

List of Section 809 Panel Recommendations

INTERIM REPORT - MAY 2017

#	Recommendation	Page	Status
IR-1	Affirm agency mission as the primary goal of DoD acquisition (“Mission First”).	2	Sec. 801 of FY 2018 NDAA directed DFARS be revised to include certain statements of purpose.
IR-2	Increase contract time for fuel storage from 20 years to 30 years.	5	Enacted as Sec. 881 of the FY 2018 NDAA in the form recommended by the Panel.
IR-3	Eliminate the requirement for contractors to use recycled paper.	10	Recommendation for executive branch action and not addressed in the FY 2018 NDAA.
IR-4	Eliminate FAR section on texting while driving. (FAR Clause 52.223-18)	17	Recommendation for executive branch action and not addressed in the FY 2018 NDAA.
IR-5	Eliminate the requirement to accept and dispense dollar coins at government business operations.	22	Enacted as Sec. 885. The final text was the language recommended by the Panel, with the addition of a “conforming amendment” and a “technical amendment.”

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1	Revise definitions related to commercial buying to simplify their application and eliminate inconsistency.	18
2	Minimize government-unique terms applicable to commercial buying.	32
3	Align and clarify FAR commercial termination language.	44
4	Revise DFARS sections related to rights in technical data policy for commercial products.	46
5	Align DCAA’s mission statement to focus on its primary customer, the contracting officer.	64
6	Revise the elements of DCAA’s annual report to Congress to incorporate multiple key metrics.	67
7	Provide flexibility to contracting officers and auditors to use audit and advisory services when appropriate.	70
7a	Prior to requesting field pricing/audit assistance, contracting officers should consider other available internal resources and tailor their request for assistance to the maximum extent possible.	71
7b	Define the term <i>audit</i> .	72
7c	DCAA should use the full range of audit and nonaudit services available.	72
7d	Direct a review of the roles of DCAA and DCMA to ensure appropriate alignment and eliminate redundancies.	74
8	Establish statutory time limits for defense oversight activities.	76
9	Permit DCAA to use IPAs to manage resources to meet time limits.	80
10	Replace system criteria from DFARS 252.242-7006, Accounting System Administration, with an internal control audit to assess the adequacy of contractors’ accounting systems.	82
11	Develop a Professional Practice Guide for DoD’s oversight of contractor costs and business systems.	87
12	Require DCAA to obtain peer review from a qualified external organization.	91
13	Increase coverage of the effectiveness of contractor internal control audits by leveraging IPAs.	93
14	Incentivize contractor compliance and manage risk efficiently through robust risk assessment.	95
15	Clarify and streamline the definition of and requirements for an adequate <i>incurred cost proposal</i> to refocus the purpose of DoD’s oversight.	100
16	Combine authority for requirements, resources, and acquisition in a single, empowered entity to govern DBS portfolios separate from the existing acquisition chain of command.	111
17	Eliminate separate requirement for annual IRB certification of DBS investments.	130

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18	Fund DBSs in a way that allows for commonly accepted software development approaches.	137
19	Eliminate the Earned Value Management mandate for software programs using Agile methods.	151
20	Clarify the definitions of personal and nonpersonal services and incorporate in the DFARS a description of supervisory responsibilities for service contracts.	159
21	Refocus DoD's small business policies and programs to prioritize mission and advance warfighting capabilities and capacities.	169
21a	Establish the infrastructure necessary to create and execute a DoD small business strategy, ensuring alignment of DoD's small business programs with the agency's critical needs.	192
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21c	Enable innovation in the acquisition system and among industry partners.	194
22	Eliminate, or sunset within 5 years, the statutory requirement for certain acquisition-related offices and Secretary of Defense designated officials to increase flexibility and/or reduce redundancy.	199
22a	Repeal the statutory requirement for Department of Defense Test Resource Management Center, 10 U.S.C. § 196.	199
22b	Repeal the statutory requirement for Office of Corrosion Policy and Oversight, 10 U.S.C. § 2228.	200
22c	Repeal the statutory requirement for Director for Performance Assessment and Root Cause Analysis (PARCA), 10 U.S.C. § 2438.	201
22d	Repeal the statutory requirement for Office of Technology Transition, 10 U.S.C. § 2515.	203
22e	Repeal the statutory requirement for Office for Foreign Defense Critical Technology Monitoring and Assessment, 10 U.S.C. § 2517.	204
22f	Repeal the statutory requirement at 10 U.S.C. § 204 for a Small Business Ombudsman within each defense audit agency.	206
22g	Repeal the statutory requirement for Secretary of Defense to designate a competition advocate for the Defense Logistics Agency, 10 U.S.C. § 2318.	207
22h	Repeal the statutory requirement for the Hypersonics Development section of Joint Technology Office on Hypersonics, Section 218 of the FY 2007 NDAA (Pub. L. No. 109–364, 120 Stat. 2126; 10 U.S.C. § 2358 note).	208
22i	Repeal the statutory requirement for Improvement in Defense Research and Procurement Liaison with Israel, Section 1006 of the FY 1989 NDAA (Pub. L. No. 100-456; 10 U.S.C. § 133 note).	210
22j	Repeal the statutory requirement for Coordination of Human Systems Integration Activities Related to Acquisition Programs, Section 231 of the FY 2008 NDAA (Pub. L. No. 110–181, 10 U.S.C. § 1701 note).	211
22k	Repeal the statutory requirement for Focus on Urgent Operational Needs and Rapid Acquisition, Section 902 of the FY 2013 NDAA (Pub. L. No. 112–239; 10 U.S.C. § 2302 note).	213
22l	Repeal the statutory requirement for Senior Official for Dual-Use Science and Technology Projects, Section 203(c) of the FY 1998 NDAA (Pub. L. No. 105–85; 10 U.S.C. § 2511 note).	215
22m	Repeal the statutory requirement for Executive Agent for Printed Circuit Boards, Section 256 of FY 2009 NDAA (Pub. L. No. 110–417; 10 U.S.C. § 2501 note).	216
22n	Sunset the statutory requirement for Joint Directed Energy Transition Office (JDETO), 10 U.S.C. § 219 (10 U.S.C. § 2431 note) in FY 2023.	218
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24b	Repeal the statutory requirement for the Ballistic Missile Defense Programs annual budget justification reports, 10 U.S.C. § 223a(a).	235
24c	Repeal the statutory requirement for the Programs for Combating Terrorism: Annual budget overview report, 10 U.S.C. § 229.	237
24d	Repeal the statutory requirement for the Annual Long-Term Plan for the Procurement of Aircraft for the Navy and the Air annual strategic plan, 10 U.S.C. § 231a.	238
24e	Repeal the statutory requirement for the Cyber Mission Forces annual budget overview report, 10 U.S.C. § 238(a).	240
24f	Repeal the statutory requirement for the Corrosion Control and Prevention annual budget and policy report, 10 U.S.C. § 2228(e).	241
24g	Repeal the statutory requirement for the Major Satellite Acquisition Programs annual integration report, 10 U.S.C. § 2275.	243
24h	Repeal the statutory requirement for the Commercial Space Activities annual Cooperation with DoD report, 10 U.S.C. § 2276(e).	244
24i	Repeal the statutory requirement for the Depot-Level Maintenance overview report, 10 U.S.C. § 2466(d).	246
24j	Repeal the statutory requirement for the Covered Naval Vessels Repair Work in Foreign Shipyards annual report, 10 U.S.C. § 7310(c).	247
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24s	Repeal the statutory requirement for the Ticonderoga-Class Cruisers and Dock Landing Ships annual modernization report, FY 2015 NDAA, 1026(d).	260
24t	Repeal the statutory requirement for the Ballistic Missile Defense Systems annual preproduction assessment reports, FY 2015 NDAA, 1662(c)(2) and (d)(2).	261
24u	Preserve the statutory requirement for the Director of Operational Test and Evaluation annual overview report, 10 U.S.C. § 139(h).	264
24v	Preserve the statutory requirement for Naval Vessel Construction annual strategic plan report, 10 U.S.C. § 231.	265
24w	Preserve the statutory requirement for the Director of Operational Test and Evaluation annual program report, 10 U.S.C. § 2399(g).	267
24x	Terminate in 2021 the statutory requirement for the Ballistic Missile Defense Programs annual acquisition baselines report, 10 U.S.C. § 225(c).	268
24y	Terminate in 2021 the statutory requirement for Depot-Level Maintenance biennial capability requirements report, 10 U.S.C. § 2464(d).	269
24z	Terminate in 2021 the statutory requirement for the National Technology and Industrial Base annual policy overview report, 10 U.S.C. § 2504.	271
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24ab	Terminate in 2021 the statutory requirement for the Research and Development in Defense Laboratories annual funding report, FY 2009 NDAA, 219(c).	274