

The Secretary shall submit to the covered congressional committees a copy of each assessment within 30 days after receipt by the Secretary of the assessment.

(f) COVERED CONGRESSIONAL COMMITTEES.—In this section, the term “covered congressional committees” means—

(1) the Committees on Armed Services of the Senate and the House of Representatives;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(3) the Committee on Oversight and Government Reform of the House of Representatives.

(g) TERMINATION OF AUTHORITY.—The authority to conduct a demonstration project under this section shall terminate on December 31, 2026.

(h) CONVERSION.—Within 6 months after the authority to conduct a demonstration project under this section is terminated as provided in subsection (g), employees in the project shall convert to the civilian personnel system created pursuant to section 9902 of title 5.

(Added Pub. L. 111–383, div. A, title VIII, §872(a)(1), Jan. 7, 2011, 124 Stat. 4300; amended Pub. L. 114–92, div. A, title VIII, §846, Nov. 25, 2015, 129 Stat. 916; Pub. L. 114–328, div. A, title VIII, §867(a), Dec. 23, 2016, 130 Stat. 2306; Pub. L. 115–91, div. A, title VIII, §844(a), (b), Dec. 12, 2017, 131 Stat. 1482; Pub. L. 116–92, div. A, title XVII, §1731(a)(27), Dec. 20, 2019, 133 Stat. 1813; Pub. L. 117–81, div. A, title VIII, §812, Dec. 27, 2021, 135 Stat. 1823.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1762, added Pub. L. 101–510, div. A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1654; amended Pub. L. 103–160, div. A, title IX, §904(d)(1), Nov. 30, 1993, 107 Stat. 1728; Pub. L. 106–65, div. A, title IX, §911(a)(1), Oct. 5, 1999, 113 Stat. 717, related to report by the Under Secretary of Defense for Acquisition, Technology, and Logistics to the Secretary of Defense on the status of the defense acquisition workforce, prior to repeal by Pub. L. 107–107, div. A, title X, §1048(e)(7)(A), Dec. 28, 2001, 115 Stat. 1227.

Provisions similar to those in this section were contained in Pub. L. 104–106, div. D, title XLIII, §4308, Feb. 10, 1996, 110 Stat. 669, which was set out as a note under section 1701 of this title, prior to repeal by Pub. L. 111–383, §872(b).

AMENDMENTS

2021—Subsec. (g). Pub. L. 117–81 substituted “December 31, 2026” for “December 31, 2023”.

2019—Subsec. (c). Pub. L. 116–92 substituted “at any one time in” for “in at any one time”.

2017—Subsec. (c). Pub. L. 115–91, §844(b), substituted “at any one time the demonstration project under this section may not exceed 130,000” for “the demonstration project under this section may not exceed 120,000”.

Subsec. (g). Pub. L. 115–91, §844(a), substituted “December 31, 2023” for “December 31, 2020”.

2016—Subsec. (b)(4). Pub. L. 114–328 added par. (4).

2015—Subsec. (g). Pub. L. 114–92 substituted “demonstration project” for “demonstration program” and “December 31, 2020” for “September 30, 2017”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2016 AMENDMENT

Pub. L. 114–328, div. A, title VIII, §867(b), Dec. 23, 2016, 130 Stat. 2306, provided that: “Paragraph (4) of section

1762(b) of title 10, United States Code, as added by subsection (a), shall take effect on the first day of the first month beginning 60 days after the date of the enactment of this Act [Dec. 23, 2016].”

[§ 1763. Repealed. Pub. L. 108–136, div. A, title VIII, § 835(1), Nov. 24, 2003, 117 Stat. 1551]

Section, added Pub. L. 101–510, div. A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1656; amended Pub. L. 103–160, div. A, title IX, §904(d)(1), Nov. 30, 1993, 107 Stat. 1728; Pub. L. 105–85, div. A, title X, §1073(a)(33), Nov. 18, 1997, 111 Stat. 1902; Pub. L. 107–107, div. A, title X, §1048(b)(2), Dec. 28, 2001, 115 Stat. 1225, related to reassignment of authority by Secretary of Defense.

§ 1764. Authority to establish different minimum requirements

(a) AUTHORITY.—(1) The Secretary of Defense may prescribe a different minimum number of years of experience, different minimum education qualifications, and different tenure of service qualifications to be required for eligibility for appointment or advancement to an acquisition position referred to in subsection (b) than is required for such position under or pursuant to any provision of this chapter.

(2) Any requirement prescribed under paragraph (1) for a position referred to in any paragraph of subsection (b) shall be applied uniformly to all positions referred to in such paragraph.

(b) APPLICABILITY.—This section applies to the following acquisition positions in the Department of Defense:

(1) Contracting officer, except a position referred to in paragraph (6).

(2) Program executive officer.

(3) Senior contracting official.

(4) Program manager.

(5) Deputy program manager.

(6) A position in the contract contingency force of an armed force that is filled by a member of that armed force.

(c) DEFINITION.—In this section, the term “contract contingency force”, with respect to an armed force, has the meaning given such term in regulations prescribed by the Secretary concerned.

(Added Pub. L. 108–136, div. A, title VIII, §835(2), Nov. 24, 2003, 117 Stat. 1551; amended Pub. L. 108–375, div. A, title VIII, §812(c), Oct. 28, 2004, 118 Stat. 2013.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1764, added Pub. L. 101–510, div. A, title XII, §1202(a), Nov. 5, 1990, 104 Stat. 1656, related to authority to establish different minimum experience requirements, prior to repeal by Pub. L. 107–107, div. A, title X, §1048(e)(7)(A), Dec. 28, 2001, 115 Stat. 1227.

AMENDMENTS

2004—Subsec. (b)(1). Pub. L. 108–375, §812(c)(2), substituted “in paragraph (6)” for “in paragraph (5)”.

Subsec. (b)(5), (6). Pub. L. 108–375, §812(c)(1), added par. (5) and redesignated former par. (5) as (6).

§ 1765. Competency development

For each acquisition workforce career field, the Secretary of Defense shall—

(1) establish, for the civilian personnel in that career field, defined proficiency standards and technical and nontechnical competencies which shall be used in personnel qualification assessments; and

(2) assign resources to accomplish such technical and nontechnical competencies.

(Added Pub. L. 116-92, div. A, title VIII, § 861(i)(1), Dec. 20, 2019, 133 Stat. 1518.)

Statutory Notes and Related Subsidiaries

DEADLINE FOR IMPLEMENTATION

Pub. L. 116-92, div. A, title VIII, § 861(i)(3), Dec. 20, 2019, 133 Stat. 1519, provided that: “Not later than the end of the two-year period beginning on the date of the enactment of this Act [Dec. 20, 2019], the Secretary of Defense shall carry out the requirements of section 1765 of title 10, United States Code (as added by paragraph (1)).”

§ 1766. Joint reserve detachment of the Defense Innovation Unit

(a) ESTABLISHMENT.—The Secretary of Defense, in consultation with the Secretaries of the military departments, may establish a joint reserve detachment (referred to in this section as the “Detachment”) composed of members of the reserve components described in subsection (b) to be assigned to each office of the Defense Innovation Unit to—

(1) support engagement and collaboration with private-sector industry and the community surrounding the location of such office; and

(2) accelerate the use and adoption of commercially-developed technologies for national security purposes.

(b) MEMBERS.—Each Secretary of a military department shall select for the Detachment, and make efforts to retain, members of the reserve components who possess relevant private-sector experience in the fields of business, acquisition, intelligence, engineering, technology transfer, science, mathematics, program management, logistics, cybersecurity, or such other fields as determined by the Under Secretary of Defense for Research and Engineering.

(c) DUTIES.—The Detachment shall have the following duties:

(1) Providing the Department of Defense with—

(A) expertise on and analysis of commercially-developed technologies;

(B) commercially-developed technologies to be used as alternatives for technologies in use by the Department; and

(C) opportunities for greater engagement and collaboration between the Department and private-sector industry on innovative technologies.

(2) On an ongoing basis—

(A) partnering with the military departments, the combatant commands, and other Department of Defense organizations to—

(i) identify and rapidly prototype commercially-developed technologies; and

(ii) use alternative contracting mechanisms to procure such technologies;

(B) increasing awareness of—

(i) the work of the Defense Innovation Unit; and

(ii) the technology requirements of the Department of Defense, as identified in the most recent—

(I) National Defense Strategy;

(II) National Defense Science and Technology Strategy as directed under section 218 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 132 Stat. 1679);¹ and

(III) relevant policy and guidance from the Secretary of Defense; and

(C) using the investment in research and development made by private-sector industry in assessing and developing dual-use technologies.

(3) Carrying out other activities as directed by the Under Secretary of Defense for Research and Engineering.

(d) JOINT DUTY.—Assignment to a Detachment shall not qualify as a joint duty assignment, as defined in section 668(b)(1) of title 10, United States Code, unless approved by the Secretary of Defense.

(Added Pub. L. 116-92, div. A, title II, § 213(a)(1), Dec. 20, 2019, 133 Stat. 1256, § 2358b; amended Pub. L. 116-283, div. A, title X, § 1081(a)(37), title XVIII, § 1842(b), Jan. 1, 2021, 134 Stat. 3872, 4244; renumbered § 1766, Pub. L. 116-283, div. A, title XVIII, § 1878A(a), as added Pub. L. 117-81, div. A, title XVII, § 1701(q)(2), Dec. 27, 2021, 135 Stat. 2149; Pub. L. 117-81, div. A, title II, §§ 211(d), 213(a), title XVII, § 1701(q)(1), (u)(3)(B), Dec. 27, 2021, 135 Stat. 1587, 1588, 2148, 2152.)

Editorial Notes

REFERENCES IN TEXT

Section 218 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, referred to in subsec. (c)(2)(B)(ii)(II), is section 218 of Pub. L. 115-232, div. A, title II, Aug. 13, 2018, 132 Stat. 1679, which was repealed and restated as section 118c of this title by Pub. L. 117-81, div. A, title II, § 211(a), (c), Dec. 27, 2021, 135 Stat. 1585, 1587. Amendment striking reference to repealed section 218 of Pub. L. 115-232 and inserting reference to section 118c of this title was undone by subsequent general amendment, which reinstated the prior reference. See 2021 Amendment notes below.

AMENDMENTS

2021—Pub. L. 116-283, § 1878A(a), as added by Pub. L. 117-81, § 1701(q)(2), renumbered section 2358b of this title as this section.

Pub. L. 116-283, § 1842(b), which directed the renumbering of section 2358b of this title as section 4064 instead of this section, was amended by Pub. L. 117-81, § 1701(q)(1), (u)(3)(B), effective as if included therein, so that such renumbering was no longer directed.

Subsec. (a)(2). Pub. L. 116-283, § 1081(a)(37), substituted “accelerate” for “to accelerate”.

Subsec. (c)(2)(B)(ii). Pub. L. 117-81, § 213(a), amended cl. (ii) generally. Prior to amendment, cl. (ii) read as follows: “the technology requirements of the Department of Defense as identified in the National Defense Science and Technology Strategy developed under section 118c of this title; and”.

Pub. L. 117-81, § 211(d), substituted “section 118c of this title” for “section 218 of the John S. McCain Na-

¹ See References in Text note below.