

Subsecs. (e) to (g). Pub. L. 100-180 added subsecs. (e) to (g).

#### EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-364, div. A, title V, §519(e), Oct. 17, 2006, 120 Stat. 2191, provided that: "The amendments made by this section [amending this section and sections 667 and 668 of this title] shall take effect on October 1, 2007."

#### RETROACTIVE JOINT SERVICE CREDIT FOR DUTY IN CERTAIN JOINT TASK FORCES

Pub. L. 107-107, div. A, title V, §523, Dec. 28, 2001, 115 Stat. 1097, provided that, in accordance with subsec. (i) of this section, the Secretary of Defense was authorized to award joint service credit to any officer who served on the staff of a United States joint task force headquarters in certain operations and during certain periods, and the Secretary was required to submit to Congress a report of the numbers, by service, grade, and operation, of the officers given joint service credit not later than one year after Dec. 28, 2001.

#### JOINT DUTY CREDIT FOR CERTAIN DUTY PERFORMED DURING OPERATIONS DESERT SHIELD AND DESERT STORM

Pub. L. 103-160, div. A, title IX, §932, Nov. 30, 1993, 107 Stat. 1735, provided extension of authority until the end of the 90-day period beginning on Nov. 30, 1993, to give certain officers joint duty credit pursuant to Pub. L. 102-484, §933, formerly set out below.

Pub. L. 102-484, div. A, title IX, §933, Oct. 23, 1992, 106 Stat. 2476, as amended by Pub. L. 103-35, title II, §202(a)(9), May 31, 1993, 107 Stat. 101; Pub. L. 103-160, div. A, title IX, §932(c)(1), Nov. 30, 1993, 107 Stat. 1735, temporarily authorized the Secretary of Defense to give an officer who had completed service during the period beginning on Aug. 2, 1990, and ending on Feb. 28, 1991, in an assignment in the Persian Gulf combat zone, credit, on a case-by-case basis, for having completed a full tour of duty in a joint duty assignment, or credit countable for determining cumulative service in joint duty assignments, for the purposes of any provision of this title, notwithstanding the length of such service or whether that service had been within the definition of "joint duty assignment" in section 668 of this title, and provided that such authority would expire at the end of the six-month period beginning on Oct. 23, 1992.

#### LENGTH OF JOINT DUTY ASSIGNMENTS

Section 406(e) of Pub. L. 99-433 provided that: "Subsection (a) of section 664 of title 10, United States Code (as added by section 401), shall apply to officers assigned to joint duty assignments after the end of the 90-day period beginning on the date of the enactment of this Act [Oct. 1, 1986]. In computing an average under subsection (b) of such section, only joint duty assignments to which such subsection applies shall be considered."

#### WAIVER OF QUALIFICATIONS FOR APPOINTMENT AS SERVICE CHIEF

For waiver of the requirements of this section for the length of a joint duty assignment, see section 532(c) of Pub. L. 99-433, formerly set out as a note under section 3033 of this title.

#### § 665. Procedures for monitoring careers of joint qualified officers

(a) PROCEDURES.—(1) The Secretary of Defense, with the advice of the Chairman of the Joint Chiefs of Staff, shall establish procedures for overseeing the careers of—

(A) officers designated as a joint qualified officer; and

(B) other officers who serve in joint duty assignments.

(2) Such oversight shall include monitoring of the implementation of the career guidelines established under section 661(e) of this title.

(b) FUNCTION OF JOINT STAFF.—The Secretary shall take such action as necessary to enhance the capabilities of the Joint Staff so that it can—

(1) monitor the promotions and career assignments of officers designated as a joint qualified officer and of other officers who have served in joint duty assignments; and

(2) otherwise advise the Chairman on joint personnel matters.

(Added Pub. L. 99-433, title IV, §401(a), Oct. 1, 1986, 100 Stat. 1028; amended Pub. L. 110-417, [div. A], title V, §522(c)(1), (2), Oct. 14, 2008, 122 Stat. 4445.)

#### AMENDMENTS

2008—Pub. L. 110-417 in section catchline substituted "joint qualified officers" for "joint officers" and in subsecs. (a)(1)(A) and (b)(1) substituted "designated as a joint qualified officer" for "with the joint specialty".

#### TRANSITION TO JOINT OFFICER PERSONNEL POLICY

Procedures under subsec. (a) of this section to be established not later than the end of the eight-month period beginning Oct. 1, 1986, and provisions of subsec. (b) of this section to be implemented not later than the end of such period, see section 406(c) of Pub. L. 99-433, set out as a note under section 661 of this title.

#### § 666. Reserve officers not on the active-duty list

The Secretary of Defense shall establish personnel policies emphasizing education and experience in joint matters for reserve officers not on the active-duty list. Such policies shall, to the extent practicable for the reserve components, be similar to the policies provided by this chapter.

(Added Pub. L. 99-433, title IV, §401(a), Oct. 1, 1986, 100 Stat. 1028.)

#### TRANSITION TO JOINT OFFICER PERSONNEL POLICY

Personnel policies under this section to be established not later than the end of the eight-month period beginning Oct. 1, 1986, see section 406(c) of Pub. L. 99-433, set out as a note under section 661 of this title.

#### § 667. Annual report to Congress

The Secretary of Defense shall include in the annual report of the Secretary to Congress under section 113(c) of this title, for the period covered by the report, the following information (which shall be shown for the Department of Defense as a whole and separately for the Army, Navy, Air Force, and Marine Corps):

(1)(A) The number of officers designated as a joint qualified officer.

(B) The number of officers who meet the criteria for designation as a joint qualified officer, but were not selected, together with the reasons why.

(C) A comparison of the number of officers who were designated as a joint qualified officer who had served in a Joint Duty Assignment List billet and completed Joint Professional Military Education Phase II, with the number designated as a joint qualified officer based on their aggregated joint experiences and completion of Joint Professional Military Education Phase II.

(2) The number of officers designated as a joint qualified officer, shown by grade and branch or specialty and by education.

(3) The promotion rate for officers designated as a joint qualified officer, compared with the promotion rate for other officers considered for promotion from within the promotion zone in the same pay grade and the same competitive category. A similar comparison will be made for officers both below the promotion zone and above the promotion zone.

(4) The average length of tours of duty in joint duty assignments—

(A) for general and flag officers, shown separately for assignments to the Joint Staff and other joint duty assignments; and

(B) for other officers, shown separately for assignments to the Joint Staff and other joint duty assignments.

(5) The number of times, in the case of each category of exclusion, that service in a joint duty assignment was excluded in computing the average length of joint duty assignments.

(6)(A) An analysis of the extent to which the Secretary of each military department is providing officers to fill that department's share (as determined by law or by the Secretary of Defense) of Joint Staff and other joint duty assignments, including the reason for any significant failure by a military department to fill its share of such positions and a discussion of the actions being taken to correct the shortfall.

(B) An assessment of the extent to which the Secretary of each military department is assigning personnel to joint duty assignments in accordance with this chapter and the policies, procedures, and practices established by the Secretary of Defense under section 661(a) of this title.

(7) The number of times a waiver authority was exercised under this chapter (or under any other provision of law which permits the waiver of any requirement relating to joint duty assignments) and in the case of each such authority—

(A) whether the authority was exercised for a general or flag officer;

(B) an analysis of the reasons for exercising the authority; and

(C) the number of times in which action was taken without exercise of the waiver authority compared with the number of times waiver authority was exercised (in the case of each waiver authority under this chapter or under any other provision of law which permits the waiver of any requirement relating to joint duty assignments).

(8) The number of officers in the grade of captain (or in the case of the Navy, lieutenant) and above certified at each level of joint qualification as established in regulation and policy by the Secretary of Defense with the advice of the Chairman of the Joint Chiefs of Staff. Such numbers shall be reported by service and grade of the officer.

(9) With regard to the principal courses of instruction for Joint Professional Military Education Level II, the number of officers graduating from each of the following:

(A) The Joint Forces Staff College.

(B) The National Defense University.

(C) Senior Service Schools.

(10) Such other information and comparative data as the Secretary of Defense considers appropriate to demonstrate the performance of the Department of Defense and the performance of each military department in carrying out this chapter.

(Added Pub. L. 99-433, title IV, § 401(a), Oct. 1, 1986, 100 Stat. 1029; amended Pub. L. 100-180, div. A, title XIII, § 1304(a), Dec. 4, 1987, 101 Stat. 1172; Pub. L. 100-456, div. A, title V, § 512(b), Sept. 29, 1988, 102 Stat. 1968; Pub. L. 101-189, div. A, title XI, § 1123(d), Nov. 29, 1989, 103 Stat. 1557; Pub. L. 104-106, div. A, title V, § 501(c), Feb. 10, 1996, 110 Stat. 292; Pub. L. 107-107, div. A, title V, § 524, title X, § 1048(a)(7), Dec. 28, 2001, 115 Stat. 1098, 1223; Pub. L. 109-364, div. A, title V, § 519(d)(2), Oct. 17, 2006, 120 Stat. 2191; Pub. L. 110-417, [div. A], title V, § 522(d), Oct. 14, 2008, 122 Stat. 4445; Pub. L. 111-84, div. A, title V, § 503, Oct. 28, 2009, 123 Stat. 2277.)

#### AMENDMENTS

2009—Par. (1). Pub. L. 111-84, § 503(1), struck out “and their education and experience” after “qualified officer” in subpar. (A) and added subpar. (C).

Pars. (3) to (13). Pub. L. 111-84, § 503(2)–(6), added par. (9), redesignated pars. (5), (7) to (11), and (13) as (3), (4) to (8), and (10), respectively, and struck out former pars. (3), (4), (6), and (12), which related to the number of officers on the active-duty list with a military occupational speciality designated as a critical occupational speciality, the number of officers designated as joint qualified officer, analysis of their assignments after the designation, and the officers selected to attend the Joint Forces Staff College principal course of instruction.

2008—Par. (1). Pub. L. 110-417, § 522(d)(1), substituted “designated as a joint qualified officer” for “selected for the joint specialty” in subpar. (A) and “designation as a joint qualified officer,” for “selection for the joint specialty” in subpar. (B).

Par. (2). Pub. L. 110-417, § 522(d)(2), substituted “designated as a joint qualified officer” for “with the joint specialty”.

Par. (3)(A), (B), (E). Pub. L. 110-417, § 522(d)(3), substituted “designated as a joint qualified officer” for “selected for the joint specialty”.

Par. (4). Pub. L. 110-417, § 522(d)(4), substituted “designated as a joint qualified officer” for “selected for the joint specialty” in subpar. (A), added subpar. (B), and struck out former subpar. (B) which read as follows: “a comparison of the number of officers who have the joint specialty who qualified for the joint specialty under section 661(c)(1) of this title with the number of officers who have the joint specialty who were selected for the joint specialty under section 661(c)(2) of this title.”

Pars. (5) to (18). Pub. L. 110-417, § 522(d)(5)–(7), added pars. (5), (6), and (11), redesignated former pars. (11), (12), (14), (15), (17), and (18) as (7) to (10), (12), and (13), respectively, and struck out former pars. (5) to (10), (13), and (16), which related to promotion rates for officers within the promotion zone who are serving on the Joint Staff, officers with the joint specialty, other officers serving in joint duty assignments, officers considered for promotion from below the promotion zone, officers considered for promotion from above the promotion zone, analysis of assignments after selection for the joint specialty, imbalances between officers serving in joint duty assignments or having the joint specialty and other officers, and the number of officers granted credit for service in joint duty assignments under section 664(i)(4)(E), (F) of this title.

2006—Par. (3). Pub. L. 109-364 substituted “668(d)” for “661(c)(2)” in introductory provisions.

2001—Par. (1). Pub. L. 107-107, § 524(1), designated existing provisions as subpar. (A) and added subpar. (B).

Par. (2). Pub. L. 107-107, § 524(2), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “The military occupational specialties within each of the armed forces that have been designated as critical occupational specialties under section 661(c)(2) of this title, separately identifying those specialties for which there is a severe shortage of trained officers, together with an explanation of how those specialties meet the criteria for that designation in section 661(c)(2)(B) of this title.”

Par. (3)(A), (B). Pub. L. 107-107, § 524(3)(A), substituted “selected” for “nominated”.

Par. (3)(D). Pub. L. 107-107, § 524(3)(B), inserted “and” after semicolon and end.

Par. (3)(E), (F). Pub. L. 107-107, § 524(3)(C), (D), redesignated subpar. (F) as (E) and struck out former subpar. (E) which read as follows: “have been selected for the joint specialty; and”.

Par. (4)(A). Pub. L. 107-107, § 524(4), substituted “selected” for “nominated”.

Par. (14). Pub. L. 107-107, § 524(5), designated existing provisions as subpar. (A) and added subpar. (B).

Par. (16). Pub. L. 107-107, § 524(6), substituted “subparagraphs (E) and (F) of section 664(i)(4)” for “section 664(i)” in introductory provisions and in subpar. (B).

Par. (17). Pub. L. 107-107, § 1048(a)(7), substituted “Joint Forces Staff College” for “Armed Forces Staff College” in introductory provisions and in subpar. (B).

1996—Par. (16). Pub. L. 104-106 added par. (16) and struck out former par. (16) which read as follows: “During the period of the applicability of the first sentence of subparagraph (B) of section 661(d)(2) of this title, information on critical positions not filled by officers with the joint specialty, including—

“(A) a listing by organization of the joint duty assignment positions which were not filled by officers with the joint specialty;

“(B) an explanation of the reasons such positions were not filled by officers with the joint specialty, described by the categories of such reasons; and

“(C) the percentage of critical joint duty assignment positions held by officers who have the joint specialty.”

1989—Pars. (17), (18). Pub. L. 101-189 added par. (17) and redesignated former par. (17) as (18).

1988—Pars. (16), (17). Pub. L. 100-456 added par. (16) and redesignated former par. (16) as (17).

1987—Par. (2). Pub. L. 100-180, § 1304(a)(1), (2), added par. (2) and redesignated former par. (2) as (5).

Par. (3). Pub. L. 100-180, § 1304(a)(1), (2), added par. (3) and redesignated former par. (3) as (6).

Par. (4). Pub. L. 100-180, § 1304(a)(1), (2), added par. (4) and redesignated former par. (4) as (7).

Par. (5). Pub. L. 100-180, § 1304(a)(1), redesignated former par. (2) as (5) and former par. (5) as (8).

Par. (6). Pub. L. 100-180, § 1304(a)(1), (3), redesignated former par. (3) as (6) and substituted “paragraph (5)” for “paragraph (2)”. Former par. (6) redesignated (10).

Par. (7). Pub. L. 100-180, § 1304(a)(1), (3), redesignated former par. (4) as (7) and substituted “paragraph (5)” for “paragraph (2)”. Former par. (7) redesignated (11).

Par. (8). Pub. L. 100-180, § 1304(a)(1), (3), redesignated former par. (5) as (8) and substituted “paragraph (5)” for “paragraph (2)”. Former par. (8) redesignated (13).

Par. (9). Pub. L. 100-180, § 1304(a)(1), (4), added par. (9) and redesignated former par. (9) as (14).

Par. (10). Pub. L. 100-180, § 1304(a)(1), redesignated former par. (6) as (10). Former par. (10) redesignated (16).

Par. (11). Pub. L. 100-180, § 1304(a)(1), redesignated former par. (7) as (11).

Par. (12). Pub. L. 100-180, § 1304(a)(5), added par. (12).

Par. (13). Pub. L. 100-180, § 1304(a)(1), (6), redesignated former par. (8) as (13) and substituted “paragraphs (5) through (9)” for “paragraphs (2) through (5)”.

Par. (14). Pub. L. 100-180, § 1304(a)(1), redesignated former par. (9) as (14).

Par. (15). Pub. L. 100-180, § 1304(a)(7), added par. (15).

Par. (16). Pub. L. 100-180, § 1304(a)(1), redesignated former par. (10) as (16).

#### EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109-364 effective Oct. 1, 2007, see section 519(e) of Pub. L. 109-364, set out as a note under section 664 of this title.

#### EFFECTIVE DATE OF 1987 AMENDMENT

Section 1304(b) of Pub. L. 100-180 provided that: “Paragraphs (3) and (4) of section 667 of title 10, United States Code, as added by subsection (a), shall apply with respect to fiscal years after fiscal year 1987.”

#### ADDITIONAL INFORMATION TO BE INCLUDED IN FIVE ANNUAL JOINT OFFICER POLICY REPORTS AFTER NOVEMBER 30, 1993

Pub. L. 103-160, div. A, title IX, § 931(e), Nov. 30, 1993, 107 Stat. 1734, directed the Secretary of Defense to include as part of the information submitted to Congress pursuant to this section for each of the next five years after Nov. 30, 1993, the degree of progress made toward meeting the requirements of section 619a of this title and the compliance achieved with each of the plans developed pursuant to Pub. L. 103-160, § 931(d), formerly set out as a note under section 619a of this title.

### § 668. Definitions

(a) JOINT MATTERS.—(1) In this chapter, the term “joint matters” means matters related to the achievement of unified action by integrated military forces in operations conducted across domains such as land, sea, or air, in space, or in the information environment, including matters relating to—

(A) national military strategy;

(B) strategic planning and contingency planning;

(C) command and control of operations under unified command;

(D) national security planning with other departments and agencies of the United States; or

(E) combined operations with military forces of allied nations.

(2) In the context of joint matters, the term “integrated military forces” refers to military forces that are involved in the planning or execution (or both) of operations involving participants from—

(A) more than one military department; or

(B) a military department and one or more of the following:

(i) Other departments and agencies of the United States.

(ii) The military forces or agencies of other countries.

(iii) Non-governmental persons or entities.

(b) JOINT DUTY ASSIGNMENT.—(1) The Secretary of Defense shall by regulation define the term “joint duty assignment” for the purposes of this chapter. That definition—

(A) shall be limited to assignments in which the officer gains significant experience in joint matters; and

(B) shall exclude assignments for joint training and education, except an assignment as an instructor responsible for preparing and presenting courses in areas of the curricula designated in section 2155(c) of this title as part of a program designated by the Secretary of