

selection board must be serving in a grade higher than the grade of the officers under consideration by the board, except that no member of a board may be serving in a grade below major. The members of a selection board shall include at least one member serving on sustained duty and at least one member in a space force active status who is not serving on sustained duty. The ratio of the members of a selection board serving on sustained duty to members serving in a space force active status not on sustained duty shall, to the extent practicable, reflect the ratio of officers serving in each of those statuses who are being considered for promotion by the board. The members of a selection board shall represent the diverse population of the Space Force to the extent practicable.

(2) REPRESENTATION FROM COMPETITIVE CATEGORIES.—(A) Except as provided in subparagraph (B), a selection board shall include at least one officer from each competitive category of officers to be considered by the board.

(B) A selection board need not include an officer from a competitive category when there are no officers of that competitive category on the Space Force officer list in a grade higher than the grade of the officers to be considered by the board and eligible to serve on the board.

(3) RETIRED OFFICERS.—If qualified officers on the Space Force officer list are not available in sufficient number to comprise a selection board, the Secretary of the Air Force shall complete the membership of the board by appointing as members of the board—

(A) Space Force officers who hold a grade higher than the grade of the officers under consideration by the board and who are retired officers; and

(B) if sufficient Space Force officers are not available pursuant to subparagraph (A), Air Force officers who hold a grade higher than the grade of the officers under consideration by the board and who are retired officers, but only if the Air Force officer to be appointed to the board has served in the Space Force or in a space-related career field of the Air Force for sufficient time such that the Secretary of the Air Force determines that the retired Air Force officer has adequate knowledge concerning the standards of performance and conduct required of an officer of the Space Force.

(4) EXCLUSION OF RETIRED GENERAL OFFICERS ON ACTIVE DUTY TO SERVE ON A BOARD FROM NUMERIC GENERAL OFFICER ACTIVE-DUTY LIMITATIONS.—A retired general officer who is on active duty for the purpose of serving on a selection board shall not, while so serving, be counted against any limitation on the number of general and flag officers who may be on active duty.

(b) LIMITATION ON MEMBERSHIP ON CONSECUTIVE BOARDS.—

(1) GENERAL RULE.—Except as provided in paragraph (2), no officer may be a member of two successive selection boards convened under section 20211 of this title for the consideration of officers of the same competitive category and grade.

(2) EXCEPTION FOR GENERAL OFFICER BOARDS.—Paragraph (1) does not apply with respect to selection boards convened under section 20211 of this title for the consideration of officers in the grade of colonel or brigadier general.

(c) JOINT QUALIFIED OFFICERS.—(1) Each selection board convened under section 20211 of this title that will consider an officer described in paragraph (2) shall include at least one officer designated by the Chairman of the Joint Chiefs of Staff who is a joint qualified officer.

(2) Paragraph (1) applies with respect to an officer who—

(A) is serving on, or has served on, the Joint Staff; or

(B) is a joint qualified officer.

(3) The Secretary of Defense may waive the requirement in paragraph (1) for any selection board of the Space Force.

(Added Pub. L. 118-31, div. A, title XVII, § 1716(c), Dec. 22, 2023, 137 Stat. 634; amended Pub. L. 118-159, div. A, title V, § 521(o), Dec. 23, 2024, 138 Stat. 1882.)

Editorial Notes

AMENDMENTS

2024—Subsec. (a)(1). Pub. L. 118-159 substituted “Secretary of the Air Force” for “Secretary of Air Force”.

§ 20213. Notice of convening of selection boards

(a) NOTICE TO ELIGIBLE OFFICERS.—At least 30 days before a selection board is convened under section 20211 of this title to recommend officers in a grade for promotion to the next higher grade, the Secretary of the Air Force shall—

(1) notify in writing the officers eligible for consideration for promotion of the date on which the board is to convene and the name and date of rank of the junior officer, and of the senior officer, in the promotion zone as of the date of the notification; or

(2) issue a general written notice to the Space Force regarding the convening of the board which shall include the convening date of the board and the name and date of rank of the junior officer, and of the senior officer, in the promotion zone as of the date of the notification.

(b) COMMUNICATION FROM OFFICERS.—An officer eligible for consideration by a selection board convened under section 20211 of this title (other than an officer who has been excluded under section 20231(d) of this title from consideration by the board) may send a written communication to the board, to arrive not later than 10 calendar days before the date on which the board convenes, calling attention to any matter concerning the officer that the officer considers important to the officer’s case. The selection board shall give consideration to any timely communication under this subsection.

(c) NOTICE OF INTENT OF CERTAIN OFFICERS TO SERVE ON OR OFF ACTIVE DUTY.—An officer on the Space Force officer list in the grade of colonel or brigadier general who receives a notice under subsection (a) shall inform the Secretary of the officer’s preference to serve either on or

off sustained duty if promoted to the grade of brigadier general or major general, respectively. (Added Pub. L. 118-31, div. A, title XVII, §1716(c), Dec. 22, 2023, 137 Stat. 635.)

§ 20214. Information furnished to selection boards

The provisions of section 615 of this title shall apply to information furnished to selection boards.

(Added Pub. L. 118-31, div. A, title XVII, §1716(c), Dec. 22, 2023, 137 Stat. 636.)

§ 20215. Recommendations for promotion by selection boards

(a) BOARD TO RECOMMEND OFFICERS BEST QUALIFIED FOR PROMOTION.—A selection board convened under section 20211 of this title shall recommend for promotion to the next higher grade those officers considered by the board whom the board, giving due consideration to the needs of the Space Force for officers with particular skills (as noted in the guidelines or information furnished the board under section 615(b) of this title), considers best qualified for promotion within each competitive category considered by the board.

(b) NUMBER TO BE RECOMMENDED.—The Secretary of the Air Force shall establish the number of officers such a selection board may recommend for promotion from among officers being considered.

(c) BOARD PROCEDURES FOR RECOMMENDATIONS; LIMITATIONS.—A selection board convened under section 20211 of this title may not recommend an officer for promotion unless—

(1) the officer receives the recommendation of a majority of the members of the board;

(2) a majority of the members of the board finds that the officer is fully qualified for promotion; and

(3) a majority of the members of the board, after consideration by all members of the board of any adverse information about the officer that is provided to the board under section 615 of this title, finds that the officer is among the officers best qualified for promotion to meet the needs of the Space Force consistent with the requirement of exemplary conduct set forth in section 9233 of this title.

(d) LIMITATION ON PROMOTIONS UNDER OTHER AUTHORITY.—Except as otherwise provided by law, a Space Force officer may not be promoted to a higher grade under this chapter unless the officer is considered and recommended for promotion to that grade by a selection board convened under this chapter or, in the case of an officer transferring into the Space Force from another armed force, chapter 36 or chapter 1403 of this title.

(e) DISCLOSURE OF BOARD RECOMMENDATIONS.—The recommendations of a selection board may be disclosed only in accordance with regulations prescribed by the Secretary of Defense. Those recommendations may not be disclosed to a person not a member of the board (or a member of the administrative staff designated by the Secretary of the Air Force to assist the board) until the written report of the recommendations of

the board, required by section 617 of this title, is signed by each member of the board.

(f) PROHIBITION ON ATTEMPTING TO INFLUENCE MEMBERS OF A BOARD.—The Secretary of the Air Force, and an officer or other official exercising authority over any member of a selection board, may not—

(1) censure, reprimand, or admonish the selection board or any member of the board with respect to the recommendations of the board or the exercise of any lawful function within the authorized discretion of the board; or

(2) attempt to coerce or, by any unauthorized means, influence any action of a selection board or any member of a selection board in the formulation of the board's recommendations.

(g) HIGHER PLACEMENT ON PROMOTION LIST OF OFFICER OF PARTICULAR MERIT.—(1) In selecting the officers to be recommended for promotion, a selection board shall, when authorized by the Secretary of the Air Force, recommend officers of particular merit, pursuant to guidelines and procedures prescribed by the Secretary, from among those officers selected for promotion, to be placed higher on the promotion list established by the Secretary under section 624(a)(1) of this title.

(2) An officer may be recommended to be placed higher on a promotion list under paragraph (1) only if the officer receives the recommendation of at least a majority of the members of the board, unless the Secretary of the Air Force establishes an alternative requirement. Any such alternative requirement shall be furnished to the board as part of the guidelines furnished to the board under section 615 of this title.

(3) For the officers recommended to be placed higher on a promotion list under paragraph (1), the board shall recommend, pursuant to guidelines and procedures prescribed by the Secretary, the order in which those officers should be placed on the list.

(Added Pub. L. 118-31, div. A, title XVII, §1716(c), Dec. 22, 2023, 137 Stat. 636.)

§ 20216. Reports of selection boards

(a) IN GENERAL.—Each selection board convened under section 20211 of this title shall submit to the Secretary of the Air Force a written report, signed by each member of the board, containing a list of the names of the officers it recommends for promotion and certifying—

(1) that the board has carefully considered the record of each officer whose name was furnished to it under section 615 of this title; and

(2) that, in the opinion of a majority of the members of the board, the officers recommended for promotion by the board are best qualified for promotion to meet the needs of the Space Force (as noted in the guidelines or information furnished the board under section 615(b) of this title) among those officers whose names were furnished to the selection board.

(b) OFFICERS WHO SHOULD BE REQUIRED TO SHOW CAUSE FOR RETENTION.—A selection board convened under section 20211 of this title shall include in its report the name of any officer be-