

“(d) BENEFITS.—Nothing in this section, or the amendments made by this section, shall be construed to require the furnishing of benefits in violation of section 7 of title 1, United States Code (relating to the definitions of ‘marriage’ and ‘spouse’ and referred to as the ‘Defense of Marriage Act’).

“(e) NO PRIVATE CAUSE OF ACTION.—Nothing in this section, or the amendments made by this section, shall be construed to create a private cause of action.

“(f) TREATMENT OF 1993 POLICY.—

“(1) TITLE 10.—Upon the effective date established by subsection (b), chapter 37 of title 10, United States Code, is amended—

“(A) by striking section 654; and

“(B) in the table of sections at the beginning of such chapter, by striking the item relating to section 654.

“(2) CONFORMING AMENDMENT.—Upon the effective date established by subsection (b), section 571 of the National Defense Authorization Act for Fiscal Year 1994 [Pub. L. 103-160] (10 U.S.C. 654 note) is amended by striking subsections (b), (c), and (d).”

[The report referred to in section 2(b)(1) of Pub. L. 111-321, set out above, was released Nov. 30, 2010. The certification referred to in section 2(b)(2) of Pub. L. 111-321 was transmitted July 22, 2011.]

IMPLEMENTATION OF SECTION; REGULATIONS; SAVINGS PROVISION; SENSE OF CONGRESS

Pub. L. 103-160, div. A, title V, § 571(b)-(d), Nov. 30, 1993, 107 Stat. 1671, 1672, which required the Secretary of Defense to issue regulations to implement this section, provided a savings provision for actions and proceedings commenced prior to the effective date of such regulations, and provided the sense of Congress regarding the policy set forth in this section, was repealed by Pub. L. 111-321, § 2(f)(2), Dec. 22, 2010, 124 Stat. 3516, effective on the date established by section 2(b) of Pub. L. 111-321, set out above.

**§ 655. Designation of persons having interest in status of a missing member**

(a) The Secretary concerned shall, upon the enlistment or appointment of a person in the armed forces, require that the person specify in writing the person or persons, if any, other than that person’s primary next of kin or immediate family, to whom information on the whereabouts and status of the member shall be provided if such whereabouts and status are investigated under chapter 76 of this title. The Secretary shall periodically, and whenever the member is deployed as part of a contingency operation or in other circumstances specified by the Secretary, require that such designation be reconfirmed, or modified, by the member.

(b) The Secretary concerned shall, upon the request of a member, permit the member to revise the person or persons specified by the member under subsection (a) at any time. Any such revision shall be in writing.

(Added Pub. L. 104-106, div. A, title V, § 569(d)(1), Feb. 10, 1996, 110 Stat. 352.)

**CHAPTER 38—JOINT OFFICER MANAGEMENT**

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AMENDMENTS

2008—Pub. L. 110-417, [div. A], title V, § 522(a)(3), (c)(3), Oct. 14, 2008, 122 Stat. 4445, added items 661 and 665 and struck out former items 661 “Management policies for officers who are joint qualified” and 665 “Procedures for monitoring careers of joint officers”.

2006—Pub. L. 109-364, div. A, title V, § 516(e)(2), Oct. 17, 2006, 120 Stat. 2189, substituted “officers who are joint qualified” for “joint specialty officers” in item 661.

2004—Pub. L. 108-375, div. A, title V, § 532(c)(2)(B), Oct. 28, 2004, 118 Stat. 1900, substituted “Joint duty assignments after completion of joint professional military education” for “Education” in item 663.

**§ 661. Management policies for joint qualified officers**

(a) ESTABLISHMENT.—The Secretary of Defense shall establish policies, procedures, and practices for the effective management of officers of the Army, Navy, Air Force, and Marine Corps on the active-duty list who are particularly trained in, and oriented toward, joint matters (as defined in section 668 of this title). Such officers shall be identified or designated (in addition to their principal military occupational specialty) as a joint qualified officer or in such other manner as the Secretary of Defense directs.

(b) LEVELS, DESIGNATION, AND NUMBERS.—(1)(A) The Secretary of Defense shall establish different levels of joint qualification, as well as the criteria for qualification at each level. Such levels of joint qualification shall be established by the Secretary with the advice of the Chairman of the Joint Chiefs of Staff. Each level shall, as a minimum, have both joint education criteria and joint experience criteria. The purpose of establishing such qualification levels is to ensure a systematic, progressive, career-long development of officers in joint matters and to ensure that officers serving as general and flag officers have the requisite experience and education to be highly proficient in joint matters.

(B) The number of officers who are joint qualified shall be determined by the Secretary of Defense, with the advice of the Chairman of the Joint Chiefs of Staff. Such number shall be large enough to meet the requirements of subsection (d).

(2) Certain officers shall be designated as joint qualified by the Secretary of Defense with the advice of the Chairman of the Joint Chiefs of Staff.

(3) An officer may be designated as joint qualified under paragraph (2) only if the officer—

(A) meets the education and experience criteria of subsection (c);

(B) meets such additional criteria as prescribed by the Secretary of Defense; and

(C) holds the grade of captain or, in the case of the Navy, lieutenant or a higher grade.

(4) The authority of the Secretary of Defense under paragraph (2) to designate officers as joint qualified may be delegated only to the Deputy Secretary of Defense or an Under Secretary of Defense.

(c) EDUCATION AND EXPERIENCE REQUIREMENTS.—(1) An officer may not be designated as joint qualified until the officer—