



Department of Defense INSTRUCTION

NUMBER 1310.01
May 3, 2006

USD(P&R)

SUBJECT: Rank and Seniority of Commissioned Officers

- References:
- (a) DoD Directive 1310.1, subject as above, April 29, 1996 (hereby canceled)
 - (b) Acting Deputy Secretary of Defense Memorandum, "DoD Directives Review - Phase II," July 13, 2005
 - (c) DoD Directive 5124.02, "Under Secretary of Defense for Personnel and Readiness (USD(P&R))," February 11, 2006
 - (d) Sections 101(b)(7), 541, 620, 624, 641, 741, 743, 2106, 2107, 12207, 12320, 14002, 14003, 14308, 14317 of title 10, United States Code
 - (e) through (h), see Enclosure 1

1. REISSUANCE AND PURPOSE

This Instruction:

- 1.1. Reissues Reference (a) as a DoD Instruction, consistent with References (b) and (c).
- 1.2. Continues to implement sections 541, 620, 624, 641, 741, 743, 2106, and 2107 of Reference (d) to establish policies governing the determination of the dates of rank and precedence of commissioned officers on the Active Duty List.
- 1.3. Continues to implement sections 12207, 12320, 14002, 14003, 14308, and 14317 of Reference (d) to establish policies governing the determination of the dates of rank and precedence of commissioned officers on the Reserve Active Status List.

2. APPLICABILITY

This Instruction applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all

other organizational entities in the Department of Defense (hereafter referred to collectively as the “DoD Components”).

3. DEFINITIONS

Terms used in this Instruction are defined below and in Section 101(b)(7) of Reference (d).

3.1. Commissioned Officer. For the purpose of this Instruction, a commissioned officer is an officer in any of the Military Services in the Department of Defense who holds a grade and an office under a commission signed by Presidential authority, and who is appointed as a Regular or a Reserve officer. It does not include a commissioned warrant officer or a retired commissioned officer.

3.2. Service Academies. United States Military Academy, United States Naval Academy, and United States Air Force Academy.

4. POLICY

It is DoD policy that the relative seniority of commissioned officers who are placed on the Active Duty List or Reserve Active Status List is determined uniformly and equitably among the Military Services.

5. RESPONSIBILITIES

5.1. The Under Secretary of Defense for Personnel and Readiness (USD(P&R)), shall exercise cognizance and oversight of policies involving rank and seniority of commissioned officers.

5.2. The Secretaries of the Military Departments shall:

5.2.1. Comply with the policies and procedures prescribed herein.

5.2.2. Provide for the appointment of officers in accordance with DoD Directive 1310.2 and Deputy Secretary of Defense Memorandums, “Appointment Authority for Certain Regular and Reserve Officers,” and “Implementing Guidance: Transition of the Active Duty List (ADL) Officer Force to All-Regular Status” (References (e), (f), and (g)).

5.2.3. Recommend policy changes, as necessary, to this Instruction to the USD(P&R).

6. PROCEDURES

6.1. Commissioned Officer Grades. Among the grades listed below, the grades of general and admiral are equivalent and are senior to the other grades of second lieutenant or ensign through lieutenant general or vice admiral; the grades of second lieutenant and ensign are equivalent and are junior to the other grades of first lieutenant or lieutenant (junior grade) through general or admiral.

<u>Army, Air Force, and Marine Corps</u>	<u>Navy</u>
General	Admiral
Lieutenant General	Vice Admiral
Major General	Rear Admiral
Brigadier General	Rear Admiral (lower half)
Colonel	Captain
Lieutenant Colonel	Commander
Major	Lieutenant Commander
Captain	Lieutenant
First Lieutenant	Lieutenant (junior grade)
Second Lieutenant	Ensign

6.2. Equivalent Grade Ranking. Rank among commissioned officers of the same grade or of equivalent grades is determined by comparing dates of rank.

6.2.1. 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.

6.2.2. However, the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps rank among themselves according to dates of appointment to those offices, and rank above all other officers on the Active Duty List of the Army, the Navy, the Air Force, and the Marine Corps, except for the Chairman and the Vice Chairman of the Joint Chiefs of Staff, who respectively outrank all other officers of the Armed Forces.

6.3. Date of Rank of Regular Officers Other Than Academy Graduates. Except as provided in paragraph 6.5., the date of rank of a person originally appointed as a Regular commissioned officer in the Army, the Navy, the Air Force, or the Marine Corps who is not a Service Academy graduate is the date of that appointment unless:

6.3.1. The appointee was, at the time of appointment, a Reserve officer on the Active Duty List, in which case the date of rank is the same as that which the officer held immediately before his or her appointment as a Regular officer,

6.3.2. The appointee was, at the time of appointment, a Reserve officer not on the Active Duty List in which case the date of rank is the same as that which the officer would have held immediately before appointment as a Regular officer (providing that the officer had been serving on the Active Duty List as a Reserve officer on the date of appointment as a Regular officer), or

6.3.3. The appointee is credited with service credit, in which case the date of rank shall be adjusted to an earlier date to the extent that the service credit awarded is in excess of that required for the officer's appointment grade under DoD Directive 1312.3 (Reference (h)).

6.4. Date of Rank for Officers in Transition to and from the Reserve Active Status List and Active Duty List

6.4.1. The Secretary of the Military Department concerned may change an officer's date of rank to a later date to reflect such officer's qualifications and experience.

6.4.1.1. This applies in the case of a Reserve officer ordered to active duty who:

6.4.1.1.1. Is to be placed on the Active Duty List and who has not been on continuous active duty since his or her original appointment as a Reserve commissioned officer or

6.4.1.1.2. Is transferred from an inactive status to an active status and placed on the Active Duty List or Reserve Active Status List, effective on the date on which he or she is placed on the Active Duty List or Reserve Active Status List.

6.4.2. The authority to change the date of rank of a Reserve officer who is placed on the Active Duty List to a later date does not apply in the case of an officer who:

6.4.2.1. Has served continuously in the Selected Reserve of the Ready Reserve since the officer's last promotion or

6.4.2.2. Is placed on the Active Duty List while on a promotion list as described in section 14317 of Reference (d).

6.4.3. Effect of Placement on Active Duty List

6.4.3.1. An officer on the Reserve Active Status List who is on a promotion list and is placed on the Active Duty List shall be placed on an appropriate promotion list for officers on the Active Duty List under Section 14317(b) of Reference (d) provided:

6.4.3.1.1. The officer is on a promotion list as a result of selection for promotion by a mandatory promotion board or a special selection board and

6.4.3.1.2. Who before being promoted is placed on the Active Duty List of the same Armed Force and placed in the same competitive category.

6.4.3.2. The effective date of promotion and date of rank shall be the same as if the officer had been selected to the grade concerned by the promotion board for Active Duty List officers.

6.4.4. Officers on a Promotion List Removed from the Active Duty List. An officer on the Active Duty List and on a promotion list who is removed from the Active Duty List and placed on the Reserve Active Status List of the same Armed Force and in the same competitive category (including a Regular officer who on removal from the Active Duty List is appointed as a Reserve Officer and placed on the Reserve Active Status List) shall be placed on an appropriate promotion list pursuant to Section 14317(c) of Reference (d). The effective date of promotion and date of rank shall be the same as if the officer had been selected to the grade concerned by the promotion board for Reserve Active Status List officers. If the Secretary of the Military Department concerned determines circumstances exist such that an inequity would result in following the foregoing method in determining date of rank, he or she may set the date of rank.

6.5. Date of Rank for Second Lieutenants or Ensigns Appointed in May or June. The date of rank of second lieutenants or ensigns appointed under Section 2106 or 2107 of Reference (d) in May or June of any year who enter active duty during either of those months is the date that the class of cadets or midshipmen graduated from one of the Service Academies. Such appointees who enter active duty before the graduation date of the appropriate Service Academy may take precedence over academy graduates. Within such groups of Section 2106 and 2107 of Reference (d) appointees, distinguished military graduates may take precedence. In these cases, tiebreakers described in subsection 6.6. apply.

6.6. Ranking Officers with the Same Grade and Date of Rank. Graduates of Service Academies shall be placed initially on the Active Duty List of their Military Service in order of their class standing at the Service Academy from which they graduated. As an exception, academy graduates appointed in another Military Service under Section 541 of Reference (d) shall be placed on the Active Duty List of the gaining Military Service by integrating their class standing into the class standings of the graduates of the academy of the gaining Military Service. All other officers who have the same or equivalent grades and the same date of rank shall rank in order of seniority based on the following criteria:

6.6.1. Previous grade's date of rank or, if the same, the date of rank in an earlier grade.

6.6.2. Previous active duty grade relative seniority (if applicable).

6.6.3. Total active commissioned service.

6.6.4. Total Federal commissioned service or date of appointment as a commissioned officer.

6.6.5. Further differentiation as established by the Secretary of the Military Department concerned.

6.7. Temporary Appointments or Grades Held by Reason of Assignment. A commissioned officer whose position on the Active Duty List or Reserve Active Status List results from service in a temporary appointment or in a grade held by reason of assignment has, when that appointment ends, the grade and position on the Active Duty List or Reserve Active Status List that he or she would have held had he or she not received that appointment or assignment.

6.8. Adjusting Date of Rank of Certain Promotions Delayed by Reason of Unusual Circumstances. The Secretary of the Military Department concerned may adjust the date of rank of an officer, except a general or flag officer, appointed to a higher grade under section 624(a) or 14308(c) of Reference (d) if the appointment of that officer to the higher grade is delayed by reason of unusual circumstances. The Secretary of the Military Department concerned must determine that the unusual circumstance caused an unintended delay in processing or approval of the selection board report or promotion list in order for an officer's date of rank to be adjusted and shall notify the USD(P&R) of adjustments exercised under this authority. The notification shall include the name of the officer(s) and a discussion of the reasons for the adjustment of the date of rank.


6.8.1. The adjusted date of rank for an officer must be consistent with the officer's position on the promotion list for that grade and competitive category when additional officers in that grade and competitive category were needed. The adjusted date of rank must also be in compliance with applicable end strengths for officers in that grade and competitive category and be the effective date for pay and allowances for that grade.

6.8.2. When the Secretary of the Military Department concerned adjusts the date of rank of an officer who received Senate confirmation in that grade, and the adjustment is to a date before the Senate confirmation date, that Secretary shall send a letter to the Senate Armed Services Committee providing notification of that adjustment. A copy of that letter shall be provided to the Principal Deputy USD(P&R).

6.9. Effective May 1, 2005, all newly commissioned officers on the Active Duty List receive regular appointments. Policy and transition provisions provided in References (e) and (f) apply.

7. EFFECTIVE DATE

This Instruction is effective immediately.



David S. C. Chu
Under Secretary of Defense for
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Enclosures - 1

E1. References, continued

E1. ENCLOSURE 1

REFERENCES, continued

- (e) DoD Directive 1310.2, "Appointing Commissioned Officers," November 21, 2003
- (f) Deputy Secretary of Defense Memorandum, "Appointment Authority for Certain Regular and Reserve Officers," May 2, 2005
- (g) Deputy Secretary of Defense Memorandum, "Implementing Guidance: Transition of the Active Duty List (ADL) Officer Force to All-Regular Status," January 28, 2005
- (h) DoD Instruction 1312.3, "Service Credit for Commissioned Officers," October 21, 1996