

*tional provisions for delayed implementation and applicability of existing law, subsection (b)(1)(B)(ii) [probably should be “subsection (a)(1)(B)(ii)”] of this section is amended by striking “section 2430” and inserting “section 4201”. See 2021 Amendment note below.*

#### CODIFICATION

The text of former section 1731(b) of this title, which was transferred to section 1733(b) of this title and then to subsec. (b) of this section by Pub. L. 116-92, § 861(j)(3), (6)(A), was based on Pub. L. 101-510, div. A, title XII, § 1202(a), Nov. 5, 1990, 104 Stat. 1644; Pub. L. 108-136, div. A, title VIII, § 833(1)(B), Nov. 24, 2003, 117 Stat. 1550.

The text of section 1732(e) of this title, which was transferred to section 1733(c) of this title and then to subsec. (c) of this section by Pub. L. 116-92, § 861(j)(4), (6)(A), was based on Pub. L. 101-510, div. A, title XII, § 1202(a), Nov. 5, 1990, 104 Stat. 1644; Pub. L. 108-136, div. A, title VIII, § 833(2), Nov. 24, 2003, 117 Stat. 1550.

#### PRIOR PROVISIONS

A prior section 1731, 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; Pub. L. 116-92, div. A, title VIII, § 861(j)(3), Dec. 20, 2019, 133 Stat. 1519, related to establishment of the Acquisition Corps, prior to repeal by Pub. L. 116-92, div. A, title VIII, § 861(j)(5), Dec. 20, 2019, 133 Stat. 1519.

#### AMENDMENTS

2021—Subsec. (a)(1)(A)(ii). Pub. L. 116-283, § 924(b)(3)(AA), substituted “Marine Corps, or Space Force” for “or Marine Corps”.

Subsec. (a)(1)(B)(ii). Pub. L. 116-283, § 1846(i)(4), which directed amendment of subsec. (b)(1)(B)(ii) of this section by substituting “section 4201” for “section 2430”, was executed to subsec. (a)(1)(B)(ii) of this section, to reflect the probable intent of Congress.

2019—Pub. L. 116-92, § 861(j)(6)(A), renumbered section 1733 of this title as this section.

Subsec. (a). Pub. L. 116-92, § 861(j)(2), in section 1733 of this title prior to renumbering as this section, redesignated subsec. (b) as (a) and struck out former subsec. (a). Prior to amendment, text of subsec. (a) of section 1733 read as follows: “A critical acquisition position may be filled only by a member of the Acquisition Corps.”

Subsec. (b). Pub. L. 116-92, § 861(j)(3), prior to repeal of former section 1731, transferred subsec. (b) of that section to section 1733 of this title and substituted “the Acquisition Workforce” for “Acquisition Corps” in heading and “in the acquisition workforce” for “selected for the Acquisition Corps” in text. See Codification note above. Section 1733 was subsequently renumbered as this section.

Subsec. (c). Pub. L. 116-92, § 861(j)(4), prior to repeal of section 1732 of this title, transferred subsec. (e) of that section to section 1733 of this title, redesignated it as (c), and substituted “in critical acquisition positions” for “in the Acquisition Corps” in pars. (1) and (2) and “employment” for “serving in the Corps” in par. (2). See Codification note above. Section 1733 was subsequently renumbered as this section.

2004—Subsec. (b)(1)(A)(i). Pub. L. 108-375 substituted “in a senior position in the National Security Personnel System, as determined in accordance with guidelines prescribed by the Secretary,” for “in a position within grade GS-14 or above of the General Schedule.”

2003—Subsec. (a). Pub. L. 108-136 substituted “the Acquisition Corps” for “an Acquisition Corps”.

1996—Subsec. (a). Pub. L. 104-201 substituted “A critical” for “On and after October 1, 1993, a critical”.

1993—Subsec. (b)(1)(A)(i). Pub. L. 103-89 substituted “Schedule” for “Schedule (including an employee covered by chapter 54 of title 5)”.

1992—Subsec. (b)(1)(B)(ii). Pub. L. 102-484 substituted “1737(a)(3)” for “1736(a)(3)”.

#### EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by section 1846(i)(4) of 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.

#### EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-89 effective Nov. 1, 1993, see section 3(c) of Pub. L. 103-89, set out as a note under section 3372 of Title 5, Government Organization and Employees.

#### EFFECTIVE DATE FOR REQUIREMENT FOR CORPS MEMBERS TO FILL CRITICAL ACQUISITION POSITIONS

Pub. L. 101-510, div. A, title XII, § 1209(f), Nov. 5, 1990, 104 Stat. 1666, as amended by Pub. L. 102-25, title VII, § 704(b)(3)(C), Apr. 6, 1991, 105 Stat. 119; Pub. L. 103-160, div. A, title IX, § 904(f), Nov. 30, 1993, 107 Stat. 1729, provided that the Secretaries of the military departments were to make every effort to fill critical acquisition positions by Acquisition Corps members as soon as possible after Nov. 5, 1990, and that for each of the first three years after Nov. 5, 1990, the report of the Under Secretary of Defense for Acquisition and Technology to the Secretary of Defense under section 1762 of this title was to include the number of critical acquisition positions filled by Acquisition Corps members.

#### TERMINATION OF DEFENSE ACQUISITION CORPS

Pub. L. 116-92, div. A, title VIII, § 861(j)(1), Dec. 20, 2019, 133 Stat. 1519, provided that: “The Acquisition Corps for the Department of Defense referred to in [former] section 1731(a) of title 10, United States Code, is terminated.”

#### § 1732. Repealed. Pub. L. 116-92, div. A, title VIII, § 861(j)(5), Dec. 20, 2019, 133 Stat. 1519]

Section, added Pub. L. 101-510, div. A, title XII, § 1202(a), Nov. 5, 1990, 104 Stat. 1644; amended Pub. L. 102-484, div. A, title VIII, § 812(e)(1), Oct. 23, 1992, 106 Stat. 2451; Pub. L. 103-89, § 3(b)(3)(B), Sept. 30, 1993, 107 Stat. 982; Pub. L. 105-261, div. A, title VIII, § 811, Oct. 17, 1998, 112 Stat. 2086; Pub. L. 107-107, div. A, title VIII, § 824(b), title X, § 1048(e)(4), Dec. 28, 2001, 115 Stat. 1185, 1227; Pub. L. 108-136, div. A, title VIII, §§ 831(b)(2), (3), 832(b)(2), 833(2), Nov. 24, 2003, 117 Stat. 1549, 1550; Pub. L. 108-375, div. A, title VIII, § 812(a)(1), title X, § 1084(d)(14), (h)(2), Oct. 28, 2004, 118 Stat. 2013, 2062, 2064; Pub. L. 109-163, div. A, title X, § 1056(c)(3), Jan. 6, 2006, 119 Stat. 3439; Pub. L. 116-92, div. A, title VIII, § 861(b)(2), (j)(4), Dec. 20, 2019, 133 Stat. 1516, 1519, related to selection criteria and procedures for membership in the Acquisition Corps.

#### § 1733. Renumbered § 1731]

#### § 1734. Career development

(a) **THREE-YEAR ASSIGNMENT PERIOD.**—(1) Except as provided under subsection (b) and paragraph (3), the Secretary of each military department, acting through the service acquisition executive for that department, shall provide that any person who is assigned to a critical acquisition position shall be assigned to the position for not fewer than three years. Except as provided in subsection (d), the Secretary concerned may not reassign a person from such an assignment before the end of the three-year period.

(2) A person may not be assigned to a critical acquisition position unless the person executes a written agreement to remain on active duty (in the case of a member of the armed forces) or to