

Calendar No. 73

112TH CONGRESS
1ST SESSION**S. 762****[Report No. 112-21]**

To improve the Federal Acquisition Institute.

IN THE SENATE OF THE UNITED STATES

APRIL 7 (legislative day, APRIL 5), 2011

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

JUNE 9, 2011

Reported by Mr. LIEBERMAN, without amendment

A BILL

To improve the Federal Acquisition Institute.

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 “Federal Acquisition
5 Institute Improvement Act of 2011”.

1 **SEC. 2. ACQUISITION WORKFORCE IMPROVEMENTS.**

2 (a) WORKFORCE IMPROVEMENTS.—Section 1704(b)
3 of title 41, United States Code, is amended—

4 (1) by inserting after the first sentence the fol-
5 lowing: “The Associate Administrator shall be cho-
6 sen on the basis of demonstrated knowledge and ex-
7 pertise in acquisition, human capital, and manage-
8 ment.”;

9 (2) by striking “The Associate Administrator
10 for Acquisition Workforce Programs shall be located
11 in the Federal Acquisition Institute (or its suc-
12 cessor).” and inserting “The Associate Adminis-
13 trator shall be located in the Office of Federal Pro-
14 curement Policy.”;

15 (3) in paragraph (4), by striking “; and” and
16 inserting a semicolon;

17 (4) by redesignating paragraph (5) as para-
18 graph (6); and

19 (5) by inserting after paragraph (4) the fol-
20 lowing new paragraph:

21 “(5) implementing workforce programs under
22 subsections (f) through (k) of section 1703 of this
23 title; and”.

24 (b) FEDERAL ACQUISITION INSTITUTE.—

1 (1) IN GENERAL.—Division B of title 41,
2 United States Code, is amended by inserting after
3 chapter 11 the following new chapter:

4 **“CHAPTER 12—FEDERAL ACQUISITION**
5 **INSTITUTE**

“Sec.

“1201. Federal Acquisition Institute.

6 **“§ 1201. Federal Acquisition Institute**

7 “(a) IN GENERAL.—There is established a Federal
8 Acquisition Institute (FAI) in order to—

9 “(1) foster and promote the development of a
10 professional acquisition workforce Government-wide;

11 “(2) promote and coordinate Government-wide
12 research and studies to improve the procurement
13 process and the laws, policies, methods, regulations,
14 procedures, and forms relating to acquisition by the
15 executive agencies;

16 “(3) collect data and analyze acquisition work-
17 force data from the Office of Personnel Manage-
18 ment, the heads of executive agencies, and, through
19 periodic surveys, from individual employees;

20 “(4) periodically analyze acquisition career
21 fields to identify critical competencies, duties, tasks,
22 and related academic prerequisites, skills, and
23 knowledge;

1 “(5) coordinate and assist agencies in identi-
2 fying and recruiting highly qualified candidates for
3 acquisition fields;

4 “(6) develop instructional materials for acquisi-
5 tion personnel in coordination with private and pub-
6 lic acquisition colleges and training facilities;

7 “(7) evaluate the effectiveness of training and
8 career development programs for acquisition per-
9 sonnel;

10 “(8) promote the establishment and utilization
11 of academic programs by colleges and universities in
12 acquisition fields;

13 “(9) facilitate, to the extent requested by agen-
14 cies, interagency intern and training programs;

15 “(10) collaborate with other civilian agency ac-
16 quisition training programs to leverage training sup-
17 porting all members of the civilian agency acquisi-
18 tion workforce;

19 “(11) assist civilian agencies with their acquisi-
20 tion human capital planning efforts; and

21 “(12) perform other career management or re-
22 search functions as directed by the Administrator.

23 “(b) BUDGET RESOURCES AND AUTHORITY.—

24 “(1) IN GENERAL.—The Administrator for Fed-
25 eral Procurement Policy shall recommend to the Ad-

1 administrator of the General Services Administration
2 sufficient budget resources and authority for the
3 Federal Acquisition Institute to support Govern-
4 ment-wide training standards and certification re-
5 quirements necessary to enhance the mobility and
6 career opportunities of the Federal acquisition work-
7 force.

8 “(2) ACQUISITION WORKFORCE TRAINING
9 FUND.—Subject to the availability of funds, the Ad-
10 minister of General Services shall provide the Fed-
11 eral Acquisition Institute with amounts from the ac-
12 quisition workforce training fund established under
13 section 1703(i) of this title sufficient to meet the an-
14 nual budget for the Federal Acquisition Institute re-
15 quested by the Administrator for Federal Procure-
16 ment Policy.

17 “(c) FEDERAL ACQUISITION INSTITUTE BOARD OF
18 DIRECTORS.—

19 “(1) REPORTING TO ADMINISTRATOR.—The
20 Federal Acquisition Institute shall report through its
21 Board of Directors directly to the Administrator for
22 Federal Procurement Policy.

23 “(2) COMPOSITION.—The Board shall be com-
24 posed of not more than 8 individuals from the Fed-
25 eral Government representing a mix of acquisition

1 functional areas, all of whom shall be appointed by
2 the Administrator.

3 “(3) DUTIES.—The Board shall provide general
4 direction to the Federal Acquisition Institute to en-
5 sure that the Institute—

6 “(A) meets its statutory requirements;

7 “(B) meets the needs of the Federal acqui-
8 sition workforce;

9 “(C) implements appropriate programs;

10 “(D) coordinates with appropriate organi-
11 zations and groups that have an impact on the
12 Federal acquisition workforce;

13 “(E) develops and implements plans to
14 meet future challenges of the Federal acquisi-
15 tion workforce; and

16 “(F) works closely with the Defense Acqui-
17 sition University.

18 “(4) RECOMMENDATIONS.—The Board shall
19 make recommendations to the Administrator regard-
20 ing the development and execution of the annual
21 budget of the Federal Acquisition Institute.

22 “(d) DIRECTOR.—The Director of the Federal Acqui-
23 sition Institute shall be appointed by, and report directly
24 to, the Administrator.

1 “(e) ANNUAL REPORT.—The Administrator shall
2 submit to the Committee on Homeland Security and Gov-
3 ernmental Affairs and the Committee on Appropriations
4 of the Senate and the Committee on Oversight and Gov-
5 ernment Reform and the Committee on Appropriations of
6 the House of Representatives an annual report on the pro-
7 jected budget needs and expense plans of the Federal Ac-
8 quisition Institute to fulfill its mandate.”.

9 (2) CONFORMING AMENDMENT.—Section
10 1122(a)(5) of such title is amended to read as fol-
11 lows:

12 “(5) providing for and directing the activities of
13 the Federal Acquisition Institute established under
14 section 1201 of this title, including recommending to
15 the Administrator of General Services a sufficient
16 budget for such activities.”.

17 (c) GOVERNMENT-WIDE TRAINING STANDARDS AND
18 CERTIFICATION.—Section 1703 of title 41, United States
19 Code, is amended—

20 (1) in subsection (c)(2)—

21 (A) by striking “The Administrator shall”
22 and inserting the following:

23 “(A) IN GENERAL.—The Administrator
24 shall”; and

25 (B) by adding at the end the following:

1 “(B) GOVERNMENT-WIDE TRAINING
2 STANDARDS AND CERTIFICATION.—The Admin-
3 istrator, acting through the Federal Acquisition
4 Institute, shall provide and update Government-
5 wide training standards and certification re-
6 quirements, including—

7 “(i) developing and modifying acquisi-
8 tion certification programs;

9 “(ii) ensuring quality assurance for
10 agency implementation of Government-
11 wide training and certification standards;

12 “(iii) analyzing the acquisition train-
13 ing curriculum to ascertain if all certifi-
14 cation competencies are covered or if ad-
15 justments are necessary;

16 “(iv) developing career path informa-
17 tion for certified professionals to encourage
18 retention in Government positions;

19 “(v) coordinating with the Office of
20 Personnel Management for human capital
21 efforts; and

22 “(vi) managing rotation assignments
23 to support opportunities to apply skills in-
24 cluded in certification.”; and

1 (2) by adding at the end the following new sub-
2 section:

3 “(1) ACQUISITION INTERNSHIP AND TRAINING PRO-
4 GRAMS.—All Federal civilian agency acquisition internship
5 or acquisition training programs shall follow guidelines
6 provided by the Office of Federal Procurement Policy to
7 ensure consistent training standards necessary to develop
8 uniform core competencies throughout the Federal Gov-
9 ernment.”.

10 (d) EXPANDED SCOPE OF ACQUISITION WORKFORCE
11 TRAINING FUND.—Section 1703(i) of such title is amend-
12 ed—

13 (1) in paragraph (2), by striking “to support
14 the training of the acquisition workforce of the execu-
15 tive agencies” and inserting “to support the activi-
16 ties set forth in section 1201(a) of this title”; and

17 (2) in paragraph (6), by striking “ensure that
18 amounts collected for training under this subsection
19 are not used for a purpose other than the purpose
20 specified in paragraph (2)” and inserting “ensure
21 that amounts collected under this section are not
22 used for a purpose other than the activities set forth
23 in section 1201(a) of this title”.

24 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
25 tion, or the amendments made by this section, shall be

1 construed to preclude the Secretary of Defense from es-
2 tablishing acquisition workforce policies, procedures,
3 training standards, and certification requirements for ac-
4 quisition positions in the Department of Defense, as pro-
5 vided in chapter 87 of title 10, United States Code.

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