

115TH CONGRESS
1ST SESSION

S. 1380

To amend title 10, United States Code, to authorize officers to opt out of promotion board consideration for promotion.

IN THE SENATE OF THE UNITED STATES

JUNE 20, 2017

Mr. ROUNDS introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to authorize officers to opt out of promotion board consideration for promotion.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Promotion Board Opt-
5 Out Opportunity Act of 2017”.

6 **SEC. 2. AUTHORITY FOR OFFICERS TO OPT-OUT OF PRO-**
7 **MOTION BOARD CONSIDERATION.**

8 (a) ACTIVE-DUTY LIST OFFICERS.—Section 619 of
9 title 10, United States Code, is amended—

1 (1) in subsection (d), by adding at the end the
2 following new paragraph:

3 “(6) An officer excluded under subsection (e).”;

4 and

5 (2) by adding at the end the following new sub-
6 section:

7 “(e) AUTHORITY TO PERMIT OFFICERS TO OPT OUT
8 OF SELECTION BOARD CONSIDERATION.—The Secretary
9 of Defense may authorize the Secretary of a military de-
10 partment to provide that an officer under the jurisdiction
11 of that Secretary may, upon the officer’s request and with
12 the approval of the Secretary concerned, be excluded from
13 consideration by a selection board convened under section
14 611(a) of this title to consider officers for promotion to
15 the next higher grade. The Secretary concerned may only
16 approve such a request if—

17 “(1) the basis for the request is to allow an of-
18 ficer to complete a broadening assignment, advanced
19 education, another assignment of significant value to
20 the Department of Defense, or a career progression
21 requirement delayed by the assignment of education;

22 “(2) the Secretary concerned determines the ex-
23 clusion from consideration is in the best interest of
24 the military department concerned; and

1 “(3) the officer has not previously failed of se-
2 lection for promotion to the grade for which the offi-
3 cer requests the exclusion from consideration.”.

4 (b) RESERVE ACTIVE-STATUS LIST OFFICERS.—Sec-
5 tion 14301 of such title is amended—

6 (1) in subsection (c)—

7 (A) in the subsection heading, by striking
8 “PREVIOUSLY SELECTED OFFICERS NOT ELI-
9 GIBLE” and inserting “CERTAIN OFFICERS
10 NOT”; and

11 (B) by adding at the end the following new
12 paragraph:

13 “(6) An officer excluded under subsection (j).”;
14 and

15 (2) by adding at the end the following new sub-
16 section:

17 “(j) AUTHORITY TO PERMIT OFFICERS TO OPT OUT
18 OF SELECTION BOARD CONSIDERATION.—The Secretary
19 of Defense may authorize the Secretary of a military de-
20 partment to provide that an officer under the jurisdiction
21 of that Secretary may, upon the officer’s request and with
22 the approval of the Secretary concerned, be excluded from
23 consideration by a selection board convened under section
24 14101(a) of this title to consider officers for promotion

1 to the next higher grade. The Secretary concerned may
2 only approve such a request if—

3 “(1) the basis for the request is to allow an of-
4 ficer to complete a broadening assignment, advanced
5 education, another assignment of significant value to
6 the Department of Defense, or a career progression
7 requirement delayed by the assignment or education;

8 “(2) the Secretary concerned determines the ex-
9 clusion from consideration is in the best interest of
10 the military department concerned; and

11 “(3) the officer has not previously failed of se-
12 lection for promotion to the grade for which the offi-
13 cer requests the exclusion from consideration.”.

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