

Chief of Naval Operations, the Chief of Staff of the Air Force, and the Commandant of the Marine Corps (with respect to the Army, Navy, Air Force, and Marine Corps, respectively),” after “military department”).

Subsec. (b)(1). Pub. L. 114-92, §842(b)(2), inserted “single-track” before “career path”.

Subsec. (b)(2) to (4). Pub. L. 114-92, §842(b)(1), (3), added par. (2) and redesignated former pars. (2) and (3) as (3) and (4), respectively.

§ 1722b. Special requirements for civilian employees in the acquisition field

(a) REQUIREMENT FOR POLICY AND GUIDANCE REGARDING CIVILIAN PERSONNEL IN ACQUISITION.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall establish policies and issue guidance to ensure the proper development, assignment, and employment of civilian members of the acquisition workforce to achieve the objectives specified in subsection (b).

(b) OBJECTIVES.—Policies established and guidance issued pursuant to subsection (a) shall ensure, at a minimum, the following:

(1) A career path in the acquisition field that attracts the highest quality civilian personnel, from either within or outside the Federal Government.

(2) A deliberate workforce development strategy that increases attainment of key experiences that contribute to a highly qualified acquisition workforce.

(3) Sufficient opportunities for promotion and advancement in the acquisition field.

(4) A sufficient number of qualified, trained members eligible for and active in the acquisition field to ensure adequate capacity, capability, and effective succession for acquisition functions, including contingency contracting, of the Department of Defense.

(5) A deliberate workforce development strategy that ensures diversity in promotion, advancement, and experiential opportunities commensurate with the general workforce outlined in this section.

(c) KEY WORK EXPERIENCES.—In carrying out subsection (b)(2), the Secretary shall ensure that key work experiences, in the form of multidisciplinary experiences, are developed for each acquisition workforce career field.

(Added Pub. L. 111-383, div. A, title VIII, §873(a)(1), Jan. 7, 2011, 124 Stat. 4302; amended Pub. L. 112-239, div. A, title X, §1076(d)(1), Jan. 2, 2013, 126 Stat. 1951; Pub. L. 115-91, div. A, title X, §1051(a)(8), Dec. 12, 2017, 131 Stat. 1560; Pub. L. 116-92, div. A, title VIII, §861(g)(1), title IX, §902(17), Dec. 20, 2019, 133 Stat. 1518, 1545.)

Editorial Notes

AMENDMENTS

2019—Subsec. (a). Pub. L. 116-92, §902(17), substituted “Under Secretary of Defense for Acquisition and Sustainment” for “Under Secretary of Defense for Acquisition, Technology, and Logistics”.

Subsec. (c). Pub. L. 116-92, §861(g)(1), added subsec. (c).

2017—Subsec. (c). Pub. L. 115-91 struck out subsec. (c) which related to inclusion of information in annual report to Congress required under former section 115b(d) of this title.

2013—Subsec. (c)(3). Pub. L. 112-239, §1076(d)(1)(A), substituted “subsections (b)(1)(A) and (b)(1)(B)” for “subsections (b)(2)(A) and (b)(2)(B)”.

Subsec. (c)(4). Pub. L. 112-239, §1076(d)(1)(B), substituted “or 1734(d)” for “1734(d), or 1736(c)”.

Statutory Notes and Related Subsidiaries

PLAN FOR IMPLEMENTATION OF KEY WORK EXPERIENCES

Pub. L. 116-92, div. A, title VIII, §861(g)(2), Dec. 20, 2019, 133 Stat. 1518, provided that: “Not later than one year after the date of the enactment of this Act [Dec. 20, 2019], the Secretary of Defense shall submit to the congressional defense committees [Committees on Armed Services and Appropriations of the Senate and the House of Representatives] a plan identifying the specific actions the Secretary has taken, and is planning to take, to develop and establish key work experiences for each acquisition workforce career field as required by subsection (c) of section 1722b of title 10, United States Code (as added by paragraph (1)). The plan shall specify the percentage of the acquisition workforce, or funds available for administration of the acquisition workforce on an annual basis, that the Secretary will dedicate towards developing and establishing such key work experiences.”

ENHANCEMENTS TO THE CIVILIAN PROGRAM MANAGEMENT WORKFORCE

Pub. L. 115-91, div. A, title VIII, §841(a), Dec. 12, 2017, 131 Stat. 1477, provided that:

“(a) ESTABLISHMENT OF PROGRAM MANAGER DEVELOPMENT PROGRAM.—

“(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretaries of the military departments, shall implement a program manager development program to provide for the professional development of high-potential, experienced civilian personnel. Personnel shall be competitively selected for the program based on their potential to become a program manager of a major defense acquisition program, as defined in section 2430 of title 10, United States Code [now 10 U.S.C. 4201]. The program shall be administered and overseen by the Secretary of each military department, acting through the service acquisition executive for the department concerned.

“(2) PLAN REQUIRED.—Not later than one year after the date of the enactment of this Act [Dec. 12, 2017], the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a comprehensive plan to implement the program established under paragraph (1). In developing the plan, the Secretary of Defense shall seek the input of relevant external parties, including professional associations, other government entities, and industry. The plan shall include the following elements:

“(A) An assessment of the minimum level of subject matter experience, education, years of experience, certifications, and other qualifications required to be selected into the program, set forth separately for current Department of Defense employees and for personnel hired into the program from outside the Department of Defense.

“(B) A description of hiring flexibilities to be used to recruit qualified personnel from outside the Department of Defense.

“(C) A description of the extent to which mobility agreements will be required to be signed by personnel selected for the program during their participation in the program and after their completion of the program. The use of mobility agreements shall be applied to help maximize the flexibility of the Department of Defense in assigning personnel, while not inhibiting the participation of the most capable candidates.

“(D) A description of the tenure obligation required of personnel selected for the program.

“(E) A plan for training during the course of the program, including training in leadership, program management, engineering, finance and budgeting, market research, business acumen, contracting,

supplier management, requirement setting and tradeoffs, intellectual property matters, and software.

“(F) A description of career paths to be followed by personnel in the program in order to ensure that personnel in the program gain expertise in the program management functional career field competencies identified by the Department in existing guidance and the topics listed in subparagraph (E), including—

“(i) a determination of the types of advanced educational degrees that enhance program management skills and the mechanisms available to the Department of Defense to facilitate the attainment of those degrees by personnel in the program;

“(ii) a determination of required assignments to positions within acquisition programs, including position type and acquisition category of the program office;

“(iii) a determination of required or encouraged rotations to career broadening positions outside of acquisition programs; and

“(iv) a determination of how the program will ensure the opportunity for a required rotation to industry of at least six months to develop an understanding of industry motivation and business acumen, such as by developing an industry exchange program for civilian program managers, similar to the Corporate Fellows Program of the Secretary of Defense.

“(G) A general description of the number of personnel anticipated to be selected into the program, how frequently selections will occur, how long personnel selected into the program will participate in the program, and how personnel will be placed into an assignment at the completion of the program.

“(H) A description of benefits that will be offered under the program using existing human capital flexibilities to retain qualified employees, such as student loan repayments, bonuses, or pay banding.

“(I) An assessment of personnel flexibilities needed to allow the military departments and the Defense Agencies to reassign or remove program managers that do not perform effectively.

“(J) A description of how the program will be administered and overseen by the Secretaries of each military department, acting through the service acquisition executive for the department concerned.

“(K) A description of how the program will be integrated with existing program manager development efforts at each military department.

“(3) USE OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND.—Amounts in the Department of Defense Acquisition Workforce Development Fund (established under section 1705 of title 10, United States Code) may be used to pay the base salary of personnel in the program established under paragraph (1) during the period of time such personnel are temporarily assigned to a developmental rotation or training program anticipated to last at least six months.

“(4) IMPLEMENTATION.—The program established under paragraph (1) shall be implemented not later than September 30, 2019.”

§ 1723. General education, training, and experience requirements

(a) QUALIFICATION REQUIREMENTS.—(1) The Secretary of Defense shall establish education, training, and experience requirements for each acquisition position, based on the level of complexity of duties carried out in the position. In establishing such requirements, the Secretary shall ensure the availability and sufficiency of training in all areas of acquisition, including additional training courses with an emphasis on services contracting, market research strategies (including assessments of local contracting ca-

pabilities), long-term sustainment strategies, information technology, and rapid acquisition.

(2) In establishing such requirements for positions other than critical acquisition positions designated pursuant to section 1731 of this title, the Secretary may state the requirements by categories of positions.

(3) The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall establish requirements for continuing education and periodic renewal of an individual’s certification.

(b) CAREER PATH REQUIREMENTS.—For each career path, the Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall establish requirements for the completion of course work and related on-the-job training and demonstration of qualifications in duties and tasks of the career path. The Secretary of Defense, acting through the Under Secretary, shall also—

(1) direct individuals in the acquisition workforce to maintain the currency of their acquisition knowledge and generally enhance their knowledge of related acquisition management disciplines through academic programs and other self-developmental activities; and

(2) develop key work experiences, including the creation of a program sponsored by the Department of Defense that facilitates the periodic interaction between individuals in the acquisition workforce and the end user in such end user’s environment to enhance the knowledge base of such workforce, for individuals in the acquisition workforce so that the individuals may gain in-depth knowledge and experience in the acquisition process and become seasoned, well-qualified members of the acquisition workforce.

(c) LIMITATION ON CREDIT FOR TRAINING OR EDUCATION.—Not more than one year of a period of time spent pursuing a program of academic training or education in acquisition may be counted toward fulfilling any requirement established under this chapter for a certain period of experience.

(Added Pub. L. 101-510, div. A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1642; amended Pub. L. 104-201, div. A, title X, §1074(a)(9)(A), Sept. 23, 1996, 110 Stat. 2659; Pub. L. 111-383, div. A, title VIII, §§873(b), 874(a), Jan. 7, 2011, 124 Stat. 4303, 4304; Pub. L. 116-92, div. A, title VIII, §861(a)(4), (h), (j)(8), title IX, §902(18), Dec. 20, 2019, 133 Stat. 1515, 1518, 1520, 1545.)

Editorial Notes

AMENDMENTS

2019—Subsec. (a)(2). Pub. L. 116-92, §861(j)(8), substituted “section 1731 of this title” for “section 1733 of this title”.

Subsec. (a)(3). Pub. L. 116-92, §902(18)(A), substituted “Under Secretary of Defense for Acquisition and Sustainment” for “Under Secretary of Defense for Acquisition, Technology, and Logistics”.

Pub. L. 116-92, §861(a)(4)(A), struck out second sentence which read as follows: “Any requirement for a certification renewal shall not require a renewal more often than once every five years.”

Subsec. (b). Pub. L. 116-92, §902(18)(B), substituted “Under Secretary of Defense for Acquisition and