

and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### FULFILLMENT STANDARDS FOR MANDATORY TRAINING

For provisions relating to development of fulfillment standards for purposes of the training requirements of this section, see section 812(c) of Pub. L. 102-484, set out as a note under section 1723 of this title.

#### CREDIT FOR EXPERIENCE IN CERTAIN POSITIONS

Section 1209(i) of Pub. L. 101-510, as amended by Pub. L. 102-25, title VII, §704(b)(3)(D), Apr. 6, 1991, 105 Stat. 119, provided that: "For purposes of meeting any requirement under chapter 87 of title 10, United States Code (as added by section 1202), for a period of experience (such as requirements for experience in acquisition positions or in critical acquisition positions) and for purposes of coverage under the exceptions established by section 1724(c)(1) and section 1732(c)(1) of such title, any period of time spent serving in a position later designated as an acquisition position or a critical acquisition position under such chapter may be counted as experience in such a position for such purposes."

### **[§ 1725. Repealed. Pub. L. 108-136, div. A, title VIII, §832(a), Nov. 24, 2003, 117 Stat. 1550; amended Pub. L. 108-375, div. A, title X, § 1084(f)(1), Oct. 28, 2004, 118 Stat. 2064]**

Section, added Pub. L. 101-510, div. A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1643, related to Office of Personnel Management approval.

#### 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) (amending section 832(a) of Pub. L. 108-136, which repealed this section, and sections 1742 and 2611 of this title) is effective as of Nov. 24, 2003, and as if included in Pub. L. 108-136 as enacted.

### SUBCHAPTER III—ACQUISITION CORPS

Sec.	
1731.	Acquisition Corps: in general.
1732.	Selection criteria and procedures.
1733.	Critical acquisition positions.
1734.	Career development.
1735.	Education, training, and experience requirements for critical acquisition positions.
[1736.	Repealed.]
1737.	Definitions and general provisions.

#### AMENDMENTS

2001—Pub. L. 107-107, div. A, title X, §1048(e)(6)(B), Dec. 28, 2001, 115 Stat. 1227, struck out item 1736 "Applicability".

### **§ 1731. Acquisition Corps: in general**

(a) ACQUISITION CORPS.—The Secretary of Defense shall ensure that an Acquisition Corps is established for the Department of Defense.

(b) PROMOTION RATE FOR OFFICERS IN ACQUISITION CORPS.—The Secretary of Defense shall ensure that the qualifications of commissioned officers selected for the Acquisition Corps are such that those officers are expected, as a group, to be promoted at a rate not less than the rate for all line (or the equivalent) officers of the same armed force (both in the zone and below the zone) in the same grade.

(Added Pub. L. 101-510, div. A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1644; amended Pub. L.

108-136, div. A, title VIII, §§832(b)(1), 833(1), Nov. 24, 2003, 117 Stat. 1550.)

#### AMENDMENTS

2003—Subsec. (a). Pub. L. 108-136, §833(1)(A), struck out "each of the military departments and one or more Corps, as he considers appropriate, for the other components of" after "established for" in first sentence, and struck out last sentence which read "A separate Acquisition Corps may be established for each of the Navy and the Marine Corps."

Subsec. (b). Pub. L. 108-136, §833(1)(B), substituted "the Acquisition Corps" for "an Acquisition Corps".

Subsec. (c). Pub. L. 108-136, §832(b)(1), struck out heading and text of subsec. (c). Text read as follows: "The Secretary of Defense shall submit any requirement with respect to civilian employees established under section 1732 of this title to the Director of the Office of Personnel Management for approval. If the Director does not disapprove the requirement within 30 days after the date on which the Director receives the requirement, the requirement is deemed to be approved by the Director."

#### PROMOTION RATE FOR OFFICERS IN AN ACQUISITION CORPS

Pub. L. 105-85, div. A, title VIII, §849, Nov. 18, 1997, 111 Stat. 1846, as amended by Pub. L. 106-65, div. A, title IX, §911(a)(1), title X, §1067(4), Oct. 5, 1999, 113 Stat. 717, 774, directed the Secretary of a military department, upon approval, to submit to the Under Secretary of Defense for Acquisition, Technology, and Logistics a copy for review of the report of a selection board which had considered members of an Acquisition Corps of a military department for promotion to a grade above O-4, directed such Under Secretary to submit to committees of Congress a report containing the Under Secretary's assessment of the extent to which each military department was complying with the requirement set forth in section 1731(b) of this title, and provided that this section would cease to be effective on Oct. 1, 2000.

### **§ 1732. Selection criteria and procedures**

(a) SELECTION CRITERIA AND PROCEDURES.—Selection for membership in the Acquisition Corps shall be made in accordance with criteria and procedures established by the Secretary of Defense.

(b) ELIGIBILITY CRITERIA.—Except as provided in subsections (c) and (d), only persons who meet all of the following requirements may be considered for service in the Corps:

(1) The person must meet the educational requirements prescribed by the Secretary of Defense. Such requirements, at a minimum, shall include both of the following:

(A) A requirement that the person—

(i) has received a baccalaureate degree at an accredited educational institution authorized to grant baccalaureate degrees, or

(ii) possess significant potential for advancement to levels of greater responsibility and authority, based on demonstrated analytical and decisionmaking capabilities, job performance, and qualifying experience.

(B) A requirement that the person has completed—

(i) at least 24 semester credit hours (or the equivalent) of study from an accredited institution of higher education from among the following disciplines: accounting, business finance, law, contracts, purchasing, economics, industrial manage-