[§§ 245, 246. Repealed. Aug. 3, 1950, ch. 536, § 36, 64 Stat. 408]

Section 245, act Aug. 4, 1949, ch. 393, 63 Stat. 517, related to retiring or dropping for disabilities not incident to service. See section 1207 of Title 10, Armed Forces.

Section 246, act Aug. 4, 1949, ch. 393, 63 Stat. 518, related to dropping for disabilities due to vicious habits. See section 1207 of Title 10.

ADDITIONAL REPEAL

Sections were also repealed by Pub. L. 88–130, § 1(10)(A), Sept. 24, 1963, 77 Stat. 177.

[§§ 247, 248. Repealed. Pub. L. 88–130, § 1(10)(A), Sept. 24, 1963, 77 Stat. 177]

Section 247, added act Aug. 9, 1955, ch. 684, § 1(2), 69 Stat. 620; amended May 14, 1960, Pub. L. 86–474, § 1(17), 74 Stat. 146, related to involuntary retirement of rear admirals and to their retention on active list. See section 290 of this title.

Section 248, added act Aug. 9, 1955, ch. 684, § 1(2), 69 Stat. 620, related to involuntary retirement of captains and to their retention on active list. See section 289 of this title.

B. SELECTION FOR PROMOTION

§ 251. Selection boards; convening of boards

At least once a year and at such other times as the needs of the service require, the Secretary shall convene selection boards to recommend for promotion to the next higher grade officers on the active duty promotion list in each grade from lieutenant (junior grade) through captain, with separate boards for each grade. However, the Secretary is not required to convene a board to recommend officers for promotion to a grade when no vacancies exist in the grade concerned, and he estimates that none will occur in the next twelve months.

(Added Pub. L. 88–130, § 1(10)(C), Sept. 24, 1963, 77 Stat. 178.)

§ 252. Selection boards; composition of boards

A board convened under section 251 of this title shall consist of five or more officers on the active duty promotion list who are serving in or above the grade to which the board may recommend officers for promotion. No officer may be a member of two successive boards convened to consider officers of the same grade for promotion.

(Added Pub. L. 88–130, § 1(10)(C), Sept. 24, 1963, 77 Stat. 179.)

§ 253. Selection boards; notice of convening; communication with board

(a) Before a board is convened under section 251 of this title, notice of the convening date, the promotion zone to be considered, the officers eligible for consideration, and the number of officers the board may recommend for promotion shall be given to the service at large.

(b) Each officer eligible for consideration by a selection board convened under section 251 of this title may send a communication through official channels to the board, to arrive not later than the date the board convenes, inviting attention to any matter of record in the armed forces concerning himself. A communication sent under this section may not criticize any officer or reflect upon the character, conduct, or motive of any officer.

(Added Pub. L. 88–130, § 1(10)(C), Sept. 24, 1963, 77 Stat. 179; amended Pub. L. 89–444, § 1(15), June 9, 1966, 80 Stat. 196.)

AMENDMENTS

1966—Subsec. (a). Pub. L. 89–444 added officers eligible for consideration to list of items for which notice must be given to the service at large before a board is convened under section 251 of this title.

§ 254. Selection boards; oath of members

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.

(Added Pub. L. 88–130, § 1(10)(C), Sept. 24, 1963, 77 Stat. 179.)

§ 255. Number of officers to be selected for promotion

Before convening a board under section 251 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.)

§ 256. 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 six-tenths.

(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; amended Pub. L. 89–444, § 1(16), June 9,