

1983—Pub. L. 97-417, §2(9)(A)(i), inserted “and commodores” after “Rear admirals” in section catchline.

Subsec. (a). Pub. L. 97-417, §2(9)(A)(ii), substituted “commodore or rear admiral” for “rear admiral” after “promotion list serving in the grade of” and after “each officer serving in the grade of”, and “five years combined service in the grades of commodore and rear admiral” for “five years service in that grade”.

1981—Subsec. (a). Pub. L. 97-136 inserted “or in the position of Chief of Staff” after “vice admiral”.

1976—Subsecs. (a), (e) to (g). Pub. L. 94-546 substituted “promotion year” for “fiscal year” wherever appearing.

1972—Pub. L. 92-451 substituted “continuation on active duty” for “retention on the active list” in section catchline.

Subsecs. (a), (b). Pub. L. 92-451 added subsecs. (a) and (b). Former subsecs. (a) and (b) redesignated (f) and (g), respectively.

Subsec. (c). Pub. L. 92-451 added subsec. (c). Former subsec. (c) provided that provisions of former subsecs. (a) and (b) were inapplicable to officers serving as Commandants.

Subsecs. (d), (e). Pub. L. 92-451 added subsecs. (d) and (e).

Subsec. (f). Pub. L. 92-451 incorporated provisions of former subsec. (a) in provisions designated as subsec. (f), and among other changes extended the minimum service for retirement from 35 years to 36 years of active commissioned service and deleted the alternative seven year permanent grade service.

Subsec. (g). Pub. L. 92-451 incorporated provisions of former subsec. (b) in provisions designated as subsec. (g), and among other changes, substituted officer for rear admiral.

EFFECTIVE DATE OF 1972 AMENDMENT

Pub. L. 92-451, §3, Oct. 2, 1972, 86 Stat. 757, provided that: “This Act [enacting sections 50 and 51 of this title, and amending this section, sections 41, 42, 44, 47, and 287 of this title, and section 202 of Title 37, Pay and Allowances of the Uniformed Services] is effective upon enactment [Oct. 2, 1972] except that continuation boards, pursuant to subsection (a) of section 290 of title 14, United States Code, as amended by this Act [subsec. (a) of this section], may not be held until one year following enactment hereof [Oct. 2, 1972]. During the period of one year following enactment hereof the Secretary of the Department in which the Coast Guard is operating shall convene a board consisting of not less than three Coast Guard officers serving in the grade of vice admiral to recommend for continuation on active duty Coast Guard officers on the active duty promotion list serving in the grade of rear admiral, who during the fiscal year in which the board meets will complete not less than five years’ service in that grade. Subsections (b) through (g) of section 290 and other sections of title 14, United States Code, as amended by this Act [sections 41, 42, 44, 47, 50, 51, and 287 of this title], apply to continuation board action taken pursuant to this section. No officer who is entitled to the basic pay of a rear admiral of the upper half may have his basic pay reduced because of the reduction which results from this Act in the number of officers entitled to the basic pay of a rear admiral of the upper half.”

RETIRED PAY ON OR PRIOR TO SEPTEMBER 24, 1963

Savings provisions in section 5(g) of Pub. L. 88-130 providing that Pub. L. 88-130 does not affect the retired pay of anyone retired on or prior to Sept. 24, 1963, are set out as a note under section 211 of this title.

§ 291. Voluntary retirement after twenty years’ service

Any regular commissioned officer who has completed twenty years’ active service in the Coast Guard, Navy, Army, Air Force, or Marine Corps, or the Reserve components thereof, including active duty for training, at least ten

years of which shall have been active commissioned service, may, upon his own application, in the discretion of the President, be retired from active service.

(Added Pub. L. 88-130, §1(10)(C), Sept. 24, 1963, 77 Stat. 187; amended Pub. L. 99-348, title II, §205(b)(5), July 1, 1986, 100 Stat. 700.)

AMENDMENTS

1986—Pub. L. 99-348 struck out “, with retired pay of the grade with which retired” after “from active service”.

RETIRED PAY ON OR PRIOR TO SEPTEMBER 24, 1963

Savings provisions in section 5(g) of Pub. L. 88-130 providing that Pub. L. 88-130 does not affect the retired pay of anyone retired on or prior to Sept. 24, 1963, are set out as a note under section 211 of this title.

§ 292. Voluntary retirement after thirty years’ service

Any regular commissioned officer who has completed thirty years’ service may, upon his own application, in the discretion of the Secretary, be retired from active service.¹

(Added Pub. L. 88-130, §1(10)(C), Sept. 24, 1963, 77 Stat. 187; amended Pub. L. 99-348, title II, §205(b)(5), July 1, 1986, 100 Stat. 700.)

AMENDMENTS

1986—Pub. L. 99-348 which directed that “, with retired pay of the grade with which retired” be struck out was executed by striking out that phrase after “from active service” as the probable intent of Congress even though there was no comma, before “with retired”.

RETIRED PAY ON OR PRIOR TO SEPTEMBER 24, 1963

Savings provisions in section 5(g) of Pub. L. 88-130, providing that Pub. L. 88-130 does not affect the retired pay of anyone retired on or prior to Sept. 24, 1963, are set out as a note under section 211 of this title.

§ 293. Compulsory retirement

(a) REGULAR COMMISSIONED OFFICERS.—Any regular commissioned officer, except a commissioned warrant officer, serving in a grade below rear admiral (lower half) shall be retired on the first day of the month following the month in which the officer becomes 62 years of age.

(b) FLAG-OFFICER GRADES.—(1) Except as provided in paragraph (2), any regular commissioned officer serving in a grade of rear admiral (lower half) or above shall be retired on the first day of the month following the month in which the officer becomes 64 years of age.

(2) The retirement of an officer under paragraph (1) may be deferred—

(A) by the President, but such a deferment may not extend beyond the first day of the month following the month in which the officer becomes 68 years of age; or

(B) by the Secretary of the department in which the Coast Guard is operating, but such a deferment may not extend beyond the first day of the month following the month in which the officer becomes 66 years of age.

(Added Pub. L. 111-281, title II, §215(a), Oct. 15, 2010, 124 Stat. 2916.)

¹ See 1986 Amendment note below.