



**DEPARTMENT OF THE NAVY**  
BUREAU OF NAVAL PERSONNEL  
5720 INTEGRITY DRIVE  
MILLINGTON, TN 38055-0000

BUPERSINST 1610.10E CH-1  
PERS-32  
07 May 2020

**BUPERS INSTRUCTION 1610.10E CHANGE TRANSMITTAL 1**

From: Chief of Naval Personnel

Subj: NAVY PERFORMANCE EVALUATION SYSTEM

Ref: (a) NAVADMIN 137/20

Encl: (1) Revised Pages 1-2, 1-6, 1-18, 1-18a, 3-5 through 3-10, 10-1, 13-8 through 13-12, and 18-3

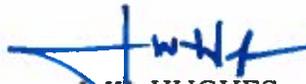
1. **Purpose.** To transmit enclosure (1), revised pages of the basic instruction.
2. **Summary of Changes.** The policy updates issued in reference (a) and documented in this change transmittal include:
  - a. Integrates education into Navy Talent Management for officer fitness reports (FITREPs).
  - b. Modifies language in the instruction to clarify that for enlisted evaluations (EVALs), active and full-time support should be grouped together in summary groups.
  - c. Clarifies language in the instruction for a reporting period in which a member has failed two consecutive physical fitness assessments.
  - d. Clarifies frocking report guidance by removing "E6-only." This change eliminates ambiguity as to whether or not Promotion/Frocking EVALs are required for other enlisted paygrades and adds an E5 example.
  - e. Modifies language in the instruction to account for Strategic Sealift Officers to receive a FITREP instead of a performance information memorandum for annual training.
  - f. Revises CWO1 to reflect WO1 throughout the basic instruction.
  - g. Modifies the Mid-term Counseling Schedule table to reflect the month of March for mid-term counseling for CWO2/WO1.
  - h. Modifies language in the instruction to allow reporting seniors to waive the 90-day minimum report period to submit a special report to a promotion selection board for officers or chiefs assigned to a command for less than 90 days.

3. Action. Remove pages 1-2, 1-6, 1-18, 3-5, 3-6, 3-7, 3-8, 3-9, 3-10, 10-1, 13-8, 13-9, 13-10, 13-11, 13-12, and 18-3 of the basic instruction and replace with enclosure (1) of this change transmittal. File reference (a) with this change transmittal and the basic instruction.

4. Records Management

a. Records created as a result of this change transmittal, regardless of format or media, must be maintained and dispositioned for the standard subject identification codes (SSIC) 1000 through 13000 series per the records disposition schedules located on the Department of the Navy/Assistant for Administration (DON/AA), Directives and Records Management Division (DRMD) portal page at <https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/Records-and-Information-Management/Approved%20Record%20Schedules/Forms/AllItems.aspx>.

b. For questions concerning the management of records related to this change transmittal or the records disposition schedules, please contact your local records manager or the DON/AA DRMD program office.



J. W. HUGHES  
Deputy Chief of Naval Personnel

Releasability and distribution:

This change transmittal is cleared for public release and is available electronically only via BUPERS Web site, <http://www.public.navy.mil/bupers-npc/Pages/default.aspx>

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**BLOCK 2**      **GRADE/RATE**  
Enter the grade or rate the member is actually wearing on the ending date of the report.  
**Enlisted:** Use standard rate abbreviations. **Examples:** SA, ADAN, CS2, BM1, LNC, EMCS, PSCM, etc.  
**Officers:** Use standard grade abbreviations. **Examples:** CAPT, CDR, LCDR, LT, LTJG, ENS, CWO5, CWO4, CWO3, CWO2, WO1.  
**Note:** This field is used for summary group comparison.

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**BLOCK 3**      **DESIG**  
Enter the officer designator or enlisted warfare qualification designation.  
**Enlisted:** Enter up to two enlisted warfare/qualification designators. If two designators are entered, separate with a slash. Do not leave spaces. **Examples:** AW, AW/PJ, SS/DV. If none, leave blank.  
**Officers:** Enter the four-digit officer designator as of the ending date of report. Do not use an alpha character for a numerical character, (e.g., "I" or lower case "l" for 1 or "O" for 0.) **Examples:** 6210, 1317.  
**Note:** This field is used for summary group comparison.

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**BLOCK 4**      **SSN**  
Enter the member's full social security number (SSN) with hyphens after the third and fifth digits. Verify that the SSN is correct with a source document. **Example:** 000-00-0000.

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**BLOCK 5**      **DUTY/COMPETITIVE STATUS**  
This field is used for summary group comparison. For enlisted, group ACT and FTS together. Group INACT and AT/ADSW separately. Place an X in only one box to indicate the member's status as follows:  
**ACT** - All ACDU Navy and Navy reservists on extended ACDU who compete together for the same active duty promotion quotas.  
**FTS** - All Navy Reserve personnel designated full-time support (FTS) who compete for FTS promotion quotas.  
**INACT** - All Navy reservists on inactive duty (drill status) who compete for INACT promotion quotas. Refer to chapter 9.  
**AT/ADSW** - All Navy Reservists on temporary ACDU but who still compete for INACT promotion quotas. Includes all annual training (AT), active duty for training (ADT), active duty for special work (ADSW), 1-year recall (OYR), canvasser recruiter (CANREC), mobilization, recall, etc. Refer to chapter 10.

Refer to chapter 6 for detailed instructions, exceptions, and an example. Also refer to chapter 10 for instructions on Navy Reserve AT NOB reports.

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<b>BLOCKS 17-19</b>	<b>TYPE OF REPORT</b> Place an "X" in the block that applies. If this is a Concurrent/Regular report, place an "X" in blocks 17 <u>and</u> 18. See chapter 4 for Instructions and examples of all types of Concurrent reports.
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**Note:** This field is used for summary group comparison.

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<b>BLOCK 20</b>	<b>PHYSICAL READINESS</b> NOTE: Ensure data entered here matches data entered into the official Navy Physical Readiness Information Management System (PRIMS) for the cycles being referenced.
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Enter the one-letter code for the result of each **official** physical fitness assessment (PFA) conducted in the reporting period. Document all official PFAs in block 20 using the following format: **PPP**. This indicates the individual passed three official PFAs during the reporting period. Do not enter spaces or slashes between the characters. Enter specific PFA cycle identification information in block 29.

Do not use physical readiness tests (PRTs) and body composition assessments (BCAs) that are not part of an official PFA. Performance trait grades and recommendations must conform to the following:

a. No mandated or prohibited trait mark required in "Military Bearing"/"Professionalism" for promotability and or retention for reporting period in which member's first PFA failure occurs.

b. For a member who has failed two consecutive PFAs,

(1) Enlisted members will receive:

(a) A grade no greater than 1.0 in "Military Bearing" or "Professionalism" (CHIEFEVAL block 35 or EVAL block 36).

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**EVAL BLOCK 42**

**SIGNATURE OF RATER**

Type the last name, initials, and grade or rate of the rater, and obtain the signature. Use black or blue-black ink. If the signature is unobtainable, see chapter 14.

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**EVAL BLOCK 43**

**COMMENTS ON PERFORMANCE**

**FITREP/CHIEFEVAL  
BLOCK 41**

See chapter 13 for specific guidance on preparation, organization, style, reporting on misconduct, prohibited comments, and special interest items that must be mentioned when

they apply.

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**EVAL BLOCK 44**

**QUALIFICATIONS/ACHIEVEMENTS**

Enter courses and credit hours completed, degrees or certificates awarded, special Navy or other qualifications attained or renewed, personal awards or letters of commendation received, other special honors or recognition received, and or community involvement. This block is reserved for completed, not anticipated achievements. Do not enter award recommendations or courses in progress, etc. Do not repeat information from earlier reports. For E7-06 members, use FITREP or CHIEFEVAL block 41 for courses and credit hours completed, degrees or certificates awarded, qualifications, and achievements.

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**EVAL BLOCK 45**

**INDIVIDUAL (PROMOTION RECOMMENDATION)**

**FITREP/CHIEFEVAL  
BLOCK 42**

Place an "X" in the box for the promotion recommendation. The recommendation may be NOB if appropriate (e.g., short period and no more than three trait grades are entered.) Ensure justification is provided in the comments section if a partially graded NOB report is issued.

**Promotable, Must Promote, and Early Promote** are all recommendations for promotion. The recommendation should be consistent with the performance trait grades and may also take into account the difficulty of the assignment and the reporting senior's judgment of the member's likely value to the Navy in the next higher grades. A promotion recommendation should not be withheld until completion of time-in-grade or other administrative requirements. For an enlisted performance mark

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Average, Promotable = 3.6, Must Promote = 3.8, and Early Promote = 4.0 on the advancement system 4.0 scale. All are advancement recommendations. See chapter 16 for details. A Promotable promotion recommendation allows up to two traits, excluding

c. Officers and Enlisted. If Detachment of Reporting Senior reports were submitted for a particular pay grade, and, if the next report is the Periodic report but is less than 90 days from the previous Detachment of Reporting Senior report, the Periodic report may be omitted and added to the next period. However, if the new reporting senior submits a Periodic report, he or she must do so for all personnel in the same pay grade who are normally evaluated by that reporting senior. Detachment of Reporting Senior reports may be extended in place of a Periodic or Detachment of Individual report. Letter-extensions for Detachment of Reporting Senior reports on officers may only be signed by the new reporting senior from the originating command. Letter-extensions for Detachment of Reporting Senior reports on enlisted personnel may be signed by the new reporting senior or by direction from an authorized representative from the originating command.

### **3-8. Promotion/Frothing Reports**

a. Enlisted. Normally, a promotion frothing report is not required except as noted in this paragraph. Always submit a Promotion/Frothing EVAL upon promotion or frothing to E7. The Promotion/Frothing report closes out the EVAL record in the lower pay grade. Enter the old rate in block 2, enter "SELECTED" in block 8, and show the ending date as the date prior to frothing (or promotion if not previously frothed). Do not submit a report when a frothed member is permanently promoted. The report may be Not Observed if it covers only a relatively short period.

b. Officers and Enlisted. Do not submit a promotion/frothing report for an officer or enlisted member who has been promoted unless the change will result in more than 15 months between Regular reports (e.g., Periodic, Detachment of Individual, or Detachment of Reporting Senior).

**Example of needing a Promotion/Advancement report:** An E5 is promoted to E6 on 01 December 2020. The E5 received a Periodic report on 15 March 2020 and would not receive another Periodic report until 15 November 2021 (periodic E6 report). This situation would cause a period of performance from 20MAR16-21NOV15 that would exceed the 15-month limit. Instead, submit a Promotion/Frothing report with an ending date of 30 November

2020. Enter the grade as "E5," enter "SELECTED" in block 8, and mark report as Promotion/Frocking for the report occasion in block 12.

**Example of needing a Promotion/Advancement report:** A LCDR is promoted to CDR on 01 September 2012. The LCDR received a Periodic report on 31 October 2011 and would not receive another Periodic report until 30 April 2013 (periodic CDR report). This situation would cause a period of performance from 11NOV01-13APR30 that would exceed the 15-month limit. Instead, submit a Promotion/Frocking report with an ending date of 31 August 2012. Enter the grade as "LCDR," enter "SELECTED" in block 8, mark the report SPECIAL, and enter "PROMOTION REPORT" at the top of block 41.

**Example of needing a Promotion/Advancement report:** An active duty E8 is frocked to E9 on 01 June 2012. The E8 received a Periodic report on 15 September 2011 and would not receive another Periodic report until 15 April 2013 (Periodic E9 report). This situation would cause a period of performance from 11SEP16-13APR15 that would exceed the 15-month limit. Instead, submit a Promotion/Frocking report with an ending date of 31 May 2012. Enter the old rate in block 2, enter "SELECTED" in block 8, and show the ending date as the date prior to frocking. Mark the report SPECIAL, and enter "FROCKING REPORT" at the top of block 41.

**Example of not needing a Promotion/Advancement report:** A LT receives a Periodic report on 31 January 2013. The LT is promoted to a new pay grade (LCDR) on 01 July 2013. The officer will receive a Periodic LCDR FITREP on 31 October 2013. This situation does not require a Promotion/Frocking report because the period of report would be 13FEB01-13OCT31. This report would not exceed 15 months between Regular reports.

**Example of not needing a Promotion/Advancement report:** An E5 is promoted to E6 on 15 June 2013. The E5 received a Periodic E5 report on 15 March 2013. The member will receive a Periodic report in the new paygrade of E6 on 15 November 2013. This situation does not require a Promotion/Frocking report because the period would be 13MAR16-13NOV15. This report would not exceed 15 months between Regular reports.

**Exception:** For ensigns promoting to LTJG enter "REGULAR" in block 8, mark the report SPECIAL, and enter "PROMOTING TO LTJG" at the top of block 41.

**Note:** Promotion/Frocking reports **may not** be extended.

**3-9. Special Reports.** Special reports are considered to be special occasions for submission of Regular and Concurrent reports. Regular reports must maintain Regular report continuity. State the justification for the Special report as the opening sentence of the comments. A report without this statement will be returned for correction. Circumstances under which Special reports may be submitted are:

a. Member Eligible for Promotion Selection Board

(1) Officers and CPOs. A new reporting senior who has not written an "Observed" report on a member may submit a Special report on an officer or CPO who is eligible before a promotion selection board if the individual has performed significant duties under that reporting senior for at least 3 months. The 3-month minimum report period may be waived, but grades should be limited to those traits the reporting senior could realistically observe. A CO may not assign the member to a new reporting senior for this purpose. Do not submit a Special report for any other board (e.g., command screening, transfer/redesignation, continuation, etc.). In the case of a Navy Reserve member who is beginning or resuming drill participation, the 3-month minimum report period may be waived, but grades should be limited to those traits the reporting senior could realistically observe. Not Observed reports are permitted if the purpose is merely to inform the board of the renewed participation status.

(2) Enlisted (E6 only). An E6 who has performed duty at a new command for at least 3 months and has not yet received an Observed report at that command, may receive a Special report for a promotion selection board. This report may not be used to recompute a performance mark average score or to establish board eligibility.

b. Elimination of Physical Readiness Deficiency. A Special report may be submitted once satisfactory physical readiness is

achieved on the most recent official PFA. See reference (a) for the requirements to achieve satisfactory physical readiness.

c. Appointment to Officer Status (enlisted only). Submit a Special report ending the day prior to appointment to officer status. This report closes out the member's enlisted status. Additionally, an officer FITREP is required to be submitted when the member transfers from the command where commissioned.

d. Submission or Withdrawal of an Enlisted Promotion (Advancement) Recommendation or Establishment of a Performance Mark Average (enlisted only). Submit a Special report if needed for an enlisted advancement cycle to recommend a member for advancement who is not already in a recommended status, withdraw an advancement recommendation, or to establish a performance mark average when no report that can be used for this purpose has been submitted in the member's current rate. A Special report may not be submitted for the sole purpose of raising a performance mark average (see chapter 16 for Enlisted Advancement system issues).

e. Misconduct. Misconduct should normally be reported when the next FITREP, CHIEFEVAL, or EVAL comes due; however, a Special report may be submitted if the reporting senior believes that facts should be placed on the record before the next occasion for a report. Do not submit an adverse Special report for any of the following reasons:

(1) Solely to support a detachment for cause request or other administrative or judicial action. Document the deficiencies in correspondence specific to that action;

(2) As punishment, as an alternative to corrective action, or in lieu UCMJ proceedings; or

(3) To document a civil conviction or non-judicial punishment (NJP) unless necessary to place facts on the record in a timely manner.

Note: If it is desired to limit an adverse report to a specific period that began after the ending date of the last Regular report, submit two Special reports, one maintaining continuity to the beginning of the period of concern and the second covering the period itself.

f. Fleet-up Certification. A member who does not receive a fleet-up certification for command as required by reference (e). Do not submit the Special report until the type commander has made the final determination on the officer's fleet-up status.

g. Reduction in Rate (enlisted only). Submit a Special report in the old rate, ending on the date of conviction or award of punishment. If the reduction resulted from a courts-martial or NJP, the signature date (as opposed to ending date) must be on or after the date the proceedings were concluded (see paragraph 13-12). Reduction in Rate reports may NOT be extended.

h. Detachment of Reporting Senior (E1-E6). Detachment of Reporting Senior reports are optional for E1-E6 and are submitted as Special reports. Reports must be submitted on all personnel in the same pay grade who are normally evaluated by that reporting senior. Ensure the first sentence states the reason for the Special report. Detachment of Reporting Senior reports for E7-E9 are discussed in paragraph 3-7.

i. Special FITREPs on Officers (Superior Performance). Special fitness reports for superior performance or recommendations are specifically prohibited for officers.

j. Superior Performance or Recommendation for Special Program (enlisted only). A Special report may be submitted on an enlisted member to document particularly superior performance or to recommend the enlisted member for a commissioning program or other special program.

k. PERS-32 Request. PERS-32 may request a Special FITREP, CHIEFEVAL, or EVAL.

l. Completion of Medical Postgraduate Internship Program or Medical Resident/Fellow Graduate Program. A Special report may be submitted for those officers who are assigned on permanent change of station (PCS) orders to the same medical facility upon graduation.

m. Non-deployability/Individual Medical Readiness (IMR) Deficit. A Special report should be submitted when a member was willfully negligent in maintaining deployability or IMR

standards following formal counseling as specified by reference (b), MILPERSMAN 1610-015.

n. Extension of Special Report. A Special report may be extended for up to 3 months unless it was submitted for the reduction-in-rate of an enlisted member or upon the promotion of an officer or CPO.

**3-10. Reporting on TEMDU.** Regular report continuity must be maintained during all periods of TEMDU, which are short periods of duty between permanent duty assignments. The following rules apply to TEMDU other than for training. See chapter 8 for TEMDU under instruction.

a. TEMDU Lasting 3 Months or Less. Submit a Detachment of Individual Regular report if the TEMDU involved significant performance and was not for administrative or orientation purposes only. Ensure continuity with the previous Regular report. A Not Observed report (see chapter 6) may be appropriate if the purpose is merely to describe the TEMDU, but not evaluate it. Periodic and Detachment of Reporting Senior reports are not required during TEMDU. If a FITREP, CHIEFEVAL, or EVAL is not submitted, prepare a performance information memorandum (PIM) (see chapter 12) for transmittal to the member's next command. Commands receiving a member from TEMDU must determine whether the TEMDU period was covered by a FITREP, CHIEFEVAL, or EVAL. If not, include the period in the next Regular report.

b. TEMDU Exceeding 3 Months. Submit all Regular reports that would be due if the member was permanently assigned, except that Detachment of Reporting Senior reports are optional for both officers and enlisted.

## CHAPTER 10

### REPORTS ON INACTIVE DUTY NAVY RESERVISTS SERVING ON TEMPORARY ACTIVE DUTY

**10-1. Purpose.** This chapter provides the information needed for active duty (ACDU) commands to complete FITREPs, CHIEFEVALs and EVALs on Inactive (INACT) duty Navy reservists serving on temporary ACDU orders and who will continue to compete as INACT reservists for promotion. Reports for Navy reservists on INACT duty (drill status) are covered in chapter 9. Use ACDU reporting criteria for Navy Reserve members on extended ACDU, and who compete as USN or FTS for promotion.

**10-2. General Reporting Requirement.** For periods of temporary ACDU less than 90 days submit a PIM per paragraph 12-2, except for Strategic Sealift officers (SSO) in the IRR. The IRR SSO will receive an NOB performance evaluation for their Annual Training period.

**10-3. Reporting Senior.** The reporting senior for reservists on temporary ACDU should be the same person who would be their reporting senior if they were permanently assigned to the AUIC. This should normally be the person who actually supervises and can most accurately assess the members during their ACDU assignment. Reporting seniors will rank and summarize reservists separate from ACDU and FTS since they compete as INACT reservists for promotion.

**Example:** If NAVPERSCOM Director, Surface Officer Distribution Division (PERS-41) signs FITREPs for lieutenant commanders (LCDR) that are permanently assigned to the division, then he or she should also sign LCDR reservists who support PERS-41 during temporary ACDU periods.

**10-4. Multiple Training Periods.** Consecutive periods of ACDU support (i.e., back-to-back orders) for the same reporting senior and AUIC may be covered in a single FITREP, CHIEFEVAL, EVAL, or PIM. Non-consecutive support periods may also be combined for single reports provided they are separated by gaps of no more than 10 days. Identify any gapped periods in block 29 or in the PIM as a period "Not available for duty." The Detachment of Individual report should be submitted upon conclusion of the

(3) Talent Management. Consider the member's contribution to personnel advancement, increased educational opportunities, overall career development, and results of retention excellence award programs. Where appropriate, comment specifically on successful retention of quality Sailors in support of the Chief of Naval Operations' goals and initiatives.

(4) Energy Conservation. Comment on leadership efforts that treat the judicious use of energy (fuel, shore power, etc.) as a strategic resource for achieving greater combat capability.

(5) Learning as a Desired Warfighting Trait. For officers only, Reporting Seniors must document all personal achievements in education and learning that contribute to a culture of continuous learning, improved knowledge, and warfighting effectiveness at both the individual and unit level. Resources include resident and non-resident professional military education coursework; professional and academic qualifications and certifications; civilian education coursework; a personal reading program that includes (but is not limited to) selections from CNO's Reading List; participation in discussion groups and military societies; publishing in national security or military journals; and involvement in learning through new technologies.

f. Billet Specific Guidance

(1) Joint/Combined Performance. Comment on joint effort with other Services, agencies, or foreign nations, if applicable, regardless of whether assigned to a joint billet.

(2) Performance of Security Responsibilities. Where responsibilities involve the use, custody, or management of classified information, comment on performance in discharging those responsibilities. Also, comment on an officially determined ineligibility for a security clearance if this impacts the member's performance or assignability.

(3) Implementation of Navy and Department of Defense Management Improvement Programs. Comment on initiative and effectiveness in implementing these management improvement programs. Programs to be considered include, but are not limited to, the Defense Acquisition Workforce Improvement Act (DAWIA), the Chief of Naval Operations Management Control

Program, and the Department of Defense and Department of the Navy Outsourcing and Privatization Programs.

(4) Energy Conservation. Comment on efforts by a member and the quality of results in fostering a command culture and workplace environment conducive to the judicious use of energy (fuel, shore power, etc.) as a strategic resource for achieving greater combat readiness.

(5) Equal Opportunity. Comment on initiative in supporting the Command Managed Equal Opportunity (CMEO) Program and maintaining an environment free of racial or sexual bias or harassment. Consider performance with respect to civilian employees as well as military members.

(6) Subspecialty Performance. Where an officer has a subspecialty code and is performing in that subspecialty, comment, as appropriate, and consider in the performance trait grades. For other officers, provide comments, if appropriate, which might assist subspecialty selection boards.

(7) Audit Resolution and Follow-up. Desired in reports on officers responsible for audited functions. Comment on performance in resolving and following-up on audit recommendations.

(8) Navy Installation Commanders and Navy Facility Engineering Command Commanders. For all Navy installation COs, reporting senior comments are required in block 41 on their performance in managing family and unaccompanied housing programs. For all Naval Facilities Engineering Command COs, comments are required in block 41 on their performance in facility management of family and unaccompanied housing and enforcement of Public Private Venture in business agreements.

g. Comments Specific to E1-E6 Evaluations

(1) Qualifications attained during the reporting period

(2) Courses completed during the reporting period

(3) Civic activities beneficial to the Navy

(4) Awards and Commendations. Note personal awards received during the period and significant letters of commendation or appreciation. Citations and letters may be quoted, but not attached to the report.

**13-5. Prohibited Comments. Do not comment on the following, except as noted:**

- a. Previous failure of selection (FOS)
- b. Submission or withdrawal of resignation under honorable circumstances
- c. Judicial or non-judicial proceedings not concluded.
- d. Non-punitive letters of caution are leadership tools and should not be mentioned in an official record.
- e. Investigations and investigative reports
  - (1) Do not refer to investigations until they are concluded and do not quote directly from investigative reports.
  - (2) Do not use information from investigative reports if such use is prohibited by the regulations for that type.
  - (3) This does not preclude the use of facts determined independently to the satisfaction of the reporting senior.
- f. Marital Status, Spouse, or Family Members
  - (1) Do not comment on the member's marital status or the activities of the member's spouse or family members.
  - (2) Exceptions may be made only where unavoidably necessary to clarify other information in the report.
- g. Medical Reports and Summaries
  - (1) Do not quote from medical reports or summaries and do not mention medical conditions (including pregnancy) unless necessary to explain other matters in the report (e.g., use of PFA code).

(2) Members must not be given a less favorable report solely because of medical issues.

h. Service on Courts-Martial, Board of Inquiry, or an Administrative Discharge Board

(1) Do not comment on performance as a courts-martial member, a summary courts-martial officer, or a member of a board of inquiry or an administrative discharge board except to note having served without identifying the particular case.

(2) Comments on performance as a military judge or an appellate judge may not be based upon judicial opinions, rulings, or the results thereof.

(3) A defense counsel may not be given less favorable comments because of the zeal with which that officer represented any accused. See "Performance of Military Justice Duties" in the introduction.

i. Recommended Awards or Decorations. Do not refer to award recommendations. Awards and decorations should be mentioned only when received.

j. Civilian Employment. Do not make comments regarding a member's potential for civilian employment or the civilian employment of reservists.

### **13-6. Comments on Misconduct, Judicial or NJP Proceedings, and Corrective Measures**

a. General Commenting on Misconduct. Comments may be included on misconduct whenever the facts are clearly established to the reporting senior's satisfaction.

(1) Do not use FITREP, CHIEFEVAL, or EVAL comments as a substitute for appropriate corrective action or UCMJ proceedings.

(2) Take reasonable care to avoid comments that may later be invalidated by official findings.

b. Commenting on Judicial or NJP Proceedings. Do not refer to civil, courts-martial, or NJP proceedings unless there has

been a finding of guilty or award of punishment, and the reporting senior's signature date is on or after the "concluding date" of the proceedings as defined above.

(1) When commenting on a conviction or NJP, give both the date of conviction or award of punishment and the "concluding date".

(2) A civil prosecution is concluded when the trial court makes a determination.

(3) A courts-martial is concluded when the convening authority approves the findings and sentence.

(4) NJP proceedings are concluded when they are final on appeal, or when it has been determined that the member has waived the right of appeal (normally 5 days after imposition of punishment).

(5) For additional guidance, refer to the Manual of the Judge Advocate General, chapter I.

(6) Do not delay a report in order to comment on proceedings that are pending or in progress. The report may be supplemented after the proceedings are concluded. In the latter case, the reporting senior need not have been the member's reporting senior at the time the offense occurred.

c. Commenting on Non-punitive Administrative Corrective Measures. The comments may refer to non-punitive administrative corrective measures, other than a non-punitive letter of caution, but first take into account the non-punitive intent of these measures and whether the member has subsequently improved.

**Mid-term Counseling Schedule**

Officers		Enlisted	
Rank	Active <sup>1</sup> FTS <sup>2</sup> Inactive <sup>3</sup>	Rank	Active <sup>1</sup> FTS <sup>2</sup> Inactive <sup>3</sup>
CAPT	January	E9	October
CDR	October	E8/E7	March
LCDR	April	E6	May
LT	July	E5	September
LTJG	August	E4	December
ENS	November	E3/2/1	January
CWO5/4/ 3/	September		
CWO2/WO1	March		

**Notes:**

1. **Active** includes all USN and USNR (except full-time support (FTS)) on extended active duty that compete together for active duty advancement/promotion quotas.
2. **FTS** includes USNR officers with xxx7 designators and USNR enlisted who compete for FTS promotion/advancement quotas.
3. **Inactive** includes reservists on inactive duty, annual training, active duty for training, active duty for special work, 1-year recall, canvasser recruiter, or temporary active duty, that compete for Inactive promotion/advancement quotas.

**18-6. Counseling Objectives.** Counseling should motivate performance improvement. There are six major objectives to accomplish during the counseling session:

- a. Identify the member's important strengths and shortcomings. A fair, accurate, and realistic assessment of the member's performance is crucial to the counseling process.