

111TH CONGRESS
2D SESSION

S. 2902

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 14, 2010

Referred to the Committee on Oversight and Government Reform

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Federal Acquisition
3 Institute Act of 2010”.

4 **SEC. 2. ACQUISITION WORKFORCE IMPROVEMENTS.**

5 (a) WORKFORCE IMPROVEMENTS.—

6 (1) IN GENERAL.—Section 855 of the National
7 Defense Authorization Act for Fiscal Year 2008 (41
8 U.S.C. 433a) is transferred so as to appear after
9 section 37 of the Office of Federal Procurement Pol-
10 icy Act (41 U.S.C. 433), redesignated as section
11 37A of the Office of Federal Procurement Policy
12 Act, and amended—

13 (A) in subsection (a)—

14 (i) by inserting after the first sentence
15 the following: “The Associate Adminis-
16 trator shall be chosen on the basis of dem-
17 onstrated knowledge and expertise in ac-
18 quisition, human capital, and manage-
19 ment.”;

20 (ii) by striking “The Associate Admin-
21 istrator for Acquisition Workforce Pro-
22 grams shall be located in the Federal Ac-
23 quisition Institute (or its successor).” and
24 inserting “The Associate Administrator
25 shall be located in the Office of Federal
26 Procurement Policy.”;

1 (iii) by redesignating paragraph (5) as
2 subparagraph (6);

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

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

7 “(5) implementing workforce programs under
8 subsections (f) through (i) of section 37; and”;

9 (B) by striking subsection (h) and insert-
10 ing the following new subsections:

11 “(h) FEDERAL ACQUISITION INSTITUTE.—

12 “(1) IN GENERAL.—There is established a Fed-
13 eral Acquisition Institute (FAI) in order to—

14 “(A) foster and promote the development
15 of a professional acquisition workforce Govern-
16 ment-wide;

17 “(B) promote and coordinate Government-
18 wide research and studies to improve the pro-
19 curement process and the laws, policies, meth-
20 ods, regulations, procedures, and forms relating
21 to acquisition by the executive agencies;

22 “(C) collect data and analyze acquisition
23 workforce data from the Office of Personnel
24 Management, the heads of executive agencies,

1 and, through periodic surveys, from individual
2 employees;

3 “(D) periodically analyze acquisition career
4 fields to identify critical competencies, duties,
5 tasks, and related academic prerequisites, skills,
6 and knowledge;

7 “(E) coordinate and assist agencies in
8 identifying and recruiting highly qualified can-
9 didates for acquisition fields;

10 “(F) develop instructional materials for ac-
11 quisition personnel in coordination with private
12 and public acquisition colleges and training fa-
13 cilities;

14 “(G) evaluate the effectiveness of training
15 and career development programs for acquisi-
16 tion personnel;

17 “(H) promote the establishment and utili-
18 zation of academic programs by colleges and
19 universities in acquisition fields;

20 “(I) facilitate, to the extent requested by
21 agencies, interagency intern and training pro-
22 grams; and

23 “(J) perform other career management or
24 research functions as directed by the Adminis-
25 trator.

1 “(2) BUDGET RESOURCES AND AUTHORITY.—

2 “(A) IN GENERAL.—The Director of the
3 Office of Management and Budget and the Ad-
4 ministrator of General Services shall provide
5 the Federal Acquisition Institute with the nec-
6 essary budget resources and authority to sup-
7 port government-wide training standards and
8 certification requirements necessary to enhance
9 the mobility and career opportunities of the
10 Federal acquisition workforce.

11 “(B) ACQUISITION WORKFORCE TRAINING
12 FUND.—Subject to the availability of funds, the
13 Administer of General Services shall provide the
14 Federal Acquisition Institute with amounts
15 from the acquisition workforce training fund es-
16 tablished under section 37(h)(3) sufficient to
17 meet the annual budget for the Federal Acqui-
18 sition Institute requested by the Administrator
19 for Federal Procurement Policy.

20 “(3) FEDERAL ACQUISITION INSTITUTE BOARD
21 OF DIRECTORS.—

22 “(A) REPORTING TO ADMINISTRATOR.—
23 The Federal Acquisition Institute shall report
24 through its Board of Directors directly to the
25 Administrator for Federal Procurement Policy.

1 “(B) COMPOSITION.—The Board shall be
2 composed of not more than 8 individuals from
3 the Federal Government representing a mix of
4 acquisition functional areas, all of whom shall
5 be appointed by the Administrator.

6 “(C) DUTIES.—The Board shall provide
7 general direction to the Federal Acquisition In-
8 stitute to ensure that the Institute—

9 “(i) meets its statutory requirements;

10 “(ii) meets the needs of the Federal
11 acquisition workforce;

12 “(iii) implements appropriate pro-
13 grams;

14 “(iv) coordinates with appropriate or-
15 ganizations and groups that have an im-
16 pact on the Federal acquisition workforce;

17 “(v) develops and implements plans to
18 meet future challenges of the Federal ac-
19 quisition workforce; and

20 “(vi) works closely with the Defense
21 Acquisition University.

22 “(D) RECOMMENDATIONS.—The Board
23 shall make recommendations to the Adminis-
24 trator regarding the development and execution

1 of the annual budget of the Federal Acquisition
2 Institute.

3 “(4) DIRECTOR.—The Director of the Federal
4 Acquisition Institute shall be appointed by, and re-
5 port directly to, the Administrator.

6 “(i) GOVERNMENT-WIDE TRAINING STANDARDS AND
7 CERTIFICATION.—The Administrator for Federal Pro-
8 curement Policy, acting through the Federal Acquisition
9 Institute, shall provide and update government-wide train-
10 ing standards and certification requirements, including—

11 “(1) developing and modifying acquisition cer-
12 tification programs;

13 “(2) ensuring quality assurance for agency im-
14 plementation of government-wide training and cer-
15 tification standards;

16 “(3) analyzing the acquisition training cur-
17 riculum to ascertain if all certification competencies
18 are covered or if adjustments are necessary;

19 “(4) developing career path information for cer-
20 tified professionals to encourage retention in govern-
21 ment positions;

22 “(5) coordinating with the Office of Personnel
23 Management for human capital efforts; and

24 “(6) managing rotation assignments to support
25 opportunities to apply skills included in certification.

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

8 “(k) ANNUAL REPORT.—The Administrator shall
9 submit to the Committee on Homeland Security and Gov-
10 ernmental Affairs and the Committee on Appropriations
11 of the Senate and the Committee on Oversight and Gov-
12 ernment Reform and the Committee on Appropriations of
13 the House of Representatives an annual report on the pro-
14 jected budget needs and expense plans of the FAI to fulfill
15 its mandate.

16 “(l) CHIEF ACQUISITION OFFICER DEFINED.—In
17 this section, the term ‘Chief Acquisition Officer’ means a
18 Chief Acquisition Officer for an executive agency ap-
19 pointed pursuant to section 16.”.

20 (2) EXPANDED SCOPE OF ACQUISITION WORK-
21 FORCE TRAINING FUND.—Section 37(h)(3) of the
22 Office of Federal Procurement Policy Act (41 U.S.C.
23 433(h)(3)) is amended—

24 (A) in subparagraph (A), by striking “to
25 support the training of the acquisition work-

1 force of the executive agencies” and inserting
2 “to support the activities set forth in section
3 37A(h)(1)”;

4 (B) in subparagraph (E), by striking “en-
5 sure that funds collected for training under this
6 section are not used for any purpose other than
7 the purpose specified in subparagraph (A)” and
8 inserting “ensure that funds collected under
9 this section are not used for any purpose other
10 than the activities set forth in section
11 37A(h)(1)”.

12 (b) CONFORMING AMENDMENT.—Section 6(d)(5) of
13 the Office of Federal Procurement Policy Act (41 U.S.C.
14 405(d)(5)) is amended to read as follows:

15 “(5) providing for and directing the activities of
16 the Federal Acquisition Institute established under
17 section 37A, including recommending to the Admin-
18 istrator of General Services a sufficient budget for
19 such activities;”.

20 (c) RULE OF CONSTRUCTION.—Nothing in this sec-
21 tion, or the amendments made by this section, shall be
22 construed to preclude the Secretary of Defense from es-
23 tablishing acquisition workforce policies, procedures,
24 training standards, and certification requirements for ac-

1 acquisition positions in the Department of Defense, as pro-
2 vided in chapter 87 of title 10, United States Code.

Passed the Senate December 13, 2010.

Attest: NANCY ERICKSON,
Secretary.