

**Editorial Notes**

## AMENDMENTS

2018—Pub. L. 115-282, §112(b), renumbered section 254 of this title as this section.

Par. (2). Pub. L. 115-282, §123(b)(2), substituted “section 931” for “section 635”.

2012—Pub. L. 112-213 amended section generally. Prior to amendment, text read as follows: “Each member of a selection board shall swear that he will, without prejudice or partiality, and having in view both the special fitness of officers and the efficiency of the Coast Guard, perform the duties imposed upon him.”

**§ 2110. Number of officers to be selected for promotion**

Before convening a board under section 2106 of this title to recommend officers for promotion to any grade, the Secretary shall determine the total number of officers to be selected for promotion to that grade. This number shall be equal to the number of vacancies existing in the grade, plus the number of additional vacancies estimated for the next twelve months, less the number of officers on the selection list for the grade.

(Added Pub. L. 88-130, §1(10)(C), Sept. 24, 1963, 77 Stat. 179, §255; renumbered §2110 and amended Pub. L. 115-282, title I, §§112(b), 123(b)(2), Dec. 4, 2018, 132 Stat. 4216, 4240.)

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## AMENDMENTS

2018—Pub. L. 115-282, §123(b)(2), substituted “section 2106” for “section 251”.

Pub. L. 115-282, §112(b), renumbered section 255 of this title as this section.

**§ 2111. Promotion zones**

(a) Before convening a selection board to recommend officers for promotion to any grade above lieutenant (junior grade) and below rear admiral (lower half), the Secretary shall establish a promotion zone for the grade to be considered. The promotion zone for each grade shall consist of the most senior officers of that grade on the active duty promotion list who are eligible for consideration for promotion to the next higher grade and who have not previously been placed in a promotion zone for selection for promotion to the next higher grade. The number of officers in each zone shall be determined after considering—

(1) the needs of the service;

(2) the estimated numbers of vacancies available in future years to provide comparable opportunity for promotion of officers in successive year groups; and

(3) the extent to which current terms of service in that grade conform to a desirable career promotion pattern.

However, such number of officers shall not exceed the number to be selected for promotion divided by one-half.

(b) Promotion zones from which officers will be selected for promotion to the grade of rear admiral (lower half) shall be established by the Secretary as the needs of the service require.

(Added Pub. L. 88-130, §1(10)(C), Sept. 24, 1963, 77 Stat. 179, §256; amended Pub. L. 89-444, §1(16),

June 9, 1966, 80 Stat. 196; Pub. L. 97-417, §2(3), Jan. 4, 1983, 96 Stat. 2085; Pub. L. 99-145, title V, §514(c)(1), Nov. 8, 1985, 99 Stat. 629; Pub. L. 99-661, div. A, title XIII, §1343(c), Nov. 14, 1986, 100 Stat. 3995; renumbered §2111 and amended Pub. L. 115-282, title I, §112(b), title III, §312, Dec. 4, 2018, 132 Stat. 4216, 4249.)

**Editorial Notes**

## AMENDMENTS

2018—Pub. L. 115-282, §112(b), renumbered section 256 of this title as this section.

Subsec. (a). Pub. L. 115-282, §312, substituted “one-half.” for “six-tenths.” in concluding provisions.

1986—Subsec. (b). Pub. L. 99-661 substituted “rear admiral (lower half)” for “commodore”.

1985—Subsec. (a). Pub. L. 99-145 substituted “rear admiral (lower half)” for “commodore”.

1983—Subsecs. (a), (b). Pub. L. 97-417 substituted “commodore” for “rear admiral”.

1966—Subsec. (a). Pub. L. 89-444 limited promotion zone by requiring that list of officers under consideration be officers eligible for consideration for promotion to next higher grade.

**§ 2112. Promotion year; defined**

For the purposes of this chapter, “promotion year” means the period which commences on July 1 of each year and ends on June 30 of the following year.

(Added Pub. L. 94-546, §1(17), Oct. 18, 1976, 90 Stat. 2520, §256a; renumbered §2112, Pub. L. 115-282, title I, §112(b), Dec. 4, 2018, 132 Stat. 4216.)

**Editorial Notes**

## AMENDMENTS

2018—Pub. L. 115-282 renumbered section 256a of this title as this section.

**§ 2113. Eligibility of officers for consideration for promotion**

(a) An officer on the active duty promotion list becomes eligible for consideration for promotion to the next higher grade at the beginning of the promotion year in which he completes the following amount of service computed from his date of rank in the grade in which he is serving:

(1) two years in the grade of lieutenant (junior grade);

(2) three years in the grade of lieutenant;

(3) four years in the grade of lieutenant commander;

(4) four years in the grade of commander; and

(5) three years in the grade of captain.

(b) For the purpose of this section, service in a grade includes all qualifying service in that grade or a higher grade, under either a temporary or permanent appointment. However, service in a grade under a temporary service appointment under section 2125 of this title is considered as service only in the grade that the officer concerned would have held had he not been so appointed.

(c) No officer may become eligible for consideration for promotion until all officers of his grade senior to him are so eligible.

(d) Except when his name is on a list of selectees, each officer who becomes eligible for consideration for promotion to the next higher grade remains eligible so long as he—

- (1) continues on active duty; and
- (2) is not promoted to that grade.

(e) An officer whose involuntary retirement or separation is deferred under section 2156 of this title is not eligible for consideration for promotion to the next higher grade during the period of that deferment.

(f) The Secretary may waive subsection (a) to the extent necessary to allow officers described therein to have at least two opportunities for consideration for promotion to the next higher grade as officers below the promotion zone.

(g)(1) Notwithstanding subsection (a), the Commandant may provide that an officer may, upon the officer's request and with the approval of the Commandant, be excluded from consideration by a selection board convened under section 2106.

(2) The Commandant shall approve a request under paragraph (1) only if—

(A) the basis for the request is to allow the officer to complete a broadening assignment, advanced education, another assignment of significant value to the Coast Guard, a career progression requirement delayed by the assignment or education, or a qualifying personal or professional circumstance, as determined by the Commandant;

(B) the Commandant determines the exclusion from consideration is in the best interest of the Coast Guard; and

(C) the officer has not previously failed of selection for promotion to the grade for which the officer requests the exclusion from consideration.

(Added Pub. L. 88-130, §1(10)(C), Sept. 24, 1963, 77 Stat. 179, §257; amended Pub. L. 94-546, §1(19), Oct. 18, 1976, 90 Stat. 2520; Pub. L. 98-557, §17(b)(1), Oct. 30, 1984, 98 Stat. 2867; Pub. L. 109-241, title II, §203, July 11, 2006, 120 Stat. 520; renumbered §2113 and amended Pub. L. 115-282, title I, §§112(b), 123(b)(2), Dec. 4, 2018, 132 Stat. 4216, 4240; Pub. L. 116-283, div. G, title LVXXXII [LXXXII], §8202(a), Jan. 1, 2021, 134 Stat. 4642.)

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##### AMENDMENTS

- 2021—Subsec. (g). Pub. L. 116-283 added subsec. (g).
- 2018—Pub. L. 115-282, §112(b), renumbered section 257 of this title as this section.
- Subsec. (b). Pub. L. 115-282, §123(b)(2), substituted “section 2125” for “section 275”.
- Subsec. (e). Pub. L. 115-282, §123(b)(2), substituted “section 2156” for “section 295”.
- 2006—Subsec. (f). Pub. L. 109-241 added subsec. (f).
- 1984—Subsec. (e). Pub. L. 98-557 added subsec. (e).
- 1976—Subsec. (a). Pub. L. 94-546, §1(19)(a), substituted “promotion year” for “fiscal year”.
- Subsec. (d). Pub. L. 94-546, §1(19)(b), struck out cl. (3) “if serving in a grade below captain, has not twice failed of selection for promotion to the next higher grade.”

#### § 2114. United States Deputy Marshals in Alaska

Commissioned officers may be appointed as United States Deputy Marshals in Alaska.

(Added Pub. L. 115-282, title I, §112(c)(3), Dec. 4, 2018, 132 Stat. 4221.)

#### § 2115. Selection boards; information to be furnished boards

(a) IN GENERAL.—The Secretary shall furnish the appropriate selection board convened under section 2106 of this title with—

(1) the number of officers that the board may recommend for promotion to the next higher grade;

(2) the names and records of all officers who are eligible for consideration for promotion to the grade to which the board will recommend officers for promotion; and

(3) in the case of an eligible officer considered for promotion to a rank above lieutenant, any credible information of an adverse nature, including any substantiated adverse finding or conclusion from an officially documented investigation or inquiry and any information placed in the personnel service record of the officer under section 1745(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 1561 note), shall be furnished to the selection board in accordance with standards and procedures set out in the regulations prescribed by the Secretary.

(b) PROVISION OF DIRECTION AND GUIDANCE.—

(1) In addition to the information provided pursuant to subsection (a), the Secretary may furnish the selection board—

(A) specific direction relating to the needs of the Coast Guard for officers having particular skills, including direction relating to the need for a minimum number of officers with particular skills within a specialty; and

(B) any other guidance that the Secretary believes may be necessary to enable the board to properly perform its functions.

(2) Selections made based on the direction and guidance provided under this subsection shall not exceed the maximum percentage of officers who may be selected from below the announced promotion zone at any given selection board convened under section 2106 of this title.

(Added Pub. L. 88-130, §1(10)(C), Sept. 24, 1963, 77 Stat. 180, §258; amended Pub. L. 89-444, §1(17), June 9, 1966, 80 Stat. 196; Pub. L. 104-324, title II, §212, Oct. 19, 1996, 110 Stat. 3915; Pub. L. 111-281, title II, §212(2), Oct. 15, 2010, 124 Stat. 2914; renumbered §2115 and amended Pub. L. 115-282, title I, §§112(b), 123(b)(2), Dec. 4, 2018, 132 Stat. 4216, 4240; Pub. L. 117-263, div. K, title CXII, §11245(a), Dec. 23, 2022, 136 Stat. 4043.)

#### Editorial Notes

##### AMENDMENTS

- 2022—Subsec. (a)(3). Pub. L. 117-263 added par. (3).
- 2018—Pub. L. 115-282, §112(b), renumbered section 258 of this title as this section.
- Subsec. (a). Pub. L. 115-282, §123(b)(2), substituted “section 2106” for “section 251” in introductory provisions.
- Subsec. (b)(2). Pub. L. 115-282, §123(b)(2), substituted “section 2106” for “section 251”.
- 2010—Pub. L. 111-281 designated existing provisions as subsec. (a), inserted heading, substituted “with—” for