

By: Ryan Burke | January 17, 2019

Section 809 Panel Releases Final Report to Congress

The Section 809 Panel’s much-anticipated *Volume 3* of its *Final Report* to Congress has now been released. The Panel, created by Section 809 of the National Defense Authorization Act (NDAA) for Fiscal Year 2016, is comprised of defense acquisition experts and was tasked by Congress to analyze the defense acquisition system and provide recommendations to streamline the system’s processes and remove both time and financial burdens.

The Panel’s [Interim Report](#), released in May 2017, made 5 preliminary recommendations to lessen the impact of certain statutory and regulatory burdens on the defense acquisition system—all of which were adopted by Congress in the 2018 NDAA.

[Volume 1](#) of the Panel’s *Final Report* was released nearly a year ago and contained 24 recommendations (and numerous sub-recommendations) that, among other things, introduced a concept that the Panel refers to as the “Dynamic Marketplace.” Under this conceptual framework, time constraints, barriers to entry, and numerous other burdensome and inefficient traits of the current defense acquisition system would be removed or streamlined. Many of these recommendations were adopted in the 2019 NDAA or are currently in the process of being adopted through several *FAR* and *DFARS* cases.

Introducing 9 further recommendations, [Volume 2](#), released in June 2018, continued the discussion of the Dynamic Marketplace concept, addressed the acquisition workforce, recommended changes for the Cost Accounting Standards Board (as well as changes relative to the Standards themselves), and also introduced the concept of “enterprisewide portfolio management”—i.e., utilizing the unified purchasing power of the Department of Defense (DOD) versus buying individually program by program. These recommendations were heavily focused on decreasing the sizable delays and costs regularly incurred by the current system.

With [Volume 3](#) of the *Final Report*, released January 15, 2019, the Panel ties together all three volumes to provide both a detailed process for implementing the Dynamic Market-

place—i.e., providing specific recommendations to streamline defense acquisition, but also identifying processes for the acquisition of “readily available” products and services (or those which are easily customizable for use in the public-sector space)—as well as a detailed process to implement its enterprisewide portfolio management approach, which is fleshed out in detail in *Volume 3*. The report includes 58 specific recommendations, including explicit recommendations to establish portfolio management within the defense acquisition system and to implement best practices and to align requirements management and sustainment operations within that framework.

Altogether, the Panel’s three-volume *Final Report* includes nearly 100 recommendations (and numerous sub-recommendations) for defense acquisition reform to simplify, streamline, and improve procurement, including recommendations related to the acquisition workforce, compliance, IT procurement, budget reform, government/industry interactions, data analytics, and much more.

In an [interview with Federal News Network](#), David Drabkin—Chairman of the Section 809 Panel and an NCMA Fellow and member of its Board of Advisors—said that the Panel’s recommendations “mirror the best practices in industry today—not just the industry that is devoted to delivering products to DOD, but the industry that’s delivering products every day to everybody else around the world.”

“We think of this as ‘revolutionary,’” added NCMA President Charlie Williams, a commissioner on the Section 809 Panel. “To the extent that the Congress adopts the statutory requirements needed to make this happen, I think it’ll be a ‘win-win’ for the Department and the industry.”

The Panel encourages its recommendations to be considered in total. Therefore, the Panel plans to release a cumulative report, expected to be released in February, which will tie all three volumes of its *Final Report* together into one volume.

There is a lot to unpack here in *Volume 3* of the Panel’s *Final Report*, not to mention consideration for its entire body of work—from its *Interim Report* as well as its previous two volumes of its *Final Report*. As such, be sure to stay tuned to NCMA—including www.ncmahq.org, *Contract Management Magazine*, and discussions on *Collaborate*—for full, in-depth analysis.