

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, related to annual report to Congress.

### § 668. Definitions

(a) JOINT MATTERS.—(1) In this chapter, the term “joint matters” means matters related to any of the following:

(A) The development or achievement of strategic objectives through the synchronization, coordination, and organization of integrated forces in operations conducted across domains, such as land, sea, or air, in space, or in the information environment, including matters relating to any of the following:

- (i) National military strategy.
- (ii) Strategic planning and contingency planning.
- (iii) Command and control, intelligence, fires, movement and maneuver, protection or sustainment of operations under unified command.
- (iv) National security planning with other departments and agencies of the United States.
- (v) Combined operations with military forces of allied nations.

(B) Acquisition matters conducted by members of the armed forces and covered under chapter 87 of this title involved in developing, testing, contracting, producing, or fielding of multi-service programs or systems.

(C) Other matters designated in regulation by the Secretary of Defense in consultation with the Chairman of the Joint Chiefs of Staff.

(2) In the context of joint matters, the term “integrated forces” refers to military forces that are involved in achieving unified action with 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—

- (i) the preponderance of the duties of the officer involve joint matters and
- (ii) the officer gains significant experience in joint matters; and

(B) shall exclude student assignments for joint training and education.

(2) The Secretary shall publish a joint duty assignment list showing—

(A) the positions that are joint duty assignment positions under such regulation and the

number of such positions and, of those positions, those that are positions held by general or flag officers and the number of such positions; and

(B) of the positions listed under subparagraph (A), those that are critical joint duty assignment positions and the number of such positions and, of those positions, those that are positions held by general or flag officers and the number of such positions.

(c) CLARIFICATION OF “TOUR OF DUTY”.—For purposes of this chapter, a tour of duty in which an officer serves in more than one joint duty assignment without a break between such assignments shall be considered to be a single tour of duty in a joint duty assignment.

(Added Pub. L. 99-433, title IV, §401(a), Oct. 1, 1986, 100 Stat. 1029; amended Pub. L. 100-180, div. A, title XIII, §§1302(c)(1), 1303(b), Dec. 4, 1987, 101 Stat. 1170, 1172; Pub. L. 100-456, div. A, title V, §519(b), Sept. 29, 1988, 102 Stat. 1972; Pub. L. 108-375, div. A, title V, §534(a), (b), Oct. 28, 2004, 118 Stat. 1901; Pub. L. 109-364, div. A, title V, §519(a)-(c), Oct. 17, 2006, 120 Stat. 2191; Pub. L. 111-383, div. A, title V, §521, Jan. 7, 2011, 124 Stat. 4214; Pub. L. 112-239, div. A, title V, §503, Jan. 2, 2013, 126 Stat. 1715; Pub. L. 114-92, div. A, title VIII, §843, Nov. 25, 2015, 129 Stat. 915; Pub. L. 114-328, div. A, title V, §510A, Dec. 23, 2016, 130 Stat. 2111.)

#### AMENDMENTS

2016—Subsec. (a)(1). Pub. L. 114-328, §510A(a), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “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;
- “(E) combined operations with military forces of allied nations; or
- “(F) acquisition matters addressed by military personnel and covered under chapter 87 of this title.”

Subsec. (a)(2). Pub. L. 114-328, §510A(b), substituted “integrated forces” for “integrated military forces” and “achieving unified action with” for “the planning or execution (or both) of operations involving” in introductory provisions.

Subsec. (b)(1)(A). Pub. L. 114-328, §510A(c), added subpar. (A) and struck out former subpar. (A) which read as follows: “shall be limited to assignments in which the officer gains significant experience in joint matters; and”.

Subsec. (d). Pub. L. 114-328, §510A(d), struck out subsec. (d). Text read as follows:

“(1) In this chapter, the term ‘critical occupational specialty’ means a military occupational specialty involving combat operations within the combat arms, in the case of the Army, or the equivalent arms, in the case of the Navy, Air Force, and Marine Corps, that the Secretary of Defense designates as critical.

“(2) At a minimum, the Secretary of Defense shall designate as a critical occupational specialty under paragraph (1) any military occupational specialty within a combat arms (or the equivalent) that is experiencing a severe shortage of trained officers in that specialty, as determined by the Secretary.”

2015—Subsec. (a)(1)(F). Pub. L. 114-92 added subpar. (F).

2013—Subsec. (b)(1)(B). Pub. L. 112-239 substituted “student assignments for joint training and education” for “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 Defense as joint professional military education Phase II”.

2011—Subsec. (a)(1). Pub. L. 111-383, §521(1)(A), substituted “integrated” for “multiple” in introductory provisions.

Subsec. (a)(1)(D). Pub. L. 111-383, §521(1)(B), substituted “or” for “and”.

Subsec. (a)(2). Pub. L. 111-383, §521(2), added par. (2) and struck out former par. (2), which read as follows: “In the context of joint matters, the term ‘multiple military forces’ refers to forces that involve participants from the armed forces and one or more of the following:

“(A) Other departments and agencies of the United States.

“(B) The military forces or agencies of other countries.

“(C) Non-governmental persons or entities.”

2006—Subsec. (a). Pub. L. 109-364, §519(a), amended heading and text of subsec. (a) generally. Prior to amendment, text read as follows: “In this chapter, the term ‘joint matters’ means matters relating to the integrated employment of land, sea, and air forces, including matters relating to—

“(1) national military strategy;

“(2) strategic planning and contingency planning; and

“(3) command and control of combat operations under unified command.”

Subsec. (b)(1). Pub. L. 109-364, §519(b), substituted provisions limiting the definition of “joint duty assignment” to assignments in which the officer gains significant experience in joint matters and excluding assignments for joint training and education, except an assignment as an instructor responsible for courses as part of a program designated as joint professional military education Phase II, for provisions limiting the definition of “joint duty assignment” to assignments in which the officer gains significant experience in joint matters and excluding assignments for joint training or joint education and assignments within an officer’s own military department.

Subsec. (d). Pub. L. 109-364, §519(c), added subsec. (d).

2004—Subsec. (b)(2). Pub. L. 108-375, §534(a), substituted “a joint duty assignment list” for “a list” in introductory provisions.

Subsec. (c). Pub. L. 108-375, §534(b), struck out “with-in the same organization” before “without a break”.

1988—Subsecs. (e), (f). Pub. L. 100-456 redesignated subsec. (f) as (c).

1987—Subsec. (b)(2). Pub. L. 100-180, §1302(c)(1), inserted “and, of those positions, those that are positions held by general or flag officers and the number of such positions” in subpars. (A) and (B).

Subsec. (f). Pub. L. 100-180, §1303(b), added subsec. (f).

#### 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 2004 AMENDMENT

Pub. L. 108-375, div. A, title V, §534(c), Oct. 28, 2004, 118 Stat. 1901, provided that: “The amendment made by subsection (b) [amending this section] shall not apply in the case of a joint duty assignment completed by an officer before the date of the enactment of this Act [Oct. 28, 2004], except in the case of an officer who has continued in joint duty assignments, without a break in service in such assignments, between the end of such assignment and the date of the enactment of this Act.”

#### PUBLICATION OF REVISED JOINT DUTY ASSIGNMENT LIST

Pub. L. 100-180, div. A, title XIII, §1302(c)(2), Dec. 4, 1987, 101 Stat. 1170, directed the Secretary of Defense to

publish a revised list under subsec. (b)(2) of this section not later than six months after Dec. 4, 1987, which would take into account the amendments to this section and section 661 of this title made by Pub. L. 100-180, §1302.

#### TRANSITION TO JOINT OFFICER PERSONNEL POLICY

The list of positions required to be published by subsec. (b)(2) of this section to be published not later than six months after Oct. 1, 1986, see section 406(a)(2) of Pub. L. 99-433, set out as a note under section 661 of this title.

### CHAPTER 39—ACTIVE DUTY

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|--------------|---|
| Sec.         |   |
| 671.         | Members not to be assigned outside United States before completing training.  |
| 671a.        | Members: service extension during war.  |
| 671b.        | Members: service extension when Congress is not in session.   |
| 672.         | Reference to chapter 1209.  |
| 673.         | Consideration of application for permanent change of station or unit transfer for members on active duty who are the victim of a sexual assault or related offense. |
| 674.         | Temporary administrative reassignment or removal of a member on active duty accused of committing a sexual assault or related offense.                              |
| [675 to 687. | Renumbered.]  |
| 688.         | Retired members: authority to order to active duty; duties.   |
| 688a.        | Retired members: temporary authority to order to active duty in high-demand, low-density assignments.   |
| 689.         | Retired members: grade in which ordered to active duty and upon release from active duty.   |
| 690.         | Retired members ordered to active duty: limitation on number.   |
| 691.         | Permanent end strength levels to support the National Defense Strategy <sup>1</sup>   |

#### AMENDMENTS

2021—Pub. L. 116-283, div. A, title IV, §402(b), Jan. 1, 2021, 134 Stat. 3556, added item 691 and struck out former item 691 “Permanent end strength levels to support two major regional contingencies”.

2013—Pub. L. 113-66, div. A, title XVII, §1713(b), Dec. 26, 2013, 127 Stat. 964, added item 674.

2011—Pub. L. 112-81, div. A, title V, §582(b), Dec. 31, 2011, 125 Stat. 1432, added item 673.

2006—Pub. L. 109-364, div. A, title VI, §621(d)(2)(B), Oct. 17, 2006, 120 Stat. 2255, substituted “Retired members: temporary authority to order to active duty in high-demand, low-density assignments” for “Retired aviators: temporary authority to order to active duty” in item 688a.

2002—Pub. L. 107-314, div. A, title V, §503(a)(2), Dec. 2, 2002, 116 Stat. 2530, added item 688a.

1996—Pub. L. 104-201, div. A, title V, §521(c), Sept. 23, 1996, 110 Stat. 2517, added items 688, 689, and 690 and struck out former item 688 “Retired members”.

Pub. L. 104-106, div. A, title IV, §401(b)(2), title XV, §1501(c)(7), Feb. 10, 1996, 110 Stat. 286, 499, struck out items 687 “Ready Reserve: muster duty” and 690 “Limitation on duty with Reserve Officer Training Corps units” and added item 691.

1994—Pub. L. 103-337, div. A, title XVI, §1671(b)(7), Oct. 5, 1994, 108 Stat. 3013, substituted “Reference to chapter 1209” for “Reserve components generally” in item 672 and struck out former items 673 to 686 and 689.

1991—Pub. L. 102-190, div. A, title X, §1061(a)(4)(B), Dec. 5, 1991, 105 Stat. 1472, substituted “Corps” for “Corp” in item 690.

Pub. L. 102-25, title VII, §701(e)(3), Apr. 6, 1991, 105 Stat. 114, transferred item 687 “Limitation on duty

<sup>1</sup> So in original. Probably should be followed by a period.