

Extract of Sec. 801 from H. Conf. Rept 109-702 -
Requirements Management Certification
Training Program

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109TH CONGRESS } 2d Session }	SENATE	{ REPORT 109-_____
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JOHN WARNER NATIONAL DEFENSE AUTHORIZATION ACT
FOR FISCAL YEAR 2007

_____, 2006.—ORDERED TO BE PRINTED

Mr. Warner, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 5122]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5122), to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

- Sec. 842. Protection of strategic materials critical to national security.
Sec. 843. Strategic Materials Protection Board.

Subtitle E—Other Matters

- Sec. 851. Report on former Department of Defense officials employed by contractors of the Department of Defense.
Sec. 852. Report and regulations on excessive pass-through charges.
Sec. 853. Program manager empowerment and accountability.
Sec. 854. Joint policies on requirements definition, contingency program management, and contingency contracting.
Sec. 855. Clarification of authority to carry out certain prototype projects.
Sec. 856. Contracting with employers of persons with disabilities.
Sec. 857. Enhanced access for small business.
Sec. 858. Procurement goal for Hispanic-serving institutions.

1 **Subtitle A—Provisions Relating to**
2 **Major Defense Acquisition Pro-**
3 **grams**

4 **SEC. 801. REQUIREMENTS MANAGEMENT CERTIFICATION**

5 **TRAINING PROGRAM.**

6 (a) TRAINING PROGRAM.—

7 (1) REQUIREMENT.—The Under Secretary of
8 Defense for Acquisition, Technology, and Logistics,
9 in consultation with the Defense Acquisition Univer-
10 sity, shall develop a training program to certify mili-
11 tary and civilian personnel of the Department of De-
12 fense with responsibility for generating requirements
13 for major defense acquisition programs (as defined
14 in section 2430(a) of title 10, United States Code).

15 (2) COMPETENCY AND OTHER REQUIRE-
16 MENTS.—The Under Secretary shall establish com-
17 petency requirements for the personnel undergoing
18 the training program. The Under Secretary shall de-

566

1 fine the target population for such training program
2 by identifying which military and civilian personnel
3 should have responsibility for generating require-
4 ments. The Under Secretary also may establish
5 other training programs for personnel not subject to
6 chapter 87 of title 10, United States Code, who con-
7 tribute significantly to other types of acquisitions by
8 the Department of Defense.

9 (b) APPLICABILITY.—Effective on and after Sep-
10 tember 30, 2008, a member of the Armed Forces or an
11 employee of the Department of Defense with authority to
12 generate requirements for a major defense acquisition pro-
13 gram may not continue to participate in the requirements
14 generation process unless the member or employee suc-
15 cessfully completes the certification training program de-
16 veloped under this section.

17 (c) REPORTS.—The Secretary of Defense shall sub-
18 mit to the Committees on Armed Services of the Senate
19 and House of Representatives an interim report, not later
20 than March 1, 2007, and a final report, not later than
21 March 1, 2008, on the implementation of the training pro-
22 gram required under this section.

1 **SEC. 802. ADDITIONAL REQUIREMENTS RELATING TO**
2 **TECHNICAL DATA RIGHTS.**

3 (a) ADDITIONAL REQUIREMENTS RELATING TO
4 TECHNICAL DATA RIGHTS.—Section 2320 of title 10,
5 United States Code, is amended by adding at the end the
6 following new subsection:

7 “(e) The Secretary of Defense shall require program
8 managers for major weapon systems and subsystems of
9 major weapon systems to assess the long-term technical
10 data needs of such systems and subsystems and establish
11 corresponding acquisition strategies that provide for tech-
12 nical data rights needed to sustain such systems and sub-
13 systems over their life cycle. Such strategies may include
14 the development of maintenance capabilities within the
15 Department of Defense or competition for contracts for
16 sustainment of such systems or subsystems. Assessments
17 and corresponding acquisition strategies developed under
18 this section with respect to a weapon system or subsystem
19 shall—

20 “(1) be developed before issuance of a contract
21 solicitation for the weapon system or subsystem;

22 “(2) address the merits of including a priced
23 contract option for the future delivery of technical
24 data that were not acquired upon initial contract
25 award;

Assistant Secretary shall consult broadly and fully with constituent and beneficiary groups and other interested parties.

Annual reports on certain medical malpractice cases

The Senate amendment contained a provision (sec. 742) that would require each Secretary of a military department to report annually to the Secretary of Defense on certain cases involving allegations of medical malpractice for military beneficiaries. The provision would also require the Secretary of Defense to provide annual reports to the congressional defense committees.

The House bill contained no similar provision.

The Senate recesses.

The conferees note that a report and an independent review of medical quality improvement in the military health care system is required elsewhere in this report.

TITLE VIII-ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Legislative Provisions Adopted

Subtitle A-Provisions Relating to Major Defense Acquisition Programs

Requirements management certification training program (sec. 801)

The House bill contained a provision (sec. 801) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Defense Acquisition University, to develop a training program to certify civilian and military personnel with responsibility for developing requirements for major defense acquisition programs.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would require the Under Secretary to establish the competency requirements for personnel undergoing requirements management training, and require that all personnel with responsibility for developing such requirements receive certification training by September 30, 2008.

The conferees believe that the training program established in accordance with this provision should address:

- (1) the interrelationship between the requirements, budget, and acquisition processes;
- (2) the importance of developing requirements that facilitate joint operations;
- (3) the need to ensure that requirements are developed early in a program and the adverse effect of introducing new

requirements after the commencement of system development and demonstration;

(4) the linkage between requirements and capability shortfalls identified by combatant commanders;

(5) the need for sound analysis of alternatives, realistic technical assessments based on technology readiness levels, and consultation with production engineers on the cost, schedule, and technical feasibility of requirements;

(6) the need for engineering feasibility assessments that weigh the technology readiness, integration, cost, and schedule impacts of proposed changes to requirements;

(7) the importance of developing requirements that are technologically mature, feasible, and achievable; and

(8) the importance of stable requirements to provide the baseline for successful program execution.

Additional requirements relating to technical data rights (sec. 802)

The House bill contained a provision (sec. 802) that would require the acquisition of full data rights necessary to support competition for contracts for sustainment of each major weapon system that is developed with federal or private funds. The provision would also require that any contract for a major system include options for acquiring, at any point during the life cycle of the system, major elements of technical data not acquired at the time of the initial contract award.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would direct the Under Secretary of Defense for Acquisition, Technology, and Logistics to require program managers to assess long-term technical data needs and establish corresponding acquisition strategies to ensure availability of technical data rights for major weapon system life cycle sustainment. The amendment would also modify title 10 of the United States Code to distinguish between commercial items and major weapon systems, subsystems, and components of major weapon systems (regardless of whether they may be characterized as commercial or non-commercial). In the case of a challenge made to a claim that the latter group of systems or components was developed exclusively at private expense, the burden of proof would be on the contractor or subcontractor.

Study and report on revisions to Selected Acquisition Report requirements (sec. 803)

The House bill contained a provision (sec. 803) that would require the Under Secretary of Defense for Acquisition, Technology, and Logistics, in coordination with the service acquisition executives of each military department, to conduct a



THE UNDER SECRETARY OF DEFENSE
 3010 DEFENSE PENTAGON
 WASHINGTON, DC 20301-3010

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ACQUISITION,
 TECHNOLOGY
 AND LOGISTICS

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
 CHAIRMAN OF THE JOINT CHIEFS OF STAFF
 UNDER SECRETARIES OF DEFENSE
 COMBATANT COMMANDERS
 ASSISTANT SECRETARY OF DEFENSE (NETWORKS
 AND INFORMATION INTEGRATION)/DOD CHIEF
 INFORMATION OFFICER
 DIRECTOR, OPERATIONAL TEST AND EVALUATION
 DIRECTOR, PROGRAM ANALYSIS AND EVALUATION
 DIRECTORS OF THE DEFENSE AGENCIES

SUBJECT: Requirements Management Certification Training Program Policy

Section 801 of the National Defense Authorization Act of FY 2007 requires the Under Secretary of Defense for Acquisition, Technology and Logistics to establish competency requirements and a training program to certify DoD military and civilian personnel with responsibility for generating requirements for Major Defense Acquisition Programs (MDAPs).

Effective September 30, 2008, DoD personnel with authority to generate requirements for a MDAP may not continue to participate in the requirements generation process unless they have completed the certification training program. The attachment establishes the policy for compliance with the congressional requirement and is effective immediately. To ensure we meet the September 30 requirement, a flag-level meeting of all organizational points of contact was held July 11 to review the requirements management certification training program.

Within 30 days from the date of this memorandum, please update the list of positions that fall under the mandatory certification requirements, and identify by name the current occupants of those positions. Provide the requested information to Ms. Danielle Buckon at Danielle.buckon@osd.mil or 703-607-4047 and copy Mr. Pat Wills at Patrick.Wills@dau.mil or 703-805-4563.

John J. Young, Jr.

Attachment:
 As stated

cc:
 DepSecDef
 President, DAU

I WOULD ADD THAT THE GOAL OF THIS PROCESS SHOULD BE FEWER REQUIREMENTS AND DRAMATICALLY SHORTER REQUIREMENTS DOCUMENTS AND CORRESPONDINGLY GREATER DESIGN FLEXIBILITY.



Policy and Certification Guidelines Requirements Management Certification Training Program

1.0 Applicability

This policy applies to all components of the Department of Defense (DoD) with responsibility for generating requirements for Major Defense Acquisition Programs (MDAPs), including the Military Departments, Defense Agencies, Combatant Commands, Office of the Secretary of Defense, and the Joint Staff.

2.0 Mandatory Certification

Military and civilian personnel of the DoD assigned to positions with responsibility for generating MDAP requirement documents must be certified through completion of required training within 6 months of assignment to that position. Individuals in such positions on March 31, 2008, must complete training by September 30, 2008. Failure to complete the required training will preclude those individuals from continuing to participate in generating MDAP requirement documents. Training required to achieve certification is described below.

In the context of this memorandum, an MDAP requirement document includes any of the following documents when those documents are expected to be used as the basis for an MDAP:

- Initial Capabilities Document
- Capability Development Document
- Capability Production Document

Components of DoD shall determine which specific positions in their organization are covered by the mandatory certification requirement, including all positions for which any of following factors apply:

- Group A position duties involve leading or supervising the writing of MDAP requirement documents.
- Group B position duties include adjudicating substantive comments on MDAP requirement documents.
- Group C position duties include validating or approving an MDAP requirement document, or participating in the approval chain for the document (for example FCB, AFROCC, AROC, and R3B members).
- Group D positions are those Flag Officer/General Officer/Senior Executive Service in Groups A, B, or C.

3.0 Recommended Training

Subject to the availability of quotas (where a quota is required), individuals in positions that participate substantially in activities that precede or support the development of MDAP requirement documents, such as the Capabilities-Based Assessment and Analysis of Alternatives (AoA) processes, or who may be moving into positions for which certification is mandatory, should take the training courses. Other personnel, such as those who participate in development of requirement documents for non-MDAP programs or support implementation of these requirements in acquisition, may also participate in the training, subject to the availability of quotas (where a quota is required).

4.0 Certification Training Courses

4.1. CLM 041: Capabilities-Based Planning (CBP): The CBP is an online Continuous Learning Module (CLM) developed and fielded in October 2007 by the Defense Acquisition University (DAU). It explains the framework to accomplish the integration of the Department's requirements, acquisition and programming, planning, budget and execution systems. Required within 60 days of function assignment or September 30, 2008, if assigned before July 31, 2008.

4.2 RQM 110: Core Concepts for Requirements Management (CCRM): The CCRM online distance learning course is being developed by DAU and will be deployed in July 2008. The CBP CLM is a prerequisite for CCRM. The course will address the full set of competencies that have been defined for requirements management personnel. As a distance learning course, instruction is self-paced. DAU instructors will be available to clarify course materials and concepts, if required. Successful completion of the CBP and CCRM courses constitutes certification. Required within 6 months of function assignment or September 30, 2008, if assigned before March 31, 2008.

4.3 RQM 403 Executive Course: Certification for Flag and General Officers and Senior Civilian Officials: DAU will offer executive training for flag and general officers (FO/GOs) and senior civilian officials (SESS) as a method of certification. This will be offered either at DAU or other locations depending on need. Required by September 30, 2008.

4.4 Advanced Requirements Management Course (ARMC): The ARMC will be a classroom course for requirements writing team supervisors and team leaders, and for other key requirements process owners within DOD. It is not required for certification at this time. It will use case studies and exercises to strengthen analysis, evaluation and decision making associated with defining, managing and resourcing capabilities for our Warfighters. DAU will develop the course in 2009.

4.5 To meet the September 30, 2008, deadline:

- Groups A and B will be required to accomplish CLM 041 and RQM 110

- Group C will be required to accomplish CLM 041
- Group D will be required to accomplish RQM 403

5.0 Course Registration and Quota Management

5.1: CBP, a Continuous Learning Module (CLM 041), is available to anyone (quota not required) at <http://clc.dau.mil>.

5.2 Course registration for the CCRM, RQM 110 and the ARMC RQM 200 will be managed through existing on-line acquisition training registration systems.

6.0 Management, Collection and Reporting of Data

6.1 Each component shall designate an office of primary responsibility and name a person for the management of this initiative.

6.2 Each component will be responsible for the data required for component management and reporting. Components shall identify positions for which training and certification is mandatory, and the current certification status of incumbents in those positions to assist AT&L in answering anticipated questions from GAO and Congressional staff. As noted above, AT&L will continue to work with components, DAU, and USD(P&R) staff to automate this process within existing and planned DoD training and personnel information systems. Components will also be asked to estimate the number of annual training quotas that are required for mandatory training, and the number of additional quotas that are desired for training of other component personnel, to assist AT&L and DAU in capacity planning and budgeting for training courses.

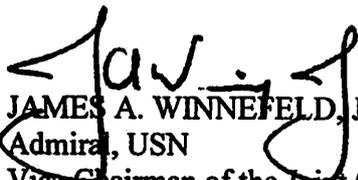
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MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS
CHAIRMAN OF THE JOINT CHIEFS OF STAFF
UNDER SECRETARIES OF DEFENSE
COMMANDERS OF THE COMBATANT COMMANDS
DIRECTOR, COST ASSESSMENT AND PROGRAM EVALUATION
DIRECTOR, OPERATIONAL TEST AND EVALUATION
DEPARTMENT OF DEFENSE CHIEF INFORMATION OFFICER
DIRECTORS OF THE DEFENSE AGENCIES

SUBJECT: Requirements Management Certification Training (RMCT) Program

As required by Section 801 of the John Warner National Defense Authorization Act for Fiscal Year 2007, the Under Secretary of Defense for Acquisition, Technology and Logistics [USD(AT&L)], in consultation with the Defense Acquisition University (DAU), established competency requirements and a training program to certify DoD military and civilian personnel with responsibility for generating requirements for Major Defense Acquisition Programs. USD (AT&L) and DAU partnered with the Joint Staff J-8 to develop the RMCT program, form a tri-chair oversight and governance structure, and incorporate training certification in the CJCSI 3170.01H, Joint Capabilities Integration and Development System. Since RMCT's inception, the Department has made strides in training the requirements workforce comprising personnel at all levels from the Joint Staff, Military Services, Combatant Commands, and Defense Agencies.

To ensure a trained and current workforce, we must continue our efforts to define the Requirements community, identify and code key Military and Civilian Requirements positions, establish a tracking mechanism for member training records, and generate the capability to forecast future training demand. Within 90 days from the date of this memorandum, addressees engaged in joint capabilities integration and development shall identify and code billets with responsibilities commensurate with guidelines for Certification Training Levels B and C of the attachment, using either the Military Personnel Data System (MILPDS) or the Defense Civilian Personnel Data System (DCPDS). Points of contact are listed on the attachment.



JAMES A. WINNEFELD, Jr.
Admiral, USN

Vice Chairman of the Joint Chiefs of Staff



FRANK KENDALL
Acting Under Secretary of Defense

for Acquisition, Technology and Logistics

Attachment:
As stated



Certification Training Levels

CLR 101 Introduction to JCIDS	RQM 110 Core Concepts for Requirements Management	RQM 310 Advanced Concepts and Skills	RQM 403 Requirements Executive Overview Workshop	RQM 413 Senior Leader Requirements Course
4 - 6 hours	24 - 30 hours	4 ½ days	1 day	Tailored
A, B, C	B, C	C	D (1-3 Star/Civilian Equivalent)	D (4-Star/Director of Agency)

Required Training Level Guidelines

A	Contribute to the Requirements generation and capability development process in various capacities to include: JCIDS analysis, subject matter or domain expertise, document staffing and coordination and / or administrative support
B	Significantly involved with Requirements generation and capability development in specific capacities, i.e. study leadership, planning, writing, adjudicating comments, and facilitating inter-organizational development and coordination of Requirements documents
C	Designated by organizational leadership for advanced Requirements instruction; Primary duties involve leadership / supervisory roles in requirements generation and capability development ; Organizational representative in pertinent program management and JCIDS forums to include FCB Working Group, FCB, JCB and JROC meetings
D	GO/FO/SES – Validate and / or approve documents; Provide senior leadership and oversight of JCIDS Analysis and Staffing; Enforce Requirements standards and accountability



RMCT Course Descriptions

CLR 101, Introduction to JCIDS: On-line course provides an overview of the JCIDS process. The module's 5 lessons focus on terms, definitions, basic concepts, processes, and roles and responsibilities involved in implementing the JCIDS process. Mandatory instruction for position categories A, B, & C. Prerequisites: none.

RQM 110, Core Concepts for Requirements Management (CCRM): On-line course covers both the requirements manager role and requirements management within the "Big A" acquisition construct. It examines the capabilities and the process from an end-to-end perspective, highlighting the intersection among acquisition, resources, and requirements. Mandatory instruction for position categories B & C. Prerequisites: CLR 101 (or CLM 041).

RQM 310, Advanced Concepts and Skills for Requirements Managers: In-classroom one week resident course held only at the Defense Acquisition University, Defense Systems Management College, Fort Belvoir, VA, campus. Course takes an in-depth look into the relationship between the Joint Capabilities Integrated Development System (JCIDS), Defense Acquisition System (DAS), and Planning Programming Budgeting and Execution (PPBE). Mandatory instruction for position category C. Prerequisites: CLR 101 (or CLM 041) and RQM 110.

RQM 403, Requirements Executive Overview Workshop: In-classroom course providing General/Flag Officers and members of the Senior Executive Service, at the 1-3 star level, with an executive-level understanding of the role of the requirements manager as well as requirements management within the "Big A" acquisition construct. It examines the capabilities and acquisition processes from an end-to-end perspective, highlighting the intersection between acquisition, resources, and requirements and the supporting processes. Course duration is no longer than one day. Mandatory instruction for GO/FO/SES's in Training Level D. Prerequisites: none.

RQM 413, Senior Leader Requirements Course: Requirements overview presentation for General/Flag Officer/Senior Executive Service, at the 4-star level (Service Chiefs, Service Vice-Chiefs, COCOM Commanders, Director of Agencies). A tailored presentation to provide senior leaders with an executive-level understanding of the need to effectively link the requirements, acquisition, and resourcing allocation processes to meet the warfighters needs. Presentation length is tailored to meet the needs of each senior leader. Prerequisites: None

Points of Contact: Mr. Thom Ford, OUSD(AT&L), 703-614-5540 , Thom.Ford@osd.mil
Mr. Matthew Ghormley, Defense Acquisition University (DAU), 703-805-3721, Matthew.Ghormley@dau.mil
Mr. Randy Wood, Joint Staff J8, Randolph. Wood@ js.pentagon.mil