

fore it for consideration for promotion whose record, in the opinion of a majority of the members of the board, indicates that the officer should be required under section 20503 of this title to show cause for the officer's retention in a space force active status.

(c) OFFICERS RECOMMENDED TO BE PLACED HIGHER ON THE PROMOTION LIST.—A selection board convened under section 20211 of this title shall, when authorized under section 20215(g) of this title, include in its report the names of those officers recommended by the board to be placed higher on the promotion list and the order in which the board recommends that those officers should be placed on the list.

(d) RECOMMENDATION FOR OFFICERS TO BE EXCLUDED FROM FUTURE CONSIDERATION FOR PROMOTION.—A selection board convened under section 20211 of this title may include in its report a recommendation that an officer considered by the board be excluded from future consideration for promotion under this chapter.

(Added Pub. L. 118-31, div. A, title XVII, §1716(c), Dec. 22, 2023, 137 Stat. 637; amended Pub. L. 118-159, div. A, title V, §521(p), Dec. 23, 2024, 138 Stat. 1882.)

Editorial Notes

AMENDMENTS

2024—Subsec. (c). Pub. L. 118-159 substituted “20215(g)” for “20214(g)”.

§ 20217. Action on reports of selection boards for promotion to brigadier general or major general

(a) IN GENERAL.—After reviewing a report received under section 20215 of this title recommending officers on the Space Force officer list for promotion to the grade of brigadier general or major general, but before submitting the report to the Secretary of Defense, the Secretary of the Air Force may, under regulations prescribed by the Secretary of the Air Force, adjust the placement of officers as recommended in the report in order to ensure that sufficient number of officers on both sustained and non-sustained duty are promoted to meet the requirements of the Space Force to fill general officer vacancies.

(b) REPORT.—Whenever the Secretary of the Air Force uses the authority under subsection (a), the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report informing the committees that the authority has been used and the reason for the use of the authority.

(Added Pub. L. 118-31, div. A, title XVII, §1716(c), Dec. 22, 2023, 137 Stat. 638.)

SUBCHAPTER III—PROMOTIONS

Sec. 20231.	Eligibility for consideration for promotion: general rules.
20232.	Authority to allow officers to opt out of selection board consideration.
20233.	Eligibility for consideration for promotion: designation as joint qualified officer required before promotion to brigadier general; exceptions.
20234.	Opportunities for consideration for promotion.

Sec. 20235.	Space Force officer list.
20236.	Competitive categories.
20237.	Numbers to be recommended for promotion.
20238.	Establishment of promotion zones.
20239.	Promotions: how made.
20240.	Acceptance of promotions; oath of office.
20241.	Removal of officers from a list of officers recommended for promotion.
20242.	Authority to vacate promotions to grade of brigadier general.
20243.	General officers ceasing to occupy positions commensurate with grade.

Editorial Notes

CODIFICATION

Pub. L. 118-31, div. A, title XVII, §1716(c), Dec. 22, 2023, 137 Stat. 634, 638, which directed amendment of chapter “205” of this title by adding this subchapter at the end, was executed by adding this subchapter at the end of this chapter, which is chapter 2005, to reflect the probable intent of Congress.

AMENDMENTS

Pub. L. 118-31, div. A, title XVII, §1716(c), Dec. 22, 2023, 137 Stat. 634, 638, 641-645, 647-649, added items 20231 to 20243. Amendment was made pursuant to operation of section 102 of this title.

§ 20231. Eligibility for consideration for promotion: general rules

(a) IN GENERAL.—

(1) REQUIREMENT TO BE ON SPACE FORCE OFFICER LIST.—An officer is eligible under this chapter for consideration for promotion by a selection board convened under section 14101(a) of this title only if the officer is on the Space Force officer list.

(2) AUTHORITY TO PRECLUDE FROM CONSIDERATION CERTAIN OFFICERS BASED ON TIME OF ENTRY ON OR DEPARTURE FROM SUSTAINED DUTY.—The Secretary of the Air Force—

(A) may, by regulation, prescribe a period of time, not to exceed one year, from the time an officer on the Space Force officer list transfers on or off of sustained duty during which the officer shall be ineligible for consideration for promotion; and

(B) may, by regulation, provide for the exclusion from consideration for promotion by a selection board of an officer otherwise eligible to be considered by the board who has an established date for removal from the Space Force officer list that is not more than 90 days after the date on which the board is to be convened.

(b) CERTAIN OFFICERS NOT TO BE CONSIDERED.—A selection board convened under section 20211 of this title may not consider for promotion to the next higher grade any of the following officers:

(1) An officer whose name is on a promotion list for that grade as a result of recommendation for promotion to that grade by an earlier selection board convened under that section or section 20151 of this title, under section 14101 or 14502 of this title, or under chapter 36 of this title.

(2) An officer who is recommended for promotion to that grade in the report of an earlier selection board convened under a provision referred to in paragraph (1), in the case of