COVID-19 Impact on Acquisition Across the IC

PRESENTED BY INSA'S ACQUISITION MANAGEMENT COUNCIL

A review of the impact of COVID-19 on acquisition across the federal government finds the Intelligence Community's (IC) acquisition processes lag behind its Department of Defense (DOD) and civil agency counterparts, resulting in a significant slowdown for new and current acquisition projects. This "Intelligence Insights" paper developed by INSA's Acquisition Management Council (AMC) examines the COVID-19 challenges to government acquisition, including the extent of the slowdowns on IC acquisition processes. The paper goes on to find several notable successes from across government to emulate and suggests recommended best practices to implement.

Across the IC, acquisition processes have slowed significantly due to contracting officers working from home, split shifts where contracting officers and mission owners are not working at the same time, and a lack of a virtual system to execute the acquisition lifecycle. Examples include:

- NSA enacted Code Orange, which focused its acquisitions on mission critical requirements and limited new acquisitions.

- NGA extended some current contract periods of performance by six months and shifted task orders to later in the fiscal year, delaying awards of new contracts.

- DIA has worked with multiple industry partners to adjust schedules to enable contract staff to keep working, but its new contract awards have slowed.

- CIA has awarded some contracts, but strict work schedules, limited access to classified networks, and limited access to contracting officers have substantially slowed new awards.

The AMC has found the acquisition slowdown is greater across the IC than elsewhere in the Government, which is the opposite of what happened after 9/11. One positive sign is that as the pandemic-driven virtual work has continued, the IC is beginning to see some stabilization; agencies have identified the need to "get back to business;" and throughput is beginning to increase.

The broader national security community is not without innovation successes that enable government and contract work to proceed during the pandemic. The Army expects to roll out a capability that will allow remote users to access non-classified but sensitive information – as well as classified information up to the SECRET level – from remote locations, including workers' homes. Major General Maria Barrett, the commander of the U.S. Army Network Enterprise Technology Command (NETCOM), told C4ISRNET that the Army will soon onboard the first 500 remote users and plans to eventually scale up to 2,000 users.

The Army's deployment of a remote environment follows a similar effort by the Air Force, which in April 2020, sent thousands of unclassified devices to users as part of its Advanced Battle Management System.

The remote classified access capability is one of several adjustments the Army has made. At the beginning of the pandemic, the service had 800,000 telework-enabled employees on Defense Department networks and has experienced a 400 percent increase in network access. Vice Admiral Nancy Norton, director of the Defense Information Systems Agency (DISA), which manages DOD networks, said earlier this month that she is working with industry to identify future chokepoints and has been asking DOD components what they need to boost telework capacity.

The AMC has observed three major challenges with the acquisition process since the start of COVID-19. The main obstacle was inexperience operating in a virtual environment. For example, prior to COVID-19 many contracting offices only conducted in-person events, such as industry days and oral presentations, and required hard copy proposals. When the Government limited personnel and contractor access to facilities, it had to change its contracting processes on the fly. Another challenge was pulling industry teams together efficiently and effectively to write proposals and communicate with Government teams. Both the private sector and the Government lacked a common and approved infrastructure for virtual communication, such as video calls, that most of the country began to use as substitutes for in-person meetings. Finally, as agencies look to conduct more unclassified acquisitions to accommodate virtual work, the aggregation of controlled unclassified information (CUI) may increase the sensitivity of data holdings whose loss could pose a threat to national security.

Despite these challenges, the AMC found five acquisition successes:

1 Many agencies, mostly outside of the IC, were able to adapt to a virtual contracting environment. For example, GSA FEDSIM held virtual demo days, oral presentations, and conference calls to remain on schedule for its acquisitions.

2 The IC accepted numerous unsolicited proposals to support COVID-19 response efforts, and the execution of those proposals occurred at a faster rate than previous unsolicited ones.

3 Although the ODNI refrained from giving IC agencies clear directives on how to manage new solicitations during the pandemic, several individual agencies worked with industry to communicate organization-specific guidance on submission of proposals.

4 The IC has re-worked its contract timelines in an attempt to award as many contracts as possible in the fourth quarter of the fiscal year.

5 Non- IC agencies – including other DOD components, DHS, and others – have continued procurements at a faster rate than the IC, with many holding events to adapt quickly to the new environment. For example, the Air Force, Navy, and Joint Artificial Intelligence Center (JAIC), in particular, have pushed for alternative acquisition processes to vary contract execution. In particular, they have used Small Business Innovation Research programs (SBIR), Broad Agency Announcements (BAA), and topic challenges to increase reach and access for the private sector and to speed contract awards.

Based on these successes, the AMC recommends the IC acknowledge the following as best practices and determine ways to institute them across the IC acquisition and contracting landscape.

RECOMMENDED BEST PRACTICES

IC Agencies should:

- Document and/or develop contracting processes that allow for acquisition and contracting work to continue virtually. These processes would include conducting industry days, kick-off meetings, oral presentations, and other aspects of the acquisition process that traditionally are conducted in-person.

- Invest in a more stable network infrastructure to facilitate virtual work. This infrastructure should allow for better communication between agencies as well as with the private sector to enable secure continuous communications throughout the acquisition process.

- Maximize unclassified proposals wherever possible and post notices on unclassified systems to inform the private sector that detailed information exists on classified systems when access to high side networks is limited.

- Require all contracts to include clauses that address how to perform both classified and unclassified work remotely. This will limit the contract modifications that occurred during COVID-19, which delayed the contractors' ability to support the IC's mission.

- Collaborate more extensively with DOD and other agencies to adopt many of their processes and best practices for enabling rapid acquisition.

ABOUT INSA

The Intelligence and National Security Alliance (INSA) is a nonpartisan, nonprofit forum for advancing intelligence and national security priorities through public-private partnerships. INSA's government and private sector members collaborate to make government more effective and efficient through the application of industry expertise and commercial best practices. INSA's 160+ member organizations are leaders in intelligence collection and analysis, data analytics, management consulting, technology development, cybersecurity, homeland security, and national security law, and its 4,000 individual and associate members include leaders, senior executives, and intelligence experts in government, industry, and academia.

ABOUT THE ACQUISITION MANAGEMENT COUNCIL

INSA's Acquisition Management Council (AMC) works to improve the Intelligence Community's ability to procure and oversee high-end services contracts efficiently, promptly, and with agility. The AMC takes the position that a more effective and efficient services acquisition process would improve contractor performance, generate higher-quality work, enhance agencies' mission effectiveness, and reduce costs and delays. Over the long-term, a modified process that rewards innovation, quality, and performance would improve the health of the industrial base on which the IC depends for expertise and support, thereby enhancing both national security and economic growth. Learn more about the council's mission and goals.