

Recommendations from the CNGR Implementation Plan: Exploring the Requirements of DOPMA and ROPMA

Ann D. Parcell • Amanda Kraus

CRM D0021641.A2/Final
January 2010

Approved for distribution:

January 2010

A handwritten signature in black ink that reads "David Rodney". The signature is written in a cursive style with a horizontal line underneath the name.

David Rodney, Director
Fleet and Operational Manpower Analyses
Resource Analysis Division

This document represents the best opinion of CNA at the time of issue.
It does not necessarily represent the opinion of the Department of the Navy.

Approved for Public Release; Distribution Unlimited. Specific authority: N00014-05-D-0500.
Copies of this document can be obtained through the Defense Technical Information Center at www.dtic.mil
or contact CNA Document Control and Distribution Section at 703-824-2123.

Contents

Executive summary	1
Tasking	2
Approach	2
Results and conclusions	3
Introduction	5
Background on CNGR report	5
Study request and tasking	7
Approach	8
Outline	9
Review of the “DOPMA/ROPMA” system:	
The spirit and the letter of the laws	11
The original intent of DOPMA and ROPMA	11
Management themes	12
Historical foundations	12
ROPMA: DOPMA principles applied to reserve personnel	19
Components of the DOPMA/ROPMA system	19
Key features of the DOPMA/ROPMA framework defined in Title 10	22
“Closedness”.	23
Personnel pyramid	24
Competitive, up-or-out career flow.	28
Seniority-based promotion timing	30
Uniformity across Services	32
DoD policies governing AC and RC promotion timing and opportunity.	33
DOPMA and ROPMA as a cohesive framework and system.	35
The DOPMA/ROPMA framework—in concept.	35
The DOPMA/ROPMA system—in practice	36

Management limitations imposed by the personnel system:	
What the literature says	39
DOPMA's inflexibility in the midst of changing supply of and demand for officers	41
Specific limitations	41
Proposed solutions and challenges to DOPMA features.	46
Limitations of the compensation system	55
Specific limitations	56
Proposed solutions and challenges to DOPMA features.	59
Limitations due to culture.	63
Specific limitations	64
Proposed solutions and challenges to DOPMA features.	66
AC-RC integration problems.	70
Specific limitations	70
Proposed solutions and challenges to DOPMA features.	73
Conclusions and comments on the CNGR recommendations .	79
Chronology of DOPMA reviews	79
Conclusions.	80
Comments on the CNGR recommendations	82
Appendix A: The laws and policies associated with figure 1 . .	83
USC Title 10	85
DoD policies	86
Navy policies	87
Appendix B: Sections of law that define the key features of the DOPMA/ROPMA system	91
Closedness	91
DOPMA-specific provisions of Title 10	92
ROPMA-specific sections of Title 10	93
Pyramid-shaped personnel structure	94
DOPMA-specific sections of Title 10.	95
ROPMA-specific sections of Title 10	97
Competitive, up-or-out career flow	98

DOPMA-specific sections of Title 10	98
ROPMA-specific sections of Title 10	101
Seniority-based promotion timing.	103
DOPMA-specific sections of Title 10	103
ROPMA-specific sections of Title 10	105
References	109
List of tables	113

This page intentionally left blank.

Executive summary

The Commission on the National Guard and Reserves (CNGR) was chartered by Congress “to assess the reserve component of the U.S. military and to recommend changes to ensure that the National Guard and other reserve components are organized, trained, equipped, compensated, and supported to best meet the needs of U.S. national security” [1]. In 2008, the CNGR issued its final report, which included 95 recommendations about how to better utilize the reserve components (RC) of the armed forces; two of the commission’s recommendations suggested changes to the officer promotion system.

At present, the rules in the Defense Officer Personnel Management Act (DOPMA) and the Reserve Officer Personnel Management Act (ROPMA) tie promotion eligibility to seniority. For most active duty and reserve officers, seniority accrues in real time from the time of their appointment as officers. Guidance that accompanies DOPMA and ROPMA also defines narrow windows of time within which officers must become promotion eligible. If eligible, officers must go before the appropriate promotion board. Thus, promotion timing in the officer personnel system is quite inflexible. One result is that most officer career paths are about the same length, and promotion eligibility occurs at about the same time, regardless of the career specialty.

To accommodate longer and/or nontraditional officer careers, the CNGR suggests changing the determination of promotion eligibility from seniority to the achievement of competencies (i.e., knowledge, skills, and abilities (KSAs)). The CNGR also is concerned with facilitating integration of the RC with the active component (AC). Currently, there are separate seniority lists for active duty officers and reserve officers. Along with making the achievement of KSAs (earned through military experience or in the civilian sector) the basis for promotion eligibility, the CNGR recommends that the Services maintain just one seniority list of both active and reserve officers.

Tasking

The CNGR recommendations would be a significant departure from current DOPMA and ROPMA law and policy. To aid in evaluating recommendation 11, DoD [2] tasked the Services to

conduct an analysis of the Service promotion systems to determine if the requirements of DOPMA and ROPMA are hindering the Services' ability to meet the need for officers with the required knowledge, skills and abilities to fill mission requirements. The analysis shall also consider the effects on the force of varying the timing of promotions among various competitive categories.

The Navy, in turn, tasked CNA to help respond to DoD's specific request, but it also wanted additional analysis to attempt to identify other factors that influence attainment of an efficient and effective officer management system.

Approach

To determine if the promotion timing system described by DOPMA and ROPMA is hindering the Navy's ability to meet the need for officers with the required KSAs to fill mission requirements, we would need a description of the Navy officer requirements by KSAs, a description of officers by KSAs, and evidence of a shortage of officers with the necessary KSAs. To our knowledge, the Navy does not have a repository of KSAs that describe each Navy officer requirement and an equivalent repository of KSAs that describe each officer. Without that, it is difficult to determine whether the Navy has enough officers with the right KSAs and whether the promotion timing provisions of DOPMA and ROPMA are causing a shortage.

Instead, we employ a next-best solution for addressing the DoD tasking that also incorporates the Navy's broader inquiry. First, we review the development of DOPMA and ROPMA law and policy so that we have a common understanding of the motivations and terms of the law and policy. Then, we turn to the sizable literature on military officer personnel management written after DOPMA's passage and summarize the limitations of the personnel system described there.

Next, we summarize the solutions proposed by the authors of these studies. We examine the proposed solutions in light of DOPMA's and ROPMA's original intent so that the tradeoffs to adopting the solutions are understood. Finally, we describe how KSAs may relate to the limitation in the personnel system and to the proposed solution.

Results and conclusions

Our review of this literature yielded four main limitations:

- DOPMA's inflexibility in the midst of changing supply of and demand for officers
- An inflexible compensation system
- Navy culture and practice regarding promotions
- AC-RC integration challenges.

We also summarized the solutions to these limitations that were most frequently discussed in the literature. In general, we found that KSAs were not mentioned as solutions to the limitations listed above. In one study, however, analysts proposed improving the flexibility of the personnel system by substituting the seniority-based promotion timing system with a promotion timing system based on KSAs. The CNGR extended this proposal to the RC, and it recommended adopting a single AC-RC seniority list.

We found that many of the solutions proposed in the literature had the potential to improve the personnel system but also challenged the underlying features of DOPMA and ROPMA. We also found that moving to a KSA-based promotion timing system has the additional hurdle of feasibility. Without feasibility, it is difficult to imagine how a KSA-based promotion timing system could be a credible alternative to the current system.

We believe that the Navy may have other alternatives to achieving more flexibility in the system. Navy culture and tradition may be prohibiting full use of the flexibility that the system currently offers. For example, if the cultural mind set regarding promotion timing could be changed, it could help achieve more flexible career outcomes.

If the Navy needs additional flexibility, it should consider pressing for compensation reform and, in particular, retirement reform. The compensation system reinforces some of DOPMA's and ROPMA's most inflexible provisions. With adjustments to the compensation system, the Navy would have significantly more flexibility in the personnel system, with or without major changes to DOPMA and ROPMA.

If both solutions could be undertaken, it could go a long way toward providing more flexibility in the personnel system while minimizing the challenge to DOPMA's underlying features. We summarize our views on recommendations 10 and 11 in the CNGR as follows:

- To allow for variation in career lengths within and across competitive categories, set aside Navy tradition and cultural practices by using as much of the flexibility in the current system as allowed. This includes:
 - Using waivers and other exceptions to law and policy as much as needed
 - Testing the feasibility of alternative measures of accumulated experience through pilot programs.
- To the extent that the Navy needs more flexibility:
 - Push for reform of the compensation system; this must occur to fully address DOPMA/ROPMA limitations and AC-RC integration.
 - Don't move to a KSA-based promotion timing system. It is likely infeasible, and it is neither necessary nor sufficient for building more flexibility in the personnel system.
- Instead of adopting a KSA-based promotion timing system, use KSA analysis in conjunction with experience/productivity profile analysis and ROI analysis to:
 - Determine which competitive categories would benefit from longer careers or alternative career paths
 - Identify education, training, and experience gaps as the battle space and platforms evolve.

Introduction

In early 2009, the Director, Military Personnel Plans and Policy Division (N13) asked CNA for help in responding to a request from the Department of Defense (DoD) to analyze the timing of officer promotions. To understand the basis for the DoD request, we describe briefly the final report issued by the Commission on the National Guard and Reserves (CNGR) and several recommendations made therein regarding the timing of officer promotions.

Background on CNGR report

The CNGR was chartered by Congress

to assess the reserve component of the U.S. military and to recommend changes to ensure that the National Guard and other reserve components are organized, trained, equipped, compensated, and supported to best meet the needs of U.S. national security.

In 2008 the CNGR issued its final report, including 95 recommendations on how to better utilize the armed forces' reserve components (RC), such as how to integrate the RC and the active component (AC) more completely [1]. Several recommendations suggested specific changes to the officer personnel management system.

The current personnel management system for the AC is largely governed by the Defense Officer Personnel Management Act (DOPMA), whereas the Reserve Officer Personnel Management Act (ROPMA) governs the RC. DOPMA and ROPMA were designed to integrate some aspects of the AC and the RC; they share certain features. However, the CNGR found that changes to both DOPMA and ROPMA may facilitate better integration of the AC and RC.

In particular, the CNGR recommends changing the promotion timing rules—the rules that determine officer promotion eligibility—

in DOPMA and ROPMA. At present, the rules in DOPMA and ROPMA tie promotion eligibility to seniority. For most active duty officers, seniority accrues in lockstep with real time from the date of their appointment as officers. Guidance that accompanies DOPMA and ROPMA also defines narrow windows of time within which officers must become promotion eligible. If eligible, officers must go before the appropriate promotion board. Thus, promotion timing in the officer personnel system is quite inflexible; one result is that most officer career paths are about the same length, and promotion eligibility occurs at about the same time, regardless of the career specialty.

To create more flexibility in the promotion system and, in particular, to accommodate longer careers for certain specialties, the CNGR suggests changing the determination of promotion eligibility from seniority to the achievement of competencies (i.e., knowledge, skills, and abilities). Specifically, the CNGR makes recommendation 10:

DOD, with support from Congress, should implement a more flexible promotion system based on the achievement of competencies (knowledge, skills, and abilities, or KSAs); under this new system, the timing of and opportunities for promotion should vary by competitive category (career field), depending on service requirements.¹

The CNGR also is concerned with facilitating AC-RC integration, and it extends the ideas in recommendation 10 to recommendation 11:

The Defense Officer Personnel Management Act (DOPMA) and the Reserve Officer Personnel Management Act (ROPMA) should, over time, be merged into a single system, modified to base advancement on achievement of competencies—including competencies acquired through civilian employment and education as well as military experience. To facilitate the transition, Congress should amend

1. Here we assume that the CNGR had in mind the U.S. Office of Personnel Management (OPM) definition of a competency as “an observable, measurable pattern of knowledge, skills, abilities, behaviors, and other characteristics an individual needs to perform work roles or occupational functions successfully.” This definition is found at www.opm.gov/comconf/postconf01/it/sbarker.ppt. We use the terms *competencies* and *KSAs* interchangeably, as does the CNGR report.

current statutes to create a single type of commission in lieu of the current regular and reserve commissions, consistent with the elimination of the use of reserve designations for personnel and units.

Study request and tasking

Recommendations 10 and 11 would be a significant departure from current DOPMA and ROPMA law and policy. To aid in evaluating recommendation 11, DoD tasked the Services to:

Conduct an analysis of the Service promotion systems to determine if the requirements of DOPMA and ROPMA are hindering the Services' ability to meet the need for officers with the required knowledge, skills and abilities to fill mission requirements. The analysis shall consider the effects on the force of varying the timing of promotions among various competitive categories.

The Navy, in turn, broadened the focus of the analysis as follows:

The Chief of Navy Personnel will conduct an analysis of the impact of varying promotion timing among different competitive categories. Although the focus of the study will be Navy's promotion management flexibility under DOPMA and ROPMA, the analysis will also attempt to identify other factors that influence attainment of an efficient and effective officer management system, including career length, number and length of assignments, compensation, community requirements, and cost.

The Navy has broadened the scope of the inquiry in a useful way. Although it may be hindered by the promotion timing rules in DOPMA and ROPMA in producing officers with the right KSAs, the Navy may also be hindered by DOPMA law or policy that governs other areas of the personnel system, such as the overall shape of the officer corps pyramid, the up-or-out career flow provisions, the 20-year voluntary retirement provision, and endstrength constraints. Many of these provisions are related to promotion timing, so it may be that they work in concert to hinder the development of KSAs.

Moreover, the military compensation system is a central consideration for officer management. It is not governed by DOPMA, but, by

design, it reinforces many of DOPMA's provisions. Thus, barriers to producing officers with the right KSAs may be related to the compensation system as well as to DOPMA and ROPMA.

Approach

To determine if the promotion timing system described by DOPMA and ROPMA is "hindering the [Navy's] ability to meet the need for officers with the required knowledge, skills, and abilities to fill mission requirements," we first need:

- A description of the Navy officer requirements by KSAs, as well as a description of officers by KSAs, and
- Evidence of a shortage of officers with the necessary KSAs.

If there is evidence that the Navy does not have officers with the KSAs that it needs, we could analyze whether the promotion timing system prescribed by DOPMA and ROPMA is the cause of the shortage.

To our knowledge, however, the Navy does not have a repository of KSAs that describe each Navy officer requirement and an equivalent repository of KSAs that describe each officer.² Without that, it is difficult to determine whether the Navy has enough officers with the right KSAs. Lacking the ability to identify shortages of officers with certain KSAs, one cannot analyze whether the promotion timing provisions of DOPMA and ROPMA are causing the shortage.

Instead, we propose a next-best solution for addressing the DoD tasking that also incorporates the Navy's broader inquiry. First, we review the development of DOPMA and ROPMA law and policy. Our review focuses on the spirit and letter of the laws so that we have a common understanding of the motivations and terms of the law and policy.

2. The Navy has been working on measures of "officer fit," which compares billets and the officers who fill them by such descriptors as designator, grade, additional qualification designator (AQD), and subspecialty codes. Although this is a potentially useful metric for summarizing how well officer capabilities line up with billet requirements, we don't believe that this contains the KSA-level detail indicated by the CNGR recommendations.

Then, we turn to the sizable literature on military officer personnel management written after DOPMA's passage. Much of this literature focuses on the shortcomings of the current system, including the barriers posed by DOPMA, ROPMA, and other aspects of the personnel system (e.g., the compensation system) for the effective and efficient management of the officer corps. We summarize the limitations of the personnel system described in this literature.

In addition, we summarize the proposed solutions identified by the authors of these studies to overcome those limitations. We examine the proposed solutions in light of DOPMA's and ROPMA's original intent so that the tradeoffs to adopting the solutions are understood.

Finally, to address the question of KSAs directly, we describe how KSAs may relate to the limitation in the personnel system and to the proposed solution. In particular, we show how KSAs may be able to address the stated limitation and what the drawbacks to using KSAs might be.³

Outline

The outline of the paper is as follows. The next section provides background on DOPMA's and ROPMA's development with particular emphasis on the reasons for adopting the law and policies as they now stand. The third section summarizes what the literature says are the main limitations of the personnel system, the proposed solutions to those limitations, and how KSAs relate. The last section contains conclusions and our comments about the CNGR recommendations.

3. The literature contains little of an explicit link of KSAs to the officer personnel management system (and specifically to promotion timing), so this is CNA's interpretation of the effect rather than what was presented in the literature.

This page intentionally left blank.

Review of the “DOPMA/ROPMA” system: The spirit and the letter of the laws

Although the acronym *DOPMA* comes from the name of the legislative act that specifies the legal framework for active duty officer management, DOPMA typically refers to the larger collection of not only laws but also policies and practices that have governed active duty officer management for the past 3 decades. The legislative DOPMA counterpart for the RC is ROPMA. DOPMA and ROPMA, along with their supporting policies, create the larger system that governs the management of uniformed officers in the U.S. military Services.

This section describes the DOPMA/ROPMA system, highlighting the legal framework and recalling the historical lessons behind the legislation. Our goal is to provide an understanding of not only the letter but also the spirit of both laws to inform later discussions of potential changes to the DOPMA/ROPMA system and reasons for them.

The original intent of DOPMA and ROPMA⁴

According to [6] (quoted in [3]), DOPMA was designed to achieve three goals related to officer management. Congress expected that DOPMA would allow the Services to:

1. Meet requirements for officers in various grades at ages and levels of experience conducive to effective performance
2. Provide career opportunities that would attract and retain the number of officers of high caliber needed
3. Provide reasonably consistent career opportunities among the Services.

4. This section draws primarily from RAND assessments of DOPMA from as early as 1994 through the present (e.g., [3], [4], and [5]).

Reference [5] also identifies increased professionalism and jointness as important objectives for the new officer management system.

Management themes

The link between DOPMA's general goals and the specific provisions of the law (defined in Title 10 of the United States Code) is a set of three interrelated themes that reflect how policy-makers and military leadership believed the officer corps should be managed based on their experiences in the 40 years leading up to DOPMA's passage.

The right grade structure

The first key to meeting goal number 1 was getting the grade structure right. This was expected to be achieved by balancing the need for a large number of field grade officers to ensure a sufficient remobilization capability against the need to control the number of senior officers to guard against the corps becoming too old and ineffective.

Sufficient flow through the grade structure

The second key to achieving goal number 1 was to maintain a youthful and vigorous force by designing a system that would keep officers flowing through the grade structure at the right rate. Such a system was also expected to support goal number 2 by creating continuous promotion opportunities for qualified officers.

Uniformity

Establishing consistent, uniform officer management policies for all four Services was seen as the best way to equalize promotion opportunities (i.e., to achieve goal number 3).

Historical foundations

Although DOPMA was passed in 1980, many of its provisions were derived from legislation passed at the end of World War II (WWII). Thus, DOPMA was intended to reform and refine this earlier legislation in ways that would not only incorporate the lessons learned from the war but also address additional problems that emerged later.

Impressions from WWII

Three main impressions from WWII were key drivers of both the initial postwar reforms to officer management and DOPMA. First, many military leaders and policy-makers agreed that “senior military leadership, particularly in the Army, had largely lacked the vigor and creativity necessary to lead U.S. forces in the opening days of the war” [5]. Most sources attribute this lack to a broken promotion system that created a top-heavy grade structure and kept too many weak officers. Reference [3] provides the following quotation from General Eisenhower’s testimony to Congress in 1947:

I think that no great argument would have to be presented to show that our promotion system has been unsatisfactory. Until we got to the grade of general officer, it was absolutely a lock step promotion; and short of almost crime being committed by an officer, there were ineffectual ways of eliminating a man.

The key problem with the Army’s promotion system was that it limited the ability of the Service to “flow” officers through the grade structure. Although the Navy adopted an up-or-out promotion system in 1916, the Army maintained a seniority-based system through WWII. Under the Army’s system, promotion opportunity was primarily a function of vacancies in higher grades, which were limited because of the lack of effective means of separating older officers. Thus, according to [3], it was “not uncommon to find 14-year-in-grade lieutenants and 52-year-old lieutenant colonels.” Because of its up-or-out system, the Navy was considered better prepared for war than the Army. Lax implementation of the “best-fitted” feature of the Navy system, however, was still seen to have left in place too many “second-class officers who were not much of an asset” during the war. General Eisenhower characterized the problem as follows: “[I]t is merely a question...of keeping the outflow at the top so as to keep your vigorous body underneath” [3].

The second impression from WWII was the importance of having an adequately sized and structured officer corps to enable rapid mobilization for major conflict. The transition from the small peacetime force of the 1930s to the large wartime force of the 1940s was a difficult one. The problems with the promotion system contributed to

this difficulty because the Army was required to purge its senior officer ranks of older officers who were on the verge of retirement and rapidly replace them with younger officers who were, in some cases, promoted without regard to seniority.⁵ The initial purge occurred in 1940 with special permission from President Roosevelt; a second purge occurred in 1941 with the passage of the Army Revitalization Act [3].

Officer quality was not the only problem; there were issues of quantity as well. Demobilization after World War I was swift and deep: In 1918, there were 130,845 Army officers and 23,681 Navy officers. Just a year later, those numbers had decreased to 19,000 and 10,000, respectively [3]. Budget cuts in the 1920s and 1930s further depleted the officer corps. As a result, in 1933, the number of Army officers had fallen further to only 12,000. Fighting additional cuts proposed by President Roosevelt, then Chief of Staff Douglas MacArthur publicly opposed the President's plan with the following statement [3]:

If you have to cut everything out of the National Defense Act, the last element should be the Officer Corps. If you had to discharge every soldier, if you had to do away with everything else, I would still professionally advise you to keep these 12,000 officers. They are the mainspring of the whole mechanism, each one of them worth a thousand men at the beginning of a war. They are the only ones who can take this heterogeneous mass and make of it a homogeneous fighting group.

Finally, the third impression from the WWII experience was that “conflicts between senior leadership in the Army and Navy had prolonged the conflict longer than was necessary and had cost American lives” [5].

To address these problems, Congress passed two key pieces of legislation in 1947—the National Security Act and the Officer Personnel Act (OPA)—each of which emphasized uniformity across the Services, though in different ways [5]. The National Security Act merged the War and Navy Departments into the National Military

5. According to [3], General Eisenhower was jumped over 350 senior officers when he was selected to be U.S. commander in Europe.

Establishment (NME). It also created a Secretary of Defense (SECDEF) to serve as the head of the NME as well as the Joint Chiefs of Staff to serve as a military advisory committee to both the new secretary and the president. In 1949, an amendment to the 1947 act renamed the NME the Department of Defense (DoD) and included language to ensure that the Secretaries of the Army, Navy, and newly created Air Force were subordinate to the SECDEF. Eventually, DoD assumed some of the authority and responsibility for officer career management from the individual departments.

OPA was the first militarywide personnel management legislation. According to [3], OPA was designed to:

- Provide in law an adequate number of officers in the proper grades and of the proper ages to meet the needs of the Services
- Authorize a grade distribution that would provide a sufficiently attractive career so that high-caliber people would be attracted to service
- Eliminate the weak officer as early in a career as possible.

To achieve these goals, OPA's main provisions related to promotion, separation, and the grade structure. In terms of promotion and separation, OPA emphasized "youth and vigor" by extending the Navy's up-or-out promotion system to the other Services and by establishing retirement standards for normal careers: voluntary retirement and mandatory retirement (below flag rank) were set after 20 and at 30 years of service (YOS), respectively.

In terms of the grade structure, OPA sought to balance the youth-and-vigor principle and grade control on one hand against the need for a rapid mobilization capability (i.e., the need for sufficient numbers of mid-grade officers) on the other. Thus, OPA imposed ceilings on the number of regular officers in each Service and established a fixed percentage system for distributing officers across grades.⁶ But, to ensure that the Services could meet "the continuing need for many

6. The percentages were fixed regardless of the total size of the officer corps. For the Navy/Marine Corps, the percentages were 18 for O4, 12 for O5, and 6 for O6.

thousands of temporary officers for years into the future” [3], OPA also gave the SECDEF authority to make temporary promotions under certain circumstances.⁷ Thus, while OPA imposed tight controls on permanent promotions, it included no congressional controls on temporary promotions in the Army and Air Force and only limited controls on temporary promotions in the Navy. Finally, OPA allowed officers with reserve commissions to be continued on active service to meet temporary overstrength requirements.

The postwar era⁸

Experiences in the postwar era both reinforced the impressions from WWII and highlighted some of OPA’s shortcomings as a solution to the officer management problems the war had revealed.

In 1953, the House Armed Services Committee, concerned about a substantial increase in the officer/enlisted ratio, formally reviewed temporary promotions in all four Services. According to [3], the review concluded that, “while there was no over-exaggerated grade structure in the armed forces, there were sufficient instances of senior officers occupying billets that more properly could be filled by junior officers and vice versa.” Based on this review, in 1954, Congress passed the Officer Grade Limitation Act (OGLA), which imposed statutory limitations on the number of regular and reserve officers in grades O5 and above. For the Army, Air Force, and Marine Corps, OGLA also established Service-specific grade tables that applied to the entire officer corps and, thus, covered temporary promotions.⁹ Because there were already some limitations on temporary promotions in the Navy, OGLA applied direct controls to unrestricted line (URL) officers only.

-
7. Specifically, temporary promotions could be made when (a) the number of officers in any regular grade above O1 was less than the number authorized and (b) the number of regular and reserve officers on active duty was more than the authorized strength of the Services.
 8. This subsection is effectively a summary interpretation of the discussion in appendix A of [3].
 9. Medical officers and dentists were not included in the OGLA tables.

An important feature of OGLA was that it did not repeal the grade limitation provisions of OPA. The result, after 1954, was a dual promotion system: the OPA ceilings regulated permanent promotions, and the OGLA ceilings regulated temporary promotions. Thus, officers were effectively promoted to each grade twice. The fact that the dual system was implemented somewhat differently in the Army/Air Force and Navy/Marine Corps meant that OGLA unintentionally perpetuated differences between the Services' promotion systems and, therefore, perpetuated differences in career opportunities and expectations between the Services.

In addition, the provisions of OGLA fell short of addressing problems with the grade structure. First, the OGLA grade limits for the Air Force were lower than for the other Services because its nascent officer corps was disproportionately junior when OGLA was passed. As a result, between 1959 and 1974,¹⁰ Congress had to grant the Air Force temporary increases to OGLA's grade limits. Second, as the need for officers increased during the Vietnam War, the still-effective OPA limits on regular officers "led to reserve officers serving continuously on active duty for careers of 20 years or more" [3].

To address these ongoing problems of officer management, DoD conducted two reviews of the officer management system. In 1960, DoD created the Ad Hoc Committee to Study and Revise the Officer Personnel Act, also known as the Bolte Committee. Quoting from the final report, reference [3] documents that the committee's purpose was to "achieve uniformity whenever practicable in officer career management." To achieve this goal, the committee recommended applying a uniform percentage to the number of total regular officers in each Service to determine the number of permanent promotions to each grade. It also made several recommendations for modifying OPA's up-or-out promotion system.¹¹ Legislation based on these recommendations was submitted in the early 1960s, but no action was taken; it was eventually withdrawn in 1966.

10. The increases were initially granted between 1959 and 1966; in 1972, the 1966 relief was extended to 1974.

11. See [3] for more details on these recommendations.

In 1972, still concerned about the number of senior officers, Congress asked DoD to submit a report on officer number and grade limitations, including recommendations for legislative change to provide new permanent grade limitations. According to [3], the resulting *Report on Officer Grade Limitations* served as the basis for DOPMA. Draft legislation based on the report was initially submitted in 1976. Disagreements between the House and the Senate delayed passage of the original bill and, according to [3], it was not until the House and Senate Armed Services Committees produced a compromise bill that DOPMA was finally passed in November 1980.

Finally, the overall context in which all this was occurring was defined by the advent of the All-Volunteer Force (AVF) in 1973 and what reference [5] describes as “a string of strategic and operational failures” in Korea, Vietnam, and Iran.

DOPMA as a political compromise

The facts that the Bolte Committee legislation was never passed and that DOPMA took 4 years to become law reflect a lack of consensus regarding two key aspects of officer management: the grade structure and the promotion process.

The conflict over the grade structure was between the Senate and the House, with the latter backed by DoD. Members of the Senate believed that there were still too many field grade officers and, therefore, wanted to reduce the size of the officer corps. On the other side of the debate, the House and DoD wanted to stay with the status quo. According to [3], the grade table published in DOPMA was a compromise between these two positions.

The promotion system debate centered on the up-or-out provisions. Based on the WWII experiences, DoD strongly supported an up-or-out system with a focus on youth and vigor, but others saw it as inefficient and bad for morale. Specifically, Senator Sam Nunn (D-Ga.) argued that “it is expensive to force officers up through the ranks and a waste of experience to get rid of others” [3]. Also, a 1976 report by the Defense Manpower Commission concluded that the up-or-out policy had “caused personnel turbulence and general hardship” and was “failure oriented.” Despite these concerns, DoD won the debate.

ROPMA: DOPMA principles applied to reserve personnel

ROPMA was passed in 1994 and became effective in 1996. According to [7], ROPMA had three main objectives:

1. To update and consolidate laws governing officers in the RC
2. To streamline the management of active-status reserve officers
3. To achieve uniformity and compatibility with DOPMA, to the extent possible.

In accordance with the third goal, ROPMA applied DOPMA principles to reserve personnel and defined a management system for RC officers that mirrors the AC system defined in DOPMA. Furthermore, taken together, these goals can be seen as a reaffirmation of the original goals and intent of DOPMA 15 years after its passage and despite the controversies surrounding it.

Components of the DOPMA/ROPMA system

The DOPMA/ROPMA system is defined by a combination of law, DoD policy, and Service policy and practice. Within the system, the law defines the overall framework for AC and/or RC officer management, while DoD and Service policies and practices support the framework and determine how it is implemented. All three components work in concert to create a complete officer management system. Actual outcomes—accessions, vacancies, promotion selections and nonselections, and separations—are the combined result of application of the system and officers' behavioral responses to it.

Figure 1 highlights 14 fundamental aspects of officer management and the main outcomes they drive. It shows how the authors of [8] conceptualize the interrelationships of law, policy, and behavior.¹²

12. Reference [2] also identifies the specific provisions of law and DoD and Navy policy documents on which the Navy-specific DOPMA system is based and associates them with each aspect of AC officer management identified in figure 1. Appendix A captures these associations in abbreviated form and includes information to help define the universe of laws and policies the DOPMA system comprises.

promotion boards (9) whose functions are prescribed by law, although with direction from the Service Secretaries. The law defines those who were in a promotion zone but not selected for promotion as having failed of selection (10), and those who twice fail in a grade face mandatory tenure points (11) set by law. Officers may face involuntary departures (13) if they are not selectively continued (12), or officers may depart the service voluntarily (14). Both result in vacancies, which are the difference between officer inventory and grade strengths (2). Vacancies at most grades are filled by promotion, although O1s and some officers in higher grades enter via accessions.

Two features of the figure are particularly relevant for a discussion of potential changes to the DOPMA/ROPMA system.

First, although figure 1 depicts some aspects of the system as being primarily driven by policy rather than law, this is more an issue of what drives specific outcomes than of real divisions between law and policy. In general, the policy components of the system represent DoD's and the Services' interpretation of the law as well as their good faith effort to carry out the underlying congressional intent. In particular, they are a direct response to provisions of Title 10 that delegate specific authorities and responsibilities to both DoD and the individual Services and, as such, must be consistent with those provisions. It is also the case that some DoD policies draw directly from the House and Senate reports that accompanied the original legislation.¹³ This means that, although DoD policies are not laws, they capture specific aspects of the congressional intent and, in some cases, may not be subject to change without congressional approval.

13. According to lexisnexis.com,

House and Senate reports are the designated class of publications by which congressional committees report and make recommendations to the House or Senate as a whole. These reports concern the findings of committee hearings or the outcome of committee deliberations. They can contain discussions of legislative intent, a short history of a bill, and comparisons of current and proposed law text.

For DOPMA, the relevant reports are House Report No. 96-1462 and Senate Report No. 96-375.

Second, the figure shows that the relationships between the components of the system are complex and form something closer to a feedback loop than to a linear progression. Thus, any change to one component of the system will likely affect, or be limited by, another component in the system.

Key features of the DOPMA/ROPMA framework defined in Title 10

The specific provisions of DOPMA and ROPMA are defined in Title 10 of the United States Code (U.S.C.):

- Subtitle A defines “General Military Law” that applies to all the Services and can apply to both the AC and the RC.
- Subtitles B, C, and D define laws that apply specifically to the Army, the Navy/Marine Corps, and the Air Force, respectively
- Subtitle E defines laws that apply to the RC.

In various combinations, these laws create a framework for AC, RC, and overall officer management that is consistent with the original intent and goals of DOPMA. The framework has five main features:

1. Closed system
2. A personnel pyramid
3. A competitive, up-or-out career flow
4. Seniority-based promotion timing
5. Uniformity across Services.

We describe each feature in turn, noting which aspects of officer management from figure 1 are associated with it, which sections of law define it, and how it addresses the management themes and objectives of the original legislation. We also note when specific provisions of the law make a feature apply differently to the AC and the RC.

The discussion of the laws is general and assumes some basic knowledge of the system and familiarity with specific terms and concepts.

See appendix B for a more detailed presentation of the relevant sections of Title 10 associated with each feature.

“Closedness”

The DOPMA/ROPMA system is a closed personnel system. With a few exceptions, new officers enter the system at low grades, and positions in higher grades are filled by internal promotion.

Provisions of law that define the closed personnel system

The laws that relate to entry qualifications and grades¹⁴ and to promotion eligibility¹⁵ are what make DOPMA/ROPMA a closed system.

Legally specified entry qualifications and grades ensure that newly appointed officers are relatively young and at relatively early stages of their careers, and that they enter the system at relatively low levels in the rank hierarchy. Legal guidelines also control the amount of constructive credit given for past experience, with relatively little credit granted for experience and training obtained outside the military system. Laws governing promotion ensure that vacancies in grades O2 and above are filled primarily by eligible officers from lower grades.¹⁶ In particular, to be eligible for promotion consideration by a selection board, an AC officer must be carried on the active-duty list (ADL) of his or her Service, and an RC officer must be carried on the reserve active-status list (RASL) of his or her Service.

The key exception in the law is that ROPMA recognizes that transfers from the AC are a major source of new officers for the RC. Section 12206 stipulates that a person who is a former commissioned officer may be appointed as a reserve officer in the grade equivalent to the permanent regular or reserve grade, and in the same competitive

14. Boxes 3a and 3b in figure 1; the relevant sections of law are 522, 523, 12204, 12206, and 12207.

15. Box 4 in figure 1; the relevant sections of law are 611, 620, 12642, 14002, 14004, and 14301.

16. Additional requirements for promotion eligibility will be discussed in other sections; the main point here is that vacancies in higher grades are filled by officers in lower grades, not from outside the system.

category, in which he previously served satisfactorily on active duty or in an active status. Thus, the closedness of the ROPMA system is with respect to the military overall, not specifically with respect to the RC.¹⁷ Other exceptions to the closedness of the system are for technical occupations, such as medical occupations, that are typically considered to be closed professions in the civilian labor market.

Relation to original DOPMA objectives

Closedness, especially promotion from within, helps ensure that officers in successively higher ranks have the right experiences. It also helps achieve original DOPMA goals related to professionalism by supporting the development of “officership” as a profession. In particular, [4] identifies the following as distinguishing characteristics of professions:

- Career commitment and a closed community with strong feelings of loyalty
- Knowledge and skill expertise gained by formal education and long-term experience often validated by formal examinations and credentials
- Accession, assignment, and promotion based on competence
- A formal code of law and ethics developed, maintained, and applied by the profession.

All of these characteristics are captured in some part of the military system, whether legally in DOPMA and ROPMA or in some other part of policy and culture.

Personnel pyramid

The grade structures created by the DOPMA and ROPMA systems are pyramid shaped.

17. ROPMA also recognizes the episodic nature of RC service by defining the “1-year rule” for determining promotion eligibility. Section 14301 requires that an officer must have continuously been in active status or on active duty during the 1-year period ending on the date of the convening of the promotion board to be considered by that board.

Provisions of law that define the personnel pyramid

The personnel pyramids for all the Services and both components are mainly the result of the grade distributions defined in key sections of Title 10, but they are supported by three other sets of provisions: (a) those that define set endstrengths for each component, (b) those that define the closed system, and (c) those that drive attrition—voluntary and involuntary—from the closed system. Here, we discuss laws related to endstrength,¹⁸ grade strengths,¹⁹ and voluntary attrition.²⁰ Earlier we discussed laws pertaining to the closed system; laws relating to involuntary attrition will be discussed later in this subsection.

The law sets officer endstrengths for each component of each Service²¹ and then gives specific guidelines for distributing that endstrength across grades. For the AC, Section 523 defines Service-specific “grade tables” for field grade officers (i.e., officers in grades O4 to O6). The grade table for the Navy is reproduced in columns 1 through 4 of table 1. The remaining columns in table 1 highlight an important feature of the AC grade tables. First, columns 5 through 8 show that for every 3,000-officer increase in endstrength, the absolute change in the number of officers in each grade is also constant. This means that, as total officer endstrength increases, the share of officers in each field grade automatically decreases. These **adjustable** percentages are shown in columns 9 through 11 in table 1.

For RC officers, the distribution of officers across grades is defined in Section 12005. In contrast to that of the AC, the RC grade distribution is defined by **fixed** percentages of total active-status RC officers for each grade from O1 through O6. Thus, for the RC, field grade officers’ shares of total officer strength do not automatically adjust with changes to the size of the RC officer corps. For the Navy, the fixed percentages are:

-
18. Box 1 in figure 1; the relevant sections of law are 115, 521, and 12003.
 19. Box 2 in figure 1; the relevant sections of law are 523, 525, 526, 12004, and 12005.
 20. Boxes 11 and 14 in figure 1; the relevant sections of law are 651, 6959, and 6323.
 21. For the RC, endstrength is set specifically for the Selected Reserve.

- Captain, 1.5 percent
- Commander, 7 percent
- Lieutenant commander, 22 percent
- Lieutenant, 37 percent
- Lieutenant (junior grade) and ensign (when combined with the number authorized for flag officer grades under Section 12004), 32.5 percent.

Table 1. Navy grade table from 10 U.S.C. 523

Officer endstrength	Strengths from §523			Absolute change in strength				Percentage of total		
	O4	O5	O6	All	O4	O5	O6	O4	O5	O6
30,000	7,331	5,018	2,116					24.4	16.7	7.1
33,000	7,799	5,239	2,223	3,000	468	221	107	23.6	15.9	6.7
36,000	8,267	5,460	2,330	3,000	468	221	107	23.0	15.2	6.5
39,000	8,735	5,681	2,437	3,000	468	221	107	22.4	14.6	6.2
42,000	9,203	5,902	2,544	3,000	468	221	107	21.9	14.1	6.1
45,000	9,671	6,123	2,651	3,000	468	221	107	21.5	13.6	5.9
48,000	10,139	6,343	2,758	3,000	468	220	107	21.1	13.2	5.7
51,000	10,606	6,561	2,864	3,000	467	218	106	20.8	12.9	5.6
54,000	11,074	6,782	2,971	3,000	468	221	107	20.5	12.6	5.5
57,000	11,541	7,002	3,078	3,000	467	220	107	20.2	12.3	5.4
60,000	12,009	7,222	3,185	3,000	468	220	107	20.0	12.0	5.3
63,000	12,476	7,441	3,292	3,000	467	219	107	19.8	11.8	5.2
66,000	12,944	7,661	3,398	3,000	468	220	106	19.6	11.6	5.1
70,000	13,567	7,954	3,541	4,000	623	293	143	19.4	11.4	5.1
90,000	16,683	9,419	4,254	20,000	3,116	1,465	713	18.5	10.5	4.7

Figure 2 shows the AC Navy personnel pyramid implied by the Navy's grade table, assuming a (DOPMA-covered) active-duty officer endstrength of 45,000 and that each grade has the maximum number of officers allowed.²² Figure 3 shows the RC personnel pyramid implied by the relevant sections of ROPMA. It is drawn assuming a selected reserve endstrength of 67,000 officers.

22. Personnel pyramids for different communities have different shapes, reflecting how grade strength is distributed by the Secretary of the Navy.

Figure 2. AC personnel pyramid implied by Navy grade tables and flag officer distribution

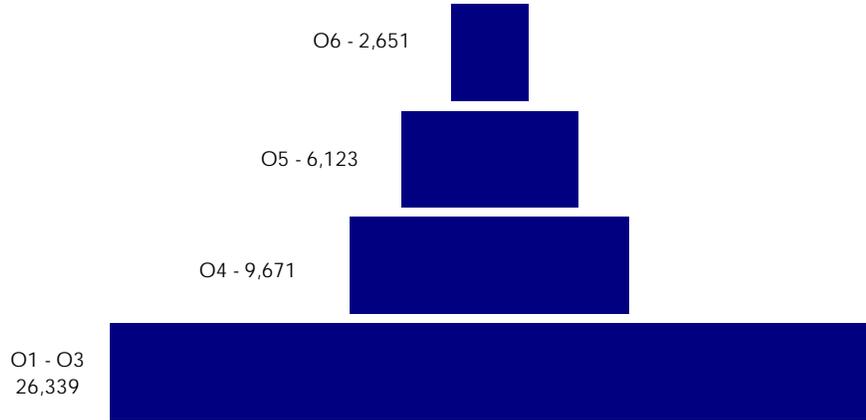
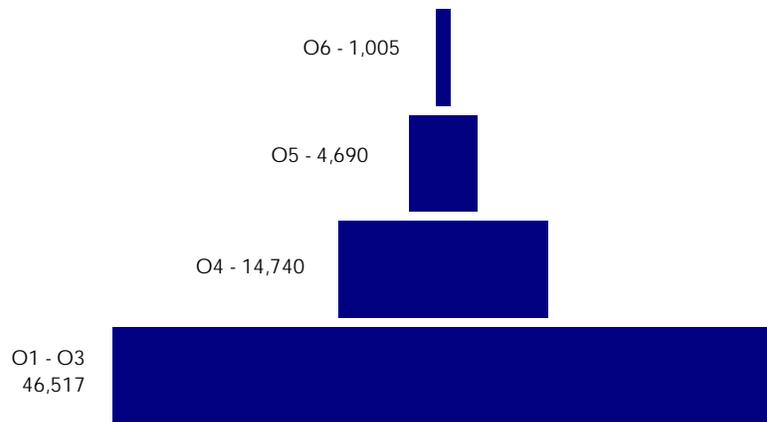


Figure 3. RC personnel pyramid implied by the maximum endstrength and grade-specific percentages of total



Finally, the pyramids defined by the grade distributions are achievable because the closed system brings in large numbers of junior officers who define the pool of officers to be promoted to senior positions, and the competitive, up-or-out career flow generates the involuntary attrition of officers who fail to be selected for promotion. There is also, however, voluntary attrition. The same 6- to 8-year minimum

service requirement (MSR) applies to both AC and RC officers: on completing the MSR, officers in both components are free to resign their commissions if they so choose. The law also allows officers from both components to voluntarily retire after 20 years of service.

Relation to original DOPMA objectives

Getting the grade structure right was a dominant management theme based on the lessons from WWII and the postwar era. The fact that the AC grade tables allow relatively more field grade officers for a smaller officer force reflects the documented concerns about having a sufficient base of field grade officers in the case of a large mobilization. More generally, the pyramid-shaped structures for both components are consistent with a system in which officers move up through the rank hierarchy with ever-decreasing opportunities for promotion.

Competitive, up-or-out career flow

The DOPMA/ROPMA system is characterized by a competitive, up-or-out career flow. Officers enter the system at early career points, compete for promotion, and must separate if they are not selected.

Provisions of law that define the up-or-out career flow

The legal underpinnings that define the competitive, up-or-out feature of the system are those that define the criteria for selection for promotion,²³ the pools of officers being considered for promotion and the numbers of promotions for which they are competing,²⁴ and the consequences of not being selected.²⁵

The scope of competition in the system is defined by grouping officers into functionally related “competitive categories” such that officers in the same competitive category compete only among themselves for promotion. The nature of the system’s competitiveness is defined

23. Box 9 in figure 1; the relevant sections of law are 616 and 14108.

24. Boxes 5, 6, and 7 in figure 1; the relevant sections of law are 619, 621, 622, 623, 645, 14005, 14301, 14302, 14305, and 14307.

25. Boxes 10, 11, and 13 in figure 1; the relevant sections of law are 627, 629, 630-636, 14501, 14503, and 14504-14507.

by the stipulation that officers being considered for promotion be selected based on the “best qualified” standard. This selection criterion is then made binding by the legal guidelines for constructing promotion zones that include more officers to be considered than promotions to be granted.

The guidelines for constructing promotion zones are also a key part of the “up” feature of the system. Specifically, Section 645 defines three promotion zones—in zone, above zone (AZ), and below zone (BZ)—based on the distribution of seniority among officers in each grade and competitive category and those officers’ selection statuses. (See the next subsection for a description of seniority.) The boundaries of the promotion zones are defined by officers at specific places on the ADL for AC officers and the RASL for RC officers: the most junior officer in the zone defines the lower bound and the most senior officer defines the upper bound. AZ officers are those who are senior to the most senior officer in the zone and are still eligible to be considered for promotion to the next grade. BZ officers are those who are junior to the most junior officer in the zone and are eligible to be considered for promotion to the next grade. The law then stipulates that all officers who are in zone or above zone **must** be considered for selection when a selection board is convened.

The law also provides for the possibility of BZ promotions, which introduces an additional element of competition. According to Section 616(b), the relevant Secretary can direct that up to 10 percent of the maximum number of total authorized selections be from among the below-zone officers who are being considered. The SECDEF can further increase the number of below-zone selections to 15 percent of the maximum number authorized if he determines that the needs of the Service require it.²⁶

Finally, the “out” feature of the system is defined by laws that allow the involuntary discharge of O1s who are not judged fully qualified for promotion to O2 and of officers below O6 who have twice failed of selection for promotion. In addition, officers in ranks of O4 and

26. If the authorized percentage suggests a number less than one, then one below-zone officer may be selected.

above may be compelled to retire if they reach certain year-of-service points before being promoted to the next grade.

Relation to original DOPMA objectives

The up-or-out feature of the DOPMA/ROPMA system reflects concerns related to creating and maintaining a sufficient flow of officers through the rank structure. It is particularly consistent with the emphasis on youth and vigor. Up-or-out also generates promotion opportunities by creating vacancies at high ranks and promotes professionalism by making promotion based on the competitive, “best-qualified” standard.

Seniority-based promotion timing

Promotion timing in the DOPMA/ROPMA system is based on seniority as defined by YOS and time in grade: officers are eligible to be considered for promotion to each grade when they are within specific promotion zones defined by YOS windows and by seniority within each grade and competitive category.

Provisions of law that define seniority-based promotion timing

The provisions of law that support seniority-based promotion timing relate to establishing rules for how to determine seniority²⁷ and what aspects of the promotion process should be based on seniority.²⁸

According to both DOPMA and ROPMA, seniority is determined by grade and rank within grade. The ten Navy grades, in order from highest to lowest, are admiral, vice admiral, rear admiral, rear admiral (lower half), captain, commander, lieutenant commander, lieutenant, lieutenant (junior grade), and ensign.

Rank within grade is based on each officer’s date of rank (DOR). DOR is based on either the date of the initial appointment or the date of promotion to the current grade—whichever applies. Given

27. Not addressed in figure 1; the relevant sections of law are 741, 12206, 12732, and 14006.

28. Boxes 8 and 11 in figure 1; the relevant sections of law are 619, 620, 624, 633-636, 645, 14003, 14301–14303, 14308, 14507, and 14508.

constructive credit for original appointments and the possibility for BZ and AZ promotions, this means that “seniority” isn’t strictly determined by real time in the Service, though in most cases it is.

Several aspects of the promotion process depend on various elements of seniority. First, an officer must meet minimum time-in-grade requirements in his or her current grade to be eligible for promotion to the next grade. Second, an officer’s place on the ADL or RASL is based on seniority within the current grade and competitive category. An officer’s place on the ADL or RASL, in turn, determines whether he or she is below, in, or above the promotion zone defined for the rank and competitive category. Thus, seniority determines when an officer is considered for promotion.²⁹ Finally, officers who are selected for promotion are put on grade- and category-specific promotion lists in order of seniority, and promotions are made in the order that officers’ names appear on the promotion list.

The seniority-based promotion timing systems are conceptually the same under both DOPMA and ROPMA; that is, the laws are the same in spirit. When it comes to implementation, however, there is an important difference. Under both systems, YOS is computed using the DOR as a starting point. For officers in the AC, each 365-day year on active duty counts as 1 year of service. In contrast, officers in the RC accrue 1 year of service for each 1-year period in which they are credited with at least 50 points. Fifty points can be achieved with fewer than 365 days of military activities. For example, an RC officer who fulfills his or her annual commitment for one weekend per month and one 2-week training period will accrue 50 points. An RC officer who serves 50 days on active duty will also receive 50 points. Thus, although “1 year of service” has the same promotion implications for AC and RC officers, the amount of military experience contained in 1 year of AC service is typically greater than the amount of military experience contained in 1 year of RC service.

29. Among other goals, promotion zones are constructed to ensure that most officers are promoted within specific “desirable” YOS windows and with specific “desirable” promotion likelihoods. These windows and probabilities are defined in DoD Instruction 1320.13 (discussed later).

Relation to original DOPMA objectives

Like the up-or-out feature, seniority-based promotion timing relates to creating and maintaining a sufficient flow through the rank structure. Specifically, seniority-based promotion timing ensures that officers flow continuously through the rank system because it requires officers to be considered for promotion at certain points in their careers; they are not allowed to stay in a grade indefinitely. This flow helps to maintain a youthful and vigorous force and to achieve the objective of creating promotion opportunities.

Seniority-based promotion timing is also consistent with the objective to meet requirements for officers with levels of experience conducive to effective performance. In particular, minimum time-in-grade requirements and limits on BZ promotions ensure that officers have gained certain amounts and types of experience at lower levels before being promoted to upper levels. The assumption is that such experience is gained over time and can, thus, be reflected in seniority.

Uniformity across Services

In general, the DOPMA/ROPMA system is uniform across the Services. Reference [3] describes the uniformity of DOPMA as follows:

For the first time in history, DOPMA established “uniform” laws for all four military services governing original appointment of commissioned officers (both regular and reserve officers on extended active duty), rules governing promotion, and standards for the mandatory separation and retirement of officers (including separation pay for those separated involuntarily short of retirement).

Provisions of law that define uniformity

As a set of laws that applies equally to all the Services, DOPMA and ROPMA are, as a whole, uniform across the Services. Another way that DOPMA achieves uniformity is to give DoD authority for creating regulations that apply uniformly to all the military departments. Three examples are:

- Section 533 directs the SECDEF to prescribe regulations for limiting the amount of prior active commissioned service with

which a person receiving an original appointment may be credited. The law further stipulates that such regulations shall apply uniformly among the Army, Navy, Air Force, and Marine Corps.

- Section 615 (a) (1) gives the SECDEF the authority to prescribe regulations governing information furnished to selection boards and states that such regulations must apply uniformly among the military departments.
- Section 741 (c) gives the SECDEF authority for creating regulations to determine the rank among officers of the same grade or of equivalent grades who have the same DOR. These regulations must apply uniformly to all four Services.

Note that, although the system is uniform across the Services, it is not applied identically in each one. A simple example of Service-specific variation is officer ranks. Although each Service has ten officer grades under DOPMA, the Navy uses different names for those grades, reflecting the uniqueness of naval culture. Similarly, although Congress authorizes officer endstrengths for each Service each year, the specific strength levels reflect Service- and component-specific requirements and historical enlisted-officer ratios. Likewise, each Service's grade table reflects its particular historical grade structure.

Relation to original DOPMA objectives

DOPMA's provisions reflect how Congress and military leadership believed that officers should be best managed at the time it was passed. According to [3], "DOPMA established a common officer management system built around a uniform notion of how military officers should be trained, appointed, promoted, separated, and retired."

DoD policies governing AC and RC promotion timing and opportunity

As noted earlier, the DOPMA/ROPMA system is supported by and implemented via DoD and Service policies and practices. In particular, the seniority-based promotion timing feature of the system is made operational by DoD Instruction (DoDI) 1320.13, which defines

policies regarding desirable YOS promotion windows (box 8 in figure 1) and promotion probabilities (boxes 7a and 7b in figure 1) for both AC and RC officers.

For AC officers, DoDI 1320.13 provides the data shown in table 2 and states that “promotion of officers serving on the Active Duty List under the promotion timing and minimum opportunity provided in the table in this enclosure is desirable.” This “desirable” timing is, however, only a guideline to the Services as they construct promotion zones. There is full recognition that actual timing and opportunity for a given grade will vary across Services, competitive categories, and years. The instruction says, “It is recognized that promotion opportunity and timing, as determined by the Secretary of the Military Department concerned, may vary from those targets based on needs.”

Table 2. Desired active-duty list promotion timing and opportunity from DoDI 1320.13

To grade	Timing ^{a b}	Opportunity ^c
O-4	10 years, +/- 1 year	80 percent
O-5	16 years, +/- 1 year	70 percent
O-6	22 years, +/- 1 year	50 percent

- a. Years of commissioned military service plus all entry grade credit.
- b. Defined in DoDI 1320.14 as, “a 12-month average of the total active commissioned service for due-course officers promoted during each month of the fiscal year.”
- c. Defined in DoDI 1320.14 as, “the cumulative opportunity for selection for promotion of officers who have competed for promotion to the next higher grade. For the Commissioned Officer Promotion Program, it is calculated by taking the maximum number of recommendations that may be made by the promotion selection board and dividing that number by the number of officers in the zone.”

For RC officers, DoDI 1320.13 delegates the authority to determine promotion timing and opportunity in each Service to the relevant Department Secretary. It further instructs that promotions for RC officers should be based on force requirements.

Reference [8] states that promotion timing and opportunity are driven more by policy than by law. This is largely because the guidelines for promotion timing and opportunity are defined in this DoD

Instruction rather than in a section of Title 10.³⁰ Note, however, that the YOS windows defined in DoDI 1320.13 were derived from House and Senate reports on DOPMA [3]. Therefore, they reflect the underlying congressional intent of the law.

DOPMA and ROPMA as a cohesive framework and system

The DOPMA/ROPMA framework—in concept

As a conceptual framework, DOPMA and ROPMA successfully incorporate many of the lessons learned from WWII and stand as an integrated, cohesive vision of effective officer management. In particular, all the features of the legal DOPMA/ROPMA framework work together in a supporting and reinforcing manner:

- Closedness supports the up-or-out career flow by ensuring that high-level vacancies are filled by junior officers who are moving “up” rather than by candidates from outside the system who would be moving “in.”
- Closedness also supports seniority-based promotion timing by starting most officers at the same entry point and, thus, ensuring that most officers in a given grade have similar amounts of seniority.
- Seniority-based promotion timing reinforces the up-or-out career flow because it keeps people flowing through the rank structure, compelling them to move up.
- The competitive, up-or-out career flow, in turn, supports seniority-based promotion timing by ensuring that promotions are based on performance, rather than seniority alone. Thus, in this system, seniority is a proxy for experience.

30. It is also because the law delegates to the Services the authority to define competitive categories (box 5 in figure 1; §621) as well as the boundaries of promotion zones for each round of selection depending on current conditions (box 6 in figure 1; §623).

- Finally, closedness, the up-or-out career flow, and seniority-based promotion timing all feed the personnel pyramid, which brings in large numbers of junior officers who eventually fill decreasing numbers of senior positions as they move either up or out at each career stage. The converse is also true: the personnel pyramid provides a structure that supports a system in which officers move up through the rank hierarchy with ever-decreasing opportunities for promotion.

The DOPMA/ROPMA system—in practice

In practice, the cohesiveness of the DOPMA/ROPMA system can make it difficult to implement.

DOPMA creates competing objectives for AC officer management

According to [4], “DOPMA was premised on stability and designed to balance retention rates with numbers of new accessions, promotions, and the size of the officer corps in order to produce a consistent force profile of military experience and grades.” Reference [3] says that “DOPMA provides a description of the normal, static, and ideal officer career profile and an officer force profile that is ideal over a ‘steady state’ career.”

In reality, however, very few aspects of officer management are stable. Retention rates change over time as do officer endstrengths and accession missions. Changes in these factors, in turn, cause changes in cohort sizes and numbers of vacancies in each grade, thus affecting promotion rates. This was especially true during the first two decades of DOPMA’s existence, which were characterized by the Reagan military buildup of the 1980s and the post-Cold War drawdown of the 1990s.

Therefore, in practice, implementing the DOPMA system is what [3] refers to as a constant balancing act for personnel planners who must make compromises among competing management objectives. In particular, [3] identifies several aspects of DOPMA that make it difficult to implement. First, when continuation rates deviate from those assumed in the DOPMA ideal, it may not be “possible to meet the grade tables, meet the “norms” for promotion, and have the desired

career profile. Also, because it is inherently static, DOPMA is “insensitive to the cyclical nature of personnel flows.”

DOPMA and ROPMA force spurious AC/RC experience equivalence

By design, the shared seniority-based promotion timing and up-or-out career flow features of DOPMA and ROPMA move AC and RC officers through the rank hierarchy at similar rates. In theory, this outcome is desirable because it ensures that AC and RC officers of the same rank have similar years of service. In practice, however, it means that RC officers may have lower average military competencies than AC officers in the same grade because a year of RC service comprises fewer days of military activity than a year of AC service. Reference [9] asserts that this spurious experience equivalence can inhibit total force integration efforts by impeding transitions between the RC and the AC and by adding to a “cultural bias” against RC officers.

Implications for changes to the system

Because of the implementation difficulties discussed here and in response to fundamental changes in both civilian personnel practices and the national security environment, the military community—the Services, DoD, and Congress—has conducted reviews of and suggested changes to both the legal DOPMA/ROPMA framework and the policies that define the rest of the system.

It is important to make a distinction between the goals of DOPMA/ROPMA and the manner in which those goals are intended to be achieved by the law and policy. Congress had three general goals of DOPMA/ROPMA regarding officer management:

1. Meet requirements for officers in various grades at ages and levels of experience conducive to effective performance
2. Provide career opportunities that would attract and retain the number of officers of high caliber needed
3. Provide reasonably consistent career opportunities among the Services.³¹

31. Increased professionalism and jointness are also mentioned.

In general, these goals of DOPMA and ROPMA are not challenged in the reviews of the system. However, the features of the DOPMA/ROPMA system that were put in place to achieve the goals—closedness; the personnel pyramid; the competitive, up-or-out career flow; the seniority-based promotion timing; and uniformity across Services—are frequently the target of criticism. The next section discusses critiques of the features of DOPMA and ROPMA and the proposed changes to the system.

Management limitations imposed by the personnel system: What the literature says

With descriptions of the spirit and letter of the laws that are DOPMA and ROPMA, we return to DoD's tasking [2] for the Services to:

conduct an analysis of the Service promotion systems to determine if the requirements of DOPMA and ROPMA are hindering the Services' ability to meet the need for officers with the required knowledge, skills and abilities to fill mission requirements. The analysis shall consider the effects on the force of varying the timing of promotions among various competitive categories.

As we stated in the introduction, to satisfy DoD's request, we would need appropriate background on what KSAs are needed for the requirements in each competitive category as well as a description of officers by KSAs. From that, we could determine if the Navy had enough officers with the necessary KSAs. If we found evidence of shortages, we could then determine whether the shortages were caused by the promotion timing requirements of DOPMA and ROPMA. However, the Navy is not regularly using a repository of KSAs that describe each Navy officer specialty (including descriptions for both requirements and officers) at each point in the career, which makes a straightforward approach to the DoD tasking impossible.³²

There is, however, a substantial literature on military officer personnel management that considers the system's shortcomings and offers suggestions for improvement. We summarize these shortcomings as a way to describe how DOPMA and ROPMA may be "hindering the Services' ability to meet the need for officers with the required knowledge, skills and abilities to fill mission requirements" [2].

32. See footnote 1 for a related example that is not quite detailed enough to be considered a KSA-based description.

The studies include [3], [4], [5], [10], and more that we describe later in this section. From this group of studies, we summarize how DOPMA/ROPMA law and policies, as well as other aspects of the current personnel system (primarily the compensation system) may be limiting effective and efficient officer personnel management. We also summarize the proposed solutions to these limitations, and we consider how these proposed solutions may challenge DOPMA's original intent. Then, we describe how a KSA-based promotion timing system relates to the identified limitations of the personnel system. In particular, we describe how KSAs may be used to solve the limitations and what the drawbacks to using KSAs might be.³³

Our review of this literature yielded four main limitations:

- DOPMA's inflexibility³⁴ in the midst of changing supply of and demand for officers
- An inflexible compensation system
- Navy culture and practice regarding promotions
- AC-RC integration challenges.

As we review each limitation and consider the proposed solutions described in the literature, bear in mind the five main features of the current officer personnel system:

1. Closedness
2. A personnel pyramid
3. A competitive, up or out career flow
4. Seniority-based promotion timing
5. Uniformity across Services.

33. There is little of an explicit link of KSAs to the officer personnel management system, specifically to promotion timing, so this is CNA's interpretation of the effect rather than what was described in the literature.

34. This literature almost exclusively addresses DOPMA only.

We have shown that each of these features—controversial even at the time of DOPMA’s passage—came from historical lessons learned about officer management. They were intended to be the best way to achieve the goals of the officer personnel management system: meeting requirements for officers in various grades at ages and levels of experience conducive to effective performance, providing career opportunities that would attract and retain the number of officers of high caliber needed, and providing reasonably consistent career opportunities among the Services.

Most of the solutions proposed to overcome the limitations challenge at least one of these features. Thus, the implicit belief is that the proposed solutions would result in gains to the officer personnel management system in excess of the loss to the system from relaxing or abandoning any of these core features.

DOPMA's inflexibility in the midst of changing supply of and demand for officers

A sizable literature suggests that the personnel system defined by DOPMA is simply too static and inflexible to be effective in a dynamic environment. DOPMA’s rigid pyramid structure and grade limitations, uniform career lengths and career paths, and inflexible promotion timing rules are not capable of responding fast enough to changes in officer supply (typically seen through changes in officer retention) or to changes in officer demand (typically seen through changes in requirements).

Specific limitations

A static system in a changing environment

Reference [3], in an assessment of DOPMA over the decade after its passage, summarizes many of the concerns about DOPMA’s inflexibility. The authors write:

While DOPMA broke new ground (permanent slide-scale grade tables, single promotion system, augmentation of reserve officers into regular status), it was basically an evolutionary document, extending the existing paradigm (grade

controls, promotion opportunity and timing objectives, up-or-out, and consistency across the services) that was established after World War II. In our assessment, we found that DOPMA was a better static description of the desired officer structure than a dynamic management tool.

The authors argue that the framers of DOPMA implicitly assumed that the current officer management system should be able to adjust immediately to changes in the supply of and demand for officers. In 1993, they wrote:

In retrospect, DOPMA could neither handily control the growth in the officer corps in the early part of the 1980s nor flexibly manage the reduction-in-force in the later part of the decade. Put in another way, while the military and geopolitical successes of the 1980s and early 1990s can in part be attributed to the professional officer corps that was built under DOPMA, in the current dynamic environment DOPMA cannot meet all its stated objectives.

As a result, the authors note that, during periods of downsizing, the Services frequently have to violate DOPMA's strength and grade limitations as well as the promotion timing and opportunity guidelines. During periods of upsizing, strength and grade limitations may not be binding, but promotion timing and opportunity guidelines may be breached.³⁵

In other commentary on the personnel system, such studies as [4], [11], and [12] concur with the retrospective assessment of DOPMA's inflexibility described in [3] and suggest that, prospectively, these limitations are likely to become more binding as requirements for officers change. These studies assert that a key feature for the ideal officer personnel system of the future is flexibility in meeting changing requirements, both in terms of the work needed to be done by the officer corps and in terms of developing and retaining officers to meet those requirements. In general, these studies conclude that

35. During the 1990s drawdown, these problems were mitigated when Congress granted ad hoc grade relief in response to changing requirements subsequent to [3]. DOPMA, however, has no mechanism to *automatically* adjust to the changes.

DOPMA is simply too rigid to effectively manage officers in what is expected to be an environment of rapid change and adjustment.

Much more recently, [13] showed that DOPMA's provisions can sometimes build a wedge between requirements and inventory. More specifically, DOPMA can hinder the match between the work that needs to be done and the personnel available to do it. The authors note that the requirement-setting process, while abiding by DOPMA's endstrength and grade limitations, does not consider the officer retention behavior that is needed to meet those requirements. The authors point out that, given the incentives in the current compensation system, retention in the unrestricted line Navy officer corps is not sufficient to match the DOPMA-shaped billet structure, creating an ongoing mismatch between requirements and inventory.

DOPMA imposes uniform career lengths and discourages alternative career paths

Uniform career lengths

DOPMA's prescribed personnel pyramid, guidelines for promotion timing and opportunity, and the 20-year vesting point in the retirement system impose officer career lengths that are the same over time and across officer specialties.³⁶ However, the requirements for Navy officers in the middle and senior grades have increased, while the requirements for junior officers have not. Reference [14] describes this growth and suggests that the increase in midgrade requirements could be met by lengthening officer careers. Specifically, joint requirements, international and interagency assignments (IIAs), and other senior requirements are putting pressure on officer career lengths. Similarly, reference [15], in an effort to broaden the attributes of midgrade and senior officers, proposes an officer education strategy that would require the Navy to ensure that all officers have access to graduate education. Officer careers might need to be lengthened to include time to achieve career milestones as well as graduate education.

36. The retirement system is not technically part of the DOPMA/ROPMA system. The 20-year vesting point will be described and discussed in more detail in the subsection on the compensation system.

In some cases, the need for additional seniority is limited to certain officer specialties. These new specialty requirements have tended to emerge at the control grade level (grades O4-O6) and often would benefit from being filled by officers with a warfighting or other background combined with substantial midcareer specialized training. Reference [16] makes this point for foreign area officers. Here again, DOPMA's imposition of uniform career lengths makes this difficult to achieve.

Alternative career paths

A relative increase in middle and senior grade requirements may also require an increase in officer continuation. Moreover, these additional requirements may be more effectively filled by officers with a broader range of experiences. A number of studies explore alternative career paths as a way to improve retention and/or broaden officer experience. Both increased continuation and increased breadth of experience can contribute to meeting requirements more effectively and efficiently.

Alternative career paths are typically described as one of two types. Called sabbaticals in [17] and off-on ramps in [18], the first type would allow officers to leave active duty temporarily and then return to active duty. This type of alternative career path would allow officers to take a break from the rigid due-course career to achieve a better work-life balance and/or acquire professional experience not available in a regular active duty career. Both of those goals are intended to achieve better continuation and greater breadth of experience so that changes in requirements can be met effectively.

The second type of alternative career path would allow officers who stay on active duty continuously to occasionally fill positions that are not considered to be due course in their career specialty. The idea is to allow officers to gain experience in non-due-course billets, to pursue training or education, or to subspecialize in a particular specialty. The intended improvement over the current system is twofold: officers may be more well rounded as they reach senior billets, and they may be more inclined to continue in the Navy if the rigidity of the due-course career is lessened.

Unfortunately, DOPMA's and ROPMA's inflexibility can constrain efforts to increase continuation and breadth of experience. If officers take either type of alternative career path (aside from certain recent pilot programs), their chances for promotion may be severely limited due to the combined effect of the promotion windows, seniority-based promotion timing rules, and the "up" portion of the up-or-out career flow feature.³⁷ In general, as long as the officer is on active duty or in the Selected Reserve (SelRes) or the Individual Ready Reserve (IRR), the seniority clock ticks away in real time.³⁸ Thus, there are few ways to deviate from the seniority-driven, due-course career path and remain competitive for promotion, even if it may help fill requirements more effectively by doing so.

In addition, tour types, tour lengths, the assignment process, and ultimately career paths have been shaped over time by the promotion window guidelines, seniority-based promotion eligibility, and the requirement to go up for promotion if eligible. Key milestone tours must be completed before becoming promotion eligible in order to remain competitive for promotion.

Reference [10] highlights both the lack of variation in career lengths and the absence of alternative career paths in the current officer personnel system. The authors write the following [10, pp. xv-xvi]:

The DOPMA system is a time-based management system with relatively fixed career "flow points." The fixed flow points compel a trade-off between the length and the

-
37. Recall that the current promotion timing system is based on seniority, which is usually counted from the time the officer comes on active duty as a commissioned officer or from the time of achieving his or her current rank. DOPMA law and policy dictate the overall officer seniority list. DOPMA policy also defines 3-year promotion windows for grades O4 through O6, during which officers should become promotion eligible. The officer seniority list, the promotion windows, and the number of vacancies created by losses in the next highest grade determine which officers are eligible for promotion to a particular grade in a given year. If eligible, officers must go before the promotion boards.
38. The seniority clock also continues to tick even if officers leave active duty temporarily and affiliate with the SelRes or the IRR.

number of assignments, or between what could be called officers' depth and breadth of experience.

Delaying promotion timing allows officers to have additional assignments mid-career, but, under DOPMA, it is difficult and cumbersome to delay promotions selectively for some officers but not for others.

The CNGR report also makes many of these same arguments.

Proposed solutions and challenges to DOPMA features

We describe the solutions proposed by the authors of these studies to overcome the limitations just summarized. The solutions include modifying the provisions of DOPMA to allow for more flexibility in adjusting to external changes to the system, allowing for variation in career lengths and alternative career paths, and using KSAs to determine promotion timing.

Modify existing laws and policies to increase flexibility

To address the issues associated with the static nature of the grade tables, the authors of [3] recommend lagging the effect of changes in the grade table to have more flexibility in managing the officer corps. Specifically, they suggest allowing the Services to have 1 or 2 years to adjust to new grade tables. This would be acknowledgment that it is impossible to meet all of the criteria of DOPMA (endstrength limits, grade table allowances, promotion timing and opportunity guidance) simultaneously in the face of significant changes in demand.

Likewise, there are several modifications to laws and policies that are needed to allow longer careers and alternative career paths. The necessary modifications include changing the mandatory retirement dates, widening the promotion windows that are currently defined in policy, and allowing seniority adjustments to make off-on ramps and other alternative career paths feasible career options. (In addition, the 20-year vesting rule in the military retirement system would also have to be modified; we discuss changes to this law in more detail in the compensation subsection.)

Several studies, including [4], [11], and [12], use models of the personnel system to simulate the effect of different career lengths and

widened promotion windows on the steady state officer inventory. They show that it is possible to allow for more variation in career lengths and in promotion timing and still achieve a sustainable officer corps. However, the criteria for determining which careers should be lengthened are not always clearly specified. Likewise, the criteria for determining when in the promotion window officers should go up for promotion are not explicitly stated.

Use KSAs instead of seniority to determine promotion timing

In fact, we know of few practical descriptions or actual pilot programs that *systematically* allow for alternative career paths or that otherwise alter promotion timing.³⁹ One exception is the Navy's recently authorized career intermission pilot program. The pilot program allows a small number of officers to leave active duty for up to 3 years; on return to active duty, their seniority (date of rank) is adjusted to account for the time away. The final version of the pilot program was drafted to require affiliation with the IRR, with the provision that the seniority clock be suspended until the officer returned to active duty. It would require amending the seniority provisions in DOPMA to make the career intermission program a permanent, viable feature of the personnel system.

Reference [10] breaks new ground not in its assessment of DOPMA's inflexibility regarding career lengths and alternative career paths but because it recommends systematically overcoming those limitations by using KSAs (or competencies) instead of time-based seniority to determine promotion eligibility. The authors of [10] describe promotion eligibility based on KSAs in the following passage:

The current system uses seniority to determine which officers are eligible for promotion, but statutory boards do not actually select officers based on seniority. Statutory boards make promotion decisions by examining officers' accumulated experience, demonstrated performance, and

39. The Services can ask for (and often receive) waivers to allow certain officers to stay on active duty longer than current law and policy allow. This may accommodate longer careers or alternative career paths. It appears to be more difficult to change the timing of promotion, which usually must be done by changing an officer's seniority ranking.

potential for success in the next grade. Those same criteria would continue to determine selection for promotion in a competency-based system, but a competency-based system would use accumulated experience, rather than seniority, to determine which officers are eligible for promotion.

Following [10], the CNGR makes recommendations 10 and 11 and asserts the following:

A competency-based [promotion timing] system would facilitate the development of a single personnel management system as a component of an integrated total force.

What may be gained

As [3] proposed, there is the potential for making the personnel system more manageable in the face of external changes by allowing for more gradual adjustments to the grade table changes and to changes in the size of the personnel pyramid. Moreover, this solution is not likely to challenge the features of DOPMA very much. While the precise DOPMA law and policy regarding strength/grade limitations and promotion windows may not be adhered to at every moment as the personnel system adjusts, little of DOPMA's original intent is lost; it keeps the essential features of DOPMA intact: closedness; the personnel pyramid; the competitive, up-or-out career flow; seniority-based promotion timing; and uniformity across Services.

There are potential gains if there is a better match of career length to the training requirements for and the type of work done in each competitive category. For example, there is potential for higher productivity by lengthening (changing the experience profile of) certain careers. Again, we consider Foreign Area Officers (FAOs), who must take substantial midcareer specialty training after serving for a number of years in a warfighting or other specialty. Fully trained FAOs are prepared to fill a series of specialty billets requiring ever more expertise and responsibility. Productivity might peak later in this officer specialty than in another; as a result, the optimal experience/productivity profile will be different for FAOs.

Alternative career paths also have the potential for improving the current management of the personnel system. There is the possibility of

improving retention by allowing more movement on and off active duty; in addition, officers could acquire professional experience beyond the standard due-course career. All this allows the Navy more flexibility to fill middle and senior grade billets.

If KSA-determined promotion eligibility were feasible for the AC, the timing of promotions could differ for individual officers and across competitive categories. This could help facilitate longer careers and could help alternative career paths develop. The potential gains to the officer personnel system from longer careers and alternative career paths would be as described earlier: improved productivity, better retention, and greater breadth of experience.⁴⁰

What may be lost

Although we see little challenge to DOPMA's features by allowing for more gradual adjustment to changes in the size and shape of the personnel pyramid, the features are more clearly challenged when the proposed solution is to lengthen careers and to allow for alternative career paths. In particular, the features of DOPMA were intended to create similar experience profiles for officers of the same grade across competitive categories and across Services. This uniformity would be challenged if some competitive categories had longer careers (and likely different promotion timing and opportunity) than others. Thus, there would be more difficulty in assessing experience merely by knowing officers' grade or time in grade.

Lengthened careers may also challenge the personnel pyramid and a properly functioning up-or-out career flow process. This is because lengthened careers will almost certainly lengthen time in grade, which, in turn, may lower promotion opportunity.⁴¹ Ensuring adequate opportunity for promotion, however, is key to preserving the

40. In addition, if KSAs could adequately describe civilian-sector experience and military experience gained through reserve affiliation, AC-RC integration might be enhanced. We discuss this in the AC-RC integration subsection.

41. This assumes that all of the additional career length is not added at the end of the current career, thus avoiding changes in promotion timing.

personnel pyramid and to creating the conditions for the up-or-out system to advance the best officers. Essentially, the up-or-out career flow management may have to be modified.

The alternative career paths may also challenge the maintenance of the personnel pyramid and the adequate flow through the personnel system. This is especially true for the second type of alternative career path we describe. As officers take alternative career paths, their promotion time will vary compared with those on the due-course path. If large numbers of officers take an alternative career path, there is the possibility that promotion chances may decrease, which may negatively affect the ability of the Navy to access and retain highly qualified officers.

A successfully implemented KSA-promotion timing system would obviously directly challenge the seniority-based promotion timing feature of DOPMA. In addition, a KSA-promotion timing system would potentially challenge the remaining features of DOPMA in much the same way that lengthening careers and offering alternative career paths would: loss of uniformity of the grade/experience profile for officers within the same Service and across Services, reshaping the personnel pyramid, and challenging the up-or-out career flow.

Gains and losses to the current personnel system could potentially occur only if a KSA-based promotion timing system were feasible. Unfortunately, we know of no good examples of personnel systems that use KSAs to determine promotion eligibility. In fact, the authors of [10] provide an excellent description of why we should be skeptical about the feasibility of a KSA-based promotion timing system:

The greatest amount of work in implementing a competency-based system will fall to the services and the service communities. Greater flexibility does not mean greater ease of management; the opposite is probably true. The biggest challenge will be in identifying the knowledge, skills, and abilities (KSAs) that are conferred and required by each job, school, and training event. This is not a one-time effort, particularly on the demand (requirements) side. Changes in the geopolitical environment, in technology, and in society have a continual influence on individual competencies that generate the capabilities of military organizations.

Given the difficulty of identifying KSAs, they write [10, p. xiv]:

Although the expectation by the Office of the Secretary of Defense is that greater flexibility in career management could improve organizational outcomes and individual performance, it is beyond the scope of this research to forecast or predict such effects. We do not attempt to determine optimal assignment or career lengths, nor do we recommend specific assignments to be lengthened or identify types of officers—e.g., specialists, fast-trackers, due-course officers (those whose careers follow typical time lines)—who should have longer careers. We focus on changes to law and policy that would enable the desired outcomes of a future officer career-management system, especially longer assignments and longer careers.

Thus, a major concern about moving to a KSA-based promotion eligibility system is not simply about the potential challenge to features of the current personnel system but about its feasibility at all. Despite the shortcomings of the current seniority-based promotion eligibility system, it is visible, easily understood, and relatively easy to measure. As a result, most officers have some degree of faith in the system. Moving to an imprecise and difficult-to-measure standard, such as KSAs, to determine promotion eligibility may challenge the integrity of the entire advancement system.

Recommendations 10 and 11 in the CNGR depend on there being a workable KSA-based promotion eligibility model. Until a KSA-based promotion eligibility system becomes feasible, however, it is difficult to envision how recommendations 10 and 11 can come about.

How KSAs relate

The current time-based promotion system already incorporates some aspects of a KSA-based system. For example, early in their careers, officers must “qualify” in their specialties, typically by means of written and practical exams. As officers progress, however, the qualities that are needed to fill billets effectively—such as superior leadership, strategic thinking, and management—become increasingly difficult to describe precisely and are certainly more difficult to measure. In addition, officers who promote to the next grade will be called on to fill a variety of billets; the precise type of these billets is unknown at

the time of promotion. As a result, in the current promotion system, officers are selected based on their performance in past positions (accumulated experience) as well as on expected future performance in a variety of higher-level positions, none of which is necessarily described in extensive detail by KSAs.

Since adopting a KSA-based promotion timing system is a suggested solution to the limitations imposed by the seniority-based timing system, we consider it in more detail using a practical example. In a KSA-based promotion timing system, could officers avoid becoming promotion eligible because they haven't achieved the KSAs, even though the series of positions that they have held (accumulated experience) suggests they should have achieved them? In other words, is the metric to determine promotion eligibility the achievement of KSAs or merely the possibility of achieving them by being assigned to certain positions? If it is the latter, it may be simpler to define promotion eligibility by having served in certain jobs, so that experience (or accumulated experience) is the metric for promotion eligibility rather than the underlying, difficult-to-measure KSAs.

In fact, the authors of [10] do not actually model a personnel system in which checklists of KSAs are reviewed for each officer to determine promotion eligibility. They model promotion eligibility based on accumulated experience, where accumulated experience is defined by past training, education, and positions held. To be sure, there are KSAs that are associated with each of these activities. However, the metric that determines promotion eligibility is accumulated experience as measured by certain types of observable tours of duty, not by the underlying KSAs.

Even though the authors of [10] did not use actual KSAs to determine promotion eligibility, their effort points out an important shortcoming of the current system. The seniority-based promotion system assumes that time is an exact proxy for experience, and so total time (total accumulated experience) determines promotion eligibility. The sequence of tours that officers need to complete to be promotable (not merely eligible for promotion) is well established in most communities; these are the due-course career paths. If officers follow this path, time is a reasonable proxy for selecting officers to go up for

promotion since they have comparable accumulated experience. The problem is that the seniority clock does not stop for breaks in service or for deviations from the due-course career path. As a result, the accumulated experience that is most relevant for promotion is no longer accurately measured by time.

Given the difficulty of implementing a KSA-based promotion eligibility system, however, it might be easier to consider other ways in which the clock can be stopped and restarted, and to make the rules for the stopping and starting reflect true accumulated experience toward the due-course career path milestones. A key example of this is the career intermission pilot program, but other pilot programs could be attempted to account for other deviations from due-course careers.

Naturally, there are limits to how far promotion timing changes—however they are facilitated—can be taken before DOPMA features are challenged or eliminated. As we mentioned earlier, the up-or-out competitive career flow must be monitored closely as officers deviate from the due-course career path. Other limitations exist as well; for the Navy, the personnel budget will likely play a role in determining how many officers are allowed to deviate from the due-course career and for how long.

Although we described our concerns about the feasibility of supplanting the seniority-based promotion timing system with KSAs, we believe that KSA analysis could play an important role in helping to determine which careers should be lengthened and where in the career path additional time should be added. Similarly, KSA analysis could help determine how alternative careers could be shaped to improve the effectiveness of the officer corps. References [19] and [20] provide interesting examples of how KSA analysis can help us envision what we want in our leaders in the officer corps. KSAs can also be used in a more traditional capacity to identify gaps in and to help develop curriculum for training.

In much of this literature, the assertions that officer career lengths should vary among officer specialties are rarely described in terms of KSAs.⁴² Instead, the assertions are usually expressed in terms of the differences in experience needed at different points in time for the various officer careers or in the return on investment in training for

certain specialties. Thus, we believe that KSA analysis alone cannot determine which careers should be lengthened and how alternative career paths may be specified to make the officer corps more effective. It must be accompanied by analysis of the experience/productivity profile and return on investment in training.

Table 3 summarizes this discussion. Columns 1 and 2 show the major limitation of the personnel system and the proposed solutions, respectively. In columns 3 and 4, we summarize what may be gained and lost by pursuing the solution to the problem. Finally, in columns 5 and 6, we summarize how KSAs may relate and may be a limitation.

Table 3. Inflexible, static system in a dynamic world (i.e., changes in supply (officer behavior) and demand (requirements))

Negative effect of current personnel system	Proposed solution ^a	What may be gained	What may be lost	How KSAs relate	How KSAs may be a challenge to implement
Battle space and platforms change demand, officer behavior changes supply; personnel system does not respond.	Allow for more flexibility in the system, especially for adjustments to changes in the personnel pyramid and grade tables.	Adequate adjustment time to external changes in the system.	Uniformity of careers. Ease in assessing experience vs. rank across competitive categories and across Services.	Unclear why KSAs would have to be used explicitly in the promotion timing system. KSA analysis, in conjunction with analysis of experience/productivity profile and ROI analysis of training, may help determine which careers should be longer	Feasibility of a KSA system questionable. Few problems if KSA analysis is limited to use in determining optimal tour and career lengths.
DOPMA has an inflexible personnel pyramid.	Adjust 20-year voluntary retirement and widen promotion windows to facilitate longer careers and alternative career paths.	Better match of career and tour lengths to type of work done for each competitive category.	Adequate opportunity for promotion. (Lengthening careers and widening promotion windows must be accompanied by sufficiently strong up-or-out policies.)		
DOPMA promotes inflexible career lengths; provides for few alternative career paths.	Use KSAs instead of seniority to determine promotion eligibility to facilitate variable career lengths and alternative career paths.	Maximization of experience/productivity profile for each competitive category. Better continuation, broader range of experiences for officers.	Seniority-based promotion timing.		

a. Solutions include allowing for different career lengths by reforming the compensation system.

42. In fact, aside from the CNGR report, we found only reference [10].

Limitations of the compensation system

A number of the studies listed earlier focus on modifying DOPMA to allow career lengths to vary among competitive categories and to allow for alternative career paths. Table 3's footnote shows that many of these studies also suggest that reform of the compensation system is important to providing more flexibility in the personnel system. In fact, many of these studies readily acknowledge that changes to DOPMA law and policy alone may not solve the inflexibility in the system; those changes must be accompanied by reform of the compensation system (including [1]).

We treat this limitation to the personnel system separately in this study for two reasons. First, a whole body of literature contends that the current compensation system is a key—if not *the* key—limitation to managing both the enlisted and officer personnel systems. Second, the current compensation system reinforces certain legal/policy limitations of DOPMA that create inflexibility. For example, the provisions of DOPMA that allow for voluntary retirement at 20 years of service are heavily reinforced by the retirement system, which has cliff vesting at 20 years of service and immediate payout of benefits on retirement.⁴³ Thus, in the absence of compensation reform, relaxing DOPMA law and policy may not create all the additional flexibility desired in the personnel system.

A recent event helps illustrate how the compensation system, along with the limits of the personnel budget, blocked the Navy's ability to take advantage of changes to DOPMA. In FY 2008, the Navy was granted control grade relief (i.e., the Navy was allowed to have a slightly more senior personnel pyramid) to achieve desired additional seniority. The Navy was, however, unable to use the relief because it did not have the funds to support it. Had the personnel budget been larger, or the current compensation system flexible

43. The RC retirement system also has a 20-year vesting point but does not pay out benefits immediately on retirement unless certain other conditions, such as an age requirement, as also met. This is discussed more under "AC-RC integration problems" beginning on page 70.

enough to target incentives in ways to create more seniority, the Navy might have been able to take advantage of the change to DOPMA.

The more the compensation system can be made flexible, the more the Navy may be able to achieve additional flexibility in other areas of the personnel system. Moreover, a more flexible compensation system may increase efficiency. If current compensation can be traded more easily for future compensation (or vice versa), or if total expenditure on the different types of current compensation (e.g., basic pay, special and incentive pays) can be rearranged to improve continuation or achieve other goals, this may make the officer corps more effective without increasing total compensation costs.

Specific limitations

There is a body of literature on compensation reform that predates DOPMA's passage. Studies as far back as the one released in 1972 by the Gates Commission argued for military retirement reform and more flexibility in the relationship of pay to time in service.

More recent studies concur with the conclusions in the Gates Commission report, arguing that the current compensation system gives the wrong incentives at various stay/leave decision points. In addition, the compensation system is increasingly out of step with civilian-sector employment/compensation packages; for those deciding to join or to stay in the Navy, the military package may compare unfavorably with those in the civilian sector.

Promoting the wrong incentives

The military's compensation system reduces personnel management flexibility in many ways, perhaps none more so than by the retirement system. The military's 20-year cliff vesting retirement system provides no benefits for military personnel who leave before achieving 20 years of active service but, once vested at 20 years of service, pays benefits immediately on retirement from active duty. The result is that the majority of Service personnel will leave the Service with no retirement benefits at all. Once an officer reaches about 10 to 12 years of service, the 20-year cliff vesting creates a strong incentive to remain on active duty until 20 years of service. There is little incentive to remain on

active duty after reaching that milestone. Even when force shaping may require it, the Services find it very difficult to “break the faith” and separate personnel with more than 10 years but less than 20 years of service, knowing how much will be lost in retirement benefits. Reference [21] summarizes this well:

The main problem is the inefficiencies that result from the severe limitations the retirement system places on the personnel management. The military personnel management system is a one-size-fits all system that lacks the capacity to adapt to ever-changing circumstances. Unlike the days when most military personnel were concentrated in the Combat Arms skills, today’s personnel perform a wide variety of tasks with much different skills sets. The military labor force is an increasingly heterogeneous work force but is still being managed as if all personnel were in the so-called “youth and vigor” (Y&V) skills.

In my view, the personnel management system needs to be restructured to (1) provide more capacity to adjust force size and structure in a timely manner, (2) allow for more variation in career lengths across the wide spectrum of military skills, (3) provide for longer assignments to capture the returns to training, and (4) encourage generally longer careers for personnel destined to be senior leaders. Retirement reform is a key ingredient to a re-vamped system of personnel management.

Reference [21], the 2006 report produced by the Defense Advisory Committee on Military Compensation (DACMC) [22], and others contend that the current retirement system should be redesigned so that officers in certain career specialties have an incentive to stay longer than 20 (or even longer than 30) years. At the same time, it may be more efficient to separate certain military personnel before 20 YOS, and a redesigned retirement system could make it easier and more equitable to do that.⁴⁴

The military compensation system promotes incentives in other ways that can lead to less efficient outcomes. For example, special and

44. We discuss retirement in the reserve components in the “AC-RC integration problems” subsection (see page 70).

incentive pays provide a way for the Services to reward those who take on particularly arduous, technical, or other highly skilled work. These pays can also be used to persuade those who might consider leaving for well-compensated civilian-sector work to stay in the Navy. However, special and incentive pays make up a very small portion of total cash compensation, and so there is not much flexibility in targeting those pays to personnel whom the Navy needs to retain the most.

Reference [22] argues that basic pay also limits personnel management flexibility. The authors write:

The current basic pay table—the centerpiece of the compensation system—is a function of pay grade and years of service. Performance is rewarded almost solely through the promotion system. The primary financial incentive for promotion is the increase in basic pay and allowances that comes with a higher pay grade. Those who have performed extraordinarily well may be promoted early. Those who have had lagging, but ultimately adequate, performance may be promoted later.

Because basic pay is a function of longevity, the financial consequences of early or late promotion, compared to an “on-time” promotion, are small. Promotion that is a year early, for example, results in compensation higher than it otherwise would be only for a year. After that year, the member’s compensation is the same as it would have been for an “on-time” promotion.

The limitations of basic pay are clearer for the enlisted force, where promotion timing may vary substantially by specialty. In fact, the literature on compensation reform is less certain about the degree to which the current basic pay table limits officer management because promotion timing for officers does not vary much. We nevertheless include this limitation because it is likely that, if the retirement system changes and the incentives to stay or leave at various career points change, basic pay and special pays will have to change to maintain adequate retention.

Finally, many studies, particularly [22], also include health benefit reform as part of compensation reform. However, these studies do not claim that the current military medical benefit system creates the

wrong incentives for active duty personnel to stay or leave the Navy. Instead, these studies suggest that the current medical benefit system—especially the benefits for retired military personnel—limits overall personnel management to the degree that it is inefficient and misallocates scarce resources.

Increasingly out of step with civilian-sector employment arrangements

The military retirement system is a defined benefit plan with a 20-year vesting point. Over the last several decades, this type of retirement plan has become increasingly different from the flexible, portable retirement plans available in the civilian sector. Many civilian-sector retirement plans are defined contribution plans, in which the employee has some discretion over the amount of compensation taken as current cash compensation versus the amount put into a retirement savings plan. In addition, these plans do not require that employees stay for 20 years in order to become vested in the retirement system; in fact, federal law dictates much earlier vesting for many of these plans. Finally, in many cases, employees are able to take retirement savings with them when they leave employers.

In addition, the civilian sector provides more opportunities to be rewarded for high performance with compensation in excess of base salaries. The portion of total compensation in the civilian sector that is targeted to performance can be much greater than the officer pay and promotion systems allow. For some officers, the military compensation system compares unfavorably with the civilian sector.

Proposed solutions and challenges to DOPMA features

Numerous specific, detailed solutions have been proposed in the last 30 years or so; a small sampling includes [21], [22], and [23]. We focus on the former two because they incorporate much of the past work done on compensation reform and are written recently enough to be able to compare their reform recommendations with current civilian-sector practices.

The general idea of retirement reform is to have earlier vesting in the retirement plan and decrease or eliminate the immediate payout of

benefits at 20 years of service. Service members who serve for less than a full career could count on at least a modest retirement income to be paid out beginning at age 60 or 62. This would make it easier to downsize the force evenly across all ranks and years of service because separated officers would have vested in the retirement system. At the same time, if there were no immediate payout of benefits at YOS 20, officers would have less incentive to leave, which helps support longer careers and alternative career paths.

Summary of DACMC recommendations on retirement reform in [22]

Make substantial changes to the structure of the active component nondisability retirement system, to include the following:

- A government contribution to a thrift savings plan or 401(k)-like plan that adds a percentage of basic pay, in the range of 5 percent, to the member's contribution.⁴⁵
- A retirement annuity that begins at age 60, computed under a formula similar to the current retirement annuity. The annuity would vest at the completion of 10 YOS.
- The annuity formula would be extended through 40 YOS, so that a member serving 40 years would receive 100 percent of the high-three average of basic pay.
- The retirement health benefit would continue to vest at the completion of 20 YOS.
- Additional offsetting compensation, in the form of current rather than deferred compensation [that is] sufficient to achieve force-shaping goals.

Reference [21] analyzed five military retirement reform scenarios. They range from modest changes to the current system (e.g., the only change is that benefits are paid out at age 60) to significant changes,

45. Government contributions would begin to accumulate immediately upon entrance to active duty and would vest no later than the tenth year of service (but not before the fifth year of service). After vesting, the member who remains on active duty should have the flexibility to receive the government's new contribution in cash, in lieu of the thrift savings plan contribution.

where the vesting point is at 5 years of service and the rest of the retirement system is modeled much like the current federal civilian retirement system. The remaining scenarios alter the vesting points, timing and level-of-benefit payments, availability of thrift savings plans, and timing and levels of separation and transition pays as the Service member leaves active duty. The author estimates the effect on the force structure and the cost of each plan using data on the Army's enlisted force.

Authors who cite retirement reform as part of the solution to making the personnel system more flexible usually advocate for pay table reform and special and incentive pay reform as well. This is because the Services must still maintain adequate retention as the incentives in the current retirement system are changed.

Summary of the recommendations for pay table reform and special pays reform in [22]

Make changes in the basic pay table to better reward performance and to support longer career profiles where desirable. In particular,

- The pay table should become a function of grade and time in grade, rather than grade and years of service (i.e., more appropriately compensate for needed skills and experience).
- Time-in-grade increases in basic pay should be extended beyond the career lengths currently implied by the time-in-service pay table.
- High-year-tenure (HYT) policies should be reassessed. [Author's note: for officers, this means relaxing the up-or-out promotion rules.] For those occupations where HYT constraints have been relaxed to encourage longer careers, the time-in-grade increases should provide a financial incentive consistent with longer service. This change will complement retirement system changes that provide incentives to stay beyond 30 years.

What may be gained

A reformed compensation system could exist with either the current DOPMA features or with amended DOPMA law and policy. In

general, the more flexible the compensation system, the more flexible the overall management of the personnel system. The results of the retirement reform scenario comparisons in [21] show what may be gained in managing the personnel system:

The plans offer the opportunity for more flexible, and more innovative, management of the career force. Smooth benefit growth from YOS 10 onward eliminates the 20-year focal point under the current system with its golden handcuffs. As a result, force managers would be freed to vary HYT points and eligibility for separation payments on a skill-by-skill basis. They could push back HYT points and delay the start of separation pay when that is desirable (as in the case of skills with high training costs and high personnel productivity growth with respect to experience) or make separation payments before the 20-year mark when that is desirable (as in the case of the so-called youth and vigor skills). Several recent study groups have argued for longer careers for officers for up to 40 years. The plans would easily accommodate significantly longer careers for officers. Finally, the availability of separation benefit earlier in the career would make adjustments to overall force size less problematic.

With retirement reform, officers whom the Navy needs to retain have a greater incentive to stay, while officers whom the Navy no longer needs can leave the Service vested in the retirement system. If longer careers and alternative career paths are desired, a more flexible compensation system that starts with retirement reform will help make that goal more attainable.

As retirement reform eases the administration of longer careers and alternative career paths, the potential gains to the personnel system are as we described earlier: gains in productivity, better retention, and greater breadth of experience.

References [21] and [22] also point out that compensation reform that moves the system closer to civilian-sector compensation arrangements could make lateral entry from the civilian sector easier. Lateral entry occurs when officers are given credit for civilian-sector training and experience, and they access to the Navy at a status higher than entry level. This already happens in certain staff corps communities where occupational training, licensing, and certification are set by professional organizations outside the Navy (e.g., doctors, chaplains).

Compensation reform could facilitate an extension of lateral entry to other officer communities.

What may be lost

A number of the features of DOPMA may be challenged by reforming the compensation system. To the extent that compensation reform facilitates lengthened careers and alternative career paths, uniformity may be challenged; comparing officers of a given grade across competitive categories and across the Services may be more difficult. Similarly, compensation reform that supports longer careers and alternative career paths must be accompanied by careful analysis about adequate flow through the system and the maintenance of the personnel pyramid.

Both [21] and [22] mention that compensation reform can increase the possibility for lateral entry, which, by definition, directly challenges the closedness of DOPMA. This is perhaps not a concern for staff corps communities that already have some degree of lateral entry. For the line occupations, however, officership, or the concept of military officer as a profession, will be challenged by lateral entry.

How KSAs relate

KSAs do not factor in the compensation reform studies. The studies assert that longer careers and alternative career paths could come about with compensation reform, but they typically do not describe the changes that must take place in DOPMA to achieve that. Thus, KSAs play essentially no role in compensation reform. Table 4 summarizes this discussion.

Limitations due to culture

We define limitations due to culture as the ways that Navy culture and tradition keep the Navy from making full use of the flexibility of the current personnel system. This is especially relevant for promotion practices. Cultural limitations are not cited in the literature often, but we include them here because they were mentioned frequently in discussion with our study sponsor and other subject matter experts (SMEs), and, in fact, there is evidence that they exist.

Table 4. Current compensation system promotes the wrong incentives and is out of step with the civilian sector

Negative effect of current personnel system	Proposed solution	What may be gained	What may be lost	How KSAs relate	How KSAs may be a challenge to implement
With 20-year cliff vesting and immediate payout of retirement benefits, some officers leave too early and some stay too long.	Reform retirement system to alleviate inefficient stay/leave decisions. Allow for earlier vesting and eliminate 20-year cliff vesting/immediate payout of benefits.	Officers whom the Navy no longer needs can leave the Service vested in the retirement system. Officers whom the Navy needs to retain can stay.	Comparability of a given rank across competitive categories within the Navy and across Services.	For pure compensation reform, KSAs are not applicable.	Few problems anticipated if KSA analysis is limited to helping to determine career lengths and alternative career paths that are supported by compensation reform.
Compares unfavorably with flexibility of civilian-sector employment arrangements. Makes it harder to retain certain officers whom the Navy wants to keep.	Reform pay tables, special/incentive pays to maintain adequate retention.	Changes may be attractive to certain officers whom the Navy wants to keep. May allow for easier lateral entry.	Current career patterns may be altered and would need to be monitored to ensure adequate flow. Lateral entry challenges notion of officership, or military officer as a profession (i.e., closedness).	As compensation reform allows for longer careers and alternative career paths, KSAs may be used as described in table 3.	

Specific limitations

How does Navy culture limit officer personnel management? The authors of [24] argue that the Services have adopted a conservative approach to officer management, whereby risk taking and creativity are not rewarded and may even be discouraged. They note that, especially since the drawdown, there has been a culture of “zero tolerance” for mistakes. In addition, deviations from due-course career paths are usually met with disapproval. This attitude creates additional rigidity in an already inflexible system.

More specifically, recall the two types of alternative career paths. The main point of these programs is to improve retention and gain experience not available in a due-course career. Although we described how DOPMA’s inflexibility may constrain those efforts, it is also true that Navy traditions and (negative) beliefs about deviations from due-course career paths may limit their availability beyond the restrictions in law and policy.

For example, the current personnel system allows for a modest amount of flexibility in the timing of due-course careers and in the lengths of careers. The promotion system allows limited numbers of below- and above-zone promotions, in which BZ promotions reward excellent performance by promoting officers earlier than usual, and AZ promotions provide another opportunity for officers who do not promote on their first attempt. The Navy is allowed to promote 10 percent of each of its BZ and AZ officers, with the possibility of receiving waivers to promote up to 15 percent each. Despite its availability, it is not always clear why BZ and AZ promotion authority is not used more.⁴⁶

The Navy is allowed a 2-percent window around its congressionally mandated officer endstrength, and it has some authority to extend certain officer careers to meet special technical or other needs of the Navy. The Navy can also request waivers from Congress when it is unable to meet its DOPMA-imposed seniority restrictions.

One could argue that adherence to tradition and culture clashes with the recognition that longer careers and alternative career paths may increase the effectiveness of the officer corps. This conflict results in the Navy sending mixed messages to officers. On one hand, there are signals that breadth of experience is important. On the other hand, there are penalties for attempting to acquire broader experience in the form of lower promotion opportunities for those who deviate from the due-course career path.

A related problem is the personnel system's inability to distinguish officer quality in certain situations, which can lead officer communities and promotion boards to rely on tradition and cultural practices to discern quality. For example, an officer may be assigned a non-due-course billet because his previous performance was not strong. His

46. Data from the FY 2003–2008 promotion boards suggest that many staff corps communities utilize much of their AZ promotion authority, while the line communities do not. If the AZ promotion rate is increased, the in-zone promotion rate would decrease. From a Navy culture perspective, communities may have to reconsider promotion criteria if they want to increase AZ promotions.

community may view this deviation from the due-course career as a signal of a weaker performer, which in this case would be correct. Other officers, however, may be assigned a non-due-course billet because they desire to increase their breadth of experience, even when their past performance was excellent. Here the community's traditions would lead to an incorrect assessment of officer quality.

Proposed solutions and challenges to DOPMA features

So far, there are few concrete solutions to this difficult limitation, but we summarize some discussions with SMEs and review actual practices to illustrate some possible solutions.

Some feel that the waivers accorded to DOPMA's most stringent provisions would be sufficient for achieving more flexibility in the personnel system if they were fully utilized. The solution would be to go against tradition and culture and use promotion timing authority and waivers wherever possible. For example, BZ and AZ promotions could proxy for accumulated experience gained on a time line different from that of the due-course career. This is essentially how BZ promotions work now; they represent the possibility of accumulating experience faster than under the normal due course. In contrast, AZ promotions could provide a way for officers to deviate from the career paths and slow the accumulation of experience toward the due-course milestones. As we described, the challenge for AZ promotions is in determining the quality of AZ officers. Tradition and cultural practices may have to be set aside so that AZ officers are not always viewed as weaker performers.

In addition to expanded use of BZ and AZ promotions to allow for more within-competitive-category promotion timing variation, the Navy could explore other options for counting accumulated experience toward the due-course milestones differently. For example, the Navy could expand on such concepts as the career intermission pilot program, which allows date of rank to be adjusted for time away from active duty. Other pilot programs could be developed to test the feasibility of alternative measures of accumulated experience.

If the cultural mind set could be changed, it could also go a long way to providing more across-competitive-category career length

variation. Currently, the Navy is analyzing career length for the HR community, and it is exploring ways to use existing authority in law and policy to reconsider the timing of career milestones and the types of accumulated experience that are needed to achieve those milestones. Other communities could undertake these efforts as well.

Finally, [25] makes an important point about the difference in large vice modest changes in the personnel system. In its review of the drawdown in the early 1990s, the study confirmed that a large, rapid change to the officer corps was not easily accommodated by DOPMA. However, the author notes that such sizable drawdowns are relatively rare. Moreover, Congress did act to help manage the drawdown by addressing the difficulty of midcareer separations with special separation pays and by granting grade relief. The author of [25] states:

Overall, this analysis suggests that the personnel system for officers, which operates under DOPMA, does not easily accommodate the kind of major drawdown that took place between 1989 and 1996. Because such drawdowns are rare, the lack of flexibility by itself might not justify making significant changes in the officer personnel system. Nonetheless, if the Congress was to undertake a major overhaul of the officer personnel system, one goal of that reform might be to give the services greater flexibility in accommodating drawdowns.

The point is that the size and frequency of a drawdown like the one experienced in the early 1990s is rare enough that the Services may want to consider alternatives to large-scale changes in law and policy when addressing more modest personnel system challenges. It is possible that more modest changes can be achieved by using all the flexibility available in the system, by challenging tradition and culture, and, where necessary, by making well-reasoned arguments for well-defined, administratively feasible changes to the current system.

What may be gained

Setting aside rigid traditions and taking advantage of all possible waivers and exceptions to the law could increase personnel management flexibility without systematically challenging DOPMA's underlying features. The same is true for considering new pilot programs that

could measure accumulated experience toward career milestones more accurately. Moreover, if setting aside tradition and cultural practices results in longer careers and alternative career paths, other potential gains to the system that we have already described may accrue—higher productivity, better retention, and increased breadth of experience.

Repeated use of waivers might indicate that certain DOPMA provisions need to be changed to accord more flexibility. Congress and various stakeholders may be open to well-articulated, sensibly designed modifications to the system that help maintain its key features while allowing for “targeted” flexibility.

What may be lost

A strategy that uses waivers and other exceptions to the law makes it certain that not all of DOPMA’s provisions can be met simultaneously. The authors of [3] acknowledge that Congress has attempted to allow for some flexibility, especially during times of quick upsizing or downsizing. However, the authors point out the following:

Congress has provided some flexibility, but in so doing, major tenets of DOPMA (e.g., tenure) have been voided. DOPMA forces choice between grade table violations (law) or diminution of proffered tenure (law) and proffered promotion opportunity/timing (policy, promise) in a period of reduction.

In addition, as we described for earlier limitations, a number of DOPMA features will be challenged if aggressive use of waivers and creatively designed pilot programs help facilitate longer careers and alternative career paths. First, the seniority feature in DOPMA will be directly challenged. Second, uniformity may be challenged, so that comparing officers of a given grade across competitive categories and across the Services may be more difficult. Finally, as previously discussed, any changes to the system that support longer careers and alternative career paths must still ensure adequate flow through the system; otherwise, the up-or-out and the personnel pyramid provisions will be challenged.

How KSAs relate

KSAs were not mentioned in the literature on tradition and cultural limitations or in discussions with Navy SMEs. Although KSAs appear to play no role in addressing Navy tradition and culture, we can envision a supporting role for KSAs to understand which careers could be lengthened, and at which points, and to consider what should be achieved by accumulated experience. As we cautioned earlier, however, KSAs are probably not a precise enough metric on which to base actual promotion timing decisions. Table 5 summarizes this topic.

Table 5. Navy tradition and cultural practices

Negative effect of current personnel system	Proposed solution	What may be gained	What may be lost	How KSAs relate	How KSAs may be a challenge to implement
Flexibility limited by adherence to culture and tradition that recognizes only due-course career paths.	Set aside Navy culture and tradition on these issues of career advancement.	The possibility of alternative career paths and longer careers, where alternative career paths and longer careers may achieve higher productivity, better retention, and greater breadth of experience.	Strict compliance at all times with the letter of DOPMA (and ROPMA) law and policy.	For setting aside Navy culture and tradition on issues of career advancement, KSAs are not applicable.	Few problems anticipated if KSA analysis is limited to helping to determine career lengths and alternative career paths that are fostered by evolving Navy culture and tradition.
May limit full use of AZ and BZ promotion, waivers, and exceptions in DOPMA and ROPMA law and policy to achieve more flexibility.	Use all alternative promotion timing, waivers, and exceptions allowed in DOPMA law and policy to allow for alternative career paths and longer careers. Consider alternative measures of accumulated experience, and design pilot programs to test them.		A strict adherence to time-based seniority. Uniformity of careers; ease in assessing experience vs. rank across competitive categories and across Services. Adequate promotion opportunity and maintenance of the personnel pyramid if the up-or-out career flow is not maintained.	As Navy culture and tradition evolves and allows for longer careers and alternative career paths, KSAs may be used as described in table 3.	

AC-RC integration problems

Of the four main limitations identified in the literature, the AC-RC integration issue is the most prominently featured in the CNGR report and plays a key role in recommendations 10 and 11. Because the CNGR envisions a more operational use of the RC and a more integrated AC and RC, it argues that there is a need to account for relevant civilian-sector experience and to better align AC and RC military experience. Following [10], the CNGR proposes that promotion eligibility be determined by KSAs rather than time, and that there should be a single promotion system for the AC and the RC.

Studies on improving both AC-RC integration and the effectiveness of the RC in meeting requirements form a growing literature. These studies raise concerns about how AC-RC integration is limited by the current personnel system. Frequently mentioned limitations include the administrative and business process shortcomings of tracking AC and RC personnel as they move from one component to the other. Other concerns involve the measurement of experience in the AC and RC. The civilian-sector experience that reservists may accrue is likely undercounted, but the military experience that reservists accrue is potentially overcounted compared with their AC counterparts. Finally, differences in the AC and RC retirement systems may impede overall AC-RC personnel management.

Specific limitations

Difficulty moving between the AC and the RC

The literature and SMEs suggest that a significant part of AC-RC integration difficulties can be attributed to administrative challenges and not to DOPMA and ROPMA law or policy. Various data systems that contain AC and RC personnel information have limited ability to inform each other and to accurately track movement between the AC and RC. These administrative challenges—widely known for some time—extend to AC and RC pay information as well.

The shortcomings have been noted particularly since 9/11, though they were also evident during and after Operations Desert Storm and Desert Shield. The Services (including the Navy) began to address

these administrative shortcomings after Desert Storm/Desert Shield, but their efforts to make the necessary database changes were overtaken by the drawdown.

As the drawdown concluded, DoD began a major effort to align all of the relevant information within and across the Services to address administrative and database shortcomings related to the military pay and personnel systems. The database effort is known as the Defense Integrated Military Human Resources System (DIMHRS). The executive summary of a DIMHRS operational requirements document dated 2 July 2001 contains the mission need statement of 24 February 1998. That statement cites five major problem areas to be resolved within and across the military Services to improve the administration of the personnel system. Three of the major problem areas speak directly to issues of AC-RC integration:

- Reservists who are called up are sometimes “lost” in the system; affecting their pay, their credit for service, and their benefits.
- Active duty personnel (and reservists) are not tracked into and within the theater.
- Links between the personnel and pay functions differ among the Services, resulting in multiple data entry, complex system maintenance, reconciliation workload, and pay discrepancies.

The Navy also faces some of these database limitations.

Experience mismatch for a given designator/grade in the AC and RC

Relevant civilian-sector experience is not accounted for

The CNGR report points out that reservists may have relevant civilian-sector experience that could help fill requirements. Such experience, however, is usually not reported in Service personnel databases. Thus, although the Navy can evaluate reservists’ military records, it has no systematic way to evaluate reservists’ civilian-sector experience. The Navy must rely on resumes and other information collected on an ad hoc basis to determine if certain specific skills are available in the RC.

Some officer specialties are less affected by this limitation than others. The officer specialties whose credential and licensing processes

are set outside the military have perhaps the easiest time evaluating civilian-sector experience. The health field is a prime example of how the military and the civilian sector must abide by the same professional/occupational training, licensing, and experience standards. This provides some ability to make military/nonmilitary experience comparisons. In contrast, it is more difficult to compare the civilian-sector experiences of officers whose military specialty has limited civilian-sector comparisons.

Active YOS experience does not equal reserve YOS experience

Another factor affecting AC and RC integration is the potential mismatch of military experience. Recall that RC officers earn a year's worth of creditable service with 50 reserve points—the equivalent of 2 days drilling per month plus an additional 2 weeks per year. In addition, promotion timing is essentially the same in the AC and the RC. The result is that there can be significant differences in military experience for AC and RC officers of the same grade and YOS. Reference [9] describes those differences for Navy officers. The authors write:

The average level of Navy-specific [experience] in the RC for officers in the same rank and community is lower than the average of their AC peers....The more Navy-specific the community, the greater the gap [e.g., the URL communities, which may have little overlap with civilian-sector occupations, have potentially greater gaps than the health communities, which have significant overlap with civilian-sector occupations]. Similarly, the longer the time in the RC, and hence time in service, the greater the gap, which is also a function of the extent to which the community relies on Navy-specific experience.

Only partial overlap of AC-RC compensation systems

Other key differences that could impede AC-RC integration are the compensation systems—in particular, the retirement systems. Reference [21] notes the following:

Now that successful management of the reserve forces is so critical to U.S. military missions around the world, reserve force compensation issues have received much more attention recently. One of those issues is how the reserve retirement system should be configured. The reserve system, like

the active system, vests reservists after 20 years of creditable retirement points. The key difference is that reservists do not receive an immediate annuity [benefit payout] upon retirement. Rather, the annuity only begins at age 62.

Reference [21] also describes how the retirement incentives for officers in the RC are quite different from those for officers in the AC:

the lack of an immediate annuity after 20 years of creditable service keeps reserve retention higher after vesting than it would otherwise be; annual continuation of reservists in their forties and fifties is much higher than continuation of active duty personnel of similar ages.

Note that this is the type of behavioral response that would be helpful for achieving longer careers and better retention of officers in the AC who have between 20 and 30 YOS.

Proposed solutions and challenges to DOPMA features

DIMHRS was supposed to help fix the administrative problems listed earlier for both AC and RC personnel within each Service and across Services. However, the DIMHRS effort stalled a decade after the major problem areas were identified. While the DIMHRS effort is under review, it has fallen to each Service to attempt to address these problems internally.

Some efforts in the Navy to streamline administrative tracking of the AC and RC appear to be working. In September 2009, the Chief of Naval Operations (CNO) released CNO guidance for FY 2010, which states:⁴⁷

We [the Navy] reduced officer transition times from the Active Component to Reserve Component from 30 days to 8 days.

47. This is found in “Executing the Maritime Strategy” under the list of achievements in the section titled “Develop and Support Our Sailors, Navy Civilians, and Families.”

Other systems for moving and tracking AC and RC Navy personnel are also under way, but significant challenges to integrating the administrative systems remain.

To address both the civilian-sector and the military experience mismatch between the AC and the RC, the CNGR proposes using KSAs to determine promotion eligibility. This means that civilian-sector and military experience of AC and RC officers must be described by KSAs. In addition, the CNGR recommends creating a single AC-RC seniority list based on those KSAs.

The Navy recently took a more practical approach to addressing the AC-RC military experience mismatch, although this was not necessarily the main purpose for its actions. Late last year, the Navy eliminated the running mate system for reserve officer promotions.

The running mate system assigned an officer on the RASL as a “running mate” to a same-grade officer on the ADL. The officer on the RASL was considered eligible for promotion when his or her ADL running mate was in or above the promotion zone.

A key reason for eliminating the running mate system was to address a chronic oversupply of RC officers in the control grades. However, the change may also help address the AC-RC military experience mismatch by eliminating the requirement that RC officers become promotion eligible based on an AC time line.

Finally, the literature provides numerous proposals for compensation reform that could help facilitate AC-RC integration. Perhaps most noteworthy, however, is what [21] warns *not* to do:

DOD’s official adoption and espousal of the “total force” concept has brought into clearer view many differences of active duty and reserve force personnel...and has led to demands by some that all distinctions in personnel and compensation policy be eliminated. In the retirement policy area, DOD has been under some pressure to provide reservists with annuities immediately upon retirement after 20 years of creditable service—that is, make the reserve system identical to the current active force system.... [H]owever, this would be precisely the wrong thing to do. It would not solve any reserve force management issue that

could not be fixed more efficiently by other means, and it would subject reserve force managers to the same inflexibilities now built into the current system to active duty personnel.

What may be gained

The potential gains from addressing database and other administrative limitations are better tracking of AC and RC personnel, more accurate reporting of pay and retirement accrual information (particularly for the RC), and improving the planning capabilities of the Navy for future mobilizations. In general, these solutions should enhance AC-RC integration, which could increase the management options in the personnel system.

There are also potential gains to measuring civilian-sector experience and the AC-RC differences in military experience more accurately. If feasible, this could lead to much more effective use of the RC since true accumulated experience could be matched against requirements. As the RC is used more effectively, it could lead to enhanced AC-RC integration.

If improved AC-RC integration promotes longer careers and alternative career paths, the potential gains to the personnel system are the same as we have described before: greater productivity, better retention, and greater breadth of experience.

What may be lost

Improvements in AC-RC integration may challenge several features of DOPMA. First, it directly challenges closedness, or the idea of officership as a profession. The more that RC officers who gain military experience slowly while accruing potentially unrelated civilian-sector experience are treated similarly to AC officers who accrue military experience quickly and exclusively, the more the profession may be challenged. Second, it will directly challenge the seniority-based promotion timing by replacing it with a KSA-based promotion timing system. Finally, to the extent that AC-RC integration facilitates alternative careers, uniformity within and across competitive categories and the up-or-out career flow feature may be challenged.

If a KSA-based promotion timing system were feasible, it would go a long way to solving the AC-RC integration problems facing the Navy. Although such a system would not necessarily address the administrative challenges of AC-RC integration, it could address the military and civilian-sector experience mismatches.

As we pointed out earlier, however, if a KSA-based promotion timing system with a single seniority list for all officers were seriously considered, there could be significant challenges to the personnel system that go beyond the features of DOPMA. We have already described how it will be very difficult to use KSAs as a determinant of promotion eligibility in the AC, even though the Navy has the ability to track virtually all positions held and education and training received for AC officers. The CNGR is proposing to extend KSA-determined promotion eligibility to the RC, where most officers accumulate lower levels of military experience, and where there are no systems in place to record civilian-sector experience, to say nothing of describing that experience by KSAs.

Thus, feasibility of the CNGR recommendations is of great concern. We have already discussed how the current seniority-based promotion timing system is imperfect, but it is feasible, transparent, and credible. Moving to a KSA-based promotion timing system would challenge these key personnel system attributes.

How KSAs relate

KSAs play no direct role in solving the administrative and business process limitations to AC-RC integration. Nor are KSAs likely to help overcome experience measurement issues for the AC and RC officers because of lack of feasibility. However, KSAs can play a supporting role in the case of AC and RC retirement reform that improves AC-RC integration and allows for longer careers and alternative career paths.

Tables 6, 7, and 8 summarize this discussion.

Table 6. Active/reserve integration: Difficulty moving between active and reserve components

Negative effect of current personnel system	Proposed solution	What may be gained	What may be lost	How KSAs relate	How KSAs may be a challenge to implement
Difficulty moving between AC and RC.	Create/revise databases that follow Service members through their active/reserve careers.	More effective and efficient use of RC to meet requirements.	May challenge notion of officership, or military officer as a profession (i.e., closed system).	N/A	N/A
May be hindering effective and efficient meeting of requirements.	Rethink laws/policies regarding reserve statuses.	More fluid military careers.			

Table 7. Active/reserve integration: Experience mismatch for a given designator/grade

Negative effect of current personnel system	Proposed solution	What may be gained	What may be lost	How KSAs relate	How KSAs may be a challenge to implement
May be hindering effective and efficient meeting of requirements by: <ul style="list-style-type: none"> • Not accounting for relevant civilian-sector experience and • Not aligning AC and RC YOS experience appropriately. 	Use KSAs to account for civilian-sector experience and to align AC and RC experience. This would require using KSAs to describe all requirements and attributes of personnel.	More effective use of the Reserves.	Closedness, or notion of officership (military officer as a profession). Seniority-based promotion timing. Uniformity and adequate promotion opportunity as alternative career paths develop.	KSAs would have to: <ul style="list-style-type: none"> • Accurately account for civilian-sector experience and • Improve the process of aligning AC and RC military experience. 	Describing civilian-sector experience and differences in AC-RC military experience by KSA is not feasible; would challenge the integrity of the current promotion system.

Table 8. Active/reserve integration: Only partial overlap of AC and RC compensation systems

Negative effect of current personnel system	Proposed solution	What may be gained	What may be lost	How KSAs relate	How KSAs may be a challenge to implement
Difficulty moving between AC and RC.	Harmonize AC and RC compensation systems.	More fluid military careers	Closedness, or notion of officership	For pure compensation reform, KSAs are not applicable.	Foresee few problems if KSA analysis is limited to helping
May be hindering effective and efficient meeting of requirements.	Start with AC retirement reform to allow for different career lengths, earlier vesting, and benefit payouts commensurate with length of service. Pay table/special pay reform to maintain adequate retention.	and more effective use of the Reserves.	(military officer as a profession.)	As compensation reform allows for longer careers and alternative career paths, KSAs may be used as shown in table 3.	to determine career lengths and alternative career paths are supported by compensation reform.

This page intentionally left blank.

Conclusions and comments on the CNGR recommendations

We conclude with a chronological review of the literature on DOPMA and ROPMA that shows how KSAs were introduced as a solution to certain officer personnel management challenges. We then follow with conclusions and make final comments on the CNGR recommendations.

Chronology of DOPMA reviews

The chronology of the literature on reviews of DOPMA (and ROPMA) provides some insight into how KSAs came to be suggested as a determinant of promotion eligibility. In the decade after DOPMA's 1980 passage, the Navy saw a sizable buildup of physical capital and personnel only to be followed by a sizable drawdown in the early 1990s. It was a real test of how DOPMA could operate during periods of significant change. The reviews of DOPMA revealed just how static it was. Congress granted some temporary relief from meeting all of DOPMA's and ROPMA's provisions as the Services adjusted to the drawdown. Solutions proposed in the literature to address this inflexibility suggested that DOPMA could be modified to include adjustment periods for the Services to respond to such external changes.

As the 1990s progressed, and the large-scale changes in the size of the force stabilized, the focus of discussion of DOPMA shifted to reviewing its underlying objectives. In essence, analysts revisited the management themes that were the basis for the law. This resulted in a series of studies on objectives-based management, in which decision-makers were urged to consider which management objectives were most important for filling requirements effectively.

In fact, many of these objectives were reviewed around the time of DOPMA's passage, as were the features chosen to meet those objectives—closedness; a personnel pyramid; a competitive, up-or-out career flow seniority-based promotion timing; and uniformity across Services.

Flexibility was not a key management objective at the time of DOPMA's passage. After the drawdown, analysts began to focus on the kinds of flexibility that would make the personnel system most effective. It became apparent that longer careers and alternative career paths were especially desirable. To achieve those goals, the mandatory retirement dates in DOPMA needed to be changed and the promotion windows in DOPMA guidance needed to be widened. The 20-year vesting rule in the military retirement system also needed to be modified.

In addition, to provide for longer careers and alternative career paths systematically, analysts also considered changing the seniority-based promotion timing system described in DOPMA. One suggestion was to replace the seniority-based promotion timing system by a system that was based on the achievement of KSAs. However, those who made the suggestion were forthright about the difficulty of adopting such a system. Nevertheless, the CNGR adopted the suggestion for the AC and extended it to address AC-RC integration problems as well. Because the CNGR recommendations involve describing military experience *and* civilian sector experience by KSAs, they challenged the feasibility of a KSA-based promotion timing system even further.

Conclusions

Because we were unable to analyze directly how DOPMA and ROPMA may have caused possible KSA shortages, we reviewed the literature on officer personnel management for related analysis. We found four limitations described in the literature on officer personnel management that could lead to mismatches between requirements and inventory:

- DOPMA's inflexibility in the midst of changing supply of and demand for officers
- An inflexible compensation system
- Navy culture and practice regarding promotions
- AC-RC integration challenges.

We also summarized the solutions to these limitations that were most frequently discussed in the literature. In general, we found that KSAs were not mentioned as solutions to the limitations listed above. In one study, however, analysts proposed improving the flexibility of the personnel system by substituting the seniority-based promotion timing system with a promotion timing system based on KSAs. The CNGR extended this proposal to the RC, and it recommended adopting a single AC-RC seniority list.

We found that many of the solutions proposed in the literature have the potential to improve the personnel system but also challenge the underlying features of DOPMA and ROPMA. We also found that moving to a KSA-based promotion timing system has the additional hurdle of feasibility. Without feasibility, it is difficult to imagine how a KSA-based promotion timing system could be a credible alternative to the current system.

We believe that the Navy may have some other alternatives to achieving more flexibility in the system. Navy culture and tradition may be prohibiting full utilization of the flexibility that the system currently offers. For example, if the cultural mind set regarding promotion timing could be changed, it could help achieve more flexible outcomes, such as alternative career paths. The same is true for expanding on such ideas as the career intermission pilot program.

If the Navy needs additional flexibility, it should consider pressing for compensation reform. The compensation system reinforces some of DOPMA's and ROPMA's most inflexible provisions. With adjustments to the compensation system, the Navy would have significantly more flexibility in the personnel system, with or without major changes to DOPMA and ROPMA.

If both solutions could be undertaken, it could go a long way toward providing more flexibility in the personnel system while minimizing the challenge to DOPMA's underlying features.

Comments on the CNGR recommendations

Here we summarize our views on recommendations 10 and 11 in the CNGR:

- To allow for variation in career lengths within and across competitive categories, set aside Navy tradition and cultural practices by using as much of the flexibility in the current system as allowed. This includes:
 - Using waivers and other exceptions to law and policy as much as needed
 - Testing the feasibility of alternative measures of accumulated experience through pilot programs
- To the extent that the Navy needs more flexibility:
 - Push for reform of the compensation system; this must occur to fully address DOPMA/ROPMA limitations and AC-RC integration.
 - Don't move to a KSA-based promotion timing system. It is likely infeasible, and it is neither necessary nor sufficient for building more flexibility in the personnel system.
- Instead of adopting a KSA-based promotion timing system, use KSA analysis in conjunction with experience/productivity profile analysis and ROI analysis to:
 - Determine which competitive categories would benefit from longer careers or alternative career paths
 - Identify education, training, and experience gaps as the battle space and platforms evolve.

Appendix A: The laws and policies associated with figure 1

Reference [8] identifies the laws and DoD and Navy policies that define the DOPMA system and associates them with each aspect of active component (AC) officer management identified in figure 1. Table 9 captures these associations in abbreviated form; the following subsections provide additional context for Title 10 provisions and DoD and Navy policy.

Table 9. Laws and policies relating to each aspect of officer career management from figure 1^a

	Law (sections of Title 10, U.S.C.)	DoD policy	Navy policy
1. Endstrength	§115 & §115a; ^b §521 ^c	SECDEF submits DMRR	SECNAVINST 530.15; OPNAVINST 1000.16J
2. Grade strengths	§523, §525, §526 ^c		
3. Entry guidelines			
3.a. Entry qualifications	§532 ^d	DODD 1310.2; DODD 1304.26	SECNAVINST 1120.6C; SECNAVINST 1120.13A; NAVMED P-117; MIL- PERSMAN 1131-01; some waivers
3.b. Constructive credit	§532 & §533 ^d	DODD 1312.3	SECNAVINST 1120.6C; MILPERSMAN 1131-01
4. Active duty list	§620 ^e	General policy statement RE: use of the list	SECNAVINST 1427.2B
5. Competitive categories	§521; ^c §621 ^e	DODD 1320.12; DODD 1320.13; DODD 1320.14	SECNAVINST 1400.1a
6. Promotion zones	§619, §621, §622, §623, §645 ^e	DODD 1320.12; DODD 1320.13	Annual plans for requirements; SECNAVINST 1420.1A
7. Promotion opportunity			
7.a. Below zone	§616 ^e	DOD 1320.12	SECNAVINST 1420.1A

Table 9. Laws and policies relating to each aspect of officer career management from figure 1^a (continued)

	Law (sections of Title 10, U.S.C.)	DoD policy	Navy policy
7.b. In and above zone	§616, §623, §624 ^e	DODD 1320.12; DODI 1320.13	SECNAVINST 1420.1A
8. Promotion timing	§623 & §624 ^e	DODI 1320.13	SECNAVINST 1420.1A
9. Promotion boards	§611-18 ^e		SECNAVINST 1401.3
10. Failure of selection	§616, §627, §630-34 ^e	DODI 1320.14; DODD 1320.10	MILPERSMAN 1420-050; ALNAV 094/03
11. Tenure points			
11.a. Military & active duty service obligations	§651 & §653; ^f §6959 ^g ; plus others	DODI 1304.25	OPNAVINST 1000.26
11.b. Retirement for years of service	§6323; ^h §631-36 ^e		SECNAVINST 1811.3M
11.c. Retirement pay	§1406, §1407, §1409 ⁱ	DoD FMR	MILPERSMAN 7220-040
11.d. Three retirement systems	Chapter 71?	DoD FMR	SECNAVINST 1811.3M
11.e. Officer retired grade	§1370 ^j		
12. Selective continuations	§611 & §637 ^e	DODD 1320.8	SECNAVINST 1920.7A; NAVADMIN 034/04
13. Involuntary departures			
13.a. Separation pay	§1174 ^k	DODI 1332.29	MILPERSMAN 1920-030; SECNAVINST 1900.7G; DODFMR 350204
13.b. Selective early retirement	§611, §638, §638a ^e	DODD 1332.32	SECNAVINST 1420.1A
14. Voluntary departures			
14.a. Voluntary retirement	§6323; ^h §1174a & §1175 ^k		SECNAVINST 1811.3M
14.b. Incentives and special pays	T37§211; T37§323; T37 Chapter 5	DODI 7730.57; DODI 1340.15	SECNAVINST 7220.83; SECNAVINST 7220.84; SECNAVINST 7220.86; NAVADMIN 326/02; NAVADMIN 194/03

a. Adapted from [8].

b. Subtitle A, Part I, Chapter 2.

c. Subtitle A, Part II, Chapter 32.

d. Subtitle A, Part II, Chapter 33.

e. Subtitle A, Part II, Chapter 36.

f. Subtitle A, Part II, Chapter 37.

g. Subtitle C, Part III, Chapter 603.

h. Subtitle C, Part II, Chapter 571.

i. Subtitle A, Part II, Chapter 71.

j. Subtitle A, Part II, Chapter 69.

k. Subtitle A, Part II, Chapter 59.

USC Title 10

The relevant law is mainly defined in four key chapters of Subtitle A (general military law), Part II (personnel) of Title 10. The chapter titles and sections they comprise are as follows:

- Chapter 32 - Officer Strength and Distribution in Grade (§§521-528)
- Chapter 33 - Original Appointments of Regular Officers in Grades Above Warrant Officer Grades (§§531-541)⁴⁸
- Chapter 36 - Promotion, Separation, and Involuntary Retirement of Officers on the Active-Duty List
 - Subchapter I - Selection Boards (§§611-618)
 - Subchapter II - Promotions (§§619-626)
 - Subchapter III - Failure of Selection for Promotion and Retirement for Years of Service (§§627-636)
 - Subchapter IV - Continuation on Active Duty and Selective Early Retirement (§§638-640)
 - Subchapter V - Additional Provisions Relating to Promotion, Separation, and Retirement (§§641-647)
- Chapter 37 - General Service Requirements (§§651-655).

Some sections of other chapters and titles also come into play. In particular, some provisions of subtitle C clarify Navy-specific and Marine Corps-specific aspects of the provisions of subtitle A. In addition, some provisions of Title 37, which deals with military pays and allowances, are relevant because pay policies affect continuation behavior.

48. Sections 555 through 565 were repealed.

DoD policies

DOD policies relating to the aspects of AC officer management from figure 1 are defined in a series of DoD Directives and Instructions. Reference [8] identifies seven directives and seven instructions:

- Directives
 - DODD 1304.26 - Qualification Standards for Enlistment, Appointment, and Induction (2007)
 - DODD 1310.2 - Appointing Commissioned Officers (2003)
 - DODD 1312.3 - Service Credit for Commissioned Officers (2003)
 - DODD 1320.10 - Discharge of Commissioned Officers Not Qualified for Promotion to First Lieutenant or Lieutenant (Junior Grade) (2007)
 - DODD 1320.12 - Commissioned Officer Promotion Program (1996)
 - DODD 1320.8 - Continuation of Regular Commissioned Officers on Active Duty and Reserve Commissioned Officers on the Reserve Active Status List (2003)
 - DODD 1332.32 - Selective Early Retirement of Officers on an Active Duty List and the Reserve Active Status List and Selective Early Removal of Officers from the Reserve Active Status List (2006).
- Instructions
 - DoDI 1304.25 - Fulfilling the Military Service Obligation (1997)
 - DoDI 1320.12 - Commissioned Officer Promotion Program (2005)
 - DoDI 1320.13 - Commissioned Officer Promotion Reports (2009)
 - DoDI 1320.14 - Commissioned Officer Promotion Program Procedures (1996)

- DoDI 1332.29 - Eligibility of Regular and Reserve Personnel for Separation Pay (1996)
- DoDI 1340.15 - Officer Engineering and Scientific Career Continuation Pay (1982)
- DoDI 7730.57 - Aviation Incentive Pays and Continuation Bonus Program (2008).

Navy policies

Navy policies relating to the aspects of AC officer management from figure 1 are defined in a series of Department of the Navy policy documents.⁴⁹:

- All Navy (ALNAV) messages and Naval Military Personnel Manual (MILPERSMAN) citations
 - ALNAV 094/03 - Notice of Convening FY-05 Promotion Selection Boards/Amended (2003)
 - MILPERSMAN 1131-010 - Initial Appointment of Officers in the Regular Navy and Naval Reserve (2002)
 - MILPERSMAN 1420-050 - Counseling of Officers who Fail to Select for Promotion (2006)
 - MILPERSMAN 1920-030 - Involuntary Separation Pay (Non-Disability) - Definitions and Policy (2007)
- Navy Administrative (NAVADMIN) messages and Navy Medicine (NAVMED) publications
 - NAVADMIN 034/04 - Notice of Convening FY-05 Officer Continuation Board/ Announcement of Continuation Policy (2004)
 - NAVADMIN 194/03 - Submarine Support Incentive Pay (2003)

49. We have cited the most recent versions of the documents if they have been updated since the publication of figure 1.

- NAVADMIN 326/02 - Surface Warfare Officer Critical Skills Bonus (2002)
- NAVMED P-117 - Manual of the Medical Department, Department of the Navy (MANMED), various chapters
- Chief of Naval Operations Instructions (OPNAVINST)
 - OPNAVINST 1000.16J - Manual of Navy Total Force Manpower Policies and Procedures (2002)
 - OPNAVINST 1000.26 - Fulfilling the Military Service Obligation (MSO) (1985)
- Secretary of the Navy Instructions (SECNAVINST)
 - SECNAVINST 1120.13A - Appointment of Regular and Reserve Officers in the Dental Corps of the U.S. Navy (1988)
 - SECNAVINST 1120.6C - Appointment of Regular and Reserve Officers in the Nurse Corps of the U.S. Navy (2002)
 - SECNAVINST 1400.1A - Officer Competitive Categories for the Active-Duty Lists of the Navy and Marine Corps (1997)
 - SECNAVINST 1401.3A - Selection Board Membership (2005)
 - SECNAVINST 1420.1A - Promotion and Selective Early Retirement of Commissioned Officers on the Active-Duty Lists of the Navy and Marine Corps (1991)
 - SECNAVINST 1427.2B - Rank, Seniority and Placement of Officers on the Active Duty and Reserve Status Lists of the Navy and Marine Corps (1997)
 - SECNAVINST 1811.3M - Voluntary Retirement and Transfer to the Fleet Reserve of Members of the Navy and the Marine Corps Serving on Active Duty (1989)
 - SECNAVINST 1900.7G - Separation Pay for Involuntary Separation from Active Duty (1997)

- SECNAVINST 1920.7A - Continuation on Active Duty of Regular Commissioned Officers and Reserve Officers on the Reserve Active Status List in the Navy and Marine Corps (1998)
- SECNAVINST 5310.15 - Defense Manpower Requirements Report (DMRR) (1979)
- SECNAVINST 7220.83 - Special Pay for Nurse Corps Officers (1991)
- SECNAVINST 7220.84 - Surface Warfare Officer Continuation Pay (SWOCP) (2000)
- SECNAVINST 7220.86 - Navy Special Warfare Officer Continuation Pay (SPECWAROCP) Program (2002).

This page intentionally left blank.

Appendix B: Sections of law that define the key features of the DOPMA/ROPMA system

This appendix provides additional information on the sections of Title 10 that define the key features of the legal framework for the DOPMA/ROPMA system.⁵⁰ Most of the sections of law mentioned in this appendix can be found in appendix A, but not all the sections of the United States Code in appendix A are described here. In particular, this appendix does not identify laws that support only the key features of the DOPMA/ROPMA framework, such as laws related to retirement pay and laws related to strictly administrative matters. Nor does it include laws that essentially define exceptions to the framework, such as the laws governing selective continuation, which provides some exceptions to laws that define the up-or-out career flow.

The laws cited in this appendix are the most current versions as posted in September 2009 on the Cornell University Law School's Legal Information Institute website: <http://www.law.cornell.edu/uscode/10>. Although there have been some changes to the laws over the past 29 years, the framework they describe remains consistent with the original vision of officer management.

Closedness

The laws that make DOPMA and ROPMA closed systems, individually and in combination, relate to entry qualifications and grades, and to promotion. Legally specified entry qualifications and grades ensure that newly appointed officers are relatively young and at relatively early stages of their careers, and that they enter at relatively low levels in the rank hierarchy. Legal guidelines also control the amount of

50. See the subsection titled, "Key features of the DOPMA/ROPMA framework defined in Title 10."

credit given for experience obtained outside the military system. Laws governing promotion ensure that vacancies in grades O2 and above are filled primarily by eligible officers from lower grades.

DOPMA-specific provisions of Title 10

Entry qualifications and grades

Section 532(a) (2) stipulates that an original appointment as a commissioned officer may be given only to a person who has the ability to complete 20 years of active commissioned service before age 62.^{51, 52}

Section 533 identifies the types of past experience that can count toward determining the entry grade and rank in grade for a newly appointed officer. The law specifies that “constructive credit” may be given for active commissioned service performed in any armed force, the National Oceanic and Atmospheric Administration (NOAA), and the Public Health Service, as well as for “advanced education or training or special experience.”⁵³

Section 533(b) (2) stipulates that, except as authorized by the department Secretary and under regulations defined by the SECDEF, total constructive credit may not exceed the amount required for appointment as an O4.⁵⁴

-
51. Section 532(d) (1) exempts medical and dental officers, chaplains, and officers designated for limited duty in the Regular Navy or Regular Marine Corps from this requirement.
 52. Other requirements in Section 532 are U.S. citizenship, good moral character, physical fitness, and other special qualifications as the Secretary of the military department concerned may prescribe by regulation.
 53. Constructive credit is usually not given for education, training, or experience obtained while on active duty.
 54. Original appointments to officers in the Medical and Dental Corps may be in grades O2 through O6; Judge Advocates can only be given enough credit to enter as O3s.

Promotion eligibility

Section 611 (a) stipulates that selection boards for a given Service will be convened whenever the needs of that Service require it to fill vacancies at any given grade. Furthermore, the officers to be considered to fill such vacancies are those on the Active-Duty List (ADL) in each permanent grade from O2 through O7.⁵⁵

Section 620 requires that each Service maintain an ADL, defined as a single list of all officers who are on active duty for that Service.

ROPMA-specific sections of Title 10

Entry qualifications and grades

Section 12204 stipulates that no one may be appointed as a reserve in a commissioned grade above O4 unless he is a formerly a commissioned officer or by board recommendation.

Section 12206 stipulates that a person who is a former commissioned officer may be appointed as a reserve officer in the grade equivalent to the permanent regular or reserve grade, and in the same competitive category, in which he previously served satisfactorily on active duty or in an active status.⁵⁶

Section 12207 identifies the experiences and education for which a newly appointed RC officer may receive constructive credit toward determining his entry grade and rank in grade. The guidelines for calculating constructive credit for RC officers are essentially the same as those defined in Section 533 for AC officers. In particular, like Section 533, Section 12207 stipulates that total constructive credit may not exceed the amount required for appointment as an O4.

55. The exception to this statement is positions in grades O2 through O4 that are filled by new officers with sufficient constructive credit.

56. This provision also appears in Section 533(f), though in slightly different form.

Promotion eligibility

Section 14002 requires each armed force to maintain a single list that includes the names of all the reserve officers of that armed force who are in an active status other than those on an ADL. This list is called the Reserve Active-Status List (RASL) and is analogous to the ADL maintained for all officers in the AC.

Section 12642 defines requirements for being on the RASL: In addition to meeting other basic qualifications, to be retained in an active status, a reserve commissioned officer must, in any applicable yearly period, attain the number of points⁵⁷ prescribed by his Service Secretary. (Section 12732(a)(2) provides the guidelines for point accumulation in the section on seniority-based promotion timing.) An officer who doesn't achieve the minimum number of points (or conform to other standards) will be transferred to inactive status or the Retired Reserve if he is qualified and applies for retired status.

Section 14004 requires that an officer be on a RASL to be eligible for consideration for selection for promotion or for promotion.

In addition to being on the RASL, Section 14301 states that an officer must have continuously performed service on either the RASL or the ADL (or on a combination of both lists) during the 1-year period ending on the date of the convening of the promotion board to be considered by that board.

Pyramid-shaped personnel structure

The grade structures created by the DOPMA/ROPMA system are pyramid shaped, primarily as a result of four combined factors:

6. There is a set endstrength.
7. There are set grade strengths.
8. The system is closed.
9. There is attrition (both voluntary and involuntary) from the closed system.

57. Section 12642 also stipulates that the Secretary may not prescribe a minimum of more than 50 points under this subsection.

Here, we discuss laws related to endstrength, grade strengths, and voluntary attrition. Laws pertaining to the closed system were discussed earlier and laws relating to involuntary attrition will be discussed later in this appendix.

DOPMA-specific sections of Title 10

Officer endstrength and distribution in grade

Section 115 stipulates that active duty endstrength be approved by Congress each fiscal year.⁵⁸ Subject to approval by Congress, Section 521 gives the SECDEF authority to prescribe, for each Service, the total active duty endstrength for officers above the grade of chief warrant officer. The Service Secretaries are, in turn, given authority to prescribe the strength of specific categories of active duty officers for their departments. That is, the Service Secretaries are responsible for spreading their approved endstrengths across competitive categories.

Section 523 defines the Service-specific grade tables for field grade officers (i.e., officers in grades O4 to O6). According to the statute, the number of active duty officers serving in each grade may not exceed the number that is determined based on the table.⁵⁹ The grade table for the Navy is reproduced in table 1.

Sections 525 and 526 define the distribution of active duty officers in general and flag grades and their authorized strengths, respectively. For the Navy, the total number of flag officers may not exceed 216.⁶⁰

58. Section 115 also defines acceptable deviations: SECDEF may increase endstrength by up to 3 percent above authorized levels, and the Service Secretaries may increase Service-specific endstrengths by up to 2 percent above authorized levels. Section 115a describes the annual manpower requirements report and what must be in it.

59. Several officer categories are excluded from the strengths given in the grade table: (1) reserve officers with several active or full-time statuses, (2) medical officers, (3) dental officers, (4) warrant officers, (5) retired officers under various active duty statuses, (6) permanent professors of the military academies who are who are career military professors.

60. The law provides for some exceptions related to joint duty requirements.

Of these, no more than 50 percent may be above the grade of rear admiral (lower half), or O7, and no more than 15.7 percent may be above the grade of rear admiral (i.e., O8). Of the 15.7 percent in grades above O8, no more than 25 percent may be in the grade of admiral (i.e., O10). Table 11 summarizes these regulations.

Table 10. Navy grade table from 10USC523

Officer endstrength	Strengths from §523		
	O4	O5	O6
30,000	7,331	5,018	2,116
33,000	7,799	5,239	2,223
36,000	8,267	5,460	2,330
39,000	8,735	5,681	2,437
42,000	9,203	5,902	2,544
45,000	9,671	6,123	2,651
48,000	10,139	6,343	2,758
51,000	10,606	6,561	2,864
54,000	11,074	6,782	2,971
57,000	11,541	7,002	3,078
60,000	12,009	7,222	3,185
63,000	12,476	7,441	3,292
66,000	12,944	7,661	3,398
70,000	13,567	7,954	3,541
90,000	16,683	9,419	4,254

Table 11. Distribution of commissioned officers on active duty in general officer and flag officer grades, defined by §525

Grade	Maximum percent	Percentage of maximum percent
O7	50	
O8		
O9	15.7	<=75% of max %
O10		>=25% of max %

Voluntary attrition (i.e., resignation and retirement)

Section 651 defines a 6- to 8-year minimum service requirement for all military personnel. If an officer chooses to leave active duty before completing the minimum service requirement, he or she must be transferred to a reserve component of his armed force to complete the service required.⁶¹

Section 6959 requires that graduates of the Naval Academy serve on active duty for at least 5 years immediately after accepting an appointment as a regular commissioned officer.

Finally, section 6323 stipulates that officers in the Navy and the Marine Corps may apply for retirement after completing more than 20 years of active service, at least 10 of which were served as commissioned officers.

ROPMA-specific sections of Title 10

Officer endstrength and distribution in grade

Section 115 stipulates that the endstrength for the Selected Reserve of each reserve component be approved by Congress each fiscal year. The authorized endstrength for the Navy Selected Reserve for FY09 was 66,700.

Section 12003(a) sets the Navy's authorized strength in reserve commissioned officers (other than commissioned warrant officers and officers on an ADL) in an active status at 150,000.

Section 12004(a) authorizes strengths in active status reserve officers in the grades of rear admiral (lower half) and rear admiral at 48.

Section 12005(b)(1) specifies grade-specific strengths for active-status officers by defining grade-specific percentages of the total authorized number of those officers:

- Captain, 1.5 percent

61. Section 653 deals with members of flight crews.

- Commander, 7 percent
- Lieutenant commander, 22 percent
- Lieutenant, 37 percent
- Lieutenant (junior grade) and ensign (when combined with the number authorized for flag officer grades under section 12004), 32.5 percent.

Voluntary attrition (i.e., resignation and retirement):

Section 651(a) defines a 6- to 8-year minimum service requirement for all military personnel—active and reserve alike. Further, Section 651(b) stipulates that each person covered by subsection (a) who is not a reserve, and who is qualified, shall, upon his or her release from active duty, be transferred to a reserve component of his or her armed force to complete the service required by subsection (a).

Similarly, voluntary retirement for years of service is covered by the same section of law (Section 6323) that applies to AC naval officers.

Competitive, up-or-out career flow

The DOPMA system is characterized by a competitive, up-or-out career flow. The legal underpinnings that define the competitive, up-or-out feature of the DOPMA system are those that define the criteria for selection for promotion, the pool of officers being considered and the vacancies for which they are competing, and the consequences of not being selected.

DOPMA-specific sections of Title 10

Competitiveness

Section 616 directs members of selection boards to recommend for selection, giving due consideration to needs for particular skills, those officers considered to be “best qualified” for promotion within each competitive category under consideration.

Section 621 delegates to the DoD and the Service Secretaries shared authority for establishing competitive categories for promotion: DoD

sets the regulations under which each Service defines its own categories. All officers on the ADL must be in a competitive category and officers in the same competitive category compete among themselves for promotion.

Section 622 requires the Service Secretary to determine the maximum number of officers in each competitive category that the selection board may recommend for promotion. This number should be based on the number of positions needed to achieve the mission in each grade in each competitive category and, in turn, on the number of officers needed to fill vacancies in these positions during the time that officers being considered for promotion will be promoted.

Section 623 delegates to the Services the responsibility for establishing the boundaries of promotion zones for each round of selection. It stipulates that the zones should be based on (1) the numbers of officers needed and serving in that competitive category in the next higher grade in each of the next 5 years and (2) the number of officers authorized for the relevant grade in the next 5 years. Finally, the promotion zones should be constructed to provide relatively similar opportunity for promotion over the next 5 years. Thus, in the DOPMA system, the promotion zones are not constant, but change over time depending on the number of vacancies to be filled in each grade and the number of officers eligible to fill them.

“Up”

Section 645 defines three promotion zones—in zone, above zone (AZ), and below zone (BZ)—based on the distribution of seniority among officers in each grade and competitive category and those officers’ selection statuses. The boundaries of each grade- and category-specific promotion zone are defined by officers at specific places on the ADL: the most junior officer in the zone defines the lower bound and the most senior officer defines the upper bound. AZ officers are those who are senior to the most senior officer in the zone and are still eligible to be considered for promotion to the next grade. BZ officers are those who are junior to the most junior officer in the zone and are eligible to be considered for promotion to the next grade.

Section 619(c) compels all eligible officers who are either in or above the promotion zone to be considered for promotion.

“Out”

Section 627 stipulates that in-zone and AZ officers below the rank of O6 are considered to have failed of selection for promotion if they were considered for promotion but not selected by the selection board.

Section 629 defines circumstances under which an officer’s name may be removed from a promotion list, and Section 629(d) defines the implications of promotion eligibility for officers in grades below O6: If an officer’s name is removed from a promotion list and he or she is not recommended for promotion by the next selection board convened or if his or her name is again removed from the list of officers recommended for promotion, he or she shall be considered for all purposes to have twice failed of selection for promotion.

Section 630 allows Service Secretaries to discharge O1s who are found not “fully qualified” for promotion to O2.⁶²

Sections 631 and 632 stipulate that officers in grades O2, O3, and O4 will be involuntarily discharged if they have twice failed of selection. Such officers may be retired if eligible for retirement and, if within 2 years of qualifying for retirement for 20 years of service, can be retained on active duty until the 20-year mark is met.

Sections 633 through 636 define mandatory retirement years of service for officers in ranks above O4. O5s and O6s not selected for promotion to the next grade must retire at 28 and 30 years of service, respectively. Officers in ranks O7 through O9 who are not promoted to the next grade must retire at 30, 35, and 38 years of service, respectively, or after 5 years in grade, whichever is later. Finally, O10s must retire after 40 years of service.

62. Under Section 630, Service Secretaries may also discharge commissioned officers with fewer than 5 years of active commissioned service. This clause does not, however, include any provision about the of;

ROPMA-specific sections of Title 10

Competitiveness

Mirroring Section 621, Section 14005 requires each officer on the RASL to be assigned to a competitive category and delegates to each Secretary the authority to define competitive categories for his or her department. Section 14005 also stipulates that officers in the same competitive category should compete among themselves for promotion.

Using language that is very similar to the language used in Section 616, Section 14108 directs members of selection boards to use a “best qualified” criterion when recommending officers for promotion.

Section 14305 requires the Service Secretary to define promotion zones for officers serving in each grade and competitive category to be considered by the board. The size of the zone effectively determines the number of officers competing for promotion; it should be based on an estimate of the number of officers needed in that competitive category in the next higher grade in each of the next 5 years and with the goal of providing relatively similar promotion opportunities over the next 5 years.⁶³

Section 14307 requires the Service Secretary to determine maximum number of officers the promotion board may select for promotion. The number should be an estimate of the number of reserve active-status officers needed to meet the needs of the Service and should reflect:

- The number of positions needed to accomplish mission objectives

63. Section 14306 defines the running mate system and authorizes, but does not require, the Navy to use it to determine promotion zones. According to this system, an officer on the RASL is assigned as a “running mate” to a same-grade officer on the Navy’s ADL, and the officer on the RASL was considered in the promotion zone and eligible for consideration for promotion when his or her running mate was in or above the promotion zone. The Navy used the running mate system up through 2009, at which point it was abandoned.

- The estimated number of officers needed to fill vacancies during the period in which it is anticipated that officers selected for promotion will be promoted
- The number of officers authorized to serve on the RASL in the grade and competitive category under consideration
- Any statutory limitation on the number of officers authorized to be on the RASL.

“Up”⁶⁴

Section 14301 stipulates that anyone who is in or above the promotion zone must be considered for promotion when a promotion board is convened.

In general, Section 14302 defines a promotion zone as “an eligibility category for the consideration of officers by a mandatory promotion board.” It then more specifically defines the three zones—in, above, and below—in the same seniority-based terms described in Section 645 for the AC, stipulating that the boundaries of zone are defined by officers at specific places on the RASL.

“Out”

Section 14501 defines what it means to fail of selection: An in- or above-zone officer below the grade of O6 is considered to have failed of selection if he is considered but not recommended for promotion or if he declines to accept a promotion for which he is selected. Such an officer is considered to have twice failed of selection if he:

- Is considered but not recommended for promotion a second time
- Declines to accept a promotion for which he or she is recommended after previously failing of selection, or after his or her name is removed from the report of a selection board or from

64. When the running mate system was in use, it also helped to define the “up” part of the system by compelling RC officers to be considered for promotion when their AC running mates were considered.

a promotion list after recommendation for promotion by an earlier selection board

- His or her name is removed from the report of a selection board or from a promotion list and he or she is not recommended for promotion by the next mandatory promotion board or his or her name is removed a second time.

Section 14503 allows for the separation of officers who are considered not fully qualified for promotion to O2 before 5 years of service.

Sections 14504 through 14506 stipulate that officers in ranks O2 through O4, respectively, will be separated if they twice fail to be selected for promotion.

Sections 14507 and 14508 define the year-of-service points at which officers in ranks O4 through O8 must be separated if they are not promoted to the next rank. These year-of-service points are the same for both RC and AC officers.

Seniority-based promotion timing

Promotion timing in the DOPMA/ROPMA system is based on seniority as defined by years of service and time in grade: officers are eligible to be considered for promotion to each grade when they are within specific promotion zones defined by year-of-service windows and by seniority within each grade and competitive category.

The provisions of law that support seniority-based promotion timing relate primarily to establishing rules for how to determine seniority and what aspects of the promotion process should be based on seniority.

DOPMA-specific sections of Title 10

The following sections specify how to determine seniority:

- Section 741(a) identifies the grades of commissioned officers in both the active and reserve components of the armed forces. It also specifies their order in terms of seniority. For the Navy, the grades (in order from highest to lowest) are admiral, vice

admiral, rear admiral, rear admiral (lower half), captain, commander, lieutenant commander, lieutenant, lieutenant (junior grade), and ensign.

- Section 741 (b) stipulates that the rank among officers of the same grade or of equivalent grades is determined by comparing their dates of rank (DOR). An officer whose date of rank is earlier than the date of rank of another officer of the same or equivalent grade is senior to that officer.
- Section 741 (c) gives the SECDEF authority for creating regulations to determine the rank among officers of the same grade or of equivalent grades who have the same DOR. These regulations must apply uniformly to all four Services.
- Section 741 (d) provides guidelines for determining each officer's DOR:
 - (d) (1). The date of rank of an officer who holds a grade as the result of an original appointment is determined by the Service Secretary based on the amount of constructive credit granted for previous commissioned service, special experience, or education. Determinations by each Secretary are based on regulations prescribed by the SECDEF and which apply uniformly across Services.
 - (d) (2). The date of rank of an officer who holds a grade as the result of a promotion is the date of his appointment to that grade.⁶⁵

Aspects of the promotion process that are based on seniority follow:

- Section 619(a) defines minimum time-in-grade requirements for officers in grades O1 through O7:
 - O1 = 18 months
 - O2 = 2 years⁶⁶

65. Other parts of Section 741 define the circumstances under which the Service Secretary may adjust an AC officer's DOR.

66. The requirement for O2s was increased from 18 months effective October 2008.

- O3-O5 = 3 years
- O6 and O7 = 1 year.⁶⁷
- Section 620 requires that officers are included on the ADL in order of the seniority of the grade in which they are serving on active duty. Officers serving in the same grade are carried in the order of their rank in that grade.
- The laws that define the “up” part of the up-or-out career flow (Sections 619(c) and 645) also help define the seniority-based promotion timing because they define promotion zones and the timing of promotion consideration in terms of seniority. In particular, as described above, section 645 defines grade- and category-specific promotion zones based on seniority in terms of an officer’s place on the ADL.⁶⁸
- Section 624 stipulates that, once selected for promotion, officers be placed on a promotion list in order of seniority. Actual promotions are made as vacancies occur.
- As described earlier, Sections 633-636 define mandatory retirement points for officers in each grade from O4 to O7. Since they are defined in terms of years of service, these mandatory retirement points also contribute to the seniority-based aspect of promotion timing under DOPMA.

ROPMA-specific sections of Title 10

The following sections specify how to determine seniority:

- Section 12206 gives guidelines for granting constructive credit to RC officers who are former commissioned officers. First, such an officer may be placed on the RASL of his or her Service in the grade equivalent to the permanent regular or reserve

67. This section also defines circumstances under which the requirements may be waived or lengthened.

68. As discussed in the main text, DoD Instruction 1320.13 defines the desired timing of promotion to each grade according to year-of-service-based promotion windows.

grade, and in the same competitive category, in which he or she previously served satisfactorily on active duty or in an active status. This constructive credit may also be used to determine the officer's DOR: he or she may be credited with service in grade equal to that held when he or she was discharged or separated.

- For the purposes of applying laws related to promotion, Section 14006 stipulates that an officer's years of service in a grade are computed from the officer's date of rank in grade as determined under section 741 (d).
- Sections 741 (d) (1) and 741 (d) (2) were described earlier. Section 741 (d) (3) allows the Service Secretaries to shift to a later date the DOR of a reserve commissioned officer who:
 - Is to be placed on the ADL and who has not been on continuous active duty since his other original appointment as a reserve commissioned officer or
 - Is transferred from an inactive status to an active status and placed on the ADL or the RASL.

According to the statute, the change should reflect the officer's qualifications and experience and should become effective on the date he or she is placed on the ADL or RASL. The regulations for making such changes are prescribed by the SECDEF and must apply uniformly among the Services.⁶⁹

- Section 12732 (a) (2) directs that RC officers are credited with 1 year of service for each 1-year period (after 1949) in which they are credited with at least 50 points on the following basis:
 - One point for each day of
 - Active service or

69. The authority to change the DOR of a reserve officer who is placed on the ADL does not apply in the case of an officer who has served continuously in the Selected Reserve of the Ready Reserve since his or her last promotion, or who is placed on the ADL while on a promotion list.

- Full-time service while performing annual training duty or while attending a prescribed course of instruction.⁷⁰
- One point for each attendance at a drill or period of equivalent instruction that was prescribed for that year by the Secretary concerned and that conformed to the requirements prescribed by law, including attendance under Section 502 of Title 32.
- Points at the rate of 15 per year for membership in
 - A reserve component of an armed force,
 - The Army or the Air Force without component, or
 - Any other category covered by subsection (a) (1) except a regular component.⁷¹
- One point for each day on which funeral honors duty is performed for at least 2 hours under Section 12503 of Title 10 or this title or Section 115 of Title 32, unless the duty is performed while in a status for which credit is provided under another subparagraph of this paragraph.⁷²

Aspects of the promotion process that are based on seniority follow:

- Section 14003 stipulates that officers shall be carried on the relevant RASL in the order of seniority of the grade in which they are serving in an active status. Officers serving in the same grade shall be carried in the order of their rank in that grade.
- As with the AC, the laws that define the “up” part of the up-or-out promotion system for the RC also help define the system of seniority-based promotion timing. Section 14301 stipulates that anyone who is in or above the promotion zone must be considered for promotion when a promotion board is convened, and

70. Full-time service activities are identified in Sections 316, 502, 503, 504, and 505 of Title 32.

71. Subsection (a) (1) applies to service before 1949.

72. RC officers also accumulate points for some training in the health professions as defined in Section 2126 (b).

Section 14302 defines a promotion zone based on seniority in terms of an officer's place on the RASL.

- Section 14303 defines the minimum time-in-grade required for officers in grades O1 through O7. The RC time-in-grade requirements are the same as the AC requirements.⁷³
- According to Section 14308, the names of officers who are selected for promotion (within a given grade and competitive category) should be placed on a "promotion list" in order of those officers' seniority on the RASL. Promotions should then be made in the order in which the names of officers appear on the promotion list and after officers previously selected for promotion in that competitive category have been promoted.⁷⁴
- As described earlier, Sections 14507 and 14508 define the year-of-service points at which officers in ranks O4 through O8 must be separated if they are not promoted to the next rank. These year-of-service points are the same for both RC and AC officers.

73. Section 14303 defines authorities and conditions for lengthening or waiving the time-in-grade requirements.

74. Exceptions are defined in Sections 14311, 14312, and 14502(e).

References

- [1] Committee on the National Guard and Reserve. *Transforming the National Guard and Reserves into a 21st Century Operational Force*, Jan 2008 (Report to Congress and the Secretary of Defense)
- [2] Office of the Secretary of Defense. "CNGR Implementation Plan" (Navy response to guidance from OSD to the Services, provided by the sponsor)
- [3] Bernard Rostker et al. *The Defense Officer Personnel Management Act of 1980: A Retrospective Assessment*, 1993 (National Defense Research Institute (RAND Corporation) R-4246-FMP)
- [4] Harry J. Thie et al. *Future Career Management Systems for U.S. Military Officers*, 1994 (National Defense Research Institute (RAND Corporation) MR-470-OSD)
- [5] Harry J. Thie et al. *Aft and Fore: A Retrospective and Prospective Analysis of Navy Office Management*, 2003 (National Defense Research Institute (RAND Corporation) MR-1479)
- [6] United States House of Representatives (H. Rept. 96-1462)
- [7] Keith E. Bonn. *Army Officer's Guide*. Mechanicsburg: Stackpole Books, 2005
- [8] Roland J. Yardley et al. *OPNAV N14 Quick Reference: Officer Manpower and Personnel Governance in the U.S. Navy*, 2005 (National Defense Research Institute (RAND Corporation) TR-264)
- [9] Peggy A. Golfin and James E. Grefer. *Active-Reserve Integration Personnel Misalignments: A Look at Promotion Policies and Other*

Issues, Sep 2006 (CNA Annotated Briefing D0014617.A2/Final)

- [10] Peter Schirmer et al. *Challenging Time in DOPMA: Flexible and Contemporary Military Officer Management*, 2006 (National Defense Research Institute (RAND Corporation) MG-451-OSD)
- [11] Harry J. Thie et al. *A Future Career Management System: An Objectives-Based Design*, 2001 (National Defense Research Institute (RAND Corporation) MR-788-OSD)
- [12] Peter Schirmer et al. *New Paths to Success: Determining Career Alternatives for Field-Grade Officers*, 2004 (National Defense Research Institute (RAND Corporation) MG-117-OSD)
- [13] David M. Rodney and Edward C. Kearl. *Aligning URL Careers with Lateral Transfers*, Dec 2008 (CNA Research Memorandum D0019029.A2/Final)
- [14] Ann D. Parcell, Donald J. Cymrot, and Carol S. Moore. *Officer Structure in the 21st Century*, May 2001 (CNA Research Memorandum D0003570.A2/Final)
- [15] David M. Rodney et al. *Developing an Education Strategy for URL Officers*, Mar 2008 (CNA Research Memorandum D0017231.A2/Final)
- [16] Dana L. Brookshire, Amanda Kraus, and Ann D. Parcell. *Foreign Area Officer (FAO) Community Management*, Apr 2007 (CNA Research Memorandum D0015405.A2/Final)
- [17] Harry J. Thie, Margaret C. Harrell, and Marc Thibault. *Officer Sabbaticals: Analysis of Extended Leave Options*, 2003 (National Defense Research Institute (RAND Corporation) MR-1752)
- [18] Ann D. Parcell. *Officer Off-On Ramps*, Nov 2007 (CNA Research Memorandum D0016646.A2/Final)

- [19] Aaron M. Zook, Jr., LTC, USA. *Military Competency-Based Human Capital Management: A Step Toward the Future*, Mar 2006 (United States Army War College)
- [20] Robert G. Steele, Jr., Lt Col, USAF. *Competency-Based Assignment and Promotion to Meet Air Force Senior Leader Requirements*, Apr 2006 (Air War College)
- [21] John T. Warner. *Thinking About Military Retirement: An Analysis for the 10th QRMC*, Mar 2008 (CNA Research Memorandum D0017798.A2/Final)
- [22] Defense Advisory Committee on Military Compensation. *The Military Compensation System: Completing the Transition to an All Volunteer Force*, Apr 2006 (Report to the Secretary of Defense)
- [23] Beth J. Asch, Richard Johnson, and John T. Warner. *Reforming the Military Retirement System*, 1998 (National Defense Research Institute (RAND Corporation) MR-748-OSD)
- [24] Beth J. Asch and James R. Hosek. *Looking to the Future: What Does Transformation Mean for Military Manpower and Personnel Policy?* 2004 (National Defense Research Institute (RAND Corporation) OP-108-OSD)
- [25] Marvin M. Smith. *The Drawdown of the Military Officer Corps*, Nov 1999 (Congressional Budget Office)

This page intentionally left blank.

List of tables

Table 1.	Navy grade table from 10 U.S.C. 523	26
Table 2.	Desired active-duty list promotion timing and opportunity from DoDI 1320.13	34
Table 3.	Inflexible, static system in a dynamic world (i.e., changes in supply (officer behavior) and demand (requirements))	54
Table 4.	Current compensation system promotes the wrong incentives and is out of step with the civilian sector	64
Table 5.	Navy tradition and cultural practices.	69
Table 6.	Active/reserve integration: Difficulty moving between active and reserve components.	77
Table 7.	Active/reserve integration: Experience mismatch for a given designator/grade	77
Table 8.	Active/reserve integration: Only partial overlap of AC and RC compensation systems.	77
Table 9.	Laws and policies relating to each aspect of officer career management from figure 1	83
Table 10.	Navy grade table from 10USC523	96
Table 11.	Distribution of commissioned officers on active duty in general officer and flag officer grades, defined by §525	96

This page intentionally left blank.

