selection board and comments of the Judge Advocate General, the Secretary of the Navy determines that the board acted contrary to law or regulation, the Secretary shall return the report to the board for further proceedings. Upon receipt of a report that has been returned by the Secretary for further proceedings, the board (or a subsequent promotion selection board for the same grade) shall conduct such proceedings as may be necessary in order to revise the report and shall resubmit the report, as revised, to the Secretary in accordance with this instruction.

e. The board shall report the name of each of those considered for promotion whose records and reports establish, in the opinion of the majority of the acting members of the board, his or her unfitness or unsatisfactory performance of duty or that his or her retention is clearly inconsistent with the interests of national security.

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8. Failure of Selection

a. Except as provided by paragraphs 9c and 9d each warrant or chief warrant officer who was eligible for promotion under paragraph 3d.1, but who was not selected for promotion, or if selected, had his or her name removed from a promotion list by the Secretary of the Navy, is considered as having failed of selection.

b. A chief warrant officer who was eligible for accelerated promotion under paragraph 3.d.(2) but not selected is not considered to have failed of selection.

c. A warrant or chief warrant officer who is selected for promotion to the next higher chief warrant officer grade, but who within such time as may be prescribed by the Secretary of the Navy fails to meet the moral and professional qualifications prescribed by the Secretary, shall be treated as if he or she had twice failed of selection for promotion.

d. Two or more failures of selection may, in accordance with reference (b), subject a warrant or chief warrant officer to administrative separation.

9. Special Warrant and Chief Warrant Officer Promotion Selection Boards

a. Policy. Special selection boards shall be used only to consider the records of warrant or chief warrant officers who are eligible for promotion to a chief warrant officer grade and to make recommendations to the Secretary of the Navy with regard to selection for promotion in cases where an error or omission precluded a warrant or chief warrant officer's consideration, or proper consideration, by a regularly scheduled selection board. A warrant or chief warrant officer may not be considered by such a board if, in exercising reasonable diligence, the warrant or chief warrant officer could have discovered the error or omission in his or her record, and could have taken timely corrective action prior to the convening of the regularly scheduled selection board.

b. Sampling of Records. The president of each regularly scheduled warrant and/or chief warrant officer promotion selection board convened on or after 15 September 1981 shall prepare a sampling of records of warrant and/or chief warrant officers who were recommended for promotion and of warrant and/or chief warrant officers who were not recommended for promotion by the regularly scheduled selection board. The Chief of Naval Personnel shall

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prescribe the method by which the sampling of records will be selected. Sample records shall be retained for a period of at least seven calendar years. Written communications to the board by warrant and/or chief warrant officers whose records are retained will also be retained with the records. Each board president shall deliver his or her sampling of records to the Chief of Naval Personnel, who is the custodian of all sample records retained pursuant to this paragraph.

c. Warrant and Chief Warrant Officers Not Considered
Due to Administrative Error

(1) The Secretary of the Navy may, upon determination that an administrative error prevented consideration of an eligible warrant or chief warrant officer's record before a regular selection board, convene a special selection board to consider the record of the warrant or chief warrant officer concerned. The Chief of Naval Personnel shall provide comments and recommendations, as appropriate, for consideration by the Secretary in making determinations under the provisions of this paragraph.

(2) Failure to submit the record of a warrant or chief warrant officer to the regularly scheduled promotion selection board for that officer's grade prior to the date that board adjourned and forwarded its report to the Secretary of the Navy shall constitute administrative error, if the warrant or chief warrant officer was in an active status on the date the board adjourned and should have been considered by the board under paragraphs 3.d(1) or (2).

(3) If the Secretary of the Navy convenes a special selection board under paragraph 9c(2) to consider a warrant or chief warrant officer's record, the failure of the regular selection board to consider and select him/her for promotion shall not be considered a failure of selection. If the warrant or chief warrant officer's record should have been considered by the regular board under paragraph 3.d(1) and his/her record is considered by a special selection board pursuant to paragraph 9.c(2) and then he or she is not recommended for promotion (or he or she is recommended but then removed from the promotion list by the Secretary), such action by the special board (or the Secretary) shall be considered a failure of selection.

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d. Warrant and Chief Warrant Officers Considered by a Regular Promotion Selection Board but Not Recommended for Promotion Due to the Action of the Board Involving Material Error of Fact or Material Administrative Error, or the Board Not Having Before It for Its Consideration Material Information

(1) A special selection board may be convened when the Secretary of the Navy, taking into consideration the comments of the Chief of Naval Personnel and Judge Advocate General, determines that a warrant or chief warrant officer who was eligible for promotion to a chief warrant officer grade under paragraph 3.d(2) was considered but was not recommended for promotion by a regularly scheduled selection board because:

(a) The action of the selection board which considered the warrant or chief warrant officer for promotion was contrary to law;

(b) The action of the selection board involved material error of fact or material administrative error; or

(c) The board did not have material information before it for its consideration.

(2) The Judge Advocate General shall review the basis for any determination that the action of a regular promotion selection board which considered an officer was contrary to law and shall provide advice concerning the particular case to the Secretary of the Navy.

(3) The following principles apply regarding Secretary of the Navy determinations under paragraph 9.d(1).

(a) A compositional defect in the membership of a selection board, which violated paragraph 5c of this enclosure, is always material error and is never considered harmless.

(b) An error which deprives a warrant or chief warrant officer being considered by a selection board of a constitutional or statutory right is material.

(c) A procedural or administrative error that deprives a warrant or chief warrant officer who is before a selection board of fair and impartial consideration of his or her record is material.

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(d) Each warrant or chief warrant officer before a selection board is entitled to be considered on a record that substantially portrays, accurately, completely, and fairly, his or her career. Any information that, under the circumstances, is essential for a substantially accurate, complete, and fair portrayal of the warrant or chief warrant officer's career is material information.

(4) If the Secretary of the Navy convenes a special selection board under paragraph 9.d(1) to consider a warrant or chief warrant officer's record, the failure of the regular selection board to select him or her for promotion shall not be considered a failure of selection. If the warrant or chief warrant officer's record is considered by a special selection board pursuant to section paragraph 9.d(1), and then he or she is not recommended for promotion (or he or she is recommended but then is removed from the promotion list by the Secretary of the Navy) such action by the special board (or the Secretary of the Navy) shall be considered a failure of selection.

e. Even if a warrant or chief warrant officer has failed of selection before regularly scheduled boards more than once for promotion to the next higher grade, and even if more than one of these failures involved error, the warrant or chief warrant officer's case shall be considered by only one special selection board.

f. Presentation of Records to Special Selection Boards.
The record of a warrant or chief warrant officer presented to a special selection board will be modified as necessary to reflect the record that would have been presented to the regularly scheduled selection board had an error or omission not occurred. If errors occurred in more than one regularly scheduled selection board, the record presented to the special selection board will reflect the record that should have been presented to the last regularly scheduled selection board. Special selection boards will compare the modified record to the sample records retained from the corresponding regularly scheduled selection board.

g. Membership, Duties, and Reports

(1) The oath of special selection boards is the same as the oath prescribed in paragraph 5d for a regularly scheduled board.

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(2) Membership of special warrant and chief warrant officer selection boards will conform to the requirements of paragraph 5.d(1) through (5) of this enclosure.

(3) The following information shall be furnished to each special promotion selection board at the time it is convened:

(a) The Secretary of the Navy shall specify in the precept the maximum number of warrant or chief warrant officers in each grade that the board may recommend for promotion based on the justification supplied by the Chief of Naval Personnel.

(b) The Chief of Naval Personnel shall provide the names of all warrant or chief warrant officers in each grade that are to be considered by the board.

(c) The Chief of Naval Personnel shall supply the pertinent records of each warrant and/or chief warrant officer to be considered by the board, as well as the sample records from the appropriate regular selection board(s).

(d) The Secretary of the Navy shall provide in the precept and Secretarial letters of guidance or instruction such other information and guidelines as may be necessary to enable the board to perform its functions properly based on the comments and recommendations of the Chief of Naval Personnel.

(4) Based upon the records and other information submitted, the board shall recommend for promotion in each grade those warrant or chief warrant officers whose records were submitted to the board for consideration for selection for promotion who, in the opinion of the majority of the acting members (1) are fully qualified for promotion; and (2) when compared to the warrant or chief warrant officers in that grade whose records were retained in the sampling, are better qualified for promotion than all of the warrant or chief warrant officers in that grade who failed of selection for promotion before the regularly scheduled promotion selection board.

(5) The board shall submit to the Secretary of the Navy a written report signed by each acting member and the recorder of the board, containing the name of each warrant and/or chief warrant officer recommended for promotion, and each warrant and/or chief warrant officer not recommended for promotion, and certifying that the board has carefully considered the record of each warrant and/or chief warrant officer whose name was referred to it and that the

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board has made its decisions in accordance with the foregoing criteria. The board's report shall include the name of any warrant or chief warrant officer before it whose record establishes, in the opinion of a majority of the members of the board, his or her unfitness or unsatisfactory performance or that his or her retention is clearly inconsistent with the interests of national security. Warrant or chief warrant officers so reported by a special promotion selection board may be processed for administrative separation under the provisions of reference (b). The report of the board shall be handled in the same manner as reports of regularly scheduled selection boards under the provisions of paragraph 7 of this enclosure.

(6) Except as authorized or required by the Secretary of the Navy, no member or recorder of a special promotion board shall disclose the proceedings or recommendations of a special promotion selection board.

h. Scheduling of Special Selection Boards and Notification of Warrant or Chief Warrant Officers To Be Considered. Special selection boards for warrant and/or chief warrant officers normally shall be convened in conjunction with regularly scheduled promotion selection boards for warrant and/or chief warrant officers. The Secretary may, however, convene special selection boards at other times when requested by the Chief of Naval Personnel. Warrant and/or chief warrant officers to be considered for promotion by a special selection board shall be so notified at least 30 days before the board convenes. Such warrant and/or chief warrant officers shall be provided an opportunity to send written communications to the board in the same manner as that provided for regularly scheduled promotion selection boards. The results of special selection boards shall be made known to affected warrant and/or chief warrant officers on a timely basis. Barring extenuating circumstances, special selection boards shall be convened and the results made known to affected warrant and/or chief warrant officers within 180 days of the date the special selection board convenes.

i. Initiating Action for Special Selection Board.

(1) The Commander, Naval Military Personnel Command, acting for the Chief of Naval Personnel, shall request a Secretarial determination under paragraph 9.c(1) or 9.d(1) of this instruction in any case in which it is alleged or discovered that the circumstances discussed in those paragraphs

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might in the case of a warrant or chief warrant officer justify referral of his or her case to a special selection board. In each case, the Commander, Naval Military Personnel Command shall forward his comments and recommendations for consideration by the Secretary.

(2) The Board for Correction of Naval Records may, in appropriate cases, recommend to the Secretary of the Navy that an individual's case be referred to a special selection board. In order to ensure consistency and uniformity in the referral of cases to special selection boards, the Board for Correction of Naval Records shall be guided by sections paragraphs 9.c and 9.d (other than paragraph 9.d(1)(a)) of this enclosure and may request the comments and recommendations of the Commander, Naval Military Personnel Command and/or the Judge Advocate General.

(3) Requests for Secretarial determination under paragraph 9.d(1)(a) of this instruction, which are based on allegations that a regularly scheduled promotion selection board acted contrary to law, will be forwarded to the Secretary of the Navy via the Judge Advocate General.

(4) A warrant or chief warrant who ascertains that he or she was not considered, or not properly considered, by a regularly scheduled selection board for reasons set forth under paragraphs 9.c or d may bring such fact to the attention of the Commander, Naval Military Personnel Command, the Judge Advocate General, and/or the Board for Correction of Naval Records.

j. Retention of Statistical Data. The report of each board convened under this instruction shall include statistical data regarding the number of warrant or chief warrant officers considered for promotion to each grade, the number of warrant or chief warrant officers selected for promotion to each grade, the number of minorities selected for promotion to each grade, the number of minorities considered but not selected for promotion to each grade, the number of warrant and/or chief warrant officers considered but not selected for promotion to each grade, the number of warrant or chief warrant officers considered by the special selection board who were not considered by the appropriate regular selection board as a result of administrative error, and the number of warrant and/or chief warrant officers considered by the special selection board on the basis of legal or other material error regarding their previous consideration by the appropriate regularly scheduled promotion selection board.

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10. Promotion of Warrant or Chief Warrant Officers Selected by Special Selection Boards. If the report of a special selection board convened under this enclosure, as approved by the Secretary of the Navy, recommends for promotion to the next higher grade a warrant or chief warrant officer whose name was referred to it for consideration, such warrant or chief warrant officer shall be appointed to the grade for which selected on the date on which the warrant or chief warrant officer would have been appointed if he or she had been recommended for promotion by the regularly scheduled promotion selection board that should have properly considered that warrant or chief warrant officer. The date of rank and effective date in the grade to which appointed as a result of the approved recommendation of a special selection board under this enclosure shall be the date of appointment to that grade, as determined under paragraph 11b, 11c or 11d of this enclosure.

11. Promotion List: Date of Rank

a. Each warrant or chief warrant officer who is selected for promotion in the report of a selection board convened pursuant to these regulations is considered approved for promotion if his or her name appears in a report of warrant and/or chief warrant officers approved for promotion by the Secretary of the Navy. The name of each warrant and/or chief warrant officer so approved for promotion shall be placed on a promotion list for warrant or chief warrant officers of the grade concerned in order of seniority.

b. A warrant or chief warrant officer on the promotion list who has not previously failed of selection to the grade for which selected and who was considered and selected by a regular selection board under paragraph 3d(1) shall be promoted to the grade for which selected on the day after the date on which he or she completes the service required by paragraph 3d(1).

c. A warrant or chief warrant officer on the promotion list from a regular selection board who has previously failed of selection to the grade for which selected shall be promoted to the grade for which selected on the earlier of the following dates:

(1) One year after the date upon which his or her promotion would have been effective if he or she had been selected by the last selection board which failed to select him or her; or

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(2) The earliest date upon which any warrant or chief warrant officer who has not previously failed of selection, and whose name follows his or hers on the promotion list approved by the Secretary of the Navy, is promoted to the grade.

d. A chief warrant officer whose name was placed on the promotion list as a result of his or her selection by a regular selection board for accelerated promotion shall be promoted to the grade for which selected on the later of the following dates:

(1) The day after the date on which he or she completes the service required by paragraph 3d or

(2) The date of eligibility for promotion of the most junior chief warrant officer of the grade concerned who was selected for promotion from among those eligible chief warrant officers senior to the chief warrant officers eligible for accelerated promotion.

12. Removal from Promotion List

a. The name of a warrant or chief warrant officer recommended for promotion to a higher grade by a regular or special promotion selection board may be removed from the report by the Secretary of the Navy. The Chief of Naval Personnel may forward requests for such action to the Secretary of the Navy for review and final action.

b. A warrant or chief warrant officer whose name is removed from a promotion list continues to be eligible for consideration for promotion. If such a warrant or chief warrant officer is selected for promotion by the next selection board, and if his or her name appears in a report of warrant or chief warrant officers approved for promotion by the Secretary of the Navy, his or her name shall be replaced without prejudice on the list from which it was removed, and when promoted, his or her date of appointment will be the same as if his or her name had not been removed from the promotion list. However, if such a warrant or chief warrant officer is not selected for promotion by the next selection board or if he or she is so selected but the Secretary of the Navy again removes his or her name from the promotion list, he or she shall be treated for all purposes as if he or she twice failed of selection for promotion.

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13. Selective Retention. A warrant or chief warrant officer who has at least 30 years of active service, or has completed at least 30 years of service computed under section 1332 of reference (a), shall be transferred to the Retired Reserve or the Naval Reserve Retired List, as appropriate, not later than six months after he or she completes that service. A warrant or chief warrant officer who is subject to transfer under this paragraph, may be selectively retained to meet requirements identified for his or her grade, competitive category, and designator. A chief warrant officer who desires retention in active status should address a request for such retention to Commander, Naval Military Personnel Command, who is hereby delegated approval authority for such request. Commander, Naval Military Personnel Command, acting for the Chief of Naval Personnel, shall issue guidance for submission of requests made pursuant to this instruction.