

CHAPTER 87—DEFENSE ACQUISITION WORKFORCE

EFFECTIVE DATE

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Pub. L. 101-510, div. A, title XII, §1211, Nov. 5, 1990, 104 Stat. 1667, provided that: "Except as otherwise provided in this title [see Short Title note below], this title and the amendments made by this title, including chapter 87 of title 10, United States Code (as added by section 1202), shall take effect on the date of the enactment of this Act [Nov. 5, 1990]."

SHORT TITLE

Pub. L. 101-510, div. A, title XII, §1201, Nov. 5, 1990, 104 Stat. 1638, provided that: "This title [enacting this chapter, sections 5379 and 5380 of Title 5, Government Organization and Employees, and section 317 of Title 37, Pay and Allowances of the Uniformed Services, amending sections 101 and 2435 of this title and sections 4107, 4301, 5102, 5532, 5724, 5742, 5924, 5942, 8344, and 8468 of Title 5, repealing sections 1621 to 1624 of this title, enacting provisions set out as notes under this section and sections 1621 to 1623, 1705, 1721, 1722, 1724, 1733, 1734, 1746, 1761, 1762, and 2435 of this title, sections 3326, 5380, and 5532 of Title 5, and section 317 of Title 37, and repealing provisions set out as a note under section 2304 of this title] may be cited as the 'Defense Acquisition Workforce Improvement Act'."

REGULATIONS

Pub. L. 101-510, div. A, title XII, §1210(a), Nov. 5, 1990, 104 Stat. 1667, provided that: "Unless otherwise provided in this title [see Short Title note above] and in subsection (b) [set out below], the Secretary of Defense shall promulgate regulations to implement this title and the amendments made by this title not later than one year after the date of the enactment of this Act [Nov. 5, 1990]."

AMENDMENTS

1991—Pub. L. 102-25, title VII, §704(b)(1), Apr. 6, 1991, 105 Stat. 119, made technical amendment to directory language of Pub. L. 101-510, div. A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1638, which enacted this chapter.

SUBCHAPTER I—GENERAL AUTHORITIES AND RESPONSIBILITIES

Sec.	
1701.	Management policies.
1701a.	Management for acquisition workforce excellence.
1702.	Under Secretary of Defense for Acquisition, Technology, and Logistics: authorities and responsibilities.
[1703.	Repealed.]
1704.	Service acquisition executives: authorities and responsibilities.
1705.	Department of Defense Acquisition Workforce Development Fund.
1706.	Government performance of certain acquisition functions.
[1707.	Repealed.]

AMENDMENTS

2013—Pub. L. 112-239, div. A, title VIII, §824(a)(2), Jan. 2, 2013, 126 Stat. 1833, added item 1706.

2011—Pub. L. 111-383, div. A, title VIII, §871(b), Jan. 7, 2011, 124 Stat. 4300, added item 1701a.

2008—Pub. L. 110-181, div. A, title VIII, §852(a)(2), Jan. 28, 2008, 122 Stat. 250, added item 1705.

2003—Pub. L. 108-136, div. A, title VIII, §836(1), Nov. 24, 2003, 117 Stat. 1551, struck out items 1703 "Director of Acquisition Education, Training, and Career Development", 1705 "Directors of Acquisition Career Management in the military departments", 1706 "Acquisition career program boards", and 1707 "Personnel in the Office of the Secretary of Defense and in the Defense Agencies".

2001—Pub. L. 107-107, div. A, title X, §1048(b)(3)(B), Dec. 28, 2001, 115 Stat. 1225, substituted "Under Secretary of Defense for Acquisition, Technology, and Logistics: authorities and responsibilities" for "Under Secretary of Defense for Acquisition and Technology: authorities and responsibilities" in item 1702.

1993—Pub. L. 103-160, div. A, title IX, §904(d)(2), Nov. 30, 1993, 107 Stat. 1728, inserted "and Technology" after "Acquisition" in item 1702.

§ 1701. Management policies

(a) **POLICIES AND PROCEDURES.**—The Secretary of Defense shall establish policies and procedures for the effective management (including accession, education, training, and career development) of persons serving in acquisition positions in the Department of Defense.

(b) **UNIFORM IMPLEMENTATION.**—The Secretary shall ensure that, to the maximum extent practicable, acquisition workforce policies and procedures established in accordance with this chapter are uniform in their implementation throughout the Department of Defense.

(Added Pub. L. 101-510, div. A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1638.)

PILOT PROGRAM ON TEMPORARY EXCHANGE OF FINANCIAL MANAGEMENT AND ACQUISITION PERSONNEL

Pub. L. 114-92, div. A, title XI, §1110, Nov. 25, 2015, 129 Stat. 1030, provided that:

"(a) **IN GENERAL.**—The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of the temporary assignment of covered employees of the Department of Defense to nontraditional defense contractors and of covered employees of such contractors to the Department.

"(b) **COVERED EMPLOYEES; NONTRADITIONAL DEFENSE CONTRACTORS.**—

"(1) **COVERED EMPLOYEES.**—An employee of the Department of Defense or a nontraditional Defense contractor is a covered employee for purposes of this section if the employee—

"(A) works in the field of financial management or in the acquisition field;

"(B) is considered by the Secretary of Defense to be an exceptional employee; and

"(C) is compensated at not less than the GS-11 level (or the equivalent).

"(2) **NONTRADITIONAL DEFENSE CONTRACTORS.**—For purposes of this section, the term 'nontraditional defense contractor' has the meaning given that term in section 2302(9) of title 10, United States Code.

"(c) **AGREEMENTS.**—

"(1) **IN GENERAL.**—The Secretary of Defense shall provide for a written agreement among the Department of Defense, the nontraditional defense contractor concerned, and the employee concerned regarding the terms and conditions of the employee's assignment under this section.

"(2) **ELEMENTS.**—An agreement under this subsection—

"(A) shall require, in the case of an employee of the Department, that upon completion of the assignment, the employee will serve in the civil service for a period at least equal to three times the length of the assignment, unless the employee is sooner involuntarily separated from the service of the employee's agency; and

"(B) shall provide that if the employee of the Department or of the contractor (as the case may be)