

112TH CONGRESS
1ST SESSION

S. 761

To improve the acquisition workforce through the establishment of an acquisition management fellows program and a leadership development training program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 7 (legislative day, APRIL 5), 2011

Ms. COLLINS (for herself, Mr. AKAKA, and Mrs. MCCASKILL) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To improve the acquisition workforce through the establishment of an acquisition management fellows program and a leadership development training program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Acquisition Workforce
5 Improvement Act of 2011”.

1 **SEC. 2. GOVERNMENT-WIDE ACQUISITION MANAGEMENT**
2 **FELLOWS PROGRAM.**

3 (a) ESTABLISHMENT OF ACQUISITION MANAGEMENT
4 FELLOWS WORKFORCE PROGRAM.—

5 (1) IN GENERAL.—Chapter 17 of title 41,
6 United States Code, is amended by adding at the
7 end the following new section:

8 **“§ 1714. Government-wide acquisition management**
9 **fellows program**

10 “(a) ESTABLISHMENT OF PROGRAM.—Not later than
11 180 days after the date of the enactment of the Acquisi-
12 tion Workforce Improvement Act of 2011, the Adminis-
13 trator shall establish a government-wide acquisition man-
14 agement fellows program (in this section referred to as
15 the ‘program’) for the purpose of investing in the long-
16 term improvement and sustained excellence of the Federal
17 acquisition workforce.

18 “(b) OBJECTIVES.—The objectives of the program
19 shall be as follows:

20 “(1) To develop a new generation of acquisition
21 leaders with government-wide perspective, skills, and
22 experience.

23 “(2) To recruit individuals with the outstanding
24 academic merit, ethical value, business acumen, and
25 leadership skills to meet the acquisition needs of the
26 Federal Government.

1 “(3) To offer, upon completion of the program,
2 opportunities for advancement, competitive com-
3 pensation, and leadership opportunities at various
4 executive agencies.

5 “(c) STRUCTURE.—

6 “(1) CONTRACTS, GRANTS, AND COOPERATIVE
7 AGREEMENTS.—The Office of Federal Procurement
8 Policy shall enter into contracts, grants, or coopera-
9 tive agreements with one or more qualified univer-
10 sities with demonstrated expertise in Federal Gov-
11 ernment acquisition.

12 “(2) TRAINING.—The program shall consist of
13 one academic year of full-time, on-campus training
14 followed by two years of on-the-job and part-time
15 training toward a Masters or equivalent graduate
16 degree in related fields.

17 “(3) CURRICULUM.—The curriculum of the pro-
18 gram shall include the following elements:

19 “(A) Rotational assignments at three or
20 more executive agencies covering all phases of
21 the contract life cycle, from acquisition plan-
22 ning to contract formation and post-award ad-
23 ministration of contract types identified in part
24 16 of the Federal Acquisition Regulation, and

1 including interagency contracts, contract cost
2 and pricing, and negotiation techniques.

3 “(B) All required non-agency-specific
4 training courses necessary for basic contracting
5 officer warrant as established by the Office of
6 Federal Procurement Policy.

7 “(C) Emphasis on transparency, account-
8 ability, and integrity in the public contracting
9 process.

10 “(D) Other necessary courses and edu-
11 cation as required by participating universities.

12 “(4) PRIORITY FOR EMPLOYMENT.—To the ex-
13 tent permitted by law, the head of each executive
14 agency shall give priority to graduates of the pro-
15 gram for purposes of hiring employees in the acqui-
16 sition field, based on performance during the pro-
17 gram and other qualifications, and shall compensate
18 such graduates at an initial GS–12 level of the Gen-
19 eral Schedule, or equivalent, with the potential for a
20 GS–13 level of compensation, or equivalent, upon
21 one year of satisfactory performance.

22 “(d) SIZE.—The total number of individuals entering
23 the program each year may not exceed 200. There shall
24 be at least 50 participants in the first year of the program,

1 100 participants in the second year, and 150 participants
2 thereafter.

3 “(e) ELEMENTS.—In carrying out the program, the
4 Administrator shall—

5 “(1) enter into one or more contracts, grants,
6 or cooperative agreements with qualified universities
7 having an expertise in Federal Government acquisi-
8 tion and the resources to administer the program
9 independently;

10 “(2) be responsible for the management and
11 oversight of the overall program and for placement
12 of individuals upon graduation;

13 “(3) allow participating universities to select
14 and to remove program participants in accordance
15 with the established academic process for such grad-
16 uate degree programs;

17 “(4) ensure that veterans (as that term is de-
18 fined in section 101(2) of title 38) are given priority
19 as candidates for participation in the program; and

20 “(5) periodically review the career development
21 of the program participants upon placement and
22 make necessary adjustments to the program to en-
23 sure the objectives are met.

24 “(f) SERVICE AGREEMENT.—

1 “(1) COMMITMENT FOR FEDERAL SERVICE.—A
2 person selected for participation in the program
3 shall commit to employment with the Federal Gov-
4 ernment in the field of acquisition, following comple-
5 tion of the program, under such terms and condi-
6 tions as the Administrator considers appropriate to
7 ensure the Federal Government receives proper re-
8 turn on investment. Such employment shall be for a
9 term of not less than one year for each year in the
10 program.

11 “(2) REIMBURSEMENT OF FUNDS.—In cases of
12 candidates who do not successfully complete the pro-
13 gram or do not fulfill the minimum service require-
14 ments, the candidates shall be required to reimburse
15 the Federal Government for funds received under
16 the program.

17 “(g) OFPP ACQUISITION FELLOWS DEVELOPMENT
18 FUND.—

19 “(1) ESTABLISHMENT.—There is hereby estab-
20 lished in the Treasury of the United States a fund
21 to be known as the ‘OFPP Acquisition Fellows De-
22 velopment Fund’ (in this section referred to as the
23 ‘Fund’).

24 “(2) USE OF FUNDS.—Amounts in the Fund
25 shall be used for—

1 “(A) the establishment and operations of
2 the program;

3 “(B) the award of contracts, grants, or co-
4 operative agreements to cover expenses includ-
5 ing—

6 “(i) tuition, books, materials, and
7 other academic expenses;

8 “(ii) room and board of students dur-
9 ing the time students are enrolled in the
10 program;

11 “(iii) expenses for travel as required
12 by the program;

13 “(iv) stipends; and

14 “(v) other necessary expenses the Ad-
15 ministrator considers necessary.

16 “(3) DEPOSITS TO FUND.—

17 “(A) IN GENERAL.—The Fund shall con-
18 sist of amounts appropriated or otherwise made
19 available to the Fund.

20 “(B) TRANSFER.—The Administrator may
21 transfer necessary amounts from the Acquisi-
22 tion Workforce Training Fund (AWTF) estab-
23 lished under section 1703(i) of this title to pro-
24 vide an initial deposit or to augment the Fund.

1 “(C) DEPARTMENT OF DEFENSE PARTICI-
2 PATION.—If the Department of Defense elects
3 to participate in the program, it shall provide
4 necessary funds, commensurate to the share of
5 participants it sponsors, from proceeds available
6 pursuant to section 1703(i)(5) of this title or
7 section 1705 of title 10.”.

8 (2) CLERICAL AMENDMENT.—The table of sec-
9 tions at the beginning of such chapter is amended
10 by adding at the end the following new item:

“1714. Government-wide acquisition management fellows program.”.

11 (b) REPORTS.—

12 (1) INITIAL REPORT.—Not later than 120 days
13 after the date of the enactment of this Act, the Ad-
14 ministrator shall submit to the appropriate congres-
15 sional committees a preliminary report on the pro-
16 gram, including a description of the program and
17 the five-year budget needed to carry out the govern-
18 ment-wide acquisition management fellows program
19 established under section 1714 of title 41, United
20 States Code, as added by subsection (a).

21 (2) ANNUAL REPORT.—Not later than one year
22 after the commencement of the program and annu-
23 ally thereafter, the Administrator shall submit to the
24 appropriate congressional committees a report on
25 the program. The report shall include—

1 (A) a description of the activities under the
2 program, including the number of individuals
3 who participated in the program and the train-
4 ing provided such individuals under the pro-
5 gram;

6 (B) an assessment of the effectiveness of
7 the program in meeting the objectives of the
8 program, including the performance of each
9 university administering the program; and

10 (C) any recommendations for additional
11 legislative or administrative action that the Ad-
12 ministrator considers appropriate in light of the
13 program.

14 (3) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES DEFINED.—In this subsection, the term “ap-
16 propriate congressional committees” means—

17 (A) the Committee on Homeland Security
18 and Governmental Affairs and the Committee
19 on Appropriations of the Senate; and

20 (B) the Committee on Oversight and Gov-
21 ernment Reform and the Committee on Appro-
22 priations of the House of Representatives.

23 (c) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated for the OFPP Acquisi-
25 tion Fellows Development Fund the following amounts:

1 (1) For fiscal year 2012, \$16,000,000.

2 (2) For fiscal year 2013, \$32,000,000.

3 (3) For fiscal year 2014, and each fiscal year
4 thereafter, \$48,000,000.

5 **SEC. 3. LEADERSHIP DEVELOPMENT TRAINING PROGRAM.**

6 (a) ESTABLISHMENT OF LEADERSHIP DEVELOP-
7 MENT TRAINING PROGRAM.—

8 (b) ESTABLISHMENT OF TRAINING PROGRAM.—Not
9 later than 180 days after the date of the enactment of
10 this Act, Administrator for Federal Procurement Policy
11 shall establish a leadership development training program
12 for Federal employees focused on core leadership and ac-
13 quisition competencies. The purpose of the training pro-
14 gram shall be to foster the development of high performing
15 individuals in the three core acquisition disciplines of con-
16 tracting, program management, and cost estimating to
17 serve as future acquisition leaders.

18 (c) OBJECTIVES.—The objectives of the program
19 shall be as follows:

20 (1) To develop a new generation of acquisition
21 leaders in the three major acquisition disciplines cur-
22 rently in the Federal workforce in order to expand
23 and improve the quality of the acquisition workforce.

24 (2) To develop high performing Federal employ-
25 ees in the three major acquisition disciplines to pro-

1 vide opportunities for advancement into leadership
2 positions.

3 (3) To enhance the ability to foster networking
4 and understanding among the three major acquisi-
5 tion disciplines to achieve desired acquisition out-
6 comes.

7 (d) STRUCTURE.—

8 (1) COOPERATIVE AGREEMENT.—The Office of
9 Federal Procurement Policy shall enter into coopera-
10 tive agreements with one or more institutions of
11 higher learning as prescribed under Office of Man-
12 agement and Budget Circular A-102, “Grants and
13 Cooperative Agreements with State and Local Gov-
14 ernments” to develop and implement the training
15 program.

16 (2) PARTICIPANTS.—The training program par-
17 ticipants shall be composed of an equal distribution
18 of the three targeted acquisition disciplines.

19 (3) PROGRAM SELECTION OFFICIAL.—The Di-
20 rector of the Federal Acquisition Institute shall be
21 the program selection official.

22 (4) TRAINING.—The program shall consist of
23 18 months of academic classroom training. The par-
24 ticipants shall complete the training during normal
25 duty hours, and shall remain at their current duty

1 station during any such hours not spent in training.

2 Upon successful completion of the program, partici-
3 pants shall receive a Master's Degree in Public Ad-
4 ministration with a concentration in Federal acquisi-
5 tion.

6 (5) CURRICULUM.—The curriculum of the pro-
7 gram shall be developed by the partnering institution
8 or institutions of higher learning and approved by
9 the Director of the Federal Acquisition Institute.

10 (e) SIZE.—The total number of individuals entering
11 the pilot program shall be not less than 50. There shall
12 be an equal composition of the three acquisition functions.

13 (f) ELEMENTS.—In carrying out the program, the
14 Administrator for Federal Procurement Policy shall—

15 (1) enter into cooperative agreements with one
16 or more institutions of higher learning to provide for
17 the management and oversight of the training pro-
18 gram; and

19 (2) collaborate with such institution or institu-
20 tions to develop learning objectives and to design
21 classroom training to best meet the program objec-
22 tives.

23 (g) SERVICE AGREEMENT.—

24 (1) COMMITMENT FOR FEDERAL SERVICE.—A
25 person selected for participation in the program

1 shall commit to employment for not less than 2
2 years with the Federal Government in the field of
3 acquisition, following completion of the program,
4 under such terms and conditions as the Adminis-
5 trator for Federal Procurement Policy considers ap-
6 propriate to ensure the Federal Government receives
7 proper return on investment.

8 (2) REIMBURSEMENT OF FUNDS.—In cases
9 where a participant does not complete the minimum
10 employment commitment, the participant shall reim-
11 burse the Federal Government for a prorated share
12 of the cost of the training, based on the proportion
13 of the commitment that remains unfulfilled.

14 (h) USE OF FUNDS.—Amounts in the Acquisition
15 Workforce Training Fund (AWTF) established under sec-
16 tion 1703(i) of title 41, United States Code, may be made
17 available for the program and may be used for—

18 (1) the establishment and operations of the pro-
19 gram, including planning and administration;

20 (2) classroom training expenses, including—

21 (A) tuition;

22 (B) books; and

23 (C) other necessary expenses the Adminis-
24 trator for Federal Procurement Policy considers
25 necessary.

1 (i) REPORTS.—

2 (1) IN GENERAL.—Not later than 90 days after
3 the commencement of the training program, and
4 semi-annually thereafter, the Administrator for Fed-
5 eral Procurement Policy shall submit to the appro-
6 priate congressional committees a report on the pro-
7 gram.

8 (2) CONTENT.—The report required under
9 paragraph (1) shall include—

10 (A) a description of the activities under the
11 training program, including the number of indi-
12 viduals who participated in the program and
13 the training provided such individuals under the
14 program;

15 (B) an assessment of the effectiveness of
16 the program in meeting the objectives of the
17 program, including the performance of the
18 partnering institution or institutions of higher
19 learning;

20 (C) recommendations for additional legisla-
21 tive or administrative action that the Adminis-
22 trator for Federal Procurement Policy considers
23 appropriate in light of the program; and

1 (D) workforce data to support the return
2 on investment, including retention rates and im-
3 provement in workforce quality.

4 (3) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES DEFINED.—In this subsection, the term “ap-
6 propriate congressional committees” means—

7 (A) the Committee on Homeland Security
8 and Governmental Affairs and the Committee
9 on Appropriations of the Senate; and

10 (B) the Committee on Oversight and Gov-
11 ernment Reform and the Committee on Appro-
12 priations of the House of Representatives.

13 (j) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated for the Leadership De-
15 velopment Training Program the following amounts:

16 (1) For fiscal year 2012, \$500,000.

17 (2) For fiscal year 2013, \$250,000.

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