



PERSONNEL AND  
READINESS

UNDER SECRETARY OF DEFENSE  
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WASHINGTON, D.C. 20301-4000  
JUL 19 2006



MEMORANDUM FOR SECRETARY OF THE ARMY  
SECRETARY OF THE NAVY  
SECRETARY OF THE AIR FORCE  
CHAIRMAN OF THE JOINT CHIEFS OF STAFF

SUBJECT: General and Flag Officer Boards - Adverse Information of a Credible Nature

This memorandum modifies Department of Defense Instructions in accordance with sections 615(a)(3) and 14107(a)(3) of title 10, United States Code, as enacted by Public Law 109-163 (National Defense Authorization Act for Fiscal Year 2006), section 506. These changes to title 10 direct that adverse information of a credible nature, including any substantiated adverse finding or conclusion from an officially documented investigation or inquiry, be provided to general and flag officer promotion selection boards.

On occasion within the Department over the last several years, adverse information presented to the cognizant Secretary of the Military Department concerning the promotion of a particular officer has not been reviewed by the general or flag officer board that recommended that same officer for promotion or Federal recognition. Under the attached policy change, such information must be provided to the general or flag officer promotion selection or Federal recognition board during its deliberation on whether to recommend a particular officer for promotion.

In the future, before any adverse information is presented to the Secretary of the Military Department concerned about an officer being considered for promotion to general or flag officer grade, it will be presented to the general or flag officer board concerned. When adverse information of a credible nature is not substantiated in time for review by a general and flag officer promotion selection or Federal Recognition board, that information will be presented to a promotion review board before the Secretary of the Military Department concerned decides whether to support the officer for appointment to the next higher grade.

This policy change is effective October 1, 2006, for selection boards that convene on or after this date.

*David S. C. Chu*

David S. C. Chu

Attachment:  
As stated



## CHANGE TO DEPARTMENT OF DEFENSE INSTRUCTIONS:

The following definition replaces paragraph 3.1 in DoDI 1320.4, *Military Officer Actions Requiring Approval of the President or Secretary of Defense, or Confirmation by the Senate*:

Adverse Information of a Credible Nature (hereafter, adverse information). Any substantiated adverse finding or conclusion from an officially documented investigation or inquiry, or other official record or report. Adverse information of a credible nature does not include information that is more than 10 years old or records of minor offenses that did not result in personal harm or significant property damage.

The following definition is added to DoDI 1320.14, *Commissioned Officer Promotion Program Procedures*:

Adverse Information of a Credible Nature. Any substantiated adverse finding or conclusion from an officially documented investigation or inquiry, or other official record or report. Adverse information of a credible nature does not include information that is more than 10 years old or records of minor offenses that did not result in personal harm or significant property damage.

The following paragraphs are added to DoDI 1320.14:

### 6.1.3.3. Adverse Information of a Credible Nature

6.1.3.3.1. Adverse information of a credible nature (hereafter adverse information), as defined in this Instruction, will be presented to promotion selection and Federal recognition boards that consider officers for general or flag officer grades.

6.1.3.3.1.1. Adverse information that is part of the officer's official military personnel record will be furnished to the board as required by this Instruction.

6.1.3.3.1.3. Adverse information that is not part of the officer's official military personnel record will be provided to the board under the provisions of paragraph 6.1.3.2.3.

6.1.3.3.1.4. Adverse information substantiated fewer than 90 days prior to the board convening date may be presented to the board if the provisions of paragraph 6.1.3.2.3, above, are satisfied.

6.1.3.3.1.5. Adverse information that is not available in time for review by the general or flag officer board under paragraph 6.1.3.3.1.4, above, will be presented to a promotion review board convened under regulations of the Secretary of the Military Department concerned. The promotion review board shall make a recommendation on the promotability of officers with adverse information before the Secretary of the Military Department concerned decides whether to support the officer for appointment to the next higher grade.