

title, as in effect on the day before Feb. 1, 1992, would continue to apply to the Coast Guard on and after that date, prior to repeal by Pub. L. 103-337, div. A, title V, § 541(f)(1), Oct. 5, 1994, 108 Stat. 2766.

CHAPTER 33A—APPOINTMENT, PROMOTION, AND INVOLUNTARY SEPARATION AND RETIREMENT FOR MEMBERS ON THE WARRANT OFFICER ACTIVE-DUTY LIST

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AMENDMENTS

1993—Pub. L. 103-160, div. A, title V, § 504(b), Nov. 30, 1993, 107 Stat. 1645, added item 580a.

1992—Pub. L. 102-484, div. A, title X, § 1052(6), Oct. 23, 1992, 106 Stat. 2499, inserted “to be” after “Information” in item 576 and substituted “Promotions:” for “Promotions;” in item 578.

§ 571. Warrant officers: grades

(a) The regular warrant officer grades in the armed forces corresponding to the pay grades prescribed for warrant officers by section 201(b) of title 37 are as follows:

Warrant officer grade:

- Chief warrant officer, W-5.
- Chief warrant officer, W-4.
- Chief warrant officer, W-3.
- Chief warrant officer, W-2.
- Warrant officer, W-1.

(b) Appointments in the grade of regular warrant officer, W-1, shall be made by warrant, except that with respect to an armed force under the jurisdiction of the Secretary of a military department, the Secretary concerned may provide by regulation that appointments in that grade in that armed force shall be made by commission. Appointments in regular chief warrant officer grades shall be made by commission by the President, and appointments (whether by warrant or commission) in the grade of regular warrant officer, W-1, shall be made by the President, except that appointments in that grade in the Coast Guard shall be made by the Secretary concerned.

(c) An appointment may not be made in any of the armed forces in the regular warrant officer grade of chief warrant officer, W-5, if the appointment would result in more than 5 percent of the warrant officers of that armed force on active duty being in the grade of chief warrant

officer, W-5. In computing the limitation prescribed in the preceding sentence, there shall be excluded warrant officers described in section 582 of this title.

(Added Pub. L. 102-190, div. A, title XI, § 1112(a), Dec. 5, 1991, 105 Stat. 1493; amended Pub. L. 102-484, div. A, title X, § 1052(2), Oct. 23, 1992, 106 Stat. 2499; Pub. L. 103-337, div. A, title V, § 541(a)(2), Oct. 5, 1994, 108 Stat. 2764; Pub. L. 111-383, div. A, title V, § 502(a), Jan. 7, 2011, 124 Stat. 4207.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 555 of this title prior to repeal by Pub. L. 102-190, § 1112(a).

AMENDMENTS

2011—Subsec. (b). Pub. L. 111-383 substituted “, except that with respect to an armed force under the jurisdiction of the Secretary of a military department, the Secretary concerned may provide by regulation that appointments in that grade in that armed force shall be made by commission” for “by the Secretary concerned” and inserted “, and appointments (whether by warrant or commission) in the grade of regular warrant officer, W-1, shall be made by the President, except that appointments in that grade in the Coast Guard shall be made by the Secretary concerned” after “commission by the President”.

1994—Subsec. (a). Pub. L. 103-337 substituted “armed forces” for “Army, Navy, Air Force, and Marine Corps”.

1992—Subsec. (a). Pub. L. 102-484 inserted a period at end of each item in table.

EFFECTIVE DATE OF 1994 AMENDMENT

Pub. L. 103-337, div. A, title V, § 541(h), Oct. 5, 1994, 108 Stat. 2767, provided that: “This section [enacting section 215 of Title 14, Coast Guard, amending this section, sections 573 to 576, 580, 580a, 581, and 583 of this title, and sections 41, 214, 286a, and 334 of Title 14, repealing sections 212 and 213 of Title 14, enacting provisions set out as notes under this section, and repealing a provision set out as a note under former section 555 of this title] and the amendments made by this section shall take effect on the first day of the fourth month beginning after the date of the enactment of this Act [Oct. 5, 1994].”

EFFECTIVE DATE

Chapter effective Feb. 1, 1992, see section 1132 of Pub. L. 102-190, set out as an Effective Date of 1991 Amendment note under section 521 of this title.

SHORT TITLE

Pub. L. 102-190, div. A, title XI, § 1101, Dec. 5, 1991, 105 Stat. 1491, provided that: “This title [enacting this chapter and section 742 of this title, amending sections 521, 522, 597, 598 [now 12242], 603, 628, 644, 741, 1166, 1174, 1305, 1406, 5414, 5457, 5458, 5501 to 5503, 5596, 5600, 5665, 6389, and 6391 of this title, sections 286a and 334 of Title 14, Coast Guard, and sections 201, 301, 301c, 305a, and 406 of Title 37, Pay and Allowances of the Uniformed Services, repealing sections 555 to 565, 602, and 745 of this title, and enacting provisions set out as notes under this section, sections 521 and 555 of this title, and section 1009 of Title 37] may be cited as the ‘Warrant Officer Management Act’.”

TRANSITION AND SAVINGS PROVISIONS

Pub. L. 103-337, div. A, title V, § 541(c), (d), Oct. 5, 1994, 108 Stat. 2765, as amended by Pub. L. 104-106, div. A, title XV, § 1504(a)(3), Feb. 10, 1996, 110 Stat. 513, provided that:

“(c) TRANSITION FOR CERTAIN REGULAR WARRANT OFFICERS SERVING IN A HIGHER TEMPORARY GRADE BELOW