

(3) A scholarship program for the purpose of qualifying personnel for acquisition positions in the Department of Defense.

(b) **SCHOLARSHIP PROGRAM REQUIREMENTS.**—Each recipient of a scholarship under a program conducted under subsection (a)(3) shall be required to sign a written agreement that sets forth the terms and conditions of the scholarship. The agreement shall be in a form prescribed by the Secretary and shall include terms and conditions, including terms and conditions addressing reimbursement in the event that a recipient fails to fulfill the requirements of the agreement, that are comparable to those set forth as a condition for providing advanced education assistance under section 2005. The obligation to reimburse the United States under an agreement under this subsection is, for all purposes, a debt owing the United States.

(Added Pub. L. 101-510, div. A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1651; amended Pub. L. 108-136, div. A, title VIII, §834(a), Nov. 24, 2003, 117 Stat. 1550; Pub. L. 108-375, div. A, title VIII, §812(b), title X, §1084(f)(1), Oct. 28, 2004, 118 Stat. 2013, 2064; Pub. L. 116-92, div. A, title VIII, §861(j)(12), Dec. 20, 2019, 133 Stat. 1520.)

Editorial Notes

AMENDMENTS

2019—Subsec. (a)(1). Pub. L. 116-92 substituted “acquisition positions in the Department of Defense” for “the Acquisition Corps”.

2004—Pub. L. 108-375, §1084(f)(1), amended directory language of Pub. L. 108-136, §834(a). See 2003 Amendment note below.

Pub. L. 108-375, §812(b), designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

2003—Pub. L. 108-136, §834(a), as amended by Pub. L. 108-375, §1084(f)(1), amended section catchline and text generally. Prior to amendment, text read as follows: “The Secretary of Defense shall require that each military department conduct an intern program for purposes of providing highly qualified and talented individuals an opportunity for accelerated promotions, career broadening assignments, and specified training to prepare them for entry into the Acquisition Corps.”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2004 AMENDMENT

Pub. L. 108-375, div. A, title X, §1084(f), Oct. 28, 2004, 118 Stat. 2064, provided that the amendment made by section 1084(f)(1) is effective as of Nov. 24, 2003, and as if included in Pub. L. 108-136 as enacted.

§ 1743. Awards to recognize members of the acquisition workforce

(a) **ESTABLISHMENT.**—The President of the Defense Acquisition University shall establish two programs to provide awards to recognize members of the acquisition workforce as follows:

(1) An award of not more than \$5,000 to such members who use an iterative writing process to document a first-hand account of using independent judgment to overcome an obstacle the member faced while working within the defense acquisition system (as defined in section 3001 of this title).

(2) An award of not more than \$5,000 to such members who make the best use of the flexibilities and authorities granted by the Federal

Acquisition Regulation and Department of Defense Instruction 5000.02 (Operation of the Defense Acquisition System).

(b) **NUMBER OF AWARDS.**—

(1) **IN GENERAL.**—The President of the Defense Acquisition University may make not more than five awards under subsection (a)(1) and one award under subsection (a)(2) each year.

(2) **LIMITATION.**—A member of the acquisition workforce may receive one award each year.

(c) **REQUIREMENTS FOR WRITING AWARD.**—

(1) **SUBMISSION REQUIRED.**—A member of the acquisition workforce desiring an award under subsection (a)(1) shall submit to the President of the Defense Acquisition University the first-hand account described in such subsection. Such first-hand account shall demonstrate—

(A) an original and engaging idea documenting the use of independent judgment to overcome an obstacle the recipient faced while working within the defense acquisition system; and

(B) the use of an iterative writing process, including evidence of—

(i) critical thinking;

(ii) incorporation of feedback from diverse perspectives; and

(iii) editing to achieve plain writing (as defined in section 3 of the Plain Writing Act of 2010 (5 U.S.C. 301 note)).

(2) **WEBSITE.**—The President of the Defense Acquisition University shall establish and maintain a website to serve as a repository for submissions made under paragraph (1). Such website shall allow for public comments and discussion.

(d) **REQUIREMENTS FOR FLEXIBILITY AWARD.**—A member of the acquisition workforce desiring an award under subsection (a)(2) shall submit to the President of the Defense Acquisition University documentation that such member uses approaches to program management that emphasize innovation and local adaptation, including the use of—

(1) simplified acquisition procedures;

(2) inherent flexibilities within the Federal Acquisition Regulation;

(3) commercial contracting approaches;

(4) public-private partnership agreements and practices;

(5) cost-sharing arrangements;

(6) innovative contractor incentive practices; or

(7) other innovative implementations of acquisition flexibilities.

(e) **FUNDING.**—The Secretary of Defense shall use funds from the Defense Acquisition Workforce Development Account to carry out this section.

(Added Pub. L. 117-263, div. A, title VIII, §801(a), Dec. 23, 2022, 136 Stat. 2692.)

Editorial Notes

REFERENCES IN TEXT

Section 3 of the Plain Writing Act of 2010, referred to in subsec. (c)(1)(B)(iii), is section 3 of Pub. L. 111-274,

which is set out in a note under section 301 of Title 5, Government Organization and Employees.

PRIOR PROVISIONS

A prior section 1743, added Pub. L. 101-510, div. A, title XII, § 1202(a), Nov. 5, 1990, 104 Stat. 1651, related to cooperative education program, prior to repeal by Pub. L. 108-136, div. A, title VIII, § 834(b), Nov. 24, 2003, 117 Stat. 1551.

[§ 1744. Repealed. Pub. L. 108-136, div. A, title VIII, § 834(b), Nov. 24, 2003, 117 Stat. 1551]

Section, added Pub. L. 101-510, div. A, title XII, § 1202(a), Nov. 5, 1990, 104 Stat. 1652; amended Pub. L. 102-484, div. A, title VIII, § 812(f), Oct. 23, 1992, 106 Stat. 2451; Pub. L. 108-136, div. A, title VIII, § 832(c), Nov. 24, 2003, 117 Stat. 1550, related to scholarship program.

§ 1745. Additional education and training programs available to acquisition personnel

(a) TUITION REIMBURSEMENT AND TRAINING.—(1) The Secretary of Defense shall provide for tuition reimbursement and training (including a full-time course of study leading to a degree) for acquisition personnel in the Department of Defense.

(2) For civilian personnel, the reimbursement and training shall be provided under section 4107(b) of title 5 for the purposes described in that section. For purposes of such section 4107(b), there is deemed to be, until September 30, 2010, a shortage of qualified personnel to serve in acquisition positions in the Department of Defense.

(3) In the case of members of the armed forces, the limitation in section 2007(a) of this title shall not apply to tuition reimbursement and training provided for under this subsection.

(b) REPAYMENT OF STUDENT LOANS.—The Secretary of Defense may repay all or part of a student loan under section 5379 of title 5 for an employee of the Department of Defense appointed to an acquisition position.

(Added Pub. L. 101-510, div. A, title XII, § 1202(a), Nov. 5, 1990, 104 Stat. 1653; amended Pub. L. 104-106, div. A, title XV, § 1503(a)(15), Feb. 10, 1996, 110 Stat. 511; Pub. L. 106-65, div. A, title IX, § 925(a), Oct. 5, 1999, 113 Stat. 726; Pub. L. 106-398, § 1 [[div. A], title XI, § 1123], Oct. 30, 2000, 114 Stat. 1654, 1654A-317.)

Editorial Notes

AMENDMENTS

2000—Subsec. (a)(2). Pub. L. 106-398 substituted “September 30, 2010” for “September 30, 2001”.

1999—Subsec. (a). Pub. L. 106-65 amended heading and text of subsec. (a) generally. Text read as follows: “The Secretary of Defense shall provide for tuition reimbursement and training (including a full-time course of study leading to a degree) under section 4107(b) of title 5 for acquisition personnel in the Department of Defense for the purposes described in that section. For purposes of such section 4107(b), there is deemed to be, until September 30, 2001, a shortage of qualified personnel to serve in acquisition positions in the Department of Defense.”

1996—Subsec. (a). Pub. L. 104-106 substituted “section 4107(b)” for “section 4107(d)” in two places.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1999 AMENDMENT

Pub. L. 106-65, div. A, title IX, § 925(b), Oct. 5, 1999, 113 Stat. 726, provided that: “The amendment made by sub-

section (a) [amending this section] shall apply with respect to charges for tuition or expenses incurred after the date of the enactment of this Act [Oct. 5, 1999].”

§ 1746. Defense Acquisition University

(a) DEFENSE ACQUISITION UNIVERSITY STRUCTURE.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall establish and maintain a defense acquisition university structure to provide for—

(1) the professional educational development and training of the acquisition workforce; and

(2) research and analysis of defense acquisition policy issues from an academic perspective.

(b) CIVILIAN FACULTY MEMBERS.—(1) The Secretary of Defense may employ as many civilians as professors, instructors, and lecturers in the defense acquisition university structure as the Secretary considers necessary.

(2) The Secretary of Defense shall ensure the defense acquisition university structure includes relevant expert lecturers from extramural institutions (as defined in section 1746a(g) of this title), industry, or federally funded research and development centers to advance acquisition workforce competence regarding commercial business interests, acquisition process-related innovations, and other relevant leading practices of the private sector.

(3) The compensation of persons employed under this subsection shall be as prescribed by the Secretary.

(4) In this subsection, the term “defense acquisition university” includes the Defense Systems Management College.

(c) CURRICULUM DEVELOPMENT.—The President of the Defense Acquisition University shall work with the relevant professional schools and degree-granting institutions of the Department of Defense and military departments, and with extramural institutions (as defined in section 1746a(g) of this title), to ensure that best practices are used in curriculum development to support acquisition workforce positions.

(d) COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.—(1) In engaging in research and development projects pursuant to subsection (a) of section 4001 of this title by a contract, cooperative agreement, or grant pursuant to subsection (b)(1) of such section, the Secretary may enter into such contract or cooperative agreement or award such grant through the Defense Acquisition University.

(2) The Defense Acquisition University shall be considered a Government-operated Federal laboratory for purposes of section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a).

(e) PRESIDENT APPOINTMENT.—(1) The Under Secretary of Defense for Acquisition and Sustainment shall appoint the President of the Defense Acquisition University.

(2) When determining who to appoint under paragraph (1), the Under Secretary of Defense for Acquisition and Sustainment shall, in consultation with the Under Secretary of Defense for Research and Engineering and the service acquisition executives, prioritize highly qualified candidates who demonstrate a combination of the following: