

## AMENDMENTS

2021—Subsec. (a)(2). Pub. L. 116-283 substituted “accelerate” for “to accelerate”.

## EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by section 1842(b) 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.

**§ 2358c. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories**

(a) **IN GENERAL.**—The Secretary of Defense may carry out a program using the pay authority specified in subsection (d) to fix the rate of basic pay for positions described in subsection (c) in order to assist the military departments in attracting and retaining high quality acquisition and technology experts in positions responsible for managing and performing complex, high-cost research and technology development efforts in the science and technology reinvention laboratories of the Department of Defense.

(b) **APPROVAL REQUIRED.**—The program may be carried out in a military department only with the approval of the service acquisition executive of the military department concerned.

(c) **POSITIONS.**—The positions described in this subsection are positions in the science and technology reinvention laboratories of the Department of Defense that—

(1) require expertise of an extremely high level in a scientific, technical, professional, or acquisition management field; and

(2) are critical to the successful accomplishment of an important research or technology development mission.

(d) **RATE OF BASIC PAY.**—The pay authority specified in this subsection is authority as follows:

(1) Authority to fix the rate of basic pay for a position at a rate not to exceed 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the service acquisition executive concerned.

(2) Authority to fix the rate of basic pay for a position at a rate in excess of 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Secretary of the military department concerned.

(e) **LIMITATIONS.**—

(1) **IN GENERAL.**—The authority in subsection (a) may be used only to the extent necessary to competitively recruit or retain individuals exceptionally well qualified for positions described in subsection (c).

(2) **NUMBER OF POSITIONS.**—The authority in subsection (a) may not be used with respect to more than five positions in each military department at any one time.

(3) **TERM OF POSITIONS.**—The authority in subsection (a) may be used only for positions having a term of less than five years.

(f) **SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES OF THE DEPARTMENT OF DEFENSE DEFINED.**—In this section, the term “science and technology reinvention laboratories of the De-

partment of Defense” means the laboratories designated as science and technology reinvention laboratories by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 2358 note).

(Added Pub. L. 116-283, div. A, title XI, § 1115(a), Jan. 1, 2021, 134 Stat. 3895.)

## REPEAL OF SECTION

*Pub. L. 116-283, div. A, title XVIII, §§ 1801(d), 1881(a), Jan. 1, 2021, 134 Stat. 4151, 4293, provided that, effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, chapter 139 of this title, and therefore this section, is repealed.*

## REFERENCES IN TEXT

Section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010, referred to in subsec. (f), is section 1105(a) of Pub. L. 111-84, div. A, title XI, Oct. 28, 2009, 123 Stat. 2486, which is set out in a note under section 2358 of this title.

## EFFECTIVE DATE OF REPEAL

Repeal 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 an Effective Date of 2021 Amendment note preceding section 3001 of this title.

**§ 2359. Science and technology programs to be conducted so as to foster the transition of science and technology to higher levels of research, development, test, and evaluation**

(a) **POLICY.**—Each official specified in subsection (b) shall ensure that the management and conduct of the science and technology programs under the authority of that official are carried out in a manner that will foster the transition of science and technology to higher levels of research, development, test, and evaluation.

(b) **COVERED OFFICIALS.**—Subsection (a) applies to the following officials of the Department of Defense:

(1) The Under Secretary of Defense for Research and Engineering.

(2) The Secretary of each military department.

(3) The Director of the Defense Advanced Research Projects Agency.

(4) The directors and heads of other offices and agencies of the Department of Defense with assigned research, development, test, and evaluation responsibilities.

(Added Pub. L. 106-398, § 1 [[div. A], title IX, § 904(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-225; amended Pub. L. 116-92, div. A, title IX, § 902(55), Dec. 20, 2019, 133 Stat. 1549.)

## TRANSFER OF SECTION

*Pub. L. 116-283, div. A, title XVIII, §§ 1801(d), 1841(c), Jan. 1, 2021, 134 Stat. 4151, 4243, provided that, effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, this section is transferred to chapter 301 of this title, as added by section 1841(a) of Pub. L. 116-283, added after section 4004 of this title, as transferred and redesignated by section 1841(b) of Pub. L. 116-283, and redesignated as section 4007 of*