SEC. ___. JOINT DUTY ASSIGNMENTS AFTER COMPLETION OF JOINT PROFESSIONAL MILITARY EDUCATION.

Section 663 of title 10, United States Code, is amended—

(1) in subsection (a), by striking "a school within the National Defense University" and inserting "an in-residence program of instruction designated by the Secretary of Defense as joint professional military education Phase II at a school";

(2) in section (b)—

(A) in paragraph (1)—

(i) by striking "high proportion (which shall be greater than 50 percent)" and inserting "proportion";

(ii) by striking "a school within the National Defense University" and inserting "the schools"; and

(iii) by striking ", to the extent authorized in paragraph (2),"; and

(B) by striking paragraph (2) and inserting the following new paragraph:

"(2) The Secretary shall ensure the proportion of officers receiving assignments described in paragraph (1) is adequate to satisfy the needs of the joint force, as determined by the Secretary.".;

(3) in subsection (c)—

(A) in the heading, by striking "WITHIN THE NATIONAL DEFENSE UNIVERSITY";

(B) in the matter preceding paragraph (1), by striking "within the National Defense University"; and

(C) by adding at the end the following new paragraphs:

"(4) The United States Army War College.

"(5) The College of Naval Warfare of the Naval War College.

"(6) The Marine Corps War College.

"(7) The Air War College."; and

(4) in subsection (d)—

(A) by striking "(1) Subsection (a) does" and inserting "Subsections (a) and (b) do";

(B) by striking "within the National Defense University"; and

(C) by striking paragraph (2).

[Please note: The "Changes to Existing Law" section below sets out in red-line format how the legislative text would amend existing law.]

Section-by-Section Analysis

This proposal, if enacted, would amend title 10, United States Code, section 663 to (1) ensure that a sufficient number of joint qualified officers are available to the joint force to meet mission requirements, (2) preserve flexibility for the military services to assign officers with Joint Professional Military Education – Level II (JPME II) credit to joint duty and other billets in a manner and timing that supports the joint force and does not conflict with critical career or service requirements, and (3) standardize the assignment requirements across the Department of Defense for officers completing JPME II programs.

JPME II is a career milestone for joint warfighters and future senior military leaders which is mandated by the Department of Defense (DoD) Joint Officer Management Program for an officer to be designated as a Level III Joint Qualified Officer (JQO) and to be eligible for promotion to O7. Currently, 10 USC §663(a) requires that "each officer designated as a joint qualified officer who graduates from a school within the National Defense University specified in subsection (c) shall be assigned to a joint duty assignment for that officer's next duty assignment after such graduation (unless the officer receives a waiver of that requirement by the Secretary in an individual case)" and (b)(1) that "greater than 50 percent" of non-JQO JPME II graduates from the National Defense University's (NDU) National War College, Joint Forces Staff College, and Dwight D. Eisenhower School for National Security and Resource Strategy are to be detailed to a joint duty assignment on the next or second duty assignment following graduation. This requirement was put in place when NDU was the only institution authorized to award JPME II credit in order to ensure the joint force was adequately manned with JQO and JPME II-qualified officers. Since 2007, however, the U.S. Army War College, the College of Naval Warfare of the Naval War College, the Marine Corps War College, and the Air War

College have all been authorized to award JPME II credit. Thus, the JPME enterprise, comprising all of the schools named above, produces approximately 1,800 JPME II graduates annually to fill O-5 and O-6 joint duty billets. As a result, the problem that 10 USC §663 was designed to solve no longer exists because production capacity across the JPME enterprise has greatly expanded.

10 USC §663 serves as a legal requirement for the military services to supply JQO and JPME-II qualified officers to the joint force as follow-on to in-residence education at NDU. However, this assignment requirement restricts assignment flexibility following graduation only from NDU and no other JPME-II granting schools. This creates an incentive for military services to preferentially assign officers as students to alternative institutions, knowing that more than half the graduates of an NDU program will be subject to a mandatory joint duty assignment following graduation. Additionally, top-performing officers who are already serving in a joint billet will not be assigned to a JPME II program at NDU because 10 USC §663 would subject them to a follow-on joint assignment needed by a different JPME II graduate. To retain flexibility to assign JPME II officers as needed for service and professional development needs, it is to the services' advantage to send them to school at any of the JPME II granting schools other than NDU.

This legislative proposal would standardize the requirement for post-education joint duty assignments without regard for the JPME-II granting school attended.

Budget Implications: No budget impact.

Changes to Existing Law: This proposal would make the following changes to section 663 of title 10, United States Code:

§663. Joint duty assignments after completion of joint professional military education

(a) JOINT QUALIFIED OFFICERS.—The Secretary of Defense shall ensure that each officer designated as a joint qualified officer who graduates from ~~a school within the National Defense University~~ <u>an in-residence program of instruction designated by the Secretary of Defense as joint professional military education Phase II at a school</u> specified in subsection (c) shall be assigned to a joint duty assignment for that officer's next duty assignment after such graduation (unless the officer receives a waiver of that requirement by the Secretary in an individual case).

(b) OTHER OFFICERS.—(1) The Secretary of Defense shall ensure that a ~~high~~ proportion ~~(which shall be greater than 50 percent)~~ of the officers graduating from ~~a school within the National Defense University~~ <u>the schools</u> specified in subsection (c) who are not designated as a joint qualified officer shall receive assignments to a joint duty assignment (or, as authorized by the Secretary in an individual case, to a joint assignment other than a joint duty assignment) as their next duty assignment after such graduation or~~, to the extent authorized in paragraph (2),~~ as their second duty assignment after such graduation.

~~(2) The Secretary may, if the Secretary determines that it is necessary to do so for the efficient management of officer personnel, establish procedures to allow up to one-half of the officers subject to the assignment requirement in paragraph (1) to be assigned to such an~~

~~assignment as their second (rather than first) assignment after such graduation from a school referred to in paragraph (1).~~

(2) The Secretary shall ensure the proportion of officers receiving assignments described in paragraph (1) is adequate to satisfy the needs of the joint force, as determined by the Secretary.

(c) COVERED SCHOOLS ~~WITHIN THE NATIONAL DEFENSE UNIVERSITY.—~~For purposes of this section, a school ~~within the National Defense University~~ specified in this subsection is one of the following:

(1) The National War College.

(2) The Dwight D. Eisenhower School for National Security and Resource Strategy.

(3) The Joint Forces Staff College.

(4) The United States Army War College.

(5) The College of Naval Warfare of the Naval War College.

(6) The Marine Corps War College.

(7) The Air War College.

(d) EXCEPTION FOR OFFICERS GRADUATING FROM OTHER-THAN-IN-RESIDENCE PROGRAMS.~~—(1) Subsection~~ Subsections (a) and (b) do ~~does~~ not apply to an officer graduating from a school ~~within the National Defense University~~ specified in subsection (c) following pursuit of a program on an other-than-in-residence basis.

~~(2) Subsection (b) does not apply with respect to any group of officers graduating from a school within the National Defense University specified in subsection (c) following pursuit of a program on an other-than-in-residence basis.~~