

“(3) The number of such officers that the Chairman recommends for promotion in any competitive category considered by the board may not exceed 10 percent of the number of officers that the board was authorized to recommend for promotion in that competitive category (but in any case the Chairman may recommend one such officer).

“(4) After reviewing the report of a selection board, the Chairman shall return the report to the Secretary concerned with the names of officers (if any) who were not recommended for promotion by the selection board and who the Chairman recommends for promotion under paragraph (2). Except as provided under paragraph (5), each such name shall be added to the report of the selection board.

“(5) If the Chairman recommends officers for promotion under paragraph (2), and if (after consulting with the Chairman) the Secretary concerned disagrees with any such recommendation of the Chairman, the Secretary—

“(A) may return the report, together with the Chairman’s recommendations and comments, to the selection board for further proceedings in accordance with subsection (a);

“(B) may convene a special selection board in the manner provided for under section 628 of this title for consideration of any such officer on his record; or

“(C) may take other appropriate action to satisfy the concerns of the Chairman.

“(6) If, after completion of all actions taken under paragraph (5), the Secretary concerned and the Chairman remain in disagreement with respect to the selection for promotion of an officer, the Secretary concerned shall indicate such disagreement, and the reasons for such disagreement, as part of his transmittal of the report of the selection board to the Secretary of Defense under subsection (c). Such transmittal shall include the name of each officer recommended by the Chairman.”; and

(3) by adding at the end of paragraph (1) of subsection (c) (as redesignated by paragraph (1)) the following new sentences: “If the Secretary concerned and the Chairman of the Joint Chiefs of Staff disagree with respect to a recommendation for promotion by the Chairman under subsection (b), the Secretary of Defense shall, before transmitting the report to the President, decide the matter by directing that the name of an officer recommended for promotion by the Chairman be added to, or not be added to, the report of the selection board for officers recommended for promotion. After final action by the Secretary of Defense, the report of the selection board, as modified in accordance with subsection (b) and the decisions of the Secretary of Defense, shall be considered for all purposes to be the report of the selection board.”.

(c) **PROMOTION POLICIES FOR JOINT SERVICE OFFICERS.—**

(1) **RELATIVE PROMOTION RATES.**—Chapter 36 of such title is amended by inserting after section 626 end the following new section:

“§ 626a. Promotion policy for joint service officers

“The Secretary of Defense shall establish policies to ensure that, whenever practicable, selection of officers on the active-duty list for promotion under this chapter is carried out in a manner consistent with the following policies:

“(1) **JOINT STAFF OFFICERS.**—Officers who are serving on, or have served on, the Joint Staff shall, as a group, be promoted at a rate not less than the rate for officers of the same armed force in the same grade and competitive category who are serving or have served on the headquarters staff of their armed force.

“(2) **JOINT SPECIALTY OFFICERS.**—Officers with the joint specialty under chapter 38 of this title shall, as a group, be promoted at a rate not less than the rate for officers of the same armed force in the same grade and competitive category who are serving or have served on the headquarters staff of their armed force.

“(3) **OTHER JOINT ASSIGNMENT OFFICERS.**—Officers who are serving in, or have served in, joint assignments (other than officers covered by paragraphs (1) and (2)) shall, as a group, be promoted at a rate determined by the Secretary of Defense between—

“(A) the rate for all officers of that armed force in the same grade and competitive category; and

“(B) the rate for officers of the same armed force in the same grade and competitive category who are serving or have served on the headquarters staffs of the military departments.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter II of such chapter is amended by adding at the end the following new item:

“626a. Promotion policy for joint service officers.”.