

The Section 809 Panel, named after the section of the National Defense Authorization Act (NDAA) for Fiscal Year 2016 that established it, was created to review and recommend changes to the acquisition regulations for the Department of Defense (DoD). Its primary goal was to streamline and improve the defense acquisition process.

The panel was composed of 18 experts with diverse backgrounds in government, industry, and academia. The panel's primary objective was to identify opportunities to streamline and improve the DoD's acquisition process, reduce bureaucracy, and improve the efficiency and effectiveness of DoD acquisition programs.

The panel conducted a comprehensive review of the DoD's acquisition process, including the policies, procedures, and regulations that govern it. The panel's final report, released in January 2019, contained over 90 recommendations for improving the acquisition process.

### **Summary of the Section 809 Panel Report:**

#### **1. Background and Establishment:**

- Established by the National Defense Authorization Act (NDAA) for Fiscal Year 2016, the panel was formed as a response to growing concerns about the agility, efficiency, and effectiveness of the DoD's acquisition system.

#### **2. Panel Composition:**

- Comprising experts from diverse fields such as acquisition, finance, law, and logistics, the panel brought together a broad range of perspectives to critically analyze the acquisition landscape.

#### **3. Key Areas of Investigation:**

- **Regulatory Complexity:** The panel thoroughly examined the Defense Federal Acquisition Regulation Supplement (DFARS) and other regulations, scrutinizing their utility and relevance.
- **Commercial Practices:** They looked into how commercial acquisition practices could be integrated into the DoD's procurement processes to benefit from market-driven efficiencies.
- **Contracting Flexibility:** The need for more flexible contract types and acquisition pathways, especially for innovative technologies and services, was explored.
- **Small Business Participation:** They studied the barriers faced by small businesses and how to foster their active participation in defense contracting.
- **Audit and Compliance:** The panel assessed the audit processes, emphasizing balance between accountability and efficiency.

#### 4. Noteworthy Recommendations:

- **Dynamic Marketplace Framework:** The panel introduced the concept of a "Dynamic Marketplace," where defense acquisitions would be less about rigid compliance and more about engaging with a constantly evolving commercial marketplace.
- **Portfolio Management:** They recommended the adoption of a portfolio-based approach for capability development rather than the traditional, individual weapon system approach.
- **New Acquisition Pathways:** To facilitate rapid technology adoption, the panel suggested the creation of new acquisition pathways that are less encumbered by traditional regulations.
- **Eliminate Obsolete DFARS Provisions:** They proposed the removal of certain DFARS clauses that were either redundant or no longer relevant to modern acquisition practices.
- **Streamline Small Business Procedures:** The panel recommended simplifying procedures to allow small businesses to participate more readily in defense acquisition, recognizing their potential for innovation.

#### 5. Reports. The panel produced three volumes of reports:

- Volume 1 (January 2018): An initial look into the acquisition landscape, identifying challenges and making preliminary recommendations.
- Volume 2 (June 2018): Focused on the applicability of commercial market practices in defense acquisition.
- Volume 3 (January 2019): Offered a comprehensive set of recommendations for reshaping the defense acquisition system.

#### 6. Outcomes and Impacts:

- The panel's recommendations spurred debates both in the DoD and Congress, leading to various reforms, both legislative and administrative.
- Some recommendations were integrated into subsequent NDAs, influencing defense acquisition policies and practices.

The Section 809 Panel was a significant endeavor to overhaul the DoD's acquisition system. Through its in-depth analysis and comprehensive recommendations, the panel sought to create an acquisition environment that was more adaptive, efficient, and aligned with the rapid technological advancements and changing defense needs of the 21st century.