DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
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WASHINGTON, DC 20350-3000

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MMPR-2
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MARINE CORPS ORDER 5420.16D

From: Commandant of the Marine Corps
To: Distribution List

Subj: ENLISTED REMEDIAL SELECTION BOARD (ERSB)

Ref: (a) 10 U.S.C. 505
(b) Manual for Courts-Martial, United States, 2008 Edition
(c) MCO P1400.32D
(d) Marine Corps Manual
(e) MCO P1070.12K

1. Situation. This revision updates information, guidance, and assigns responsibilities concerning the operation and functioning of the Enlisted Remedial Selection Board (ERSB). It further updates membership requirements for board members, and provides additional guidance for appointing board members

2. Cancellation. MCO 5420.16C.

3. Mission. The ERSB establishes an advisory board that provides advice to the Commandant of the Marine Corps on Staff Noncommissioned Officer remedial promotion cases.

4. Execution

a. Commander's Intent and Concept of Operations

(1) Commander's Intent. Per references (a) through (e) the ERSB is duly constituted by authority of the Commandant.

(2) Concept of Operations. The ERSB is authorized to review all Marine enlisted personnel records referred to it for the purpose of making recommendations concerning remedial promotion to the SNCO grades.

b. Subordinate Element Missions

(1) The Deputy Commandant, Manpower and Reserve Affairs will appoint the following members:

(a) One officer or enlisted Marine representing Manpower Management Enlisted Assignment Branch (MMEA).

(b) One female officer or enlisted member appointed by and representing the DC, M&RA.

(c) One minority officer or enlisted member appointed by and representing the Director, Manpower Management Division (MM).

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(d) The Sergeant Major, Manpower Management Division (MM).

(e) Sergeant Major/First Sergeant monitor, or Master Gunnery Sergeant representing the monitor section in the absence of the Sergeant Major/First Sergeant monitor (MMEA).

(f) Head, Enlisted Promotion Section, Manpower Management Promotion Branch (MMPR-2), to act as the permanent Senior Recorder (nonvoting).

(g) One Staff Noncommissioned Officer from the Enlisted Promotion Section to act as the permanent Assistant Recorder (nonvoting) and as Senior Recorder in the absence of the Head, Enlisted Promotion Section.

(2) The following commands aboard Marine Corps Base, Quantico, will appoint the following members:

(a) One officer appointed by and representing the Commanding General, Marine Corps Combat Development Command.

(b) One enlisted Marine appointed by and representing the Commanding General, Marine Corps Combat Development Command.

(c) One officer appointed by and representing the Commanding General, Marine Corps Systems Command.

(d) One enlisted Marine appointed by and representing the Commander, Marine Corps Systems Command.

(e) One officer appointed by and representing the Commanding General, Marine Corps Base, Quantico.

(f) One enlisted Marine appointed by and representing the Commanding General, Marine Corps Base, Quantico.

(g) One officer appointed by and representing the Commanding General, Marine Corps Recruiting Command.

(h) One enlisted Marine appointed by and representing the Commanding General, Marine Corps Recruiting Command.

(i) One officer appointed by and representing the Commanding Officer, Marine Corps Air Facility.

(j) One enlisted Marine appointed by and representing the Commanding Officer, Marine Corps Air Facility.

(k) Two officers appointed by and representing the Commanding General, Training and Education Command.

(l) Two enlisted Marines appointed by and representing the Commanding General, Training and Education Command.

(m) One officer appointed by and representing the Commanding Officer, Marine Security Guard Battalion.

(n) One enlisted Marine appointed by and representing the Commanding Officer, Marine Security Guard Battalion.

c. Coordinating Instructions

(1) Remedial promotion cases will be referred to the ERSB by the Head, Promotion Branch.

(2) The Enlisted Remedial Selection Board (ERSB) will be guided by and adhere to the procedures listed below when making reviews and recommendations on cases.

(3) Membership and Quorum. The ERSB membership will consist of field grade officers, unrestricted captains, chief warrant officers, sergeants major, and master gunnery sergeants. Not all appointed members will sit as voting members for every board. Members who will be required to sit as voting members will be contacted before the next regularly scheduled board is convened. Membership requirements for each ERSB will be dictated by the number of cases being considered, but will always consist of at least five members.

(4) Organizations tasked with providing officer and enlisted members to the board will also provide an alternate member of the same grade when the organization's on board strength includes other Marines of the same grade. These alternate members should be readily available to participate in board proceedings in the absence of the primary member. Organizations will provide the names of primary and alternate members to the Head, Promotion Branch (MMPR). Upon the transfer or permanent non-availability of members or alternate members, organizations concerned will immediately provide the names of replacement members or alternate members. When appointing members to the board, the appointing official should consider that diversity of background and experience is a cornerstone of our Staff Noncommissioned Officer promotion process. Moreover, members are expected to serve on the ERSB for the duration of their tour in the organizations listed above.

(5) Any colonel or lieutenant colonel currently assigned to the Manpower and Reserve Affairs Department, or to any of the tenant commands aboard Marine Corps Base, Quantico, may be designated as the President of the ERSB.

(6) At least one recorder must be present when cases are considered.

(7) The ERSB will consider the cases of enlisted Marines both Regular and Reserve, who, for any reason other than ineligibility, did not receive consideration or were not properly considered, when they were eligible for consideration by a regularly convened Headquarters, U.S. Marine Corps Staff Noncommissioned Officer Selection Board.

(8) When considering whether or not to recommend selection of Marines whose records have been submitted to the board, the ERSB will be guided by the precept, procedural rules, policies, and regulations in effect when the respective regularly scheduled promotion selection board was in session. A copy of these documents will be readily available to the members of the board to assist them in case preparation and for reference during the deliberations of the board.

(9) The ERSB is not constrained by the selection allocations in effect at the time of the regularly scheduled board for which Marines have been granted remedial promotion consideration. The primary consideration of

the ERSB will be a comparison of the record of the Marine granted remedial consideration to the records of the Marines selected by the regularly scheduled board before which the Marine has been granted remedial consideration.

(10) Marines must receive a majority vote of the members to be selected. A tie vote is not a majority vote and will be considered a vote for non-selection. Tie votes may be voted again at the discretion of the President of ERSB.

(11) If an ERSB member believes that, for any reason, he or she cannot render an impartial recommendation on a Marine's case, he or she must request to be excused from deliberating and voting on the case.

5. Administration and Logistics. The Head, MMPR, acting for the Commandant, will convene the ERSB as necessary to consider the records of those Marines referred to the board for remedial promotion consideration.

a. Oaths

(1) Prior to beginning deliberations, the President will administer the following oath or affirmation:

"Do you solemnly swear (or affirm) that you will keep a true record of the proceedings of this board and, further, that you will not disclose the proceedings or recommendations thereof pertaining to the selection or non-selection of individual staff noncommissioned officers except as authorized or directed by the Commandant of the Marine Corps, so help you, God?"

(2) The recorder will then administer the following oath or affirmation to the members of the board, including the President:

"Do you, and each of you, solemnly swear (or affirm) that you will perform your duties as a member of the board without prejudice or partiality, having in mind the special fitness of staff noncommissioned officers and the efficiency of the Marine Corps and, further, that you will not disclose the proceedings or recommendations except as authorized or directed by the Commandant of the Marine Corps, so help you, God?"

b. Report of the Board

(1) The report of the ERSB will be prepared in writing, signed by all participating members, and state that the board complied with all instructions contained in this Order and any other pertinent guidance furnished to the board. In the event a member is unavailable for signature subsequent to the adjournment of the board, the designated place for his signature will be marked "Member not available for signature" and initialed by the President and the Recorder(s).

(2) The proceedings and recommendations of the ERSB will not be disclosed or released until they are approved by the Commandant of the Marine Corps or his designated representative.

6. Command and Signal

a. Command. This Order is applicable to the Marine Corps Total Force.

b. Signal. This Order is effective the date signed.

R. S. COLEMAN
Deputy Commandant for
Manpower and Reserve Affairs

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