

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; Pub. L. 116-283, div. A, title IX, §924(b)(28), Jan. 1, 2021, 134 Stat. 3825.)

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 A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1643, which related to Office of Personnel Management approval, was repealed by Pub.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

2021—Subsec. (e)(1)(C). Pub. L. 116-283 inserted “and Space Force” before period at end.

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	Repealed.]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	Repealed.]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 positions. Such positions shall include the following:

(A) Any acquisition position which—

(i) in the case of employees, is required to be filled by an employee in a senior position in the National Security Personnel System, as determined in accordance with guidelines prescribed by the Secretary, or in the Senior Executive Service; or

(ii) in the case of members of the armed forces, is required to be filled by a commissioned officer of the Army, Navy, Air Force, Marine Corps, or Space Force who is serving in the grade of lieutenant colonel, or, in the case of the Navy, commander, or a higher grade.

(B) Other selected acquisition positions not covered by subparagraph (A), including the following:

(i) Program executive officer.

(ii) Program manager of a major defense acquisition program (as defined in section 2430 of this title) or of a significant nonmajor defense acquisition program (as defined in section 1737(a)(3) of this title).

(iii) Deputy program manager of a major defense acquisition program.

(C) Any other acquisition position of significant responsibility in which the primary duties are supervisory or management duties.

(2) The Secretary shall periodically publish a list of the positions designated under this subsection.

(b) **PROMOTION RATE FOR OFFICERS IN THE ACQUISITION WORKFORCE.**—The Secretary of Defense shall ensure that the qualifications of commissioned officers in the acquisition workforce 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.

(c) **MOBILITY STATEMENTS.**—(1) The Secretary of Defense is authorized to require civilians in critical acquisition positions to sign mobility statements.

(2) The Secretary of Defense shall identify which categories of civilians in critical acquisition positions, as a condition of employment, shall be required to sign mobility statements. The Secretary shall make available published information on such identification of categories.

(Added Pub. L. 101-510, div. A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1646, §1733; amended Pub. L. 102-484, div. A, title X, §1052(22), Oct. 23, 1992, 106 Stat. 2500; Pub. L. 103-89, §3(b)(3)(C), Sept. 30, 1993, 107 Stat. 983; Pub. L. 104-201, div. A, title X, §1074(a)(9)(C), Sept. 23, 1996, 110 Stat. 2659; Pub. L. 108-136, div. A, title VIII, §833(2), Nov. 24, 2003, 117 Stat. 1550; Pub. L. 108-375, div. A, title VIII, §812(a)(2), Oct. 28, 2004, 118 Stat. 2013; renumbered §1731 and amended Pub. L. 116-92, div. A, title VIII, §861(j)(2)–(4), (6)(A), Dec. 20, 2019, 133 Stat. 1519; Pub. L. 116-283, div. A, title IX, §924(b)(3)(AA), title XVIII, §1846(i)(4), Jan. 1, 2021, 134 Stat. 3821, 4252.)

AMENDMENT OF SECTION

Pub. L. 116-283, div. A, title XVIII, §§1801(d), 1846(i)(4), Jan. 1, 2021, 134 Stat. 4151, 4252, provided that, effective Jan. 1, 2022, with addi-