Navigating the Federal Government

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MITRE | SOLVING PROBLEMS FOR A SAFER WORLD™

Welcome

About Me

- Dawn Bontempo, PE

- 19 years as a federal employee

- Three Federal Agencies (civilian working for the Marine Corps, Department of Homeland Security and Department of Veterans Affairs)

- Former member of the Senior Executive Service (SES)

- Joined The MITRE Corporation in 2019

- Human and Organizational Systems Department - at the intersection of humans and technology

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Agenda

Section 1: Federal Government: *A review from your civics lessons*

Section 2: Federal Budget Process: *Deciding where tax dollars are spent and the importance for DevSecOps*

Section 3: Federal Acquisition Process: *The journey of federal funding to you and the challenges for DevSecOps*

✓ *In each section we'll answer the question: "Why does this matter to DevSecOps for Government?.... So What?"*

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Three Branches of the Federal Government

Legislative Branch

Who?
- Senators
- Representatives

Main responsibilities:
- Make laws
- Originate spending bills
- Approve or reject nominations
- Approve treaties

Consists of:
- House of Representatives
- Senate

Together, they form Congress

Executive Branch

Who?
- President
- Vice President

Main responsibilities:
- Lead the Federal Government
- Implement and Enforce laws
- Nominate leaders in Federal Government
- Serve as Commander-in-Chief of US military

Judicial Branch

Who?
- Chief Justice of the Supreme Court
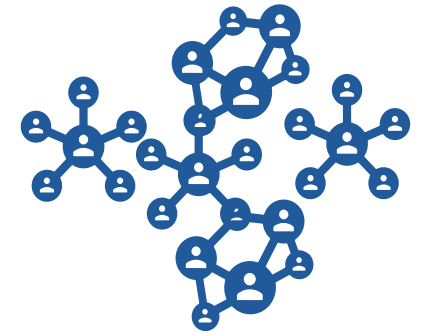- Supreme Court Justices

Main responsibilities:
- Interpret the laws

Consists of:
- Nine members: One Chief Justice and eight Justices

The Supreme Court is the highest Court in the US

Source: https://www.usa.gov/branches-of-government

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Executive Branch - Federal Departments

- 15 Federal Departments
- Department of Justice is led by the Attorney General
- The other 14 Departments are led by a Secretary who is appointed by the President and confirmed by the Senate (the House does not confirm appointments)

The Federal Departments

- Department of Agriculture (USDA)
- Department of Commerce
- Department of Defense
- Department of Education
- Department of Energy

- Department of Health and Human Services (HHS)
- Department of Homeland Security (DHS)
- Department of Housing and Urban Development (HUD)
- Department of Interior (DOI)
- Department of Justice (DOJ)

- Department of Labor
- Department of State
- Department of Transportation
- Department of Treasury
- Department of Veterans Affairs

Source: https://www.whitehouse.gov/about-the-white-house/the-executive-branch/

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Independent Federal Agencies that are not Departments

- Central Intelligence Agency

- Environmental Protection Agency

- Federal Election Commission

- General Services Administration (GSA)

- National Aeronautics and Space Administration

- National Science Foundation

- Office of Personnel Management

- Securities and Exchange Commission

- Small Business Administration

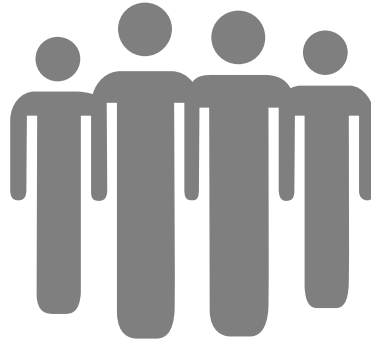- Social Security Administration

Note: Not a complete list

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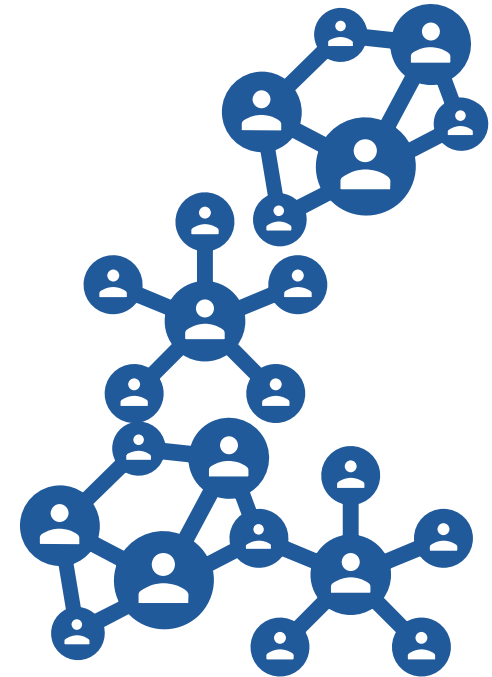
The 101 of Federal civilian positions

General Schedule

- Majority of civilian Federal employees (~ 1.5 million) in professional, technical, administrative, and clerical positions
- There are 15 grades ranging from GS-1 (lowest) to GS-15 (highest)
- Each grade has 10 steps

Senior Executive Service

- Serve in the key positions just below the top Presidential appointees.
- SES members are the major link between appointees and the rest of the Federal workforce.
- 7300 Career SESs

Sources:
https://www.opm.gov/policy-data-oversight/pay-leave/pay-systems/general-schedule/
https://www.govinfo.gov/collection/plum-book/

✔ **So What?** *Rigid categorizations make innovative hiring and retention difficult at best!*

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Congressional Budget Terms to know

Authorizations

- Establishes or continues one or more Federal agencies or programs
- Obligates funding for a program or Agency
- Can initiate in the House or Senate
- Example – Annual National Defense Authorization Act (NDAA)

Appropriations

- **Appropriates federal funds to Agencies and programs**
- **Three Types:**
  - Regular
  - Continuing Resolution
  - Supplemental (ex. disaster relief)
- **Must initiate in the House**

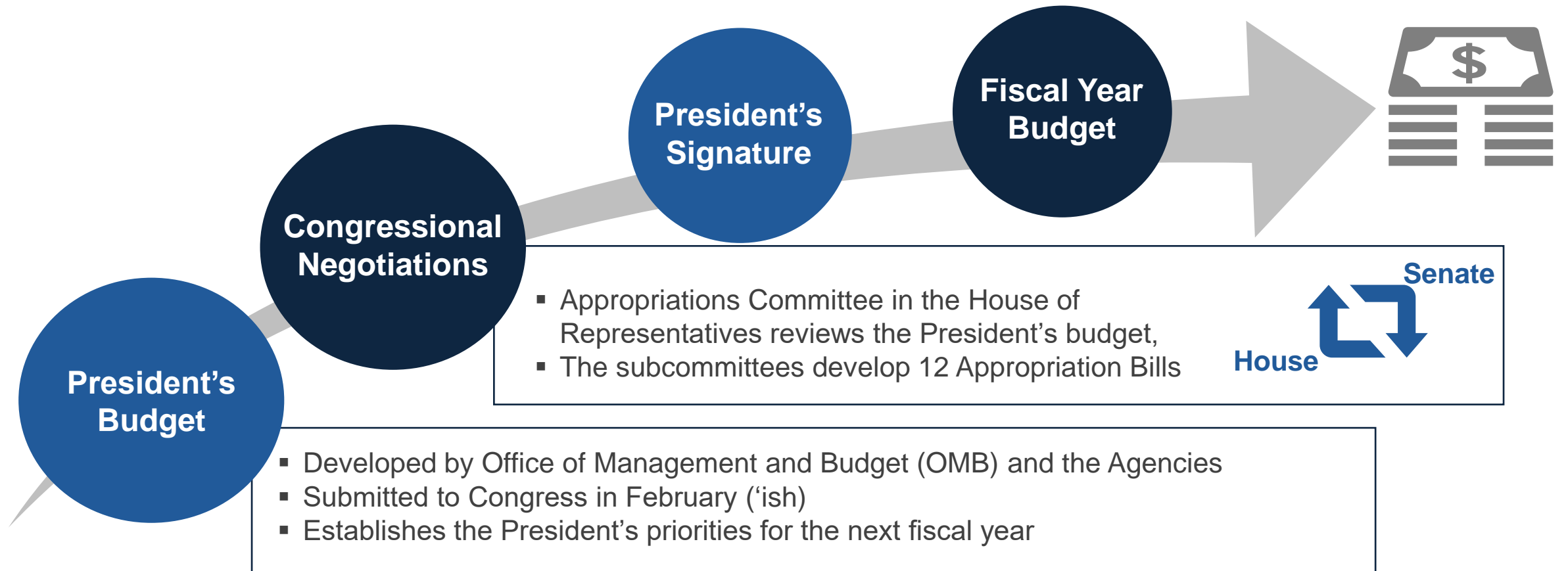**12 Appropriation Subcommittees, which means typically 12 Appropriation Bills**

- Agriculture
- Commerce-Justice-Science
- Defense
- Energy-Water
- Financial Services
- Homeland Security
- Interior-Environment
- Labor-HHS-Education
- Legislative Branch
- Military Construction-Veterans Affairs
- State-Foreign Operations
- Transportation-HUD

✔ **So What?** *Complex multi-step and multi-year budget process is slow and hampers nimble acquisition.*

The Budget Process

Fiscal Year Budget

President's Signature

Congressional Negotiations

- Appropriations Committee in the House of Representatives reviews the President's budget,
- The subcommittees develop 12 Appropriation Bills

Senate

House

President's Budget

- Developed by Office of Management and Budget (OMB) and the Agencies
- Submitted to Congress in February ('ish)
- Establishes the President's priorities for the next fiscal year

✔ **So What?** *The political balance impacts the speed of budget appropriation. Funding is necessary for Software and Software Intensive Systems at the speed of technical relevance.*

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In Sept 2021 – Three Budget Years

FY23

Negotiated between Agencies and Office of Management and Budget (OMB)
- OMB builds the President's Budget
- To be submitted in February 2022

FY22

Negotiated in Congress and being planned by OMB and the Agencies
- President Biden's budget
- President's budget submitted to Congress – May 28, 2021
- Begins Oct 1, 2021

FY21

Executed by the Agencies with oversight by Congress
- President Trump's budget)
- President's budget submitted to Congress – February 10, 2020
- Appropriations Act signed by the President – Dec 27, 2020

Source: https://www.govinfo.gov/app/collection/budget/2021

✔ **So What?** *Today's funding is based on projections 3 years ago! There is limited adjustment for adopting needed disruptive technology.*

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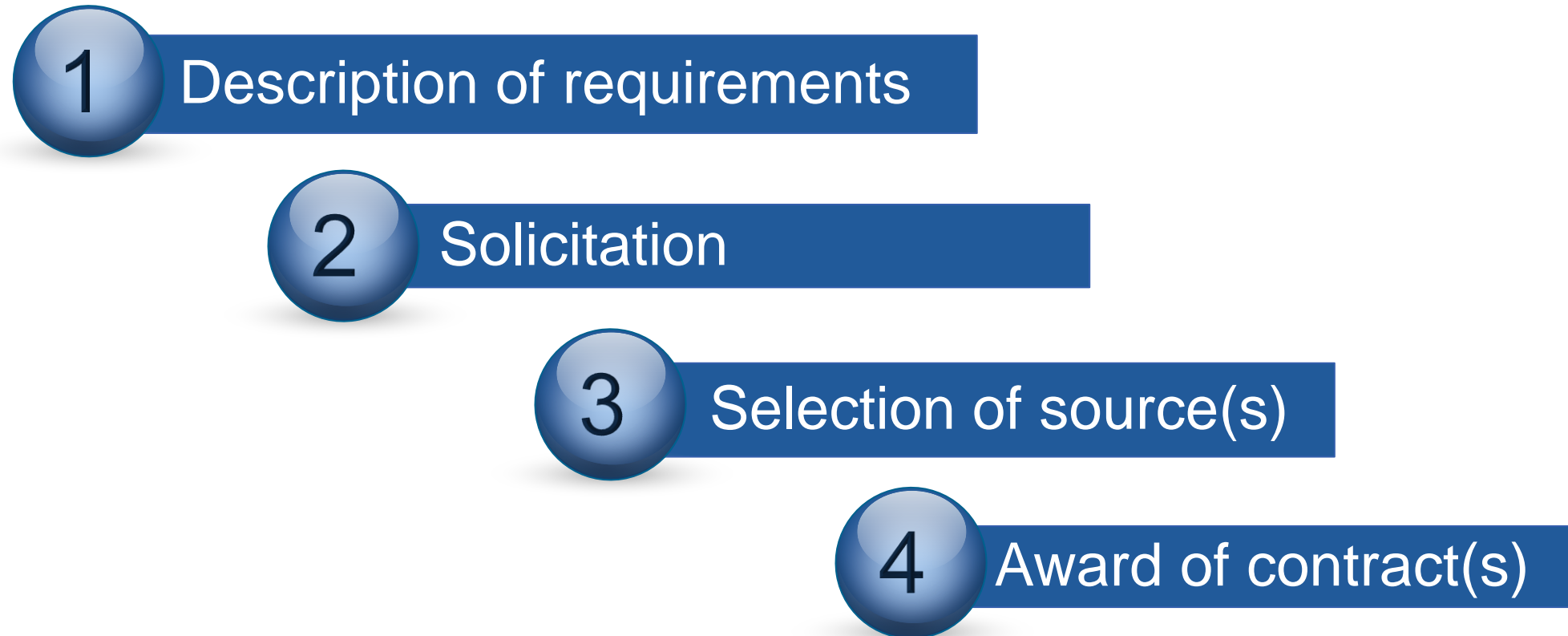
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Federal Acquisitions – An Example

Defense Acquisition University (DAU) Subway Map for Federal Acquisition Regulations (FAR) Based Negotiated Acquisitions

https://www.dau.edu/tools/Pages/ContractingSubwayMap.aspx

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High Level Federal Acquisition Process

Basic Federal Acquisition Process - Acquiring a Contract

1 Description of requirements

2 Solicitation

3 Selection of source(s)

4 Award of contract(s)

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1 Description of requirements

- Determined by the Government and answers the questions. What are the government requirements? What does the government need?

- Typically includes description of tasks and expected deliverables

- Examples
  - Statement of Work (SOW) – traditional acquisitions
  - Performance Work Statement (PWS) – performance based (outcome)
  - Statement of Objectives (SOO) – maximum flexibility for innovation

- Outcome: SOW/PWS/SOO ready for solicitation

✔ **So What?** *The granularity of requirements is difficult to get right. Federal "muscle memory" still thinks in terms of waterfall prescriptive mandates that can hamper innovation.*

2 Solicitation

- Any request to submit offers or quotations to the Government[*]
- Examples at: https://sam.gov *(former FBO.gov site)*
- Some solicitation items you will likely see:
  - <u>Pre-solicitation</u>: Request for Information (RFI) – collect information from businesses on the proposed solicitation
  - <u>Market Research</u>: Sources Sought – collect information on whether there are small businesses that can meet the requirements
  - <u>Request For Proposal</u> (RFP) – asking bidders to submit a technical proposal and a cost proposal (typically)
  - <u>Request For Task Order Proposal</u> (RTOP) or Task Order Proposal Request (TOPR) – (for an existing contract where new work is being awarded as a new task order)
- Outcome: The government has one or more proposals to evaluate

✔ **So What?** *RFIs and Market Research requests provide excellent opportunities for industry and academia to offer innovative concepts and transformative technology.*

- Evaluating a bid or proposal to enter into an agency procurement contract *

- How are proposals selected?

  - Source Selection Plan

    - Technical Evaluation Board

    - Price Evaluation Board

  - Source Selection Authority

- Outcome: The government is ready to award a contract

✔ **So What?** *Government evaluators may be at a technical disadvantage given rapidly changing technology landscape.*
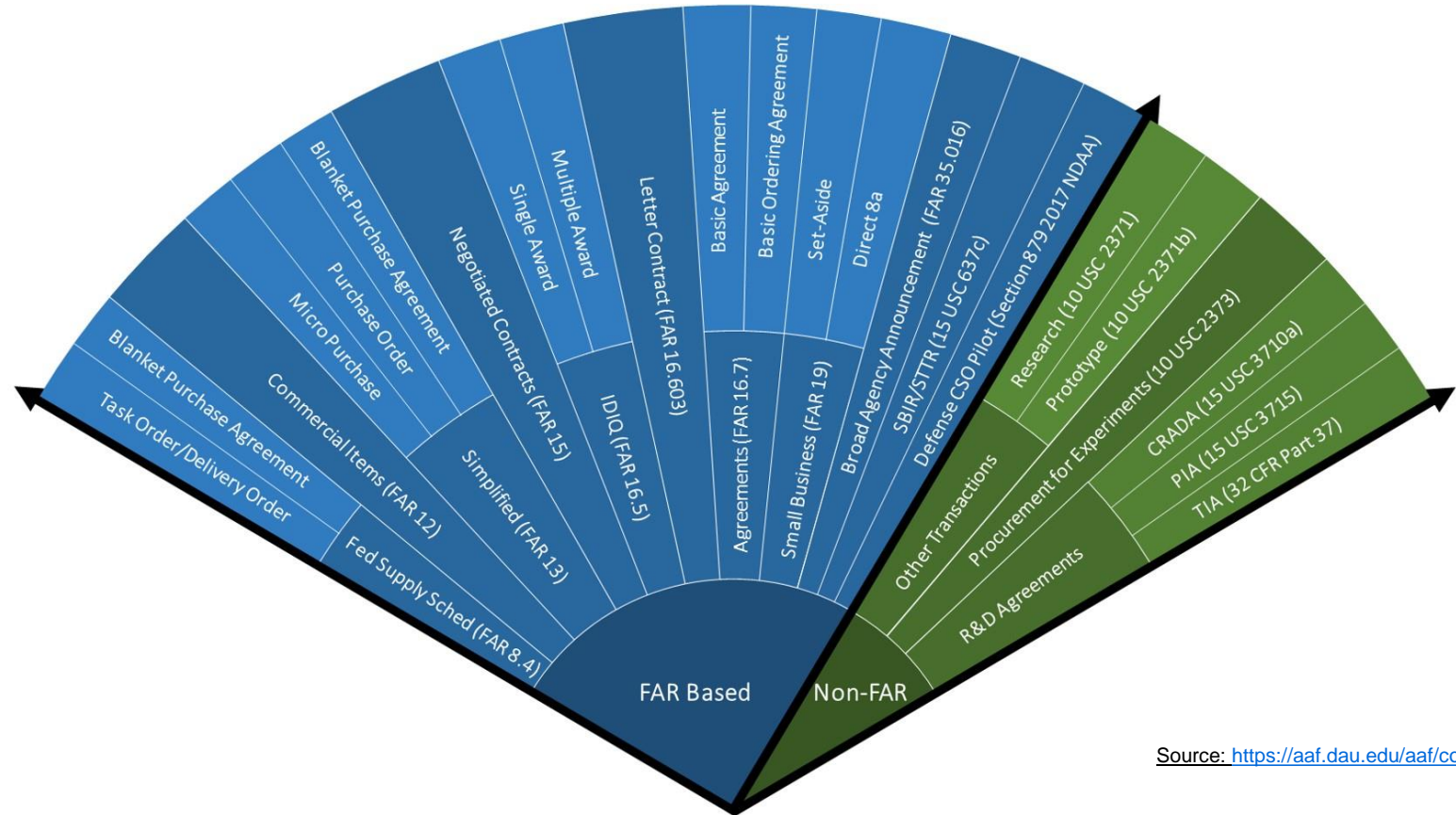
* Source: https://www.acquisition.gov/content/15308-source-selection-decision

Contracting Cone

The contract type is decided before the solicitation!

✔ **So What?** *Continued need to innovate on contracting policies and processes to empower and react to innovations and leading-edge discoveries that DevSecOps seeks to support.*

Further Information

- Federal Agencies
    - https://www.usa.gov/federal-agencies
- White House Budget
    - https://www.whitehouse.gov/omb/budget/
- Each Federal Agency Budget page – each federal Agency posts their budget
    - Example: Veterans Affairs. https://www.va.gov/budget/products.asp
- Congressional Appropriation Committee Page – follow the appropriation process
    - https://appropriations.house.gov/
- Congressional Action on Bills as they move through Committee and the Chambers
    - https://congress.gov/bills-with-chamber-action/116th-congress/browse-by-date
- Defense Acquisition University Contracting Subway Map
    - https://www.dau.edu/tools/Pages/ContractingSubwayMap.aspx
- Acquisition Terms
    - https://www.acquisition.gov/content/part-2-definitions-words-and-terms
- Defense Acquisition University
    - https://www.dau.edu/
- Federal Acquisition Institute
    - https://www.fai.gov/

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