

Calendar No. 288

114TH CONGRESS
1ST SESSION

S. 1550

[Report No. 114–162]

To amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2015

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

NOVEMBER 3, 2015

Reported by Mr. JOHNSON, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]

A BILL

To amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Program Management
3 Improvement Accountability Act”.

4 **SEC. 2. DEPUTY DIRECTOR FOR MANAGEMENT.**

5 (a) **ADDITIONAL FUNCTIONS.**—Section 503 of title
6 31, United States Code, is amended by adding at the end
7 the following:

8 “(c) **PROGRAM AND PROJECT MANAGEMENT.**—

9 “(1) **REQUIREMENT.**—Subject to the direction
10 and approval of the Director, the Deputy Director
11 for Management or designee shall—

12 “(A) adopt governmentwide standards;
13 policies, and guidelines for program and project
14 management for executive agencies;

15 “(B) oversee program and project manage-
16 ment for the standards, policies, and guidelines
17 established under subparagraph (A);

18 “(C) chair the Program Management Pol-
19 icy Council established under section 1126(b);

20 “(D) issue regulations and establish stand-
21 ards and policies for executive agencies, in ac-
22 cordance with nationally accredited standards
23 for program and project management planning
24 and delivery issues;

25 “(E) engage with the private sector;

1 ~~“(F) conduct portfolio reviews to address~~
 2 ~~programs identified as high risk by the Govern-~~
 3 ~~ment Accountability Office;~~

4 ~~“(G) not less than annually, conduct port-~~
 5 ~~folio reviews of agency programs in coordination~~
 6 ~~with Project Management Improvement Officers~~
 7 ~~designated under section 1126(a)(1); and~~

8 ~~“(H) establish a 5-year strategic plan for~~
 9 ~~program and project management.~~

10 ~~“(2) APPLICATION TO DEPARTMENT OF DE-~~
 11 ~~FENSE.—Paragraph (1) shall not apply to the De-~~
 12 ~~partment of Defense to the extent that the provi-~~
 13 ~~sions of that paragraph are substantially similar to~~
 14 ~~or duplicative of the provisions of section 810 of the~~
 15 ~~National Defense Authorization Act for Fiscal Year~~
 16 ~~2016.”.~~

17 ~~(b) DEADLINE FOR STANDARDS, POLICIES, AND~~
 18 ~~GUIDELINES.—Not later than 120 days after the date of~~
 19 ~~the enactment of this Act, the Deputy Director for Man-~~
 20 ~~agement of the Office of Management and Budget shall~~
 21 ~~issue the standards, policies, and guidelines required~~
 22 ~~under section 503(c) of title 31, United States Code, as~~
 23 ~~added by subsection (a).~~

24 ~~(c) REGULATIONS.—Not later than 150 days after~~
 25 ~~the date of the enactment of this Act, the Deputy Director~~

1 for Management of the Office of Management and Budget,
 2 in consultation with the Program Management Policy
 3 Council established under section 1126(b) of title 31,
 4 United States Code, as added by section 3(a), and the Di-
 5 rector of the Office of Management and Budget, shall
 6 issue any regulations as are necessary to implement the
 7 requirements of section 503(c) of title 31, United States
 8 Code, as added by subsection (a).

9 **SEC. 3. PROGRAM MANAGEMENT IMPROVEMENT OFFICERS**
 10 **AND PROGRAM MANAGEMENT POLICY COUN-**
 11 **CIL.**

12 (a) AMENDMENT.—Chapter 11 of title 31, United
 13 States Code, is amended by adding at the end the fol-
 14 lowing:

15 **“§ 1126. Program Management Improvement Officers**
 16 **and Program Management Policy Council**

17 **“(a) PROGRAM MANAGEMENT IMPROVEMENT OFFI-**
 18 **CERS.—**

19 **“(1) DESIGNATION.—**The head of each agency
 20 described in section 901(b) shall designate a senior
 21 executive of the agency as the Program Management
 22 Improvement Officer of the agency. The Program
 23 Management Improvement Officer shall report di-
 24 rectly to the head of the agency.

1 “(2) FUNCTIONS.—The Program Management
2 Improvement Officer of an agency designated under
3 paragraph (1) shall—

4 “(A) implement program management poli-
5 cies established by the agency under section
6 503(e); and

7 “(B) develop a written strategy for en-
8 hancing the role of program managers within
9 the agency that includes the following:

10 “(i) Enhanced training and edu-
11 cational opportunities for program man-
12 agers.

13 “(ii) Mentoring of current and future
14 program managers by experienced senior
15 executives and program managers within
16 the agency.

17 “(iii) Improved career paths and ca-
18 reer opportunities for program managers.

19 “(iv) Incentives for the recruitment
20 and retention of highly qualified individ-
21 uals to serve as program managers.

22 “(v) Improved resources and support,
23 including relevant competencies encom-
24 passed with program and project manage-

ment within the private sector for program managers.

“(vi) Improved means of collecting and disseminating best practices and lessons learned to enhance program management across the agency.

“(vii) Common templates and tools to support improved data gathering and analysis for program management and oversight purposes.

“(3) APPLICATION TO DEPARTMENT OF DEFENSE.—This subsection shall not apply to the Department of Defense to the extent that the provisions of this subsection are substantially similar to or duplicative of the provisions of section 810 of the National Defense Authorization Act for Fiscal Year 2016.

“(b) PROGRAM MANAGEMENT POLICY COUNCIL.—

“(1) ESTABLISHMENT.—There is established in the Office of Management and Budget a council to be known as the ‘Program Management Policy Council’ (in this subsection referred to as the ‘Council’).

“(2) PURPOSE AND FUNCTIONS.—The Council shall act as the principal interagency forum for im-

1 proving agency practices related to program and
2 project management. The Council shall—

3 “(A) advise and assist the Deputy Director
4 for Management of the Office of Management
5 and Budget;

6 “(B) review programs identified as high
7 risk by the General Accountability Office and
8 make recommendations for actions to be taken
9 by the Deputy Director for Management of the
10 Office of Management and Budget or designee;

11 “(C) discuss topics of importance to the
12 workforce, including—

13 “(i) career development and workforce
14 development needs;

15 “(ii) policy to support continuous im-
16 provement in program and project manage-
17 ment; and

18 “(iii) major challenges across agencies
19 in managing programs;

20 “(D) advise on the development and appli-
21 cability of standards governmentwide for pro-
22 gram management transparency; and

23 “(E) review the information published on
24 the website of the Office of Management and
25 Budget pursuant to section 1122.

1 ~~“(3) MEMBERSHIP.—~~

2 ~~“(A) COMPOSITION.—The Council shall be~~
 3 ~~composed of the following members:~~

4 ~~“(i) Five members from the Office of~~
 5 ~~Management and Budget as follows:~~

6 ~~“(I) The Deputy Director for~~
 7 ~~Management.~~

8 ~~“(II) The Administrator of the~~
 9 ~~Office of Electronic Government.~~

10 ~~“(III) The Administrator of the~~
 11 ~~Office of Federal Procurement Policy.~~

12 ~~“(IV) The Controller of the Of-~~
 13 ~~fice of Federal Financial Manage-~~
 14 ~~ment.~~

15 ~~“(V) The Director of the Office~~
 16 ~~of Performance and Personnel Man-~~
 17 ~~agement.~~

18 ~~“(ii) The Program Management Im-~~
 19 ~~provement Officer from each agency de-~~
 20 ~~scribed in section 901(b).~~

21 ~~“(iii) Other individuals as determined~~
 22 ~~appropriate by the Chairperson.~~

23 ~~“(B) CHAIRPERSON AND VICE CHAIR-~~
 24 ~~PERSON.—~~

1 “(i) IN GENERAL.—The Deputy Di-
2 rector for Management of the Office of
3 Management and Budget shall be the
4 Chairperson of the Council. A Vice Chair-
5 person shall be elected by the members and
6 shall serve a term of not more than 1 year.

7 “(ii) DUTIES.—The Chairperson shall
8 preside at the meetings of the Council, de-
9 termine the agenda of the Council, direct
10 the work of the Council, and establish and
11 direct subgroups of the Council as appro-
12 priate.

13 “(4) MEETINGS.—The Council shall meet not
14 less than twice per fiscal year and may meet at the
15 call of the Chairperson or a majority of the members
16 of the Council.

17 “(5) SUPPORT.—The head of each agency with
18 a Project Management Improvement Officer serving
19 on the Council shall provide administrative support
20 to the Council, as appropriate, at the request of the
21 Chairperson.

22 “(6) COMMITTEE DURATION.—Section 14(a)(2)
23 of the Federal Advisory Committee Act (5 U.S.C.
24 App.) shall not apply to the Council.”.

1 (b) **REPORT REQUIRED.**—Not later than 180 days
 2 after the date of the enactment of this Act, the head of
 3 each agency described in section 901(b) of title 31, United
 4 States Code, shall submit to Congress and the Office of
 5 Management and Budget a report containing the strategy
 6 developed under section 1126(a)(2)(B) of such title, as
 7 added by subsection (a).

8 **SEC. 4. PROGRAM AND PROJECT MANAGEMENT PER-**
 9 **SONNEL STANDARDS.**

10 (a) **DEFINITION.**—In this section, the term “agency”
 11 means each agency described in section 901(b) of title 31,
 12 United States Code.

13 (b) **REGULATIONS REQUIRED.**—Not later than 270
 14 days after the date of enactment of this Act, the Director
 15 of the Office of Personnel Management, in consultation
 16 with the Director of the Office of Management and Budget,
 17 et, shall issue regulations that—

- 18 (1) identify key skills and competencies needed
- 19 for a program and project manager in an agency;
- 20 (2) establish a new job series for program and
- 21 project management within an agency; and
- 22 (3) establish a new career path for program
- 23 and project managers within an agency.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Program Management*
 3 *Improvement Accountability Act”.*

4 **SEC. 2. DEPUTY DIRECTOR FOR MANAGEMENT.**

5 (a) *ADDITIONAL FUNCTIONS.*—Section 503 of title 31,
 6 *United States Code, is amended by adding at the end the*
 7 *following:*

8 “(c) *PROGRAM AND PROJECT MANAGEMENT.*—

9 “(1) *REQUIREMENT.*—Subject to the direction
 10 *and approval of the Director, the Deputy Director for*
 11 *Management or a designee shall—*

12 “(A) *adopt governmentwide standards, poli-*
 13 *cies, and guidelines for program and project*
 14 *management for executive agencies;*

15 “(B) *oversee implementation of program*
 16 *and project management for the standards, poli-*
 17 *cies, and guidelines established under subpara-*
 18 *graph (A);*

19 “(C) *chair the Program Management Policy*
 20 *Council established under section 1126(b);*

21 “(D) *establish standards and policies for ex-*
 22 *ecutive agencies, in accordance with widely ac-*
 23 *cepted standards for program and project man-*
 24 *agement planning and delivery;*

25 “(E) *engage with the private sector to iden-*
 26 *tify best practices in program and project man-*

1 *agement that would improve Federal program*
 2 *and project management;*

3 *“(F) conduct portfolio reviews to address*
 4 *programs identified as high risk by the Govern-*
 5 *ment Accountability Office;*

6 *“(G) not less than annually, conduct port-*
 7 *folio reviews of agency programs in coordination*
 8 *with Project Management Improvement Officers*
 9 *designated under section 1126(a)(1) to assess the*
 10 *quality and effectiveness of program manage-*
 11 *ment; and*

12 *“(H) establish a 5-year strategic plan for*
 13 *program and project management.*

14 *“(2) APPLICATION TO DEPARTMENT OF DE-*
 15 *FENSE.—Paragraph (1) shall not apply to the De-*
 16 *partment of Defense to the extent that the provisions*
 17 *of that paragraph are substantially similar to or du-*
 18 *plicative of the provisions of the National Defense Au-*
 19 *thorization Act for Fiscal Year 2016.”.*

20 *(b) DEADLINE FOR STANDARDS, POLICIES, AND*
 21 *GUIDELINES.—Not later than 1 year after the date of enact-*
 22 *ment of this Act, the Deputy Director for Management of*
 23 *the Office of Management and Budget shall issue the stand-*
 24 *ards, policies, and guidelines required under section 503(c)*
 25 *of title 31, United States Code, as added by subsection (a).*

1 (c) *REGULATIONS.*—Not later than 90 days after the
 2 date on which the standards, policies, and guidelines are
 3 issued under subsection (b), the Deputy Director for Man-
 4 agement of the Office of Management and Budget, in con-
 5 sultation with the Program Management Policy Council es-
 6 tablished under section 1126(b) of title 31, United States
 7 Code, as added by section 3(a), and the Director of the Of-
 8 fice of Management and Budget, shall issue any regulations
 9 as are necessary to implement the requirements of section
 10 503(c) of title 31, United States Code, as added by sub-
 11 section (a).

12 **SEC. 3. PROGRAM MANAGEMENT IMPROVEMENT OFFICERS**
 13 **AND PROGRAM MANAGEMENT POLICY COUN-**
 14 **CIL.**

15 (a) *AMENDMENT.*—Chapter 11 of title 31, United
 16 States Code, is amended by adding at the end the following:

17 **“§ 1126. Program Management Improvement Officers**
 18 **and Program Management Policy Council**

19 “(a) *PROGRAM MANAGEMENT IMPROVEMENT OFFI-*
 20 *CERS.*—

21 “(1) *DESIGNATION.*—The head of each agency de-
 22 scribed in section 901(b) shall designate a senior exec-
 23 utive of the agency as the Program Management Im-
 24 provement Officer of the agency.

1 “(2) *FUNCTIONS.—The Program Management*
2 *Improvement Officer of an agency designated under*
3 *paragraph (1) shall—*

4 “(A) *implement program management poli-*
5 *cies established by the agency under section*
6 *503(c); and*

7 “(B) *develop a strategy for enhancing the*
8 *role of program managers within the agency that*
9 *includes the following:*

10 “(i) *Enhanced training and edu-*
11 *cational opportunities for program man-*
12 *agers that shall include—*

13 “(I) *training in the relevant com-*
14 *petencies encompassed with program*
15 *and project manager within the pri-*
16 *rate sector for program managers; and*

17 “(II) *training that emphasizes*
18 *cost containment for large projects and*
19 *programs.*

20 “(ii) *Mentoring of current and future*
21 *program managers by experienced senior*
22 *executives and program managers within*
23 *the agency.*

24 “(iii) *Improved career paths and ca-*
25 *reer opportunities for program managers.*

1 “(iv) *A plan to encourage the recruit-*
 2 *ment and retention of highly qualified indi-*
 3 *viduals to serve as program managers.*

4 “(v) *Improved means of collecting and*
 5 *disseminating best practices and lessons*
 6 *learned to enhance program management*
 7 *across the agency.*

8 “(vi) *Common templates and tools to*
 9 *support improved data gathering and anal-*
 10 *ysis for program management and oversight*
 11 *purposes.*

12 “(3) *APPLICATION TO DEPARTMENT OF DE-*
 13 *FENSE.—This subsection shall not apply to the De-*
 14 *partment of Defense to the extent that the provisions*
 15 *of this subsection are substantially similar to or du-*
 16 *plicative of the provisions of the National Defense Au-*
 17 *thorization Act for Fiscal Year 2016.*

18 “(b) *PROGRAM MANAGEMENT POLICY COUNCIL.—*

19 “(1) *ESTABLISHMENT.—There is established in*
 20 *the Office of Management and Budget a council to be*
 21 *known as the ‘Program Management Policy Council’*
 22 *(in this subsection referred to as the ‘Council’).*

23 “(2) *PURPOSE AND FUNCTIONS.—The Council*
 24 *shall act as the principal interagency forum for im-*

1 *proving agency practices related to program and*
2 *project management. The Council shall—*

3 *“(A) advise and assist the Deputy Director*
4 *for Management of the Office of Management*
5 *and Budget;*

6 *“(B) review programs identified as high*
7 *risk by the General Accountability Office and*
8 *make recommendations for actions to be taken by*
9 *the Deputy Director for Management of the Of-*
10 *fice of Management and Budget or a designee;*

11 *“(C) discuss topics of importance to the*
12 *workforce, including—*

13 *“(i) career development and workforce*
14 *development needs;*

15 *“(ii) policy to support continuous im-*
16 *provement in program and project manage-*
17 *ment; and*

18 *“(iii) major challenges across agencies*
19 *in managing programs;*

20 *“(D) advise on the development and appli-*
21 *cability of standards governmentwide for pro-*
22 *gram management transparency; and*

23 *“(E) review the information published on*
24 *the website of the Office of Management and*
25 *Budget pursuant to section 1122.*

1 “(3) *MEMBERSHIP.*—

2 “(A) *COMPOSITION.*—*The Council shall be*
3 *composed of the following members:*

4 “(i) *Five members from the Office of*
5 *Management and Budget as follows:*

6 “(I) *The Deputy Director for*
7 *Management.*

8 “(II) *The Administrator of the Of-*
9 *fice of Electronic Government.*

10 “(III) *The Administrator of Fed-*
11 *eral Procurement Policy.*

12 “(IV) *The Controller of the Office*
13 *of Federal Financial Management.*

14 “(V) *The Director of the Office of*
15 *Performance and Personnel Manage-*
16 *ment.*

17 “(ii) *The Program Management Im-*
18 *provement Officer from each agency de-*
19 *scribed in section 901(b).*

20 “(iii) *Other individuals as determined*
21 *appropriate by the Chairperson.*

22 “(B) *CHAIRPERSON AND VICE CHAIR-*
23 *PERSON.*—

24 “(i) *IN GENERAL.*—*The Deputy Direc-*
25 *tor for Management of the Office of Manage-*

1 *ment and Budget shall be the Chairperson*
 2 *of the Council. A Vice Chairperson shall be*
 3 *elected by the members and shall serve a*
 4 *term of not more than 1 year.*

5 “(ii) *DUTIES.—The Chairperson shall*
 6 *preside at the meetings of the Council, de-*
 7 *termine the agenda of the Council, direct*
 8 *the work of the Council, and establish and*
 9 *direct subgroups of the Council as appro-*
 10 *priate.*

11 “(4) *MEETINGS.—The Council shall meet not less*
 12 *than twice per fiscal year and may meet at the call*
 13 *of the Chairperson or a majority of the members of*
 14 *the Council.*

15 “(5) *SUPPORT.—The head of each agency with a*
 16 *Project Management Improvement Officer serving on*
 17 *the Council shall provide administrative support to*
 18 *the Council, as appropriate, at the request of the*
 19 *Chairperson.*

20 “(6) *COMMITTEE DURATION.—Section 14(a)(2)*
 21 *of the Federal Advisory Committee Act (5 U.S.C.*
 22 *App.) shall not apply to the Council.”.*

23 “(b) *REPORT REQUIRED.—Not later than 1 year after*
 24 *the date of enactment of this Act, the Director of the Office*
 25 *of Management and Budget, in consultation with each Pro-*

1 *gram Management Improvement Officer designated under*
 2 *section 1126(a)(1) of title 31, United States Code, shall sub-*
 3 *mit to Congress a report containing the strategy developed*
 4 *under section 1126(a)(2)(B) of such title, as added by sub-*
 5 *section (a).*

6 **SEC. 4. PROGRAM AND PROJECT MANAGEMENT PER-**
 7 **SONNEL STANDARDS.**

8 (a) *DEFINITION.*—*In this section, the term “agency”*
 9 *means each agency described in section 901(b) of title 31,*
 10 *United States Code.*

11 (b) *REGULATIONS REQUIRED.*—*Not later than 180*
 12 *days after the date on which the standards, policies, and*
 13 *guidelines are issued under section 503(c) of title 31, United*
 14 *States Code, as added by section 2(a), the Director of the*
 15 *Office of Personnel Management, in consultation with the*
 16 *Director of the Office of Management and Budget, shall*
 17 *issue regulations that—*

18 (1) *identify key skills and competencies needed*
 19 *for a program and project manager in an agency;*

20 (2) *establish a new job series, or update and im-*
 21 *prove an existing job series, for program and project*
 22 *management within an agency; and*

23 (3) *establish a new career path for program and*
 24 *project managers within an agency.*

1 **SEC. 5. GAO REPORT ON EFFECTIVENESS OF POLICIES ON**
2 **PROGRAM AND PROJECT MANAGEMENT.**

3 *Not later than 3 years after the date of enactment of*
4 *this Act, the Government Accountability Office shall issue,*
5 *in conjunction with the High Risk list of the Government*
6 *Accountability Office, a report examining the effectiveness*
7 *of the following on improving Federal program and project*
8 *management:*

9 (1) *The standards, policies, and guidelines for*
10 *program and project management issued under sec-*
11 *tion 503(c) of title 31, United States Code, as added*
12 *by section 2(a).*

13 (2) *The 5-year strategic plan established under*
14 *section 503(c)(1)(H) of title 31, United States Code,*
15 *as added by section 2(a).*

16 (3) *Program Management Improvement Officers*
17 *designated under section 1126(a)(1) of title 31,*
18 *United States Code, as added by section 3(a).*

19 (4) *The Program Management Policy Council es-*
20 *tablished under section 1126(b)(1) of title 31, United*
21 *States Code, as added by section 3(a).*

Calendar No. 288

114TH CONGRESS
1ST Session

S. 1550

[Report No. 114-162]

A BILL

To amend title 31, United States Code, to establish entities tasked with improving program and project management in certain Federal agencies, and for other purposes.

NOVEMBER 3, 2015

Reported with an amendment