INTELLIGENCE COMMUNITY POLICY GUIDANCE

801.2 Technical Amendment

9 October 2014

Contracting and Procurement Policy

A. PURPOSE

1. Pursuant to Intelligence Community Directive (ICD) 101, Section G.1.b.(3), Intelligence Community Policy Guidance (ICPG) 801.2, *Contracting and Procurement Policy*, is hereby amended.

2. The amendments remove Appendix A and edit Sections B, C, D, E, E.3, F, and G to reflect the current organizational structure of the Office of the Director of National Intelligence (ODNI), as well as current law and Intelligence Community policy.

B. EFFECTIVE DATE: This technical amendment to ICPG 801.2 becomes effective on the date of signature.

Dawn R Eilenberger — 09 October 2014

Assistant Director of National Intelligence for Policy and Strategy — Date

INTELLIGENCE COMMUNITY POLICY GUIDANCE

801.2

20 September 2008

(As Amended: DD Month YYYY)

Contracting and Procurement Policy

A. AUTHORITY: The National Security Act of 1947, as amended; Executive Order 12333, as amended; and other applicable provisions of law.

B. PURPOSE: This document provides policy guidance for executing Intelligence Community (IC) contracting and procurement activities to assist the Director of National Intelligence (DNI) in ensuring the effective execution of the annual budget for intelligence and intelligence-related activities by elements of the IC.

C. APPLICABILITY: This Intelligence Community Policy Guidance (ICPG) applies to the IC as defined by the National Security Act of 1947, as amended; and to such elements of any other department or agency as may be designated an element of the IC by the President, or designated jointly by the DNI and the head of the department or agency concerned.

D. IC CONTRACTING AND PROCUREMENT GUIDING PRINCIPLES: Contracting and procurement activities executed by the IC shall support mission activities and permit the Office of the DNI (ODNI) to monitor the implementation and execution of National Intelligence Program (NIP) funds by elements of the IC. In furtherance of the effective execution of the NIP, IC elements, in implementing their statutory authority to carry out their contracting and procurement missions and functions, should place special emphasis on contracting and procurement processes that:

1. Result in contracts that deliver quality goods, services, and systems that respond to intelligence needs in a timely manner;

2. Protect and enable the national security mission by using appropriate operational security in contracting and procurement activities;

3. Address adversary threats to specific IC procurements and to the IC's supply chain through the use of comprehensive IC acquisition risk mitigation strategies, in accordance with IC Directive (ICD) 731, *Supply Chain Risk Management*. Adversary threat assessments and methodologies should be used as appropriate in IC procurement decisions;

4. Are responsive and streamlined to perform as effectively and efficiently as possible within the needed timelines;

5. To the maximum extent practicable, seek to employ competition as a means to secure an advantage to the Government in enabling the effective execution of the intelligence mission;

6. Maximize the use of commercial products, and leverage the technical expertise of the Government, industry, and academia;

7. Support a flexible acquisition environment that facilitates rapid exploitation of emerging technologies and innovation within industry;

8. Facilitate IC-wide strategic sourcing of commodities, services, and technology;

9. Objectively assess IC contract and procurement integrated cost, schedule, and technical performance through the use of proven methodologies such as Earned Value Management;

10. Consider, as appropriate, use of IC grants and cooperative agreements to advance long-term strategic IC objectives and to identify emerging sources for advanced technology-based capabilities; and

11. Support the development and retention of trained, certified, and experienced contracting and procurement personnel to support IC needs.

E. ROLES AND RESPONSIBILITIES

1. The Assistant DNI for Acquisition, Technology and Facilities (ADNI/AT&F) shall serve as the DNI's designee for exercising IC acquisition authority.

2. The Assistant Deputy DNI/AT&F for Procurement is the ADNI/AT&F designee for IC-wide procurements, serving as the IC Senior Procurement Executive (IC SPE), and shall:

a. Monitor and evaluate contracting and procurement functions throughout the IC to ensure the effective execution of NIP funds;

b. Coordinate with IC elements and ODNI components to facilitate the effective execution of NIP-funded procurements;

c. Evaluate IC contracting and procurement activities, to include contract execution data, for the purpose of providing recommendations to appropriate ODNI officials when such activities are not achieving the IC Contracting and Procurement Guiding Principles in Section D;

d. Develop expectations for, and promote understanding of, contracting and procurement policies, procedures, and best practices within the IC;

e. Chair the IC Procurement Executive Council (IPEC); and

f. Represent the IC on contracting and procurement matters to external entities, coordinating with affected IC elements, as appropriate.

3. IPEC responsibilities include the following:

a. The IPEC is a forum comprising the Senior Procurement Executives, or equivalent officers, from each IC element, and advisors from appropriate ODNI components as needed. The IPEC serves as the IC's senior advisory forum on contracting and procurement issues. The role of the IPEC is to identify contracting and procurement challenges, recommend contracting and procurement process improvements, and foster the integration of government and industry best practices into the IC. The IPEC shall provide its recommendations to the IC SPE.

b. Leveraging the unique mission and procurement expertise of IC elements, the IPEC shall have a Community focus and shall work to identify and recommend collaborative solutions to common challenges and focus areas, including but not limited to: strategic sourcing, procurement metrics, contracting and procurement workforce planning and training, IC contracting and procurement workforce trends, international contracting, and objective contract assessment methodologies.

c. In addition, the IC SPE and IPEC, within the framework of IC policy and inter-departmental agreements, and when requested by the executing IC elements, shall assist in streamlining processes to address issues arising from dual IC and Departmental procurement authorities.

F. CONTRACTING AND PROCUREMENT INFORMATION

1. Elements of the IC shall provide procurement and contracting information to the IC SPE to assist the DNI in ensuring the effective execution of the annual budget for intelligence and intelligence-related activities, and other information required for the performance of the Director's duties.

2. Information technology products for national security systems shall be procured in compliance with Federal laws, including 50 U.S.C. 3329, and IC policies, including ICD 731.

G. EFFECTIVE DATE: This Policy Guidance becomes effective on the date of signature.

//SIGNED// David R. Shedd
Deputy Director of National Intelligence
for Policy, Plans and Requirements

September 20, 2008
Date