

From: Scholl, Matthew (Fed)
To: Dodson, Donna F. (Fed); Stine, Kevin M. (Fed)
Subject: Re: ACTION: Excepted Contracts List- Information Requested
Date: Monday, February 11, 2019 3:08:55 PM

OK, thanks. This is an important change that I probably need to prep for.

From: "Dodson, Donna F. (Fed)" <donna.dodson@nist.gov>
Date: Monday, February 11, 2019 at 11:49 AM
To: "Stine, Kevin (Fed)" <kevin.stine@nist.gov>
Cc: "Scholl, Matthew (Fed)" <matthew.scholl@nist.gov>
Subject: FW: ACTION: Excepted Contracts List- Information Requested

FYI – I think this is a follow up to our conversation with Chuck during the first furlough.

From: "Bubar, Keith (Fed)" <keith.bubar@nist.gov>
Date: Friday, February 8, 2019 at 2:24 PM
To: Charles Romine <charles.romine@nist.gov>, "Loar, Susan K. (Fed)" <susan.loar@nist.gov>, "St Pierre, James A. (Fed)" <james.st.pierre@nist.gov>, "Folk, Alex (Fed)" <alex.folk@nist.gov>
Cc: "donna.dodson@nist.gov" <donna.dodson@nist.gov>, Kevin Stine <kevin.stine@nist.gov>, "McBride, Tim (Fed)" <timothy.mcbride@nist.gov>, Yolanda Bursie <yolanda.bursie@nist.gov>, "Wong, Hing Pan (Fed)" <hingpan.wong@nist.gov>, "Horton, Lynda (Fed)" <lynda.roark@nist.gov>
Subject: RE: ACTION: Excepted Contracts List- Information Requested

Hi ITL,

I wanted to follow up on the email I sent yesterday. First, I want to clarify that the list/spreadsheet I sent out to you yesterday was not the official list of excepted contracts, and I am sure that there are some contracts missing or that perhaps no longer belong on the list. Therefore, it is important that you review the entire list and update as needed when providing the official list of your excepted contracts.

Second, I was just informed of newly excepted functions by DOC that pertain to ITL. Please see the list below of some excepted functions. Because I am getting this information secondhand, I cannot say for sure that each of the functions listed below is a "newly" excepted function, but I do know that each of the functions associated with ITL listed below are in fact "excepted" functions. Therefore, when you are generating the official list of your excepted contracts when asked to, please be sure that you have identified those of your contracts that provide these excepted functions. I hope this helps in your efforts to come up with your official list. Thanks again,

NIST EP 221	Permanent	2210 (IT Management, Cybersecurity) - 24 positions	Gaithersburg, MD	5	NIST	770 (ITL)	These staff evaluate cryptographic algorithms, fifth generation wireless networking (5G) security, and information privacy protections. Not performing this work during a lapse in appropriations would delay the development of cryptographic algorithms and the identification and mitigation of network vulnerabilities. This delay would cause cascading effects creating an unacceptable level of mid and long term risk to the safety and security of U.S.'s IT infrastructure.
NIST EP 222	Permanent	1520 (Mathematics) - 11 positions	Gaithersburg, MD	5	NIST	770 (ITL)	These staff are leading the world's efforts on the selection of quantum resistant cryptographic algorithms. Not performing this work during a lapse in appropriations would delay the development of cryptographic algorithms. This delay would cause cascading effects creating an unacceptable level of mid and long term risk to the safety and security of U.S.'s IT infrastructure.
NIST EP 223	Permanent	0855 (Electronics Engineering)	Gaithersburg, MD	5	NIST	770 (ITL)	These staff identify vulnerabilities and security approaches related to network protocols for hardware stacks. The understanding of these vulnerabilities is critical to keeping the U.S.'s IT systems secure. Not performing this work during a lapse in appropriations would delay the development of cryptographic algorithms and the identification and mitigation of network vulnerabilities. This delay would cause cascading effects creating an unacceptable level of mid and long term risk to the safety and security of U.S.'s IT infrastructure.
NIST EP 225	Permanent	1550 (Computer	Gaithersburg,	5	NIST	770 (ITL)	These staff develop and review the IT security related to the Internet of Things (IoT). Not performing this work during a lapse in appropriations would delay the development of IoT security

		Science) - 8 positions	MD				standards. This delay would cause cascading effects creating an unacceptable level of mid and long term risk to the safety and security of U.S.'s IT infrastructure.
NIST EP 224	Permanent	Series 0301 (Miscellaneous Administration and Program) - 2 positions	Gaithersburg, MD	5	NIST	770 (ITL)	These staff are needed to provide the necessary administrative support to ensure excepted NIST cybersecurity programs can operate effectively. Not performing this work during a lapse in appropriations would delay the development of cryptographic algorithms and the identification and mitigation of network vulnerabilities. This delay would cause cascading effects creating an unacceptable level of mid and long term risk to the safety and security of U.S.'s IT infrastructure.

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From: Bubar, Keith (Fed)
Sent: Thursday, February 07, 2019 9:04 AM
To: Romine, Charles H. (Fed) <charles.romine@nist.gov>; Loar, Susan K. (Fed) <susan.loar@nist.gov>; St Pierre, James A. (Fed) <james.st.pierre@nist.gov>
Cc: Dodson, Donna F. (Fed) <donna.dodson@nist.gov>; Stine, Kevin (Fed) <kevin.stine@nist.gov>; McBride, Tim (Fed) <timothy.mcbride@nist.gov>; Folk, Alex (Fed) <alex.folk@nist.gov>; Bursie, Yolanda L. (Fed) <yolanda.bursie@nist.gov>; Davis, Jo-Lynn (Fed) <jo-lynn.davis@nist.gov>; Wong, Hing Pan (Fed) <hingpan.wong@nist.gov>; Roark, Lynda (Lynda.Roark@nist.gov) <Lynda.Roark@nist.gov>
Subject: ACTION: Excepted Contracts List- Information Requested
Importance: High

Hello ITL Leadership,

With the potential for another government shutdown looming, the purpose of this email is to preemptively notify you that each of the OUs will soon be receiving a time-sensitive request from OAAM to update their list of Excepted Contracts and to provide detailed information for each of those contracts. I expect that this request will be coming to you in the next few days. You will likely be given a spreadsheet that has the "current" list of Excepted Contracts for your OU, and you will be asked to update it and add any missing information. Most importantly though, for any contract you claim to be excepted, the OU will need to designate the appropriate Exception classification number (see below) and be able to justify each designation if needed. There are 5 total types of Exceptions.

*Excepted Contracts must meet one of the exceptions below: (Shown in column Q of the attached spreadsheet)

1. Contract is necessary to assist in the orderly shutdown;
2. Contract is funded beyond the date of the lapse, and Government personnel are not necessary for contract administration during the funding gap; [THIS CATEGORY IS COVERED BY THE BLANKET LETTER ON THE NIST WEBSITE.]
3. Contract is funded beyond the date of the lapse, and the salaries of Government personnel necessary for contract administration are paid by other than the current fiscal year funds;
4. Contract is necessary to protect the safety of human life or the protection of property;
5. Contract is required for national security, or was authorized by law or regulation (and was coded as such at time of award)

To help prepare you for this request, I have attached what we believe to be the "current" list of Excepted contracts for your OU. When you complete the data call given to you from OAAM, you will need to leave no fields blank. Some of the fields in the current list that we have are blank, so please take a look and be prepared to provide the correct information for every single field for all Excepted contracts. This information is critical to ensuring a smooth shutdown, so please do not leave out any details.

On another note, as you may have heard invoice payment will be an excepted activity during the next shutdown. Therefore, it is important that the OUs begin to plan on how best to complete this activity for excepted contracts during the potential shutdown. If you have any questions regarding this, please feel free to reach out to me. Thank you!

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