



MEMORANDUM FOR RECORD

- FROM: Beth Killoran
Deputy Assistant Secretary for Information Technology (Acting) and
Chief Information Officer (Acting)
Office of the Chief Information Officer
Office of the Assistant Secretary for Administration
- CC: Colleen Barros
Assistant Secretary for Administration (Acting)
- SUBJECT: Operating Division Chief Information Officer (CIO) Delegation of Authority
1. References. Federal Information Technology Acquisition Reform Act (FITARA) [Pub. L. No. 113-291, § 831 of Div. A, Title I, Subtitle D (Dec. 19, 2014)] and Office of Management and Budget (OMB) Memorandum M-15-14.
 2. Purpose. The purpose of this document is to identify and record the delegation of authority from the HHS Chief Information Officer (CIO) to the Operating Division Chief Information Officer to review and approve information technology budget, acquisitions strategies, or other agreements where approval authority is vested in the HHS CIO or, alternatively, where approval authority is vested pursuant to a governance process in which the HHS CIO is a “full participant” under FITARA. Specifically, FITARA provides for the following approval authorities:
 - a. HHS may not enter into a contract or other agreement for information technology or information technology services, unless the contract or other agreement has been reviewed and approved by the HHS Chief Information Officer.
 - b. HHS may not request the reprogramming of any funds made available for information technology programs, unless the request has been reviewed and approved by the HHS Chief Information Officer; and

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- c. HHS may use the governance processes of HHS to approve such a contract or other agreement if the HHS Chief Information Officer is included as a full participant in the governance processes.

40 U.S.C. § 11319(b)(1)(C)(ii). Accordingly, the HHS CIO is delegating non-major Information Technology contract or other agreement review and approval authority to the Operating Division CIOs with instructions to limit and govern their use of the delegated authority.

3. Delegated Authority

- a. By the authorities granted in Section 831 of FITARA, I, Beth Killoran, the Department of Health and Human Services, Deputy Assistant Secretary for Information Technology (Acting) and Chief Information Officer (Acting) do grant following authority to the Operating Division Chief Information Officers,
 - i. Chief Information Officer, Centers for Disease Control and Prevention (CDC)
 - ii. Chief Information Officer, National Institutes of Health (NIH)
 - iii. Chief Information Officer, Health Resources and Services Administration (HRSA)
 - iv. Chief Information Officer, Food and Drug Administration (FDA)
 - v. Chief Information Officer, Centers for Medicare and Medicaid Services (CMS)
- b. The Operating Division Chief Information Officer is authorized to approve the Operating Division information technology budget, acquisitions (through acquisition strategy approval), and investments less than \$20 million annually or \$100 million over five years.

4. Limitations

- a. HHS Chief Information Officer
 - i. The HHS CIO retains the authority over the HHS Information Technology Portfolio, including the Operating Divisions' IT Portfolios.
 - ii. This HHS CIO may revoke this delegation of authority with cause.
 - iii. The HHS CIO will provide mid-year and annual performance input to the Operating Division head regarding the Operating Division CIO's performance.
 - iv. The HHS CIO shall play a role in the following staffing activities when an Operating Division hires an individual, with the title and/or function of a Chief Information Officer:
 - 1. Participate as a subject matter expert in reviewing candidates,
 - 2. Participate in the interview process,
 - 3. Participate in the selection process.
- b. Operating Division Chief Information Officer
 - i. Governance

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1. The Operating Division CIO must ensure that all entrusted decision-makers for contracts and agreements adhere to approved Operating Division governance requirements and policies.
 2. The Operating Division CIO shall maintain an information technology governance structure ensuring that information technology is well managed through select, control, and evaluate processes. Changes to the Operating Division Information Technology Governance plan must be approved by the HHS Chief Information Officer.
 3. The Operating Division decision-maker for a particular contract or other agreement must notify the Operating Division CIO, prior to materially altering the underlying information technology budget, acquisition strategy, and investment lifecycle to ensure that the HHS CIO and Operating Division CIO meet the FITARA requirements to be a “full participant” in the governance process.
- ii. Personnel
 1. The Operating Division shall provide input to the annual CIO Work Plan which is established by the HHS CIO.
 2. The supervisor of the Operating Division CIO shall notify the HHS CIO when there is a personnel change in the Operating Division CIO position.
 - iii. Reporting
 1. The Operating Division CIO will approve the information technology budget for each fiscal year. The Operating Division CIO will send this approved budget to the HHS CIO each year.
 2. The Operating Division CIO will report the results of information technology investment review board decision-making to HHS CIO on a regular basis.
5. This delegated authority is effective, April 30, 2016, through October 31, 2016.
 6. An official record of all correspondence signed as a result of this delegation of signature authority will be maintained as such in accordance with Department record keeping guidelines.

Approved

/Beth Anne Killoran/
Beth Anne Killoran
Deputy Assistant Secretary for Information Technology (Acting) and
Chief Information Officer (Acting)