Welcome to the Contract Policy Pulse inaugural newsletter! I have been so fortunate to lead the DPC Contract Policy organization for the past year and I’ve been amazed with the breadth of issues that the Department’s 36,000 contracting professionals are dealing with. In 2024, I am looking forward to increased communications with the contracting community through the Policy Pulse newsletter, by establishing a policy chiefs forum, and hosting the upcoming policy symposium. The purpose of the newsletter is to provide the pulse of current and future policy activities, legislation, training, workforce development, best practices, and where to learn more about a particular topic. We have a busy year ahead and I want to express my appreciation for your dedication, innovation, and resilience in the contracting mission area. Thank you for all that you do!

Contract Policy Mission Areas and Responsibilities include:

- AbilityOne Program/ABORs
- Acquisition of Services
- Category Management
- Commercial Products and Commercial Services
- Construction
- Contingency Contracting/Operational Contract Support
- Contracting Authorities
- Contracting Officer’s Representative (COR)
- Controlled Unclassified/Commercially Available Information (CUI/CAI)
- Cyber Security
- Emergency Procurement Authorities
- Energy/Green Procurement
- Equity in Procurement
- Foreign Military Sales (FMS)
- Information Technology (IT)
- International Contracting
- Made in America
- Major Programs/Competitive Peer Reviews
- Other Transaction Authority
- Procurement Fraud
- Small Business/Socioeconomic Procurement Programs
- Supply Chain Risk Management
- Suspension and Debarment
- Un_definedizons Contract Actions
- Vendor Threat Mitigation
- Workforce Development

Some of the 2024 Focus Areas and Actions are:

- Enable Contracting Professionals to More Effectively Execute the Mission
- Increase Policy Communications
  - Launch Newsletter
  - Host Contract Policy Symposium
  - Establish Policy Chiefs Forum
- Execute Acquisition of Services Pathway
  - Complete Pathway Review
  - Execute Services Review Panels
  - DoDI 5000.72 Rewrite
  - DoDI 5000.74 Rewrite
- Contingency/Operational Contract Support
- FAR/DFARS Policy Support
- DODIG/GAO Engagements
- Implement Executive Orders
- International/FMS
  - Execute Reciprocal Defense Procurement Agreements
- Legislation
  - Respond to RFIs and Provide Views on Proposed Legislation
  - Reports to Congress
- Ukraine/Taiwan/Israel Support
- Workforce Development
  - Participate in Hiring Pilot
  - Update Human Capital Strategy

Welcome from Ms. Robinson

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Save the Date: Contract Policy Symposium

It’s official! The DPC Contract Policy (CP) Symposium will be held 29-31 May 2024, in Orlando, Florida, concurrent with the Pricing Colloquium hosted by DPC’s Price, Cost, and Finance directorate, and the Procure-to-Pay and Financial Audit Training Symposium co-hosted by the DPC Contracting eBusiness directorate and OSD Comptroller.

The agenda for the CP Symposium is being finalized and will feature keynote addresses from contracting senior leaders, and cover topics ranging from innovation to workforce development, industry engagement, and best practices. We are interested in hearing about Component best practices, processes, and techniques in any topic—we will be soliciting speakers from our attendees to share their knowledge!

There is a cap of 150 participants for the CP Symposium and we are finalizing the quota allocations for each Component to facilitate participation from across the DoD enterprise. There is no registration cost for government attendees, but all travel expenses are Component funded. For questions, please contact the DPC/CP POCs, Bryan Lamb bryan.d.lamb.civ@mail.mil or Paula Smith paula.p.smith.civ@mail.mil.

Procurement Round Table 2024 Contracting Excellence Award in Memory of Elmer B. Staats

Nominations due by March 27, 2024

The Procurement Round Table, in cooperation with the National Contract Management Association, will award $5,000 at the 2024 NCMA World Congress to a federal acquisition professional who has contributed significantly to contracting excellence.

To be eligible, candidates must:

♦ have made a noteworthy contribution to contracting operations or policy within the past 12 months,
♦ have 5–15 years of civilian or military service in a contracting role, and
♦ possess a bachelor’s degree or higher.

A completed application will include the Candidate Application Form plus a letter of endorsement on letterhead signed by the applicant’s Head of Contracting Activity. Visit https://procurementroundtable.org/#awards for more information.

National Defense Industrial Strategy

The Department released the first National Defense Industrial Strategy (NDIS) on 12 January 2024. The NDIS offers a strategic vision to coordinate and prioritize actions to build a modernized defense industrial ecosystem that is fully aligned with the National Defense Strategy. It also calls for sustained collaboration and cooperation between the entire U.S. government, private industry, and our Allies and partners abroad.

The strategy will guide the Department’s engagement, policy development, and investment in the industrial base over the next 3-5 years.

The NDIS lays out four long-term strategic priorities to serve as guiding beacons for industrial action and resource prioritization in support of the development of this modernized defense industrial ecosystem.

For more information, visit https://www.businessdefense.gov/NDIS.html.

NDIS Strategic Priorities

- **Resilient supply chains** that can securely produce the products, services, and technologies needed now and in the future at speed, scale, and cost
- **Workforce readiness** will provide for a sufficiently skilled, and staffed workforce that is diverse and representative of America
- **Flexible acquisition** will lead to the development of strategies that strive for dynamic capabilities while balancing efficiency, maintainability, customization and standardization in defense platforms and support systems
- **Economic deterrence** will promote fair and effective market mechanisms that support a resilient defense industrial ecosystem among the U.S. and close international allies and partners and economic security and integrated deterrence
National Defense Authorization Act

President Biden signed the National Defense Authorization Act (NDAA) for FY24 on 22 December 2023. The FY24 NDAA contained many provisions of interest to the Department’s contracting workforce, including the following notable NDAA sections:

- Section 801, Commercial Nature Determination Memo Available to Contractor, which amends 10 U.S.C. 3456(b)(2) to require the contracting officer to provide the contractor or subcontractor a copy of the memo summarizing the commerciality determination;
- Section 802, Modification of Truthful Cost or Pricing Data Submissions and Report, which amends 10 U.S.C. 3705(b)(2) to require the Under Secretary of Defense for Acquisition and Sustainment to make portions of the truthful cost or pricing data report available to the leadership of the offerors named in the report. Additionally, Section 802 requires the Department to develop a framework for refining the parameters of what would constitute a denial of uncertified cost or pricing data under section 3705 of title 10, U.S.C.;
- Section 821, Modification of Approval Authority for Certain Follow-on Production Contracts or Transactions, which was championed by DPC, resolves an internal inconsistency for the approval of large dollar Other Transaction Agreements (OTs) for Prototype Projects and follow-on production OTs or contracts under the authority of 10 U.S.C. 4022;
- Section 823, Extension and Revisions to Never Contract with the Enemy, which was supported by the DPC Contingency Contracting Policy team, establishes a program to enable combatant commanders to use intelligence, law enforcement and other open-source information to identify and mitigate risks from vendors outside the United States. Specifically it authorizes Heads of the Contracting Activity to terminate, void, and restrict contracts with a person or entity who is 1) engaging in acts of violence against the U.S.; 2) providing financing, logistics, training, or intelligence to a person or entity engaging in such violence against the U.S.; 3) engaging in foreign intelligence activities against the U.S. or partners/allies; 4) engaging in transnational organized crime or criminal activities; or 5) engaging in other activities that present a direct or indirect risk to U.S. or partner/ally missions and forces;
- Section 843, Special Authority for Rapid Contracting for Commanders of Combatant Commands, provides authority for contracting officials, upon the request of a Combatant Command (COCOM) Commander, to utilize special contracting authorities and flexibilities to rapidly respond to time-sensitive or unplanned emergency situations. DPC engaged with the Hill on this section, and recommended improvements to the legislative text to maximize support to the COCOMs, during activities below the threshold of traditional armed conflict.

DPC will also be engaged in several pilot programs that were either authorized or extended by the NDAA:

- Section 809, Pilot Program for Anything-as-a-Service
- Section 841, Pilot Program to Accelerate Contracting and Pricing Processes
- Section 872, Extension of Pilot Program to Incentivize Contracting with Employee-Owned Businesses
- Section 874, Pilot Program to Incentivize Progress Payments

Many NDAA provisions must go through the deliberate rulemaking process prior to execution. Our colleagues in Defense Acquisition Regulations System are currently evaluating the entire NDAA for provisions that will require DFARS implementation and will open new DFARS cases accordingly. Stay tuned for NDAA implementation guidance from DPC or your component’s contracting leadership, and feel free to reach out to us if you have any questions in the meantime.

Legislative Proposals

Legislative proposals are how bills can be introduced in Congress and possibly become law. The DoD manages its own legislative proposal process, beginning a year ahead of the current policymaking process. If the proposal makes the cut within the Department, it is shared across the Government for feedback. Once everyone has had a chance to comment, the proposal is sent to Congress where it may be included in a draft, or even final version, of the NDAA.

By the spring of 2024, the DoD will start collecting FY26 legislative proposals for a wide range of topics, including contracting. Do you have a good idea to change a policy, implement a pilot, or try something new? Work with your local policy analysts to draft something; who knows, it could be published in the NDAA.
Service Review Panels

The Department will conduct its FY24 Services Review Panel (SRP) from February through March 2024. The purpose of the SRP is to assess DoD's execution of services acquisitions and the effectiveness of our current acquisition policies and procedures. The Deputy Under Secretary of Defense for Acquisition and Sustainment (DUSD(A&S)) will chair the SRPs for organizations with greater than $500M in FY23 services obligations and special interest organizations. The Principal Director of DPC will chair the SRP for organizations with less than $500M in FY23 services obligations. As one of the DUSD(A&S) performance improvement initiatives for the Department’s FY25-29 Strategic Management Plan, organizations’ Services Requirements Review Boards (SRRBs) processes will be discussed during this year’s SRP. SRRBs will be used to help the Department identify the best methodology for forecasting budget needs for service contracts across Future Years Defense Program.

Contingency Contracting

Class Deviation 2024-O0005, issued on 8 January 2024, expands the scope of temporary acquisition flexibilities in section 1244(a) and (c) of the James M. Inhofe National Defense Authorization Act (NDAA) for FY23, as amended by section 1242 of the NDAA for FY24, to covered contracts which support Taiwan and Israel, in addition to Ukraine. The statute authorizes DoD to replenish stocks of critical munitions, revises requirements for certified cost and pricing data, provides specific reporting direction when agencies use the statutory flexibilities, and extends the expiration date to 30 September 2028.

Class Deviation 2024-O0003, issued on 22 December 2023, grants authorities and additional access to contractor and subcontractor records to prevent funds from being provided to the enemy. The statute requires contracting officers to include certain clauses in solicitations and contracts, including those using FAR part 12 procedures for the acquisition of commercial products and commercial services, with an estimated value in excess of $50,000 that will be performed outside the United States and its outlying areas in support of a contingency operation in which members of the Armed Forces are actively engaged in hostilities. This class deviation implements sections 841 of the NDAA FY15 (Pub. L. 113-291), as amended by section 820 of the NDAA for FY23 (Pub. L. 117-263), and section 842 of the NDAA for FY15.

Best Practices from the Field – Incentive Contracts

You’ve asked, and we’ve listened! DPC is currently interested in hearing from the contracting workforce regarding best practices in incentive contracts. The field is requesting any tips and tricks others have found successful. Whether award fee or incentive fee, we want to know what has worked well for your component so we can share it in an upcoming publication. Please reach out to Sara Van Gorder at sara.c.vangorder.civ@mail.mil with questions or submission ideas.
**DoD Contracting Career Field Model**
Visual guide of the contracting functional area with information and links for professional growth and leadership development

**Defense Civilian Personnel Advisory Services**
Information and policies regarding Civilian leader development and broadening programs within government and private-sector organizations
https://www.dcpas.osd.mil/learning/civilianleaderdevelopmentbroadeningother

**DAU iCatalog**
Information on training courses, credentials, Contracting Functional Area certification and development guides, and alternate means of meeting training requirements
https://icatalog.dau.edu/

**DAU Events**
Webinars, and virtual learning and collaboration opportunities to engage with colleagues, senior leaders, acquisition experts, Industry leaders, and DAU faculty
https://www.dau.edu/events

**DAU Functional/Interdisciplinary Developmental Recommendations**
Recommended training for specific Contracting mission areas (e.g., construction contracting, contract administration)

**DAU Commercial Learning Opportunities**
Access supplemental online learning resources from DAU’s commercial partners at no additional cost
https://www.dau.edu/partnerships/commercial-learning-opportunities

**DAU Blogs**
Quick updates on the world of defense acquisition and the future of contracting

**Recent Contracting Courses Deployed:**
- CON 7480, Extraordinary Contractual Actions (Dec 2023)
  https://www.dau.edu/courses/con-7480
- CON 0780, Using ERP and Excel to Analyze Labor (Nov 2023)
- CON 0140, Art & Science of Contracting (Nov 2023)
  https://www.dau.edu/index.php/blogs/weaving-artistry-science-tapestry-contracting-con-0140

**Upcoming Other Transaction (OT) Training**
DARPA's Contract Management Office will be holding a virtual comprehensive OT training on 7-8 February 2024. Registration is required.
https://acquisitioninnovation.darpa.mil/ot-training

**OT Community of Practice (COP)**
DAU provides information on the history of OTs; links to statutes, policies, and guidance; access to OT training; lessons learned from others in the OT community; and information about upcoming events like the DoD OT Cross Talk where you can ask OT subject matter experts questions specific to your OT.
https://www.dau.edu/cop/ot

**OTs and Intellectual Property (IP)**
The December 2023 OT Cross Talk provided guidance for developing outcome-focused IP strategies using cross-functional teams to conduct a needs assessment following guidance in DoDI 5010.44, Intellectual Property (IP) Acquisition and Licensing.
**IP COP**
https://www.dau.edu/cop/IPDR
**DAU WSM 024 - IP Strategy Workshop**
https://icatalog.dau.edu/onlinecatalog/courses.aspx?crs_id=12757

**Did You Know?**
DAU hosts a weekly 1-hour collaboration forum every Thursday called CONNECT Live! This has been a big success with 100+ contracting professionals joining the discussion each week to network and learn from each other. Get plugged in with the DoD contracting community for 1-hour at CONNECT LIVE! and earn a CLP too; connect at
https://www.dau.edu/events
DPC’s AEP provides a unique career developmental experience for high-caliber individuals by providing insight into, and experience in, the development and implementation of DoD-wide acquisition policy. Participants work in a DPC Directorate to enhance their pricing and contracting skills as they prepare for future positions within the acquisition community. The program has been in place since 2001 and over 300 candidates have participated from the Services as well as Defense Agencies. The 2024 cohort welcomed 13 participants in January with 4 assigned to DPC/Contract Policy.

INTERVIEW WITH MS. RENAE VOYLES

Current Role: Office of the Deputy Assistant Secretary of the Army for Procurement

DoD Contracting Experience: 15 years

AEP Assignment: DPC/Contract Policy

January-November 2023

Why did you apply for the DPC AEP?

I was considering where I wanted to go in my career since I had just passed five years with ODASA(P). I was browsing the web when I came across the notice to apply. It seemed like an excellent opportunity to do something different for a year while expanding my knowledge base. My contracting experience has been within the Army, so I was excited to meet and work with contracting professionals around the DoD. I could not have imagined how much I would learn from my AEP detail!

What was the highlight of your AEP experience?

I could count so many great experiences throughout my detail. My highlights were being able to take on actual projects that would affect me when I returned to the Army: finishing some Other Transactions Authority guidance and numerous workforce-related strategies and documentation. It was also great to be invited to so many high-level and strategic meetings. Even though I was only listening, the discussions were invaluable in understanding how senior leaders think, communicate, negotiate, and work through issues I didn't know they were concerned with from the working level. My director, mentors, and teammates were open to allowing me to ask questions, take on portions of a project, work with their DoD-wide teams, and get exposed to the busy work life of a DPC Contract Policy professional. I reinforced what I knew from my Army experiences, increased my network, was challenged, and was acknowledged.

What did you learn, and what surprised you about working at the OSD policy level?

I knew I would be communicating with other professionals throughout DoD. Still, I had no idea to what extent DPC was involved with so many different areas of contracting. I could listen in on discussions with PSMs, contracting officers, senior leaders, pricers, OT agreement officers, HQ staffers from other military branches...and I could go on. The professionalism shown by the DPC personnel when listening to, engaging with, and learning from other contracting personnel was humbling and inspirational. DPC is there to help as much as they can, stay out of the way when they can, and be a conduit of knowledge in many facets of contracting. Working at that level, I learned more concise ways of communicating and how to interact with almost every level of our contracting chain. Different nuances for different forums, and that nugget has been invaluable.

What advice would you give contracting professionals?

Without being too cliché, I'd strongly encourage all contracting professionals to step outside of what they know. Government contracting has so many facets, and everything we learn helps us become better professionals. You never know if that detail or assignment will show you what you didn't even know you wanted. Take on the small projects and volunteer for the big projects. All our work is essential, no matter how redundant or frustratingly nitpicky. Sometimes, the reason for putting forth the effort is to show that there is a better way to do our work, and that is so important as we continue to look for ways to streamline and automate what we can. Something I learned at ODASA(P) and DPC is to be flexible! Your perfect presentation might have comments, your deadline might shift significantly to the left, your project might get canceled, and the funding might not come in. Be flexible, wear a smile, and be the best you can every day.

Welcome to the 2024 Contract Policy AEP Cohort

Milissa Dart, Navy
Daisy Pierce, DCMA
Shuna Ross, Air Force
Roxie Thomas, Navy
Today’s digital acquisition environment requires contracting professionals to be resilient, to exercise leadership at every level, to be critical thinkers with strong analytical skills, and savvy business advisors. The Department has nearly 36,000 contracting professionals, predominantly 1102 civilians and military equivalents, serving on the frontlines of the global contracting mission in support of the Warfighter and our Nation’s international partners. In Fiscal Year 2023, the contracting workforce awarded an unprecedented $456 billion in FAR-based contract obligations for products and services and another $15 billion in Other Transactions. This impressive workforce is led by the DoD contracting functional area leader Mr. John Tenaglia, Principal Director, Defense Pricing and Contracting (PD, DPC) in the Office of the Under Secretary of Defense for Acquisition and Sustainment.

Four years ago, there was a recognition by the Department leadership that training the acquisition workforce required transformational change. As a result, a new talent management framework was deployed in February 2022 to better align training with technological advances in the acquisition and delivery of products and services. The initiative made a directional turn from the broad-spectrum approach of workforce development and training to one that is streamlined and tailored for individuals.

The contracting functional area transitioned from a three-tiered certification model to a single-level professional certification that prepares the workforce for initial readiness to perform basic contracting functions. The certification standards include requirements for education, training, experience, an assessment (exam), and currency. An individual will engage in continuous learning throughout their career and may earn credentials in the Defense Acquisition Credential Program and complete training needed for a specific job assignment, professional development, or to achieve career goals. The renewed commitment to professional currency provides the workforce with more elective learning and upskilling opportunities.

The Defense Acquisition University (DAU) used the DoD Contracting Competency Model in the development of the training element of the DoD Contracting Professional Certification. The Model is based on the American National Standards Institute/National Contract Management Association accredited Contract Management Standard™ and represents a set of guiding principles, common competencies, and professional competencies that all contracting professionals across Federal government and industry need to achieve, independent of an individual’s organization or contracting mission area.

The implementation of the innovative certification program and contracting credentials for tailored learning may be attributed to the DPC leadership and contracting senior leaders, in collaboration with the dedicated DAU team and Component representatives that serve on the DoD Contracting Workforce Functional Integration Team (CON FIT). To assist the workforce with individual development plans, the CON FIT recently published a Contracting Career Field Model and continuous learning guidance issued by PD, DPC.

In 2023, the Deputy Administrator, Office of Federal Procurement Policy (OFPP) announced the new Federal Acquisition Certification in Contracting (Professional), which aligns with the certification standards of the DoD Contracting Professional Certification. Subsequently, OFPP and DPC signed a groundbreaking Memorandum of Understanding (MOU) to formally recognize parity and reciprocity between the contracting certifications. The MOU facilitates talent mobility of the contracting workforce across the civilian Federal agencies, DoD, and industry.

Contracting is a challenging and exciting career field that requires dedication, integrity, and diversity of thought in support of the defense mission around the world. The certification program and focus on lifelong learning, provides opportunities contracting professionals need to be successful in contributing confidently and with pride in service to our Nation.
Did You Know?  There are 23 contracting-focused credentials available in the Defense Acquisition Credentials Program. 

https://www.dau.edu/training/credentials

The latest contracting credential deployment is CCON 028, Contracting for Logistics & Sustainment. This training opportunity addresses the acquisition of sustainment requirements and the unique contracting considerations for this space. Contracting professionals learn how to effectively translate product support requirements into effective contract terms and conditions to ensure our warfighters are mission ready.

Contracting professionals are encouraged to take cross-functional credentials for development and continuous learning such as CALD 001, Resilience, which applies to acquisition professionals at all levels. In a work culture of increasing complexity and demands, it’s beneficial for acquisition professionals to learn resilience skills to better deal with change.

Coming soon to the list of available credentials is CENG 003, Artificial Intelligence (AI) Foundations for DoD. Defense acquisition workforce professionals will learn about the AI ecosystem, the importance of data and algorithmic ethics activities, machine learning, and contracting for AI.

As part of the 2024 AEP orientation, Greg Snyder, DPC/CP, led the group on an awesome tour of the Pentagon. A highlight was a stop at the Pentagon Briefing Room for a photo with members of the AEP cohort and CP staff!

Would you like to contribute to this newsletter? Contact us at osd.pentagon.ousd-a-s.mbx.asda-dp-c-contractpolicy@mail.mil