

**AMENDMENT TO THE RULES COMMITTEE PRINT  
FOR H.R. 1735  
OFFERED BY MR. CONNOLLY OF VIRGINIA**

At the end of title VIII (page 400, after line 23),  
add the following new sections:

1 **SEC. 865. ELIMINATION OF UNNECESSARY DUPLICATION**  
2 **OF CONTRACTS BY REQUIRING BUSINESS**  
3 **CASE ANALYSIS.**

4 (a) PURPOSE.—The purpose of this section is to le-  
5 verage the Government’s buying power and achieve admin-  
6 istrative efficiencies and cost savings by eliminating un-  
7 necessary duplication of contracts.

8 (b) REQUIREMENT FOR BUSINESS CASE AP-  
9 PROVAL.—

10 (1) IN GENERAL.—Effective on and after 180  
11 days after the date of the enactment of this Act, an  
12 executive agency may not issue a solicitation for a  
13 covered contract vehicle unless the agency performs  
14 a business case analysis for the contract vehicle and  
15 obtains an approval of the business case analysis  
16 from the Administrator for Federal Procurement  
17 Policy.

18 (2) REVIEW OF BUSINESS CASE ANALYSIS.—

1           (A) IN GENERAL.—With respect to any  
2 covered contract vehicle, the Administrator for  
3 Federal Procurement Policy shall review the  
4 business case analysis submitted for the con-  
5 tract vehicle and provide an approval or dis-  
6 approval within 60 days after the date of sub-  
7 mission. Any business case analysis not dis-  
8 approved within such 60-day period is deemed  
9 to be approved.

10           (B) BASIS FOR APPROVAL OF BUSINESS  
11 CASE.—The Administrator for Federal Procure-  
12 ment Policy shall approve or disapprove a busi-  
13 ness case analysis based on the adequacy of the  
14 analysis submitted. The Administrator shall  
15 give primary consideration to whether an agen-  
16 cy has demonstrated a compelling need that  
17 cannot be satisfied by existing Governmentwide  
18 contract vehicles in a timely and cost-effective  
19 manner.

20           (3) CONTENT OF BUSINESS CASE ANALYSIS.—  
21 The Administrator for Federal Procurement Policy  
22 shall issue guidance specifying the content for a  
23 business case analysis submitted pursuant to this  
24 section. At a minimum, the business case analysis  
25 shall include details on the administrative resources

1 needed for such contract vehicle, including an anal-  
2 ysis of all direct and indirect costs to the Federal  
3 Government of awarding and administering such  
4 contract vehicle and the impact such contract vehicle  
5 will have on the ability of the Federal Government  
6 to leverage its purchasing power.

7 (b) DEFINITIONS.—

8 (1) COVERED CONTRACT VEHICLE.—The term  
9 “covered contract vehicle” has the meaning provided  
10 by the Administrator for Federal Procurement Pol-  
11 icy in guidance issued pursuant to this section and  
12 includes, at a minimum, any Governmentwide con-  
13 tract vehicle , whether for acquisition of information  
14 technology or other goods or services, in an amount  
15 greater than \$50,000,000 (or \$10,000,000, deter-  
16 mined on an average annual basis, in the case of  
17 such a contract vehicle performed over more than  
18 one year). The term does not include a multiple  
19 award schedule contract awarded by the General  
20 Services Administration, a Governmentwide acquisi-  
21 tion contract for information technology awarded  
22 pursuant to sections 11302(e) and 11314(a)(2) of  
23 title 40, United States Code, or orders against exist-  
24 ing Governmentwide contract vehicles.

1           (2) GOVERNMENTWIDE CONTRACT VEHICLE.—

2           The term “Governmentwide contract vehicle” means  
3           any contract, blanket purchase agreement, or other  
4           contractual instrument that allows for an indefinite  
5           number of orders to be placed within the contract,  
6           agreement, or instrument, and that is established by  
7           one executive agency for use by multiple executive  
8           agencies to obtain supplies and services.

9           (3) EXECUTIVE AGENCY.—The term “executive  
10          agency” has the meaning provided that term by sec-  
11          tion 105 of title 5, United States Code.

12          (c) REPORT.—Not later than June 1 in each of the  
13          next 6 years following the date of the enactment of this  
14          Act, the Administrator for Federal Procurement Policy  
15          shall submit to the relevant congressional committees a  
16          report on the implementation of this section, including a  
17          summary of the submissions, reviews, approvals, and dis-  
18          approvals of business case analyses pursuant to this sec-  
19          tion.

20          (d) GUIDANCE.—The Administrator for Federal Pro-  
21          curement Policy shall issue guidance for implementing this  
22          section.

23          (e) REVISION OF FAR.—Not later than 180 days  
24          after the date of the enactment of this Act, the Federal

1 Acquisition Regulation shall be amended to implement this  
2 section.

3 **SEC. 866. STRENGTHENING PROGRAM AND PROJECT MAN-**  
4 **AGEMENT PERFORMANCE.**

5 (a) PLAN ON STRENGTHENING PROGRAM AND  
6 PROJECT MANAGEMENT PERFORMANCE.—Not later than  
7 180 days following the date of the enactment of this Act,  
8 the Director of the Office of Management and Budget, in  
9 consultation with the Director of the Office of Personnel  
10 Management, shall submit to the relevant congressional  
11 committees a plan for improving management of IT pro-  
12 grams and projects.

13 (b) MATTERS COVERED.—The plan required by sub-  
14 section (a) shall include, at a minimum, the following:

15 (1) Creation of a specialized career path for  
16 program management.

17 (2) The development of a competency model for  
18 program management consistent with the IT project  
19 manager model.

20 (3) A career advancement model that requires  
21 appropriate expertise and experience for advance-  
22 ment.

23 (4) A career advancement model that is more  
24 competitive with the private sector and that recog-

1 nizes both Government and private sector experi-  
2 ence.

3 (c) COMBINATION WITH OTHER CADRES PLAN.—

4 The Director may combine the plan required by subsection  
5 (a) with the acquisition human capital plans that were de-  
6 veloped pursuant to the October 27, 2009, guidance issued  
7 by the Administrator for Federal Procurement Policy in  
8 furtherance of section 1704(g) of title 41, United States  
9 Code (originally enacted as section 869 of the Duncan  
10 Hunter National Defense Authorization Act for Fiscal  
11 Year 2009 (Public Law 110-417; 122 Stat. 4553)), to ad-  
12 dress how the agencies are meeting their human capital  
13 requirements to support the timely and effective acquisi-  
14 tion of information technology.

15 **SEC. 867. EFFECTIVE COMMUNICATION BETWEEN GOVERN-**  
16 **MENT AND INDUSTRY.**

17 Not later than 180 days after the date of the enact-  
18 ment of this Act, the Federal Acquisition Regulatory  
19 Council shall prescribe a regulation making clear that  
20 agency acquisition personnel are permitted and encour-  
21 aged to engage in responsible and constructive exchanges  
22 with industry, so long as those exchanges are consistent  
23 with existing law and regulation and do not promote an  
24 unfair competitive advantage to particular firms.

