

position to be known as “Senior Military Acquisition Advisor”.

(2) APPOINTMENT.—A Senior Military Acquisition Advisor shall be appointed by the President, by and with the advice and consent of the Senate.

(3) SCOPE OF POSITION.—An officer who is appointed as a Senior Military Acquisition Advisor—

(A) shall serve as an advisor to, and provide senior level acquisition expertise to, the service acquisition executive of that officer’s military department in accordance with this section; and

(B) shall be assigned as an adjunct professor at the Defense Acquisition University.

(b) CONTINUATION ON ACTIVE DUTY.—An officer who is appointed as a Senior Military Acquisition Advisor may continue on active duty while serving in such position without regard to any mandatory retirement date that would otherwise be applicable to that officer by reason of years of service or age. An officer who is continued on active duty pursuant to this section is not eligible for consideration for selection for promotion.

(c) RETIRED GRADE.—Upon retirement, an officer who is a Senior Military Acquisition Advisor may, in the discretion of the President, be retired in the grade of brigadier general or rear admiral (lower half) if—

(1) the officer has served as a Senior Military Acquisition Advisor for a period of not less than three years; and

(2) the officer’s service as a Senior Military Acquisition Advisor has been distinguished.

(d) SELECTION AND TENURE.—

(1) IN GENERAL.—Selection of an officer for recommendation for appointment as a Senior Military Acquisition Advisor shall be made competitively, and shall be based upon demonstrated experience and expertise in acquisition.

(2) OFFICERS ELIGIBLE.—Officers shall be selected for recommendation for appointment as Senior Military Acquisition Advisors from among officers in the acquisition workforce serving in critical acquisition positions who are serving in the grade of colonel or, in the case of the Navy, captain, and who have at least 12 years of acquisition experience. An officer selected for recommendation for appointment as a Senior Military Acquisition Advisor shall have at least 30 years of active commissioned service at the time of appointment.

(3) TERM.—The appointment of an officer as a Senior Military Acquisition Advisor shall be for a term of not longer than five years.

(e) LIMITATION.—

(1) LIMITATION ON NUMBER AND DISTRIBUTION.—There may not be more than 15 Senior Military Acquisition Advisors at any time, of whom—

(A) not more than five may be officers of the Army;

(B) not more than five may be officers of the Navy and Marine Corps; and

(C) not more than five may be officers of the Air Force.

(2) NUMBER IN EACH MILITARY DEPARTMENT.—Subject to paragraph (1), the number of Senior

Military Acquisition Advisors for each military department shall be as required and identified by the service acquisition executive of such military department and approved by the Under Secretary of Defense for Acquisition and Sustainment.

(f) ADVICE TO SERVICE ACQUISITION EXECUTIVE.—An officer who is a Senior Military Acquisition Advisor shall have as the officer’s primary duty providing strategic, technical, and programmatic advice to the service acquisition executive of the officer’s military department on matters pertaining to the Defense Acquisition System, including matters pertaining to procurement, research and development, advanced technology, test and evaluation, production, program management, systems engineering, and lifecycle logistics.

(Added Pub. L. 114-328, div. A, title VIII, §866(a)(1), Dec. 23, 2016, 130 Stat. 2305; amended Pub. L. 116-92, div. A, title VIII, §861(j)(9), title IX, §902(19), Dec. 20, 2019, 133 Stat. 1520, 1545.)

#### PRIOR PROVISIONS

A prior section 1725, added Pub. L. 101-510, div. A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1643, which related to Office of Personnel Management approval, was repealed by 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.

#### AMENDMENTS

2019—Subsec. (a)(1). Pub. L. 116-92, §861(j)(9)(A), substituted “acquisition workforce” for “Defense Acquisition Corps”.

Subsec. (d)(2). Pub. L. 116-92, §861(j)(9)(B), substituted “in the acquisition workforce serving in critical acquisition positions” for “of the Defense Acquisition Corps”.

Subsec. (e)(2). Pub. L. 116-92, §902(19), substituted “Under Secretary of Defense for Acquisition and Sustainment” for “Under Secretary of Defense for Acquisition, Technology, and Logistics”.

#### SUBCHAPTER III—CRITICAL ACQUISITION POSITIONS

Sec. 1731.	Critical acquisition positions.
[1732.]	Repealed.]
[1733.]	Renumbered.]
1734.	Career development.
1735.	Education, training, and experience requirements for critical acquisition positions.
[1736.]	Repealed.]
1737.	Definitions and general provisions.

#### AMENDMENTS

2019—Pub. L. 116-92, div. A, title VIII, §861(j)(6)(B), (7)(A), Dec. 20, 2019, 133 Stat. 1519, substituted “CRITICAL ACQUISITION POSITIONS” for “ACQUISITION CORPS” in heading for subchapter III, added item 1731, and struck out former items 1731 “Acquisition Corps: in general”, 1732 “Selection criteria and procedures”, and 1733 “Critical acquisition positions”.

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. Critical acquisition positions

(a) DESIGNATION OF CRITICAL ACQUISITION POSITIONS.—(1) The Secretary of Defense shall designate the acquisition positions in the Department of Defense that are critical acquisition po-