

§ 2153. Capstone course: newly selected general and flag officers

(a) **REQUIREMENT.**—Each officer selected for promotion to the grade of brigadier general or, in the case of the Navy or the commissioned officer corps of the National Oceanic and Atmospheric Administration, rear admiral (lower half) shall be required, after such selection, to attend a military education course designed specifically to prepare new general and flag officers to work with the other uniformed services.

(b) **WAIVER AUTHORITY.**—(1) Subject to paragraph (2), the Secretary of Defense or the Secretary of Commerce, as applicable, may waive subsection (a)—

(A) in the case of an officer whose immediately previous assignment was in a joint duty assignment and who is thoroughly familiar with joint matters;

(B) when necessary for the good of the service;

(C) in the case of an officer whose proposed selection for promotion is based primarily upon scientific and technical qualifications for which joint requirements do not exist (as determined under regulations prescribed under section 619(e)(4)¹ of this title); and

(D) in the case of a medical officer, dental officer, veterinary officer, medical service officer, nurse, biomedical science officer, or chaplain.

(2) The authority of the Secretary of Defense to grant a waiver under paragraph (1) may only be delegated to the Deputy Secretary of Defense, an Under Secretary of Defense, or an Assistant Secretary of Defense. Such a waiver may be granted only on a case-by-case basis in the case of an individual officer.

(Added Pub. L. 108-375, div. A, title V, § 532(a)(2), Oct. 28, 2004, 118 Stat. 1897; amended Pub. L. 116-259, title II, § 205(b)(3), Dec. 23, 2020, 134 Stat. 1167.)

Editorial Notes

REFERENCES IN TEXT

Section 619(e)(4) of this title, referred to in subsec. (b)(1)(C), was repealed by Pub. L. 103-160, div. A, title IX, § 931(b), Nov. 30, 1993, 107 Stat. 1734. See section 619a(f) of this title.

AMENDMENTS

2020—Subsec. (a). Pub. L. 116-259, § 205(b)(3)(A), inserted “or the commissioned officer corps of the National Oceanic and Atmospheric Administration” after “in the case of the Navy” and substituted “other uniformed services” for “other armed forces”.

Subsec. (b)(1). Pub. L. 116-259, § 205(b)(3)(B), inserted “or the Secretary of Commerce, as applicable,” after “the Secretary of Defense” in introductory provisions.

§ 2154. Joint professional military education: three-phase approach

(a) **THREE-PHASE APPROACH.**—The Secretary of Defense shall implement a three-phase approach to joint professional military education, as follows:

(1) There shall be a course of instruction, designated and certified by the Secretary of

Defense with the advice and assistance of the Chairman of the Joint Chiefs of Staff as Phase I instruction, consisting of all the elements of a joint professional military education (as specified in section 2151(a) of this title), in addition to the principal curriculum taught to all officers at an intermediate level service school or at a joint intermediate level school.

(2) There shall be a course of instruction, designated and certified by the Secretary of Defense with the advice and assistance of the Chairman of the Joint Chiefs of Staff as Phase II instruction, consisting of—

(A) a joint professional military education curriculum taught in residence at, or offered through, the Joint Forces Staff College or a senior level service school that has been designated and certified by the Secretary of Defense as a joint professional military education institution; or

(B) a senior level service course of at least ten months that has been designated and certified by the Secretary of Defense as a joint professional military education course.

(3) There shall be a course of instruction, designated and certified by the Secretary of Defense with the advice and assistance of the Chairman of the Joint Chiefs of Staff as the Capstone course, for officers selected for promotion to the grade of brigadier general or, in the case of the Navy, rear admiral (lower half) and offered in accordance with section 2153 of this title.

(b) **SEQUENCED APPROACH.**—The Secretary shall require the sequencing of joint professional military education so that the standard sequence of assignments for such education requires an officer to complete Phase I instruction before proceeding to Phase II instruction, as provided in section 2155(a) of this title.

(c) **DISTANCE EDUCATION.**—(1) Any distance education program offered to satisfy Phase I or Phase II instruction under paragraph (1) or (2) of subsection (a) shall include a pathway for a student who is a member of a reserve component to fully complete the course of instruction while physically separated from the course instructors and without any in-person attendance required to graduate from such program.

(2) In this subsection, the term “distance education” has the meaning given such term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(Added Pub. L. 108-375, div. A, title V, § 532(a)(2), Oct. 28, 2004, 118 Stat. 1898; amended Pub. L. 112-81, div. A, title V, § 552(a)(1), Dec. 31, 2011, 125 Stat. 1412; Pub. L. 113-291, div. A, title V, § 506, Dec. 19, 2014, 128 Stat. 3356; Pub. L. 114-92, div. A, title V, § 554, Nov. 25, 2015, 129 Stat. 824; Pub. L. 118-159, div. A, title V, § 555, Dec. 23, 2024, 138 Stat. 1896.)

Editorial Notes

AMENDMENTS

2024—Subsec. (c). Pub. L. 118-159 added subsec. (c).

2015—Subsec. (a)(2)(A). Pub. L. 114-92 inserted “, or offered through,” after “taught in residence at”.

2014—Subsec. (a)(2). Pub. L. 113-291 substituted “consisting of—” for “consisting of a joint professional

¹ See References in Text note below.

military education curriculum taught in residence at—” in introductory provisions, added subpars. (A) and (B), and struck out former subpars. (A) and (B) which read as follows:

“(A) the Joint Forces Staff College; or

“(B) a senior level service school that has been designated and certified by the Secretary of Defense as a joint professional military education institution.”

2011—Subsec. (a)(1). Pub. L. 112-81 inserted “or at a joint intermediate level school” before period at end.

§ 2155. Joint professional military education Phase II program of instruction

(a) PREREQUISITE OF COMPLETION OF JOINT PROFESSIONAL MILITARY EDUCATION PHASE I PROGRAM OF INSTRUCTION.—(1) After September 30, 2009, an officer of the armed forces may not be accepted for, or assigned to, a program of instruction designated by the Secretary of Defense as joint professional military education Phase II unless the officer has successfully completed a program of instruction designated by the Secretary of Defense as joint professional military education Phase I.

(2) The Chairman of the Joint Chiefs of Staff may grant exceptions to the requirement under paragraph (1). Such an exception may be granted only on a case-by-case basis under exceptional circumstances, as determined by the Chairman. An officer selected to receive such an exception shall have knowledge of joint matters and other aspects of the Phase I curriculum that, to the satisfaction of the Chairman, qualifies the officer to meet the minimum requirements established for entry into Phase II instruction without first completing Phase I instruction. The number of officers selected to attend an offering of the principal course of instruction at the Joint Forces Staff College or a senior level service school designated by the Secretary of Defense as a joint professional military education institution who have not completed Phase I instruction should comprise no more than 10 percent of the total number of officers selected.

(b) PHASE II REQUIREMENTS.—The Secretary shall require that the curriculum for Phase II joint professional military education at any school—

(1) focus on developing joint operational expertise and perspectives and honing joint warfighting skills; and

(2) be structured—

(A) so as to adequately prepare students to perform effectively in an assignment to a joint, multiservice organization; and

(B) so that students progress from a basic knowledge of joint matters learned in Phase I instruction to the level of expertise necessary for successful performance in the joint arena.

(c) CURRICULUM CONTENT.—In addition to the subjects specified in section 2151(a) of this title, the curriculum for Phase II joint professional military education shall include the following:

(1) National security strategy.

(2) Theater strategy and campaigning.

(3) Joint planning processes and systems.

(4) Joint, interagency, and multinational capabilities and the integration of those capabilities.

(d) STUDENT RATIO; FACULTY RATIO.—Not later than September 30, 2009, for courses of instruc-

tion in a Phase II program of instruction that is offered at senior level service school that has been designated by the Secretary of Defense as a joint professional military education institution—

(1) the percentage of students enrolled in any such course who are officers of the armed force that administers the school may not exceed 60 percent, with the remaining services proportionally represented; and

(2) of the faculty at the school who are active-duty officers who provide instruction in such courses, the percentage who are officers of the armed force that administers the school may not exceed 60 percent, with the remaining services proportionally represented.

(Added Pub. L. 108-375, div. A, title V, § 532(a)(2), Oct. 28, 2004, 118 Stat. 1898; amended Pub. L. 109-364, div. A, title X, § 1071(a)(13), (14), Oct. 17, 2006, 120 Stat. 2399.)

Editorial Notes

AMENDMENTS

2006—Pub. L. 109-364, § 1071(a)(13), substituted “Phase” for “phase” in section catchline.

Subsec. (a). Pub. L. 109-364, § 1071(a)(14), inserted “Phase” after “Education” in heading.

Statutory Notes and Related Subsidiaries

PILOT PROGRAM ON JPME PHASE II ON OTHER THAN IN-RESIDENCE BASIS

Pub. L. 112-81, div. A, title V, § 552(b), Dec. 31, 2011, 125 Stat. 1412, authorized the Secretary of Defense to carry out a pilot program to assess the feasibility and advisability of offering a program of instruction under this section on an other than in-residence basis and provided that the authority for the program would expire five years after Dec. 31, 2011.

§ 2156. Joint Forces Staff College: duration of principal course of instruction

(a) DURATION.—The duration of the principal course of instruction offered at the Joint Forces Staff College may not be less than 10 weeks of resident instruction.

(b) DEFINITION.—In this section, the term “principal course of instruction” means any course of instruction offered at the Joint Forces Staff College as Phase II joint professional military education.

(Added Pub. L. 108-375, div. A, title V, § 532(a)(2), Oct. 28, 2004, 118 Stat. 1900.)

[§ 2157. Repealed. Pub. L. 115-91, div. A, title X, § 1051(a)(10)(A), Dec. 12, 2017, 131 Stat. 1560]

Section, added Pub. L. 108-375, div. A, title V, § 532(a)(2), Oct. 28, 2004, 118 Stat. 1900; amended Pub. L. 109-364, div. A, title X, § 1071(a)(15), Oct. 17, 2006, 120 Stat. 2399, required annual reports to Congress regarding joint professional military education.

CHAPTER 108—DEPARTMENT OF DEFENSE SCHOOLS

Sec. [2161. 2162. 2163.	Repealed.] Preparation of budget requests for operation of professional military education schools. Degree granting authority for National Defense University.
--------------------------------------	--