

111TH CONGRESS  
1ST SESSION

# S. 2901

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

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IN THE SENATE OF THE UNITED STATES

DECEMBER 17, 2009

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

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## A BILL

To improve the acquisition workforce through the establishment of an acquisition management fellows 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 2009”.

6 **SEC. 2. GOVERNMENT-WIDE ACQUISITION MANAGEMENT**  
7 **FELLOWS PROGRAM.**

8 (a) ESTABLISHMENT OF PROGRAM.—

1           (1) IN GENERAL.—The Office of Federal Pro-  
2           curement Policy Act (41 U.S.C. 403 et seq.) is  
3           amended by adding at the end the following new sec-  
4           tion:

5           **“SEC. 45. GOVERNMENT-WIDE ACQUISITION MANAGEMENT**  
6                                   **FELLOWS PROGRAM.**

7           “(a) ESTABLISHMENT OF PROGRAM.—Not later than  
8           180 days after the date of the enactment of the Acquisi-  
9           tion Workforce Improvement Act of 2009, the Adminis-  
10          trator shall establish a government-wide acquisition man-  
11          agement fellows program (in this section referred to as  
12          the ‘program’) for the purpose of investing in the long-  
13          term improvement and sustained excellence of the Federal  
14          acquisition workforce.

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

17                 “(1) To develop a new generation of acquisition  
18                 leaders with government-wide perspective, skills, and  
19                 experience.

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

24                 “(3) To offer, upon completion of the program,  
25                 opportunities for advancement, competitive com-

1       pensation, and leadership opportunities at various  
2       executive agencies.

3       “(c) STRUCTURE.—

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

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

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

17                      “(A) Rotational assignments at three or  
18       more executive agencies covering, among other  
19       issues, acquisition planning, cost estimation,  
20       formation and post-award administration of  
21       cost-reimbursement contracts, time-and-mate-  
22       rials contracts, indefinite delivery indefinite  
23       quantity contracts, and interagency contracts,  
24       terminations, and contract close-out.

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

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

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

10          “(4) PRIORITY FOR EMPLOYMENT.—

11           “(A) IN GENERAL.—The head of each ex-  
12 ecutive agency shall give priority to graduates  
13 of the program for purposes of hiring employees  
14 in the acquisition field, based on performance  
15 during the program and other qualifications,  
16 and shall initially appoint such graduates to po-  
17 sitions at the GS–12, 13, or 14 levels of the  
18 General Schedule, or equivalents.

19           “(B) RULE OF CONSTRUCTION.—Nothing  
20 in this paragraph shall be construed to author-  
21 ize any hiring that violates any merit system  
22 principle under section 2301 of title 5, United  
23 States Code, or conflicts with any right of a  
24 preference eligible (as defined under section  
25 2108 of such title).

1       “(d) SIZE.—The total number of individuals entering  
2 the program each year may not exceed 200. There shall  
3 be at least 50 participants in the first year of the program,  
4 100 participants in the second year, and 150 participants  
5 thereafter.

6       “(e) ELEMENTS.—In carrying out the program, the  
7 Administrator shall—

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

13           “(2) be responsible for the management and  
14 oversight of the overall program and for placement  
15 of individuals upon graduation;

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

20           “(4) 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 PROGRAM  
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;

14                  “(v) planning and administration of  
15                  the program; and

16                  “(vi) other necessary expenses the Ad-  
17                  ministrator considers necessary.

18           “(3) DEPOSITS TO FUND.—The Fund shall con-  
19           sist of amounts appropriated or otherwise made  
20           available to the Fund.”.

21           (2) CLERICAL AMENDMENT.—The table of con-  
22           tents in section 1(b) of such Act is amended by add-  
23           ing at the end the following new item:

“Sec. 45. Government-wide acquisition management fellows program.”.

24           (b) REPORTS.—

1           (1) INITIAL REPORT.—Not later than 120 days  
2 after the date of the enactment of this Act, the Ad-  
3 ministrator shall submit to the appropriate congres-  
4 sional committees a preliminary report on the pro-  
5 gram, including a description of the program and  
6 the five-year budget needed to carry out the govern-  
7 ment-wide acquisition management fellows program  
8 established under section 45 of the Office of Federal  
9 Procurement Policy Act, as added by subsection (a).

10           (2) ANNUAL REPORT.—Not later than one year  
11 after the commencement of the program and annu-  
12 ally thereafter, the Administrator shall submit to the  
13 appropriate congressional committees a report on  
14 the program. The report shall include—

15                   (A) a description of the activities under the  
16 program, including the number of individuals  
17 who participated in the program and the train-  
18 ing provided such individuals under the pro-  
19 gram;

20                   (B) an assessment of the effectiveness of  
21 the program in meeting the objectives of the  
22 program, including the performance of each  
23 university administering the program; and

24                   (C) any recommendations for additional  
25 legislative or administrative action that the Ad-

1            administrator considers appropriate in light of the  
2            program.

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

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

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

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

15                    (1) For fiscal year 2011, \$16,000,000.

16                    (2) For fiscal year 2012, \$32,000,000.

17                    (3) For fiscal year 2013, \$48,000,000.

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