

- 732. Eligibility for promotion.
- 733. Recommendation for promotion of an officer previously removed from an active status.
- 734. Qualifications for promotion.
- 735. Promotion; acceptance; oath of office.
- 736. Date of rank upon promotion; entitlement to pay.
- 737. Type of promotion; temporary.
- 738. Effect of removal by the President or failure of consent of the Senate.
- 739. Failure of selection for promotion.
- 740. Failure of selection and removal from active status.²
- 741. Retention boards; removal from an active status to provide a flow of promotion.
- 742. Maximum ages for retention in an active status.
- 743. Rear admiral and rear admiral (lower half); maximum service in grade.
- 744. Appointment of a former Navy or Coast Guard officer.
- 745. Grade on entry upon active duty.
- 746. Recall of a retired officer; grade upon release.

AMENDMENTS

2002—Pub. L. 107-295, title IV, §413(b), Nov. 25, 2002, 116 Stat. 2120, added item 709a.

2000—Pub. L. 106-398, §1 [[div. A], title V, §502(b)(2)(B)], Oct. 30, 2000, 114 Stat. 1654, 1654A-100, substituted "Establishment of promotion zones under running mate system" for "Placement in promotion zone; consideration for promotion" in item 731.

1985—Pub. L. 99-145, title V, §514(c)(3)(B), Nov. 8, 1985, 99 Stat. 629, substituted "rear admiral (lower half)" for "commodore" in item 743.

1983—Pub. L. 97-417, §2(17)(B), Jan. 4, 1983, 96 Stat. 2087, inserted "and commodore" after "Rear admiral" in item 743.

1982—Pub. L. 97-295, §2(22), Oct. 12, 1982, 96 Stat. 1303, inserted "previously removed from an active status" in item 733.

1981—Pub. L. 97-136, §6(c)(3), Dec. 29, 1981, 95 Stat. 1706, substituted "Exclusiveness of service" for "Exemption from military training and draft; exclusiveness of service" in item 711.

1980—Pub. L. 96-322, §1, Aug. 4, 1980, 94 Stat. 1002, revised analysis generally by adding items 701 to 713 and 720 to 746, and by omitting items 751 to 765, undesignated center heading "Commissioned Officers" following item 765, and items 770 to 798.

1974—Pub. L. 93-283, §1(14), May 14, 1974, 88 Stat. 141, added items 765 and 796 to 798.

1972—Pub. L. 92-479, §2, Oct. 9, 1972, 86 Stat. 795, added item 764.

1962—Pub. L. 87-704, §1(b), Sept. 27, 1962, 76 Stat. 633, added item 763.

Pub. L. 87-649, §7(d), Sept. 7, 1962, 76 Stat. 495, substituted "Benefits" for "Pay, allowances, and other benefits" in item 755.

1960—Pub. L. 86-559, §2(4), June 30, 1960, 74 Stat. 281, added item 787a.

1958—Pub. L. 85-861, §5(3), Sept. 2, 1958, 72 Stat. 1555, added heading "Commissioned Officers" and items 770 to 795.

1956—Act Aug. 10, 1956, ch. 1041, §§15(b), 16(b), 70A Stat. 625, 626, added items 751a, 752a, 753a, 758a, and 759a.

SUBCHAPTER A

GENERAL

§ 701. Organization

The Coast Guard Reserve is a component of the Coast Guard. It shall be organized, administered, trained, and supplied under the direction of the Commandant.

² So in original. Does not conform to section catchline.

(Added Pub. L. 96-322, §1, Aug. 4, 1980, 94 Stat. 1003.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 751a of this title prior to the complete revision of this chapter by Pub. L. 96-322.

WOMEN'S BRANCH OF THE COAST GUARD RESERVE

Pub. L. 93-174, §3, Dec. 5, 1973, 87 Stat. 692, provided that: "Effective upon enactment of this Act [Dec. 5, 1973], all members of the women's branch of the Coast Guard Reserve who were serving on active or inactive duty on the day before enactment shall become members of the Coast Guard Reserve without loss of grade, rate, date of rank, or other benefits earned by their prior service."

§ 702. Authorized strength

(a) The President shall prescribe the authorized strength of the Coast Guard Reserve if not otherwise prescribed by law.

(b) Subject to the authorized strength of the Coast Guard Reserve, the Secretary shall determine, at least annually, the authorized strength in numbers in each grade necessary to provide for mobilization requirements. Without the consent of the member concerned, a member of the Reserve may not be reduced in grade because of the Secretary's determination.

(Added Pub. L. 96-322, §1, Aug. 4, 1980, 94 Stat. 1003.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 752a of this title prior to the complete revision of this chapter by Pub. L. 96-322.

COAST GUARD RESERVE COMPONENTS TRANSITION INITIATIVES

Pub. L. 103-160, title V, §564(a), (b), Nov. 30, 1993, 107 Stat. 1669, 1670, provided that:

"(a) APPLICABILITY OF CERTAIN BENEFITS.—The Secretary of Transportation shall prescribe such regulations as necessary so as to apply to the members of the Coast Guard Reserve the provisions of subtitle B of title XLIV of the Defense Conversion, Reinvestment, and Transition Assistance Act of 1992 (division D of Public Law 102-484; 106 Stat. 2712) [enacting section 1331a [now 12731a] of Title 10, Armed Forces, amending sections 1174a, 1175, and 2133 of Title 10 and section 3012 of Title 38, Veterans' Benefits, and enacting provisions set out as a note under section 12681 of Title 10], including the amendments made by those provisions. For purposes of the application of any of such provisions to the Coast Guard Reserve, any reference in those provisions to the Secretary of Defense or Secretary of a military department shall be treated as referring to the Secretary of Transportation.

"(b) REGULATIONS.—Regulations prescribed for the purposes of this section shall to the extent practicable be identical to the regulations prescribed by the Secretary of Defense under those provisions."

[For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.]

§ 703. Coast Guard Reserve Boards

(a) The Secretary shall convene a Coast Guard Reserve Policy Board at least annually to con-

sider, recommend, and report to the Secretary on Reserve policy matters. At least one-half of the members of the Board shall be Reserve officers.

(b) The Secretary may convene any other Reserve Board the Secretary considers necessary.

(Added Pub. L. 96-322, §1, Aug. 4, 1980, 94 Stat. 1003.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 753a of this title prior to the complete revision of this chapter by Pub. L. 96-322.

§ 704. Grades and ratings; military authority

The grades and ratings in the Reserve, including cadets but not grades above rear admiral, are those prescribed by law or regulation for the Coast Guard. A member of the Reserve on active duty or inactive-duty training has the same authority, rights, and privileges in the performance of that duty as a member of the Regular Coast Guard of corresponding grade or rating.

(Added Pub. L. 96-322, §1, Aug. 4, 1980, 94 Stat. 1003.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 754 of this title prior to the complete revision of this chapter by Pub. L. 96-322.

§ 705. Benefits

(a) A member of the Reserve on active duty, on inactive-duty training, or engaged in authorized travel to or from that duty, is entitled to the same benefits as a member of the Navy Reserve of corresponding grade, rating, and length of service. In determining length of service for the purpose of this section, there shall be included all service for which credit is given by law to members of the Regular Coast Guard.

(b) Chapter 13 of this title applies to a member of the Reserve under the same conditions and limitations as it applies to a member of the Regular Coast Guard.

(c) A member of the Reserve who suffers sickness, disease, disability, or death is entitled to the same benefits as prescribed by law for a member of the Navy Reserve who suffers sickness, disease, disability, or death under similar conditions.

(d) A member of the Reserve on active duty or when retired for disability is entitled to the benefits of section 253(a) of title 42. A member of the Reserve when on active duty (other than for training) or when retired for disability is entitled to the benefits of chapter 55 of title 10.

(e) A member of the Reserve, except an enlisted member retiring on the basis of years of active service, is entitled to the same retirement rights, benefits, and privileges as prescribed by law for a member of the Navy Reserve, and wherever a law confers authority upon the Secretary of the Navy, similar authority is given to the Secretary to be exercised with respect to the Coast Guard when the Coast Guard is not operating as a service in the Navy. An enlisted member of the Reserve who retires on the basis of years of active service is entitled to the same retirement rights, benefits, and

privileges as prescribed by law for an enlisted member of the Regular Coast Guard.

(f) A member of the Coast Guard Reserve not on active duty who is enrolled in an officer candidate program authorized by section 12209 of title 10 leading to a commission in the Coast Guard Reserve, and is a full-time student in an accredited college curriculum leading to a bachelor's degree may be paid a subsistence allowance for each month of the member's academic year at the same rate as that prescribed by section 209(a) of title 37.

(Added Pub. L. 96-322, §1, Aug. 4, 1980, 94 Stat. 1003; amended Pub. L. 97-417, §1, Jan. 4, 1983, 96 Stat. 2085; Pub. L. 104-106, div. A, title XV, §1501(e)(1)(A), Feb. 10, 1996, 110 Stat. 501; Pub. L. 109-163, div. A, title V, §515(c), Jan. 6, 2006, 119 Stat. 3235.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 755 of this title prior to the complete revision of this chapter by Pub. L. 96-322.

AMENDMENTS

2006—Subsecs. (a), (c), (e). Pub. L. 109-163 substituted “Navy Reserve” for “Naval Reserve”.

1996—Subsec. (f). Pub. L. 104-106 substituted “12209 of title 10” for “600 of title 10”.

1983—Subsec. (f). Pub. L. 97-417 added subsec. (f).

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-106 effective as if included in the Reserve Officer Personnel Management Act, title XVI of Pub. L. 103-337, as enacted on Oct. 5, 1994, see section 1501(f)(3) of Pub. L. 104-106, set out as a note under section 113 of Title 10, Armed Forces.

§ 706. Temporary members of the Reserve; eligibility and compensation

A citizen of the United States, its territories, or possessions who is a member of the Auxiliary, an officer or member of the crew of a motorboat or yacht placed at the disposal of the Coast Guard, or a person (including a Government employee without pay other than the compensation of that person's civilian position) who by reason of special training and experience is considered by the Commandant to be qualified for duty, may be enrolled by the Commandant as a temporary member of the Reserve, for duty under conditions the Commandant may prescribe, including part-time and intermittent active duty with or without pay, without regard to age. The Commandant is authorized to define the powers and duties of temporary members of the Reserve, and to confer upon them, appropriate to their qualifications and experience, the same grades and ratings as provided for members of the Reserve. When performing active duty with pay as authorized by this section, temporary members of the Reserve are entitled to receive the pay and allowances of their rank, grade, or rating.

(Added Pub. L. 96-322, §1, Aug. 4, 1980, 94 Stat. 1004.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 756 of this title prior to the complete revision of this chapter by Pub. L. 96-322.