

SEC. 842. DEFENSE ACQUISITION WORKFORCE IMPROVEMENTS.

(a) SELECTION CRITERIA FOR ACQUISITION CORPS AND FOR CRITICAL ACQUISITION POSITIONS- (1) Section 1732(b)(1)(A) of title 10, United States Code, is amended by striking `within grade GS-13 or above of' and inserting `for which the employee is being paid at a rate of basic pay that equals or exceeds the minimum rate of basic pay provided for grade GS-13 under'.

(2) Section 1733(b)(1)(A)(i) of such title is amended by striking `in a position within grade GS-14 or above of the General Schedule, or' and inserting `who is currently serving in a position for which the employee is being paid at a rate of basic pay that equals or exceeds the minimum rate of basic pay provided for grade GS-14 under the General Schedule or is required to be filled by an employee who is'.

(b) SCHOLARSHIP PROGRAM- Section 1742 of such title is amended--

(1) by inserting `(a) REQUIRED PROGRAMS- ' before `The Secretary of Defense shall conduct'; and

(2) by adding at the end the following new subsection:

(b) SCHOLARSHIP PROGRAM REQUIREMENTS- (1) Each recipient of a scholarship under a program conducted under subsection (a)(3) shall be required to sign a written agreement that sets forth the terms and conditions of the scholarship. The agreement shall include the following:

(A) Criteria for the recipient's continued eligibility for the scholarship.

(B) The terms of any requirement for the recipient to reimburse the United States for educational assistance provided under the scholarship upon--

(i) a failure by the recipient to satisfy the criteria for continued eligibility for the scholarship; or

(ii) a termination of the recipient's service in the Department of Defense before the end of any period of obligated service provided in the agreement, as described in paragraph (2).

(2) Subject to paragraph (3)(C), a recipient of a scholarship under the program shall reimburse the United States the total amount of educational assistance provided to the recipient under the program if the recipient is voluntarily separated from service or involuntarily separated for cause from the Department of Defense before the end of any period for which the recipient has agreed, as a condition of the scholarship, to continue in the service of the Department of Defense in an acquisition position.

(3)(A) If an employee fails to fulfill an agreement to pay the Government any amount of educational assistance provided to that person under the program, a sum equal to such amount of the educational assistance is recoverable by the Government from the employee or his estate by--

(i) setoff against accrued pay, compensation, amount of retirement credit, or other amount due the employee from the Government; and

(ii) such other method as is provided by law for the recovery of amounts owing to the Government.

(B) An obligation to reimburse the United States under an agreement entered into under this subsection is for all purposes a debt owed to the United States.

^(C) The Secretary of Defense may waive in whole or in part a reimbursement required under this subsection or under an agreement entered into under this subsection if the Secretary determines that the recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

^(D) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of an agreement entered into under this subsection does not discharge a person executing the agreement from a debt arising under this subsection or such agreement.

^(4) Nothing in this subsection shall be considered to require that a position be offered to a recipient of a scholarship under the program after such recipient successfully completes the course of education for which the scholarship is granted. However, the agreement entered into under this subsection with respect to such scholarship shall be considered terminated if the recipient is not, within the time specified in the agreement, offered a full-time acquisition position in the Department of Defense that--

^(A) is commensurate with the recipient's academic degree and experience; and

^(B) is--

^(i) in the excepted service, if the recipient has not previously acquired competitive status, with the right, after successful completion of two years of service and such other requirements as the Office of Personnel Management may prescribe, to be appointed to a position in the competitive service, notwithstanding subchapter I of chapter 33 of title 5; or

^(ii) in the competitive service, if the recipient has previously acquired competitive status.'

(c) AUTHORITY TO ESTABLISH DIFFERENT MINIMUM REQUIREMENTS- (1) Section 1764(b) of such title is amended--

(A) by redesignating paragraph (5) as paragraph (6); and

(B) by inserting after paragraph (4) the following new paragraph (5):

^(5) Deputy program manager.'

(2) Paragraph (1) of such section is amended by striking 'in paragraph (5)' and inserting 'in paragraph (6)'