

“(2) mandatory for personnel participating in the pilot programs required by sections 873 and 874 of this Act from the relevant organizations in each of the military departments and Defense Agencies, including organizations responsible for engineering, budgeting, contracting, test and evaluation, requirements validation, and certification and accreditation.

“(d) AGILE ACQUISITION SUPPORT.—The Secretary and the senior acquisition executives in each of the military departments and Defense Agencies, in coordination with the Director of the Defense Digital Service, shall assign to offices supporting systems selected for participation in the pilot programs required by sections 873 and 874 of this Act a subject matter expert with knowledge of commercial agile acquisition methods and Department of Defense acquisition processes to provide assistance and to advise appropriate acquisition authorities of the expert’s observations.

“(e) AGILE RESEARCH PROGRAM.—The President of the Defense Acquisition University shall establish a research program to conduct research on and development of agile acquisition practices and tools best tailored to meet the mission needs of the Department of Defense.

“(f) AGILE OR ITERATIVE DEVELOPMENT DEFINED.—The term ‘agile or iterative development’, with respect to software—

“(1) means acquisition pursuant to a method for delivering multiple, rapid, incremental capabilities to the user for operational use, evaluation, and feedback not exclusively linked to any single, proprietary method or process; and

“(2) involves—

“(A) the incremental development and fielding of capabilities, commonly called ‘spirals’, ‘spins’, or ‘sprints’, which can be measured in a few weeks or months; and

“(B) continuous participation and collaboration by users, testers, and requirements authorities.”

#### CONTRACTOR INCENTIVES TO ACHIEVE SAVINGS AND IMPROVE MISSION PERFORMANCE

Pub. L. 114-328, div. A, title VIII, §832, Dec. 23, 2016, 130 Stat. 2283, as amended by Pub. L. 117-263, div. A, title VIII, §814(b), Dec. 23, 2022, 136 Stat. 2707, provided that: “Not later than 180 days after the date of the enactment of this Act [Dec. 23, 2016], the Defense Acquisition University shall develop and implement a training program for Department of Defense acquisition personnel on fixed-price incentive contracts, public-private partnerships, performance-based contracting, and other authorities in law and regulation designed to give incentives to contractors to achieve long-term savings and improve administrative practices and mission performance.”

[Pub. L. 117-263, §814(b), which directed amendment of section 832 of Pub. L. 114-328, set out above, by substituting “fixed-price incentive contracts” for “fixed-price incentive fee contracts”, was executed by making the substitution for “fixed-priced incentive fee contracts” to reflect the probable intent of Congress.]

#### ESTABLISHMENT OF INITIAL DEFENSE ACQUISITION UNIVERSITY STRUCTURE

Pub. L. 101-510, div. A, title XII, §1205, Nov. 5, 1990, 104 Stat. 1658, as amended by Pub. L. 105-85, div. A, title X, §1073(d)(4)(A), Nov. 18, 1997, 111 Stat. 1905, provided that, not later than Oct. 1, 1991, the Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Technology, was to prescribe regulations for the initial structure for a defense acquisition university under this section and to prescribe and submit to the Committees on Armed Services of the Senate and House of Representatives an implementation plan, including a charter, for the university structure, and not later than Aug. 1, 1992, the Secretary was to carry out the implementation plan.

#### § 1746a. Acquisition workforce educational partnerships

(a) ESTABLISHMENT.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall establish a program within Defense Acquisition University to—

(1) facilitate the engagement of relevant experts, including with the acquisition research activities established under section 4142 of this title, with the faculty of the Defense Acquisition University to assess and modify the curriculum of the Defense Acquisition University, as appropriate, to enhance the capabilities of the Defense Acquisition University to support educational, training, and research activities in support of acquisition missions of the Department of Defense;

(2) establish a cross-discipline, peer mentoring program for academic advising and to address critical retention concerns with respect to the acquisition workforce;

(3) partner with extramural institutions and military department functional leadership to offer training and on-the-job learning support to all members of the acquisition workforce addressing operational challenges that affect procurement decisionmaking;

(4) support the partnerships between the Department of Defense and extramural institutions with missions relating to the training and continuous development of members of the acquisition workforce;

(5) accelerate the adoption, appropriate design and customization, and use of flexible acquisition practices by the acquisition workforce by expanding the availability of training and on-the-job learning and guidance on such practices and incorporating such training into the curriculum of the Defense Acquisition University; and

(6) support and enhance the capabilities of the faculty of the Defense Acquisition University, and the currency and applicability of the knowledge possessed by such faculty, by—

(A) building partnerships between the faculty of the Defense Acquisition University and the director of, and individuals involved with, the activities established under section 4142 of this title;

(B) supporting the preparation and drafting of the reports required under subsection (f)(2); and

(C) instituting a program under which each member of the faculty of the Defense Acquisition University shall be detailed to an operational acquisition position in a military department or Defense Agency, or to an extramural institution, for not less than six months out of every five year period.

(b) SENIOR OFFICIAL.—Not later than 180 days after the enactment of this section, the President of the Defense Acquisition University shall designate a senior official to execute activities under this section.

(c) SUPPORT FROM OTHER DEPARTMENT OF DEFENSE ORGANIZATIONS.—The Secretary of Defense may direct other elements of the Department of Defense to provide personnel, resources, and other support to the program established

under this section, as the Secretary determines appropriate.

(d) FUNDING.—Subject to the availability of appropriations, the Under Secretary of Defense for Acquisition and Sustainment may use amounts available in the Defense Acquisition Workforce and Development Account (as established under section 1705 of this title) to carry out the requirements of this section.

(e) ANNUAL REPORTS.—Not later than September 30, 2022, and annually thereafter, the President of the Defense Acquisition University shall submit to the Secretary of Defense and the congressional defense committees a report describing the activities conducted under this section during the one-year period ending on the date on which such report is submitted.

(f) EXEMPTION TO REPORT TERMINATION REQUIREMENTS.—Section 1080(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1000; 10 U.S.C. 111 note), as amended by section 1061(j) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2405; 10 U.S.C. 111 note), does not apply with respect to the reports required to be submitted to Congress under this section.

(g) DEFINITIONS.—In this section:

(1) ACQUISITION WORKFORCE.—The term “acquisition workforce” has the meaning given such term in section 1705(g) of this title.

(2) EXTRAMURAL INSTITUTIONS.—The term “extramural institutions” means participants in an activity established under section 4142 of this title, public sector organizations, and nonprofit credentialing organizations.

(Added Pub. L. 117-81, div. A, title VIII, § 801(a), Dec. 27, 2021, 135 Stat. 1811; amended Pub. L. 116-283, div. A, title XVIII, § 1883(b)(2), Jan. 1, 2021, 134 Stat. 4294.)

#### Editorial Notes

##### REFERENCES IN TEXT

The enactment of this section, referred to in subsec. (b), probably means the date of enactment of Pub. L. 117-81, which was approved Dec. 27, 2021.

##### AMENDMENTS

2021—Subsecs. (a)(1), (6)(A), (g)(2). Pub. L. 116-283 substituted “section 4142” for “section 2361a”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as a note preceding section 3001 of this title.

#### § 1747. Acquisition fellowship program

(a) ESTABLISHMENT.—The Secretary of Defense shall establish and carry out an acquisition fellowship program in accordance with this section in order to enhance the ability of the Department of Defense to recruit employees who are highly qualified in fields of acquisition.

(b) NUMBER OF FELLOWSHIPS.—The Secretary of Defense may designate up to 25 prospective employees of the Department of Defense as acquisition fellows.

(c) ELIGIBILITY.—In order to be eligible for designation as an acquisition fellow, an employee—

(1) must complete at least 2 years of Federal Government service as an employee in an acquisition position in the Department of Defense; and

(2) must be serving in an acquisition position in the Department of Defense that involves the performance of duties likely to result in significant restrictions under law on the employment activities of that employee after leaving Government service.

(d) TWO-YEAR PERIOD OF RESEARCH AND TEACHING.—Under the fellowship program, the Secretary of Defense shall pay designated acquisition fellows to engage in research or teaching for a 2-year period in a field related to Federal Government acquisition policy. Such research or teaching may be conducted in the defense acquisition university structure of the Department of Defense, any other institution of professional education of the Federal Government, or a nonprofit institution of higher education. Each fellow shall be paid at a rate equal to the rate of pay payable for the level of the position in which the fellow served in the Department of Defense before undertaking such research or teaching.

(Added Pub. L. 102-484, div. A, title VIII, § 841(a), Oct. 23, 1992, 106 Stat. 2468, § 2410h; renumbered § 1747, Pub. L. 107-314, div. A, title X, § 1062(a)(10)(A), Dec. 2, 2002, 116 Stat. 2650.)

#### Editorial Notes

##### AMENDMENTS

2002—Pub. L. 107-314 renumbered section 2410h of this title as this section.

#### § 1748. Fulfillment standards for acquisition workforce training

The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition and Sustainment, shall develop fulfillment standards, and implement and maintain a program, for purposes of the training requirements of sections 1723, 1724, and 1735 of this title. Such fulfillment standards shall consist of criteria for determining whether an individual has demonstrated competence in the areas that would be taught in the training courses required under those sections. If an individual meets the appropriate fulfillment standard, the applicable training requirement is fulfilled.

(Added Pub. L. 111-383, div. A, title VIII, § 874(b)(1), Jan. 7, 2011, 124 Stat. 4304; amended Pub. L. 116-92, div. A, title IX, § 902(24), Dec. 20, 2019, 133 Stat. 1545.)

#### Editorial Notes

##### PRIOR PROVISIONS

Provisions similar to those in this section were contained in Pub. L. 105-85, div. A, title VIII, § 853, Nov. 18, 1997, 111 Stat. 1851, which was set out as a note under section 1723 of this title, prior to repeal by Pub. L. 111-383, § 874(b)(4).

##### AMENDMENTS

2019—Pub. L. 116-92 substituted “Under Secretary of Defense for Acquisition and Sustainment” for “Under