

FITARA 14.0

HEARING

BEFORE THE
SUBCOMMITTEE ON GOVERNMENT OPERATIONS
OF THE
COMMITTEE ON OVERSIGHT AND
REFORM

HOUSE OF REPRESENTATIVES

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C O N T E N T S

Hearing held on July 28, 2022	Page 1
WITNESSES	
Vaughn Noga, Chief Information Officer, Environmental Protection Agency Oral Statement	5
John Sherman, Chief Information Officer, Department of Defense Oral Statement	7
David A. Shive, Chief Information Officer, General Services Administration Oral Statement	7
Carol C. Harris, Director, Information Technology and Cybersecurity, Govern- ment Accountability Office Oral Statement	9
<i>Written opening statements and statements for the witnesses are available on the U.S. House of Representatives Document Repository at: docs.house.gov.</i>	

INDEX OF DOCUMENTS

No additional documents were submitted for this hearing.

FITARA 14.0

Thursday, July 28, 2022

HOUSE OF REPRESENTATIVES
COMMITTEE ON OVERSIGHT AND REFORM
SUBCOMMITTEE ON GOVERNMENT OPERATIONS
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:08 a.m., in room 2154, Rayburn House Office Building, and via Zoom; Hon. Gerald E. Connolly (chairman of the subcommittee) presiding.

Present: Representatives Connolly, Norton, Davis, Khanna, Brown, Hice, Keller, Clyde, and LaTurner.

Mr. CONNOLLY. The committee will come to order.

Without objection, the chair is authorized to declare a recess of the subcommittee at any time.

I want to welcome everybody to the hearing, which seeks to continue our oversight efforts of agency implementation and compliance with FITARA and other information technology laws. And I now recognize myself for an opening statement.

Since the enactment of the Federal Information Technology Acquisition Reform Act, FITARA, in 2014, this subcommittee has maintained steady and bipartisan oversight of its implementation. In fact, I don't believe there is any other precedent in congressional history where we have had consistent oversight of the implementation of a piece of legislation as we have this one. This is our 14th hearing on the implementation of FITARA. We established and passed FITARA to establish a long-term framework through which Federal IT investments could be tracked, assessed, and managed. Since the Scorecard's inception, agencies have significantly reduced wasteful spending and improved project outcome, saving what we believe to be \$24 billion of taxpayers' money.

[Chart]

Mr. CONNOLLY. The table you see provides an overview of how the Federal Government performed for both the 13th hearing and the 14th hearing on the Scorecard. Compared to overall grades reported in the 13th Scorecard, FITARA 14, this one, has one fewer A grade, three fewer B grades, two more C grades, and two more D grades. While no agency has received an F since May 2018, an A grade remains unfortunately unusual with two in the last Scorecard and only one in this Scorecard. The United States Agency for International Development grade remains the lone A. On an individual agency level, one grade improved, 8 fell, and 15 stayed the same. In addition to the three testifying agencies, the Department of Defense overall grade has declined from C plus in 2021 to D plus

this year. The Environmental Protection Agency declined from B plus to C plus, and GSA has maintained its B plus grade.

FITARA is a biannual snapshot that allows Congress and the public to hold agencies accountable for improving their IT postures. As we have said before, grades are not scarlet letters. The Scorecard is a tool to promote better cybersecurity, enhance IT performance, and improve customer service across the Federal Government. These hearings offer Congress and the public a better understanding of the immense effort agencies, specifically, Federal chief CIOs, information officers dedicate to approving Federal IT. These hearings provide CIOs a forum to explore the stories behind those grades.

As discussed during the January 2022 FITARA hearing, a variety of factors, including changing data availability, agency resolve, and an advancing IT landscape, catalyzed the subcommittee to once more evolve the Scorecard. Since then, the subcommittee engaged a multitude of stakeholders in the Government Accountability Office to explore potential improvements to the Scorecard's data and methodology. These conversations have resulted in our latest effort to use the Scorecard to incentivize agencies to advance their IT and acquisition priorities. As part of our efforts to enhance the Scorecard, the subcommittee sent a series of oversight letters to the Office of Management and Budget inquiring about its Fiscal Year 2023 changes to IT data collection and reporting. We aim to work with OMB and all FITARA agencies to employ the publicly available data best suited to improve how agencies use technology to achieve their missions.

As technology and policy evolve, so must the FITARA Scorecard. It is with these goals in mind that we unveil Scorecard 14 today and provide a high-level vision of our intentions to use the Scorecard to drive agencies to even further progress. The Scorecard is a combination of short-term immediate changes and longer-term goals.

Let us start with some of the immediate changes. FITARA requires CIOs to certify that they are adequately implementing incremental development to modernize their IT investments rather than pursuing the historically poor performing big bang approaches. In the past year, OMB released more granular data on incremental development. As a result, we updated the Scorecard methodology to focus specifically on agency progress with software development projects, projects in greater need of incremental development.

I also want to acknowledge agencies' straight A's in the Federal data center optimization initiative category with Scorecard 13. It is time to shift this metric to make it more focused and relevant. As promised, the previous methodology is sunset in this scorecard, Scorecard 14. Finally, in addition to the closure of data centers, this Scorecard amended the calculation used to examine Federal cybersecurity postures.

I want to be clear, the Scorecards by annual publication is not new. This is 14. The Federal Information Security Management Act FISMA category is not new. The use of annually required inspector general FISMA assessments to grade agency cybersecurity postures is not new. And the fact that this administration stopped publishing cybersecurity across agency priority goal metrics is not new.

What is new and must be dealt with is the lack of data transparency for agencies' cybersecurity performance. The administration has only itself to blame for the grades we see in this metric today.

The subcommittee looks forward to working with all stakeholders to populate the category with more robust data that captures Federal agencies' cybersecurity posture and now for where we hope to drive the Scorecard into the future. While all agencies achieved their self-determined Federal data center closures, a small handful of agencies have yet to complete their plan closures, even though we are rapidly closing in on the already twice-extended consolidation reporting requirement date.

Earlier this month, agency CIOs received a letter from the subcommittee asking them to justify the need for the remaining respective data centers. The subcommittee plans to use these answers as part of a new methodology. The goal is to ensure agencies think strategically about their costly data center use, incentivize the closure of underutilized data centers, and save taxpayer dollars. It is our hope that focus on this category will enhance the Federal Government's movement to the cloud.

Turning to the future of cyber, this subcommittee eagerly awaits the new and improved data behind the Biden administration's priority goals detailed on Performance.gov. I and many others look forward to hearing from OMB about the administration's new cyber strategy, which will help agencies remain resilient and adapt in the ever-changing cyber landscape. Last, when the subcommittee first added the CIO reporting structure metric to Scorecard 3.0, 12 CIOs had no reporting relationship to the Secretary or deputy secretary of their respective agencies. Today, 16 CIOs have direct reporting relationships. Six have partial direct reporting relationships, leaving only two CIOs with no direct reporting relationships. This evolution marks a rise from 50 percent to more than 90 percent of CIOs now reporting to the agency head. We are pleased to claim a very successful victory for the IT community elevating CIOs to their rightful place at the helm of agencies' decisionmaking tables.

As the pandemic taught us, policy falls flat without the technology to implement it. CIOs must remain integral components of agencies' C-suite officials. With Scorecard 15, the subcommittee will consider sunsetting this category if agency has demonstrated clear and reasonable plan to elevate the CIOs to a sufficient and necessary authority.

During this year's January Scorecard 13 hearing, we spoke to industry. Today we hear from CIOs, in September we will hear from the Federal CIOs ideas on evolving the Scorecard and an update on the data they are collecting to measure cybersecurity and cloud activity. We need input from all corners to make sure we get this right, and that we build a tool that gives CIOs the authorities they need to drive transformational technology improvements at their agencies. As we evolve the Scorecard to keep pace with the IT landscape's ever-changing innovations and threats, we remain focused on continuity, and clarity, and more efficiency to better serve our constituents.

And with that, the chair now calls on the distinguished ranking member for his opening statement.

Mr. HICE. Thank you very much, Chairman Connolly. I appreciate your calling this hearing and agree with much of what you just said.

Here we are on this 14th FITARA Scorecard, and obviously, the major issue that stands out is cyber metric. But more importantly to me, what stands out is the Biden administration ignoring the law. Since a cyber grade was included on the FITARA Scorecard, it has included an assessment of agency progress against cyber-related goals set by the administration. These were generally part of a larger set of cross-agency priority goals, which are required by law. But the grades for the Scorecard here did not reflect any cyber goals from the Biden administration because they haven't issued any. That is a mystery to me.

From what I can tell, the Biden administration has not issued any goals at all. And while we are at it, the Biden administration has not delivered the annual cybersecurity report required by FISMA. So when it comes to the most important topic that we are dealing with here today, cyber, we don't have much of an idea of what is going on, and that is very, very frustrating. If I look at the Scorecard correctly, it says 10 agencies are failing in cyber. This should wave a red flag of concern for all of us, and, again, I believe this is a reflection of yet another Biden administration failure that is already on a long list of other issues.

But this is similar to what is going on with the Technology Modernization Fund. As we heard in a hearing earlier this year, the Biden administration has turned that into what amounts to a slush fund. The idea behind the TMF was that agencies would create savings by retiring old systems. Those savings will then be used to repay the fund and allow for additional modernization projects. It was intended to create an efficient cycle. But the executive director of the TMF board gave us nonsensical answers about how the savings would be realized by the public. They are not going to make agencies pay back the TMF funds. This is clearly ignoring the intent of the Modernizing Government Technology Act. The Biden administration is yet again thumbing its nose at this committee, and it is not like this committee has been hard on the administration.

Chairman Connolly has been a rare exception among committee Democrats in calling Biden administration officials to testify. I certainly give credit there, but these current cyber grades because of what I have just said are, frankly, of little value. OMB is depriving this subcommittee of insight on the most important FITARA metric and cybersecurity in general. The Biden administration needs to comply with the law and the will of Congress, and I hope that message comes through loud and clear today.

And with that, Mr. Chairman, again, I thank you, and I yield back.

Mr. CONNOLLY. I thank the ranking member. I would like to now introduce our witnesses. Our first witness today is the chief information officer and deputy assistant administrator for the Environmental Protection Agency, Vaughn Noga. Welcome. Our second witness is the chief information officer of the Department of Defense, Mr. John Sherman. Welcome. Our third witness is the chief information officer for the General Services Administration, Mr. David Shive. Welcome. And our final witness is somebody familiar to us

on this committee, and that is the director of information technology and cybersecurity of the Government Accountability Office, Carol Harris. Welcome.

If the witnesses would be unmuted, and rise, and raise your right hand, it is our custom on this committee to swear in all witnesses.

Do you swear or affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

[A chorus of ayes.]

Mr. CONNOLLY. Thank you. Let the record show all of the witnesses answered in the affirmative.

Without objection, your full written statements will be made part of the record.

And with that, Mr. Noga, you are now recognized for your five minutes of oral testimony. Welcome.

STATEMENT OF VAUGHN NOGA, CHIEF INFORMATION OFFICER, ENVIRONMENTAL PROTECTION AGENCY;

Mr. NOGA. Chairman Connolly, Ranking Member Hice, and members of the subcommittee, thank you for the invitation to discuss Agency perspectives on improving the Federal——

Mr. CONNOLLY. Could you just speak up a little bit, Mr. Noga? It is a little hard to hear you. Thank you.

Mr. NOGA. The FITARA Score——

Mr. CONNOLLY. There you go.

Mr. NOGA. As the chair for the Federal CIO Council Enterprise Operations Committee, we were asked to work across the Federal CIO community to develop recommendations to improve existing measures and offer new measures for consideration. I commend this committee for its continued focus on improving how we manage and modernize our information technology portfolios. The FITARA Scorecard and the underlying measures provide focus and priority to the CIO community. And this committee's continuous review, consideration, and incorporation of new standards demonstrate how important a secure, available, and modernized IT environment are to the Federal Government.

Throughout my career with EPA, I have worked with a deeply committed and passionate cadre of information technology and information security professionals. Collectively, we have shaped and modernized how IT services are delivered, enabling our work force to respond to mission priorities, regardless of where they perform their work. At the EPA, I use the results of the FITARA Scorecard to drive Agency priorities and investments. In the last four years the Scorecard has become a visual representation of our success and a reminder of areas we need to maintain continued focus. The evolution of this valuable tool will ensure that we continue to focus on the modernization, optimization, and security of our IT assets.

The EPA has successfully consolidated EPA data centers in localized computer rooms. In addition to consolidating data centers, we identified opportunities to maximize space use by offering available space to the Federal family, reducing the need for other agencies to make data center investments. In the past four years, the Agency established enterprise cloud environments with two commercial cloud providers to help further expand virtualization and the cloud

smart strategy. We are reaping the benefits of cloud computing capabilities, improving our agility, performance, and consistency with application deployments. EPA will continue to prioritize further reducing capital and support expenditures associated with legacy server and storage environments. Over the past two months, I have been meeting with all EPA regions and programs, and that has been the focus of our conversation. The forward focus for EPA will be a cloud smart rationalization of applications to drive application consolidation and cloud adoption.

EPA's mission is to protect human health in the environment. One key component in delivering EPA's mission is to ensure we properly safeguard our information and information technology environment. As a result, cybersecurity is one of EPA's top priorities. And it is critically important that we maintain the necessary cyber defenses to enable us to identify and respond to the rising and increased sophistication of cyber threats.

To safeguard its IT environments, EPA deployed several defense in-depth mechanisms, such as network segmentation for high value and critical assets, multi factor authentication, and data encryption. EPA's Continuous Diagnostics and Mitigation Program was a big driver of modernizing our asset and vulnerability management programs, enabling integration across EPA's on-premise and cloud environments, including integration into the DHS' CDM dashboard. As a result, EPA was able to quickly assess its environment and remediate the Log4j vulnerability across its enterprise.

To build upon this progress, EPA has developed Agency-wide, long-term performance goals for full compliance with the cybersecurity executive order, including maturing our Zero Trust architecture capabilities. We have implemented a cyber sprint focused on the continued implementation of the key security measures outlined in the Zero Trust architecture, including maturing our Enterprise login capability. Recognizing cybersecurity threats and attacks will continually increase in number and sophistication, it is important to maintain a Federal-wide awareness and priority on implementing collective defenses to safeguard our critical information and information systems. The CISA Zero Trust Maturity metric provides a baseline for departments and agencies to report and be evaluated at various maturity levels, and EPA is in complete support of its implementation.

EPA continues to make great progress in recruiting, developing, and maintaining an IT work force to support the Agency's mission requirements in a rapidly developing IT environment. EPA maintains a robust cyber work force plan with dozens of actions across multiple fiscal years to ensure a highly skilled and agile IT and cyber work force. EPA has partnered with the Federal CIO Council Cybersecurity Reskilling Detail Program, where employees receive hands-on training in cybersecurity to build foundational skills in cyber defense analysis. EPA has also partnered with the U.S. Digital Service to deploy a subject matter expert qualification assessment for IT specialists. The SME-QA process grants agencies an alternative to using the traditional resume review and self-assessment process, and, through the use of SMEs, provides the hiring manager the ability to confidently hire qualified talent. EPA will

work to leverage direct hiring authorities for IT management specialists to enhance the hiring tools available to EPA IT managers.

I look forward to working with members of the committee on this important issue, and we will be happy to answer any questions you may have.

Mr. CONNOLLY. Thank you. Mr. Sherman, you are recognized for your five minutes of oral testimony. Welcome.

**STATEMENT OF JOHN SHERMAN, CHIEF INFORMATION
OFFICER, DEPARTMENT OF DEFENSE**

Mr. SHERMAN. Good morning, Chairman Connolly, ranking member Hice and distinguished members of the subcommittee.

Thank you for the opportunity to testify before you today on the Department's implementation of the Federal Information Technology and Acquisition Reform Act. As noted, I am John Sherman, the Department of Defense chief information officer. Chairman Connolly and Ranking Member Hice, I want to thank you for your leadership with the distinguished members on FITARA. I can assure you the Department of Defense looks to the spirit of FITARA to drive efficiency, mission capabilities, and modernization of information technology. The Department has made strong progress in modernization overall, and I look forward to updating the subcommittee on our achievements.

Moreover, as we discuss modernizing and securing our IT infrastructure and capabilities, I want to highlight the Department's significant strides on enterprise-level priorities such as cybersecurity, cloud computing, software modernization, and warfighting command, control, and communications. We have been able to move forward in these key areas through robust governance and teamwork across the Department. In cybersecurity, I am committed to ensuring the protection of the Department of Defense Information Network, or DODIN, implementing Zero Trust, hardening our secret-level super net, and addressing 20-plus years of technical debt, securing the defense industrial base, and enhancing our cyber and digital talent.

Cloud computing remains a fundamental component of the DOD's global IT infrastructure. To that end, I will ensure that we provide modern enterprise cloud capabilities to enable everything from software modernization to enhanced user experience at every classification level. Finally, turning to command, control, and communications, or C-3, I remain driven to modernize our positioning navigation and timing capability, or PNT, lead the Department on electromagnetic spectrum operations development, move forward on 5G by providing economic opportunities for U.S. industry while ensuring DOD equities remain protected, strengthen transport, and ensure national leader command capabilities.

In closing, I thank this subcommittee for its consistent and dedicated support and look forward to working with you in these critical areas. Thank you for the opportunity to testify this morning, and I look forward to your questions.

Mr. CONNOLLY. Thank you, Mr. Sherman. Mr. Shive, you are recognized for your five minutes of oral testimony. Welcome.

**STATEMENT OF DAVID SHIVE, CHIEF INFORMATION OFFICER,
GENERAL SERVICES ADMINISTRATION**

Mr. SHIVE. Thank you. Chairman Connolly, Ranking Member Hice, and members of the committee, my name is David Shive, and I'm the CIO at the U.S. General Services Administration. I'm pleased to be here today to discuss the important role and impact of FITARA and the role that it plays to GSA and the larger Federal Government.

In 2014, Congress passed FITARA to overhaul Federal IT and promote technology modernization here in government. We notice that FITARA strives to improve the acquisition and management of Federal information technology assets through CIO visibility into budget formulation and execution; pre-budget planning and program management; participation in agency and program governance boards; ongoing engagement, health checks, and risk assessments; and budget submissions, acquisition strategies, and plans.

Our key objectives reacting and responding to FITARA, included placing the CIO in control of IT investments Agency-wide; aligning IT resources with mission and business requirements; strengthening the CIO's accountability for IT cost, performance, and security; increasing transparency into utilization of IT resources associated with risk; enhancing effective budget planning and programming and execution; benchmarking IT spending for roll up comparison with other agencies; reducing duplication and waste; consolidating acquisition and management functions; and finally, focusing attention on optimization and consolidation of data centers.

In Fiscal Year 2012, prior to the passage of FITARA, GSA IT had already begun the critical work of centralizing our operations and consolidating all IT functions into one organization. Some examples of those early successes include the consolidation of our infrastructure, including one email system, helpdesk consolidation, data center consolidation, singular visibility into the computing enterprise, centralized technology budget and acquisition authority, and direct reporting authority of component technology executives into one Agency CIO: me. The consolidation provided centralized oversight and authority for IT investment decisions across the Agency. Since the consolidation, GSA IT has streamlined the IT environment, reduced duplication, simplified technology, averted duplicative costs, increased customer satisfaction, and fostered an environment of technology reuse and collaborative sharing.

First, I want to commend the committee for iterating the measures envisioned in FITARA over time. This is the right thing to do and allows for agile iterative measures to be responsive to increasingly agile and iterative technology implementation and use in the Federal enterprise. Because of this best practice, we believe the authorities and objectives within FITARA remain a valuable framework for delivering improved Federal IT. As a community, we should use this framework and focus on implementation to the fullest extent and continue to make sure that how we measure the successful use of technology tracks with technology trends. Today's focus should be around aligning IT resources with Agency missions, goals, programmatic priorities and statutory requirements, a key priority is getting legislative and executive agreement based on the priorities defined in FITARA. We need to gain visibility into the

true cost and true value of IT and how it is critical to enabling the business of government focused around these priorities.

FITARA did a good job of achieving data center consolidation, cloud migration across government, and defining the role of the CIO. We can utilize many of the mechanisms already in place to repeat some of those successes in new areas. For example, FITARA and its implementing memoranda requires strategic reviews, governance processes, and the utilization of shared services. We should continue to invest time and effort into those practices. Finally, I would suggest that one of the most powerful ways to utilize the Scorecard would be to measure meaningful change and rewarding agencies helping each other to be successful.

The best outcome for the Federal Government will come through strategies that promote collaboration rather than competition. Leveraging FITARA by focusing on cost transparency, and trends, and benchmarks across agencies, and matching agencies that score poorly in a given category with partners that have practices in place that are leading to success, will lead to greater success for everyone.

Thank you for the opportunity to appear before you today to discuss FITARA and its important role in the Federal Government. I look forward to answering any questions you may have.

Mr. CONNOLLY. Thank you, Mr. Shive. And I think we will take you up on your suggestion about shared expertise because you are right. If capabilities that exist somewhere don't migrate elsewhere, then we are not getting the full benefit of the investments we are making in IT, irrespective of where they originate or the purpose for which they might originally. So Carol, we got to make sure we take that into cognizance as we move forward. Thank you. Thank you so much.

And now, a familiar face here before the subcommittee on this subject, Ms. Harris, you are recognized for your five minutes of oral testimony. Welcome.

STATEMENT OF CAROL HARRIS, DIRECTOR, INFORMATION TECHNOLOGY AND CYBERSECURITY, GOVERNMENT ACCOUNTABILITY OFFICE

Ms. HARRIS. Thank you, Chairman Connolly, Ranking Member Hice, and members of the subcommittee. As always, I want to thank you and your excellent staff for your continued oversight of Federal IT management in cybersecurity. Per your request, I will highlight some key aspects of this 14th iteration of the Scorecard.

The overall grades for 15 agencies remain unchanged, increased for one, and decreased for the remaining eight. This downward pull was largely due to the sunset of the existing data center category and a change in the cyber category scoring due to the absence of cross-agency priority goal data. These changes resulted in all but two agencies receiving a passing C or higher. USAID maintained its A from the last Scorecard and was the only agency to achieve an A in this go-round. Additionally, the Scorecard is continuing to have a positive impact on the Agency's use of incremental development as called for by FITARA. Roughly 82 percent of the Agency's software projects are being developed using these best practice techniques.

Similarly, we continue to see positive trends in the area portfolio stat as the amount of money agencies have reportedly saved or avoided as a result of this effort has risen from \$23.5 billion to \$24.8 billion. While portfolio stat is an OMB initiative, it should be noted that its sustained implementation and success would not have been possible had it not been codified in FITARA and monitored over the years through your Scorecard.

With regard to the EIS category, 14 agencies have either a D or F. There were 17 agencies in this boat on the last Scorecard. It is an improvement, but agencies still aren't moving fast enough in their transition off of GSA's expiring telecommunications contracts. These contracts expire in May 2023, and while GSA has taken action to enable services through May 2024, agencies must act with a sense of urgency as in September, a 100-percent transition date is on the imminent horizon. The previous transition took three years longer than planned, and had agencies transitioned on time, they would have saved roughly \$329 million.

Finally, on the cyber category, we have taken a step back in our attempt to measure progress using publicly available data. The absence of cybersecurity capital data is troubling, and OMB should take steps to remediate this gap immediately. I think we all agree this category should be expanded to better address the ongoing and emerging challenges facing our Nation, and we are working with your staff, with OMB, and the agencies to identify data, both public and sensitive, to support a more comprehensive grade. But in the meantime, we need to have clear and measurable cap goals in place because it is the law.

We have appreciated the opportunity to be your partner all these years in developing the Scorecard, and we look forward to supporting your continued efforts to evolve the Scorecard so that it remains an effective tool in improving the management and security of our Nation's IT. Mr. Chairman, this concludes my comments, and I look forward to answering your questions.

Mr. CONNOLLY. Thank you so much, Ms. Harris. Maybe I didn't hear you correctly. What was that savings from FITARA that you cited?

Ms. HARRIS. Twenty-four-point-eight billion dollars, and that is just on portfolio standalone. It does not include data center consolidation.

Mr. CONNOLLY. So there is more to come?

Ms. HARRIS. Correct.

Mr. CONNOLLY. Thank you so much. That is music to our ears, isn't it? So the chair now recognizes distinguished Congresswoman from the District of Columbia, Ms. Eleanor Holmes Norton, for her five minutes of questioning. Welcome, Congresswoman Norton.

[No response.]

Mr. CONNOLLY. You need to unmute, Eleanor. Congresswoman, you are muted.

Ms. NORTON. Can you hear me now?

Mr. CONNOLLY. Yes, you are fine.

Ms. NORTON. OK. Sorry for that. FITARA requires that each Federal Agency's chief information officer had a "significant role" in the decision processes and the management governance and oversight processes related to information technology. Now, to en-

sure agency operations are in line with congressional intent, the Scoreboard measures how directly an agency CIO reports to the head or deputy head of the agency. As D.C.'s Member of Congress, I am deeply familiar with the immeasurable value of having an equal seat at the decisionmaking table. The purpose of this metric is to ensure that Federal CIOs are an essential component of agencies' C-suite conversations regarding IT modernization efforts. Ms. Harris, what are the benefits of having CIOs report directly to agency heads?

Ms. HARRIS. Well, the CIO is on equal footing with the other C-suite executives in the agency. I mean, that is a primary benefit, and this emphasis in the organizational structure cannot be emphasized enough. Our work has shown that CIOs are more fully empowered to carry out their legal authorities when they have this direct line as compared to their counterparts that do not.

Ms. NORTON. I appreciate that answer. Data from the private sector shows that CIOs perform better and can have greater impact when they are included in key conversations among senior leadership. DOD, EPA, and GSA all have organizational structures whereas the CIO reports directly to an agency head or deputy. So this is my question to the CIOs on the panel: how has your agency's IT modernization efforts improved by having you report directly to the head of or deputy of the agency?

Mr. CONNOLLY. That is addressed to all the CIOs, Ms. Norton?

Ms. NORTON. It is, yes.

Mr. CONNOLLY. Mr. Noga?

Mr. NOGA. Thank you for the question, Congresswoman. It certainly does have an effect. We are part of the conversations with respect to the IT portfolios and the IT investments. And I routinely meet with the deputy administrator providing updates on the portfolio. And also on cybersecurity, we meet with the deputy administrator every month and provide an update on cybersecurity, and where the Agency is at, and where we need to focus. I also meet with other senior leadership across the Agency, and I understand the importance of the portfolio and our investments, and also meet with the CFO at the Agency. We have a close relationship on the approval of the IT portfolio and the IT investments.

Mr. CONNOLLY. Thank you. Mr. Sherman?

Mr. SHERMAN. Thank you for the question, Congresswoman. Everything Mr. Noga said would be applicable at DOD about being in the conversation. But one of the most tangible results at the Department of Defense is something I sign out in January of every year called the Capability Planning Guidance, which focuses on IT modernization cybersecurity, command and control, and related topics, which is a guiding document that goes out to the military services and other components that demand results on what I have to do for budget certification of Secretary Austin toward the end of each calendar year. And that drives many discussions throughout our budget bill and throughout the year with my fellow CIOs, and the military departments, and elsewhere, and the undersecretaries and others throughout the Department. So that is a tangible outcome of reporting directly to Secretary Austin and Deputy Secretary Hicks. Thank you.

Mr. CONNOLLY. And if I could freeze that clock for one second. And I would assume especially in DOD, who you report to matters because hierarchy matters.

Mr. SHERMAN. It matters, sir, and I also get to attend the under-secretary's meeting since I was confirmed, which was not a historic CIO thing, so there has been quite a bit of movement on that front as well. Thanks.

Mr. CONNOLLY. Thank you. Mr. Shive?

Mr. SHIVE. So I agree with everything that my colleagues said from EPA and DOD. One additional benefit is that being a part of the C-suite, being a part of the front office, I am a part of the discussions when the business leaders of GSA have a problem or ideating some new capability. I am a part of the solution and solution creation from the very beginning. And it is no surprise that here in the 21st century where technology is ubiquitous through the business enterprise in government and outside of government, that solutions to problems and technology solutions that support business that are baked in from the very beginning of the conversation provide the highest value.

Mr. CONNOLLY. I thank you, and I am going to call on the ranking member. But if you will allow me just an observation, when we wrote FITARA, looking at 24 Federal agencies, there were 250 people with the title "CIO." That is almost unheard of.

Eleanor, I think that is you. OK.

And so, while we didn't, by fiat, in the legislation say, no, there is just going to be one CIO because we wanted to respect the culture, and we understand that every Federal agency—take the Pentagon—has multiple missions. We wanted to evolve to a premise into parse, a first among equals, who reported to the boss, because we know that in any bureaucracy, private sector or public, if you report to the deputy assistant, special assistant widget director in the bowels of the basement, no one is going to take you seriously. We are going to say thank you for your opinion, and off we go.

If I know you are meeting with the boss every day or every other day and you have got his or her ear, I got to take seriously everything you say to me. And so, I mean, that is just how org charts work in any organization. And I think Ms. Harris made that point, that why this is so important to us because we want to evolve to a structure that empowers CIOs, but also makes them accountable and gives them the flexibility and the responsibility to make decisions that are meaningful in terms of IT investments and modernization. So that was the whole thrust of this, and it is a category where we have made enormous progress. And hopefully, we will get to the point where 100 percent of agencies have this kind of reporting sequence because that elevates the whole issue of IT as the critical platform for implementing policies.

And thank you, Mr. Hice, for your indulgence. I just wanted to clarify the contents of the law. I now call on the distinguished ranking member for his line of questioning.

Mr. HICE. Thank you, sir. In my opening statement, I expressed concern with this Scorecard, particularly as it relates to the cyber metric. I think all of us share that concern. Ms. Harris, let me ask you, since this particular scenario that we are experiencing right

now is based only on the IG assessment, can you help me better understand what is going into these grades coming from the IG?

Ms. HARRIS. Right. So coming from the IG, they are taking a look at the maturity of a subset of assets within an organization. And so they are doing checks to identify things like detection, intrusion, recovery, and they are basing it against the maturity model to identify how well the agency is performing in those particular areas. And again, it is a subset of systems that the IGs are assessing, so it is not necessarily generalizable across the organization. So when you take a look at the IG assessments and the grades or the overall rating that is provided in those assessments, it is not considered comprehensive.

Mr. HICE. So if it is not comprehensive, this is kind of like check the box are you secure, can you recover, or is there an actual audit, if you will, going into test the systems?

Ms. HARRIS. I think it varies by IGs. Some where it is more check the box, others where it actually is an audit where they are testing the internal controls, but there is no real consistency across the IGs. And how this is—

Mr. HICE. OK. Well, that is a huge area that needs to be addressed just from the IG perspective, and then we have a whole other missing element here today. So with that, why are so many agencies failing? If it is a check the box or whatever it may be, why do we have so many failing right now?

Ms. HARRIS. Well, I think, again, because it is a subset. I wouldn't characterize it as an accurate reflection of the agencies' overall cyber posture. There are many other inputs that should be incorporated if you want to have a comprehensive overall grade of what an organization's cyber posture is.

Mr. HICE. So is this current Scorecard then, as it relates to cyber, relatively worthless at this point?

Ms. HARRIS. I wouldn't say it is worthless. It provides one input of many, so it is not an accurate representation.

Mr. HICE. OK. Let's jump off of that then. I just have an example. DHS, I remember, received a D. There are a lot of people who feel like they ought to be more involved in a governmentwide Federal cybersecurity involvement. So when we look at a D with DHS, is it something that is a red flag? Should it cause a great deal of concern? Are you saying it doesn't reflect where they really are?

Ms. HARRIS. Yes. In the case of DHS, I would not say that the D is an accurate reflection of where the Agency is with regard to their cyber posture. I mean, we recently issued work this January and DHS was among 12 agencies who successfully achieved 90 percent or higher progress toward their previously reported cybersecurity cap goals. And in addition to that, we have identified that they have incorporated adequate protections associated with their data itself, for the reviews that we have performed. So I think that last iteration of the Scorecard's grade of a B is probably more in line with where they are as opposed to the D because, again, the D is a reflection of just one metric.

Mr. HICE. OK. Well, then that sounds like the Scorecard, as it relates to cyber, is pretty worthless at this point, at least as it relates to DHS. We see a D. How are we to assess where we are? Mr. Vaughn, let me just go jump over to you with a similar type

of thing. EPA received a D. Is that an accurate reflection? Why or why not?

Mr. NOGA. Thank you for the question, Congressman. I don't believe it is an accurate reflection. Just like what was previously stated, the current score is based on one aspect, which is the IG assessment, and at the EPA, the IG only assesses to the 3 level. So right off the bat, we are not able to be assessed at any level higher than 3.

Mr. HICE. But you still only received a 60 percent, even as it is, with the IG assessment?

Mr. NOGA. We received a Level 3, but they can only assess up to a Level 3. They didn't assess us any higher than a Level 3. So if you are looking at a 1 to 3 score, we received the highest on their score based on what they could assess.

Mr. HICE. The highest D you can get. Yes. I mean, this is extremely frustrating, Mr. Chairman. I know it is to you as well, but this issue has to be addressed or taken to the next level.

Mr. CONNOLLY. I completely agree with you. And I will say we had a very positive conversation with OMB yesterday in which they freely expressed contrition about not being forthcoming sooner on cyber data that would have allowed these scores to reflect hopefully more accurate data. But, Ms. Harris, I want to clarify something in your answer to Mr. Hice. The Scorecard isn't based on what we think or what we feel a sense of. It is based on empirical data provided to us. Is that not correct?

Ms. HARRIS. That is correct.

Mr. CONNOLLY. And the scores that are reflected in this category reflect the data that was provided. And the only data that was provided, unfortunately, or some of these agencies getting those scores was from the IG. Is that correct?

Ms. HARRIS. That is correct.

Mr. CONNOLLY. Right. And we didn't get the data we wanted from OMB. Is that correct?

Ms. HARRIS. That is correct. Yes.

Mr. CONNOLLY. And my understanding, based on the conversation I had yesterday, Mr. Hice, with OMB is that will change. In the next Scorecard we will have their input, and that will allow us, I hope, to better capture what you are getting at in terms of real performance. But with respect to the Scorecard itself and the process, it is what it is because that is the only data we were provided in this category.

Ms. HARRIS. Absolutely.

Mr. CONNOLLY. I thank—

Mr. HICE. Mr. Chairman, may I ask a question?

Mr. CONNOLLY. Yes, of course.

Mr. HICE. Regarding the meeting discussion you had with OMB, did they give a timeframe and when? Will they submit where they are when they give an answer to the committee on both sides? Do we have a timeframe on those?

Mr. CONNOLLY. I don't know that we had a timeframe other than a solid commitment "we are going to fix this," and I will work with you obviously—

Mr. HICE. Please do.

Mr. CONNOLLY [continuing]. and try to make sure we get more specific. They initiated this call because I think they noticed because they have been hearing. Exactly. Exactly.

Mr. HICE. Thank you.

Mr. CONNOLLY. But it was a positive conversation. They weren't defensive. They recognized the problem, and that gave me some hope that OK, we can move on. So your point is well taken I think, Mr. Hice, that there is a problem with this particular score, but it is not because of the Scorecard. It is because of a decision made not to provide the data, and that forced us to use the only data we had, which was the IG data. Ms. Harris, did you want to—

Ms. HARRIS. Oh no. I just wanted to—

Mr. CONNOLLY. You are agreeing with that?

Ms. HARRIS. The grades are derived from the available sources of data—

Mr. CONNOLLY. Right.

Ms. HARRIS [continuing]. that we have. And in this particular case, the IG assessments were the only available public source that we could use.

Mr. CONNOLLY. Correct. All right. So thank you, and thank you, Mr. Hice, for allowing me to clarify.

The distinguished gentleman from Chicago, Illinois, Mr. Davis, is recognized for his line of questioning. Welcome, Mr. Davis.

Mr. DAVIS. Well, thank you, Mr. Chairman, and thanks to our witnesses, for a very informative hearing.

In 2014, FITARA directed Federal agencies to optimize and consolidate their data centers by October 1, 2018. Since then, the consolidation reporting requirement date has been extended twice. Agencies now have until October 1, 2022, to complete reporting on consolidation effort, and that date is almost here. Today, several agencies still have a closure plan beyond the end of Fiscal Year 2022. A Federal chief information officer must justify these timelines. Agencies cannot run out the clock on data center consolidation. Since 2015, the Federal Government has closed more than 4,000 data centers, saving over \$4.7 billion to this day. I am proud and pleased that this subcommittee has led these efforts.

Mr. Sherman, just FITARA's enactment, how many data centers had the Defense of Department closed, and how have these closures impacted your Agency's cybersecurity posture and your IT budget?

Mr. SHERMAN. Sir, since this has been under way, we have closed over 230 data centers. And to meet the requirement we have 12 more to go, which we are going to be done with by the end of the year. The holdup has been moving to some secret-level systems that we needed to get moved over, but all the unclassified, we are basically done with that. This has been one thing that, among a number, that we have been very grateful for FITARA to help drive the way ahead on that, to get us to where we need to be as we move to cloud based-technology.

So I don't have the exact savings. I can take that for the record, but it has been substantial. And this has been one area where the Department of Defense has really tried to step out on as we moved from what we would call a capital expenditure model, being in a brick and mortar data center, to an operations expenditure model where we are paying as we go for cloud-based technology that nec-

essarily strengthens our cybersecurity with the constant updates, and patching, and everything you get from a cloud-based infrastructure. This has helped us with our national security and helped us with our cybersecurity overall. Thank you.

Mr. DAVIS. Thank you very much. And, Mr. Noga and Mr. Shive, why do you believe that you have closed the maximum amount of data centers for your agency and there must be a reason to keep the remaining Federal data centers open?

Mr. NOGA. Thank you for the question, Congressman. At EPA, we have got two data centers. We have closed several data centers over the course of the years. We have got a primary and a backup for those, the capabilities that needs to be remained on premise. But we have made a significant investment in cloud computing, and we have moved a lot of our applications into the cloud space. We have actually been doing a lot of that, especially over the last three years, migrating a lot of our workload to the cloud.

Mr. DAVIS. Thank you very much. And, of course, this subcommittee is committed to conducting thorough oversight over Federal data center consolidation. As promised, we are sunseting the old methodology and evolving it in the agencies' new completion of their consolidation efforts. Before this hearing, the subcommittee sent out letters to each agency to inquire if they had closed the maximum number of agencies. If this evolved metric agency will be graded on their communication with the subcommittee and their progress for solid data and data centers, will each of these CIOs commit to continuing to work with our subcommittee to maximize data center closures and cloud adoption efforts to pass the 14.0 Scorecard evaluation?

Mr. SHIVE. Yes.

Mr. CONNOLLY. Mr. Shive, why don't we begin with you?

Mr. SHIVE. Great. Yes. So we commit to do so. We are very proud of our data center consolidation initiative. We have shut down all 134 of our data centers, and 74 percent of our workloads now exist in the cloud, with the remaining workloads on-prem, what we call colo data centers. We consume service from EPA and NASA. They had extra capacity that we could use, and so 100 percent of our data centers have been closed. But we will continue to work with the committee to provide whatever transparency needed into the value of that work that we accomplished.

Mr. CONNOLLY. And before I call on Mr. Keller, Ms. Harris, do you want to comment on that, the data center question Mr. Davis asked?

Ms. HARRIS. Well, I think what these gentlemen have done has been tremendous.

Mr. CONNOLLY. Ms. Harris, it is hard to hear you.

Ms. HARRIS. I am sorry. I did want to say that if there are agencies that still have on-premise data centers within the Federal Government that are managing either all or a good portion of their IT infrastructure, then they better have a really good reason as to why they are doing that and not taken advantage of the cloud and virtualization technologies available. What we want to see, the goal of every agency is to employ a hybrid model where at least some of their infrastructure is cloud based and then others are onsite.

But for agencies to have, again, a large amount of their infrastructure being operated in data centers, that is a red flag.

Mr. CONNOLLY. And let me just say, that is one of the reasons we wrote every agency as we are retooling this category of the Scorecard. We didn't want to lose this metric that Mr. Davis is talking about. And that is why we wrote every agency saying, tell us how many you got and what your plans are as you move forward for consolidation and moving to the cloud. So we are going to continue to update that data base and work with you in making sure, as you said, they got a good reason to justify what they have got and what their plans are.

The chair now recognizes distinguished gentleman from Pennsylvania, Mr. Keller, for his line of questioning. Welcome.

Mr. KELLER. Thank you, Chairman Connolly, Ranking Member Hice, and our witnesses for being here today, and, of course, this being the 14th hearing into the Federal Information Technology Acquisition Reform Act, or I will just say "FITARA." Through the FITARA Scorecard, this committee is tasked with overseeing the agencies' progress and optimizing data centers with the goal of increasing efficiency and cutting costs across the Federal Government. The thing I guess I would ask Ms. Harris, how effective is the FITARA Scorecard in providing Congress with an accurate picture of agencies' performance?

Ms. HARRIS. You mean relative to data centers?

Mr. KELLER. Well, just in relative to——

Mr. CONNOLLY. Forgive me, Ms. Harris. You were asking about the whole posture?

Mr. KELLER. Yes. The whole IT posture, the whole——

Ms. HARRIS. I mean, I think it is still generally an accurate reflection of where agencies are relative to the categories on the Scorecard. But I do believe that the Scorecard does need to evolve to ensure that it maintains its effectiveness as we look at a new and emerging areas. I mean, legacy IT is one issue, for example, that could benefit from an addition on the Scorecard.

Mr. KELLER. I guess the question I would have, because then I heard, I believe, was Representative Hice asking, information, and you said, well, that one isn't really accurate. So how many of these on here aren't really accurate?

Ms. HARRIS. I think that the challenge in this particular iteration on cyber, because there was only one metric available for us to utilize, I do believe that that is not an accurate reflection of where agencies are at with cyber, so I appreciate the clarification that you just made. But in all of the other areas, like incremental and portfolio stat, and, you know, incremental developments, those are an accurate reflection of where agencies are relative, again, to those particular areas of the law.

Mr. KELLER. OK. But you said the information technology on cybersecurity, whatever it was, was the one that wasn't accurate, right, because it didn't cover all the agencies activity?

Ms. HARRIS. I think that is fair because of the absence of cap goals that OMB did not issue as required by law.

Mr. KELLER. OK. So what is going to give us any comfort in the future that when we get information, it will be accurate for us to

be able to make decisions based upon what the Scorecard is telling us?

Ms. HARRIS. OMB needs to comply with the law and to issue the information that they are required to do so with regard to updated IG assessments as well as cap goals.

Mr. KELLER. So you are saying who is that, OMB?

Ms. HARRIS. Correct. OMB needs to comply with the law and issue cap goal data.

Mr. KELLER. Well, how long have they not been complying with the law?

Ms. HARRIS. Well, OMB should have issued the cap goal data, I believe, in this. They are about at least four months out in terms of issuing the overall status of cyber, which would have been the FISMA assessments. In particular, they are four months out from now.

Mr. KELLER. When we were first aware of the fact that they weren't obeying the law in providing the information? When we were first aware of that?

Ms. HARRIS. We have known about this. We have an open recommendation for OMB to comply as of 2018, so we have been aware for multiple years, at least, in particular, as it relates to the FISMA overall report that should be issued every March. So since 2018, OMB has not issued that on time.

Mr. KELLER. See, what has given me some concern is if we are not making sure we have the data on this, it doesn't give me a lot of confidence on any of the other categories, quite frankly. I mean, I didn't say this stuff is inaccurate. That is something that has been said here today by people that are dealing with the information, and it just really concerns me that we have one area that is not accurate. What assurance can you give me that the other areas of the Scorecard are accurate?

Ms. HARRIS. Well, we do our best to scrub the data, that there are inputs into the other categories, like incremental development, that is using the information that is current. So we are scrubbing all of the sources of data for every single category that is on the Scorecard, and what I can tell you today is the area of cybersecurity is the one area that we are missing crucial information that we have had in the past.

Mr. KELLER. Are there any other areas where you are missing crucial information?

Ms. HARRIS. Not that I am aware of, no.

Mr. KELLER. OK. And I guess I would just like to make sure that we have the information that this Scorecard is complete, and that will be some work, I guess. I would just ask that we really work on this because, as with any performance, if you are telling me part of it is not accurate, it makes me question the whole report. I mean, anybody logically that has done anything, run a business, done anything, you want to make sure that you are making good decisions. And with that, I will yield back. Thank you.

Mr. CONNOLLY. I thank the gentleman, and I think maybe before you came, we did cover this. And I want to be real clear: the issue isn't the Scorecard. The issue is the data provided in order to have a score. So, you know, if you are in grad school and you don't turn in your term paper, you are going to either get an incomplete as

your grade or you are going to fail. And one of the consequences unfortunately, for the lack of data from OMB was that we had to rely only on the IG data, which is not complete, and as a result, every agency took a hit in the score. But it wasn't because there is a flaw in the design of the Scorecard. It was because of the lack of compliance with the data from OMB.

And as I indicated before you arrived Mr. Keller, we did have a conversation with OMB, a good one yesterday. They freely confessed our mess. "We got to fix it." "We will fix it." "We commit to fixing it." And just before, I think, you arrived, I said to Mr. Hice, he and I will work on setting deadlines for getting that data. So, in the 15th Scorecard, which will be this fall, we will have this data and a more accurate picture on that category.

Mr. KELLER. I appreciate that, and I like the fact that you are going to ask for a timeline and—

Mr. CONNOLLY. Oh yes.

Mr. KELLER [continuing]. and make them adhere to that because that is the most important thing that we need to be looking at, not that we just got a bunch of information, but it is timely and we can make decisions.

Mr. CONNOLLY. We would agree.

Mr. KELLER. Thank you.

Mr. CONNOLLY. We would agree. I don't see Ms. Brown, she went to the floor to give a speech, so the chair will now recognize himself briefly.

Let me ask you, Ms. Harris, a different question. Overall, this Scorecard shows stagnation, and to what, overall, would you attribute that? Why is this Scorecard not showing kind of continued progression upwards that previous scorecards have shown?

Ms. HARRIS. I think we need to change in some categories the metrics by which we score particular categories. So like incremental and the portfolio management categories, we are grading on a curve. That was appropriate early on in the beginning of FITARA to help these agencies give them a boost, but now they have matured in their processes in these areas. It is, in fact, disincentivizing them. So I wouldn't say it is real stagnation in those particular areas. We should do a better job of evolving. I shouldn't say "better job," but we should be evolving the methodology commensurate with where agencies are at in their maturity in those areas.

Mr. CONNOLLY. Well, let me take issue with that a little bit. I mean, that is blaming the way we grade, and I am getting at, well, but there are basically 15 scores that didn't change. And only one A and a little bit of regression in some categories or some agencies that would suggest, you know, our foot is not on the gas pedal the way it had been in the past. We have had testimony from all of the CIOs, but including Mr. Shive, that actually the Scorecard has served a useful purpose, from his point of view, in driving change.

So I guess I am skeptical that the answer is we need to update our methodology. I think I am concerned as a Member of Congress, as someone who wrote this bill, as somebody who came up with the idea of the Scorecard so we could try to measure progress, that in this particular case, we are not capturing the progress. We are not seeing the progress intended by the law, and I guess I am asking

you to address that, because with respect to the Scorecard, it has evolved. We have made changes. We have taken into account other circumstances. We have had an iterative process with GAO, and with agencies, and with even the outside in terms of what is a fair score. We have tried to get cooperation, and by and large, have gotten it, except in the case of cyber within OMB this year. We have sunsetted some categories because we felt, OK, great job, well done, move on. Let's have a new category. We are trying to move toward capturing cyber as a critical part of the IT picture, of course.

So I guess, going back to my question, I am asking you to address the issue of how is it that we arrived to the point where we didn't see the kind of progress previous Scorecards shown or a more dramatic progress?

Ms. HARRIS. Well, I think in some of these cases, in certain initiatives, the data center is the great example as well as software licensing where agencies have done a great job of fully implementing those areas. So like within the area of IT portfolio management, the way that it is applied in the Scorecard and in practice with the agencies, the focus is on commodity IT. And I think the agencies, these three in particular, have done a great job to identify a reduction in commodity IT. Where I think there are improvements that could be made is, for example, FITARA. In your great wisdom in crafting FITARA, the portfolio management process could be applied to legacy IT, for example, because today, we have just focused on commodity IT.

Now, I think we can replicate that same success in the legacy IT management area because what the law will provide, if it is enacted properly, for legacy IT is it will have a systematic dialog between senior executive leaders in the agencies, and the Federal CIO, as well as Congress to identify the legacy IT systems in need of most attention. And perhaps one of the metrics that we could use on the Scorecard is to change it from measuring cost savings to measuring progress made in decommissioning these antiquated systems.

Mr. CONNOLLY. OK.

Ms. HARRIS. That is one example where I think, you know, we have achieved success in certain respects of FITARA. But we should go further because you have made the law broad enough where we can apply these great management practices to other areas of IT, like legacy.

Mr. CONNOLLY. Well, we look forward to working with you, Ms. Harris, in incorporating that as we move forward because we want to make sure it is accurate, that it does capture where we are in the progress we have made or not. And again, the purpose is to try to update IT in the Federal Government so that is better utilized and serves the people we all serve. So it is not to put a scarlet letter on anyone's back. It is actually to move forward with progress.

And I found that heartening to hear from CIOs, and you are not the only CIOs we have heard about who have found both FITARA and the Scorecard useful tools inside the agency to push for that progress, and that is really a key part of what we are trying to do here. And I want to thank GAO for being a partner in this enterprise and helping us create the Scorecard and update it. And we will continue to work together to try to make sure it is as accurate

a gauge as we can make it and reflects accurately where agencies are.

The chair now recognizes the gentleman from Kansas, Mr. LaTurner, for his five minutes of questioning. Welcome.

Mr. LATURNER. Thank you, Mr. Chairman. Ms. Harris, how are you today?

Ms. HARRIS. I am well. Thank you, sir.

Mr. LATURNER. Good. The Technology Modernization Fund was created to update legacy systems, though it does grant discretion in the types of IT projects eligible for funding. In light of notable cyberattacks over the past couple of years, do you think it is worth attaching more conditions to TMF funds to ensure they are used to update legacy systems or adding additional metrics to the FITARA Scorecard which would track the progress of updating legal systems?

Ms. HARRIS. I think that is a great question. I think that agencies should be fully carrying out TMF as it was intended in the law, which is to address legacy issues. So I think that is the criteria that the Selection Board utilizes, that emphasis on legacy IT would be a great thing. I also think that agencies need to focus on the open recommendations that we have made in TMF relative to ensuring that they have reliable cost estimates for their projects, as well as reliable savings that they expect to achieve once those projects are fully deployed.

Mr. LATURNER. Thank you. I appreciate that. I will stick with you if that is OK. FITARA is generally credited for helping agencies bolster their IT posture, in part because of this Committee's comprehensive oversight of the law in Scorecard. GAO continues to identify Federal IT security as a governmentwide, high-risk area. How do we change from holding congressional box-checking hearing exercises twice a year, which is a lot of what we have done, to doing something that is going to help Federal agencies and GAO by delisting Federal IT security from the high-risk list?

Ms. HARRIS. A couple of things. I mean, we are working very closely with your staffs, too, as well as OMB and the agencies to identify information, both public and sensitive, that can be utilized to create a more comprehensive cyber grade, that is one. And then, No. 2, you know, we have work under way to identify and focus on the areas of, for example, continuous diagnostic monitoring, where we can focus on the enterprise-wide tools that agencies should be utilizing to identify vulnerabilities. So we want to raise that bar for the agencies to ensure that they are taking advantage of these comprehensive enterprise tools.

Mr. LATURNER. Thank you. For Mr. Noga, and Mr. Sherman, and Mr. Shive, in your opinion, is FITARA an effective tool in your effort to modernize Federal IT security? We would love your perspective. Let's start with Mr. Noga.

Mr. NOGA. Thank you for the question, Congressman. I do believe it is. Like I said in my opening, we look at FITARA. We look at where we have done well, and, quite frankly, we focus on where we have got room for improvement. So FITARA is an effective mechanism. I think we have heard that we would like to evolve the FITARA Scorecard. We would like to improve the measures, and

that is one of the things that certainly the CIOs want to partner with this committee and GAO on as what does that look like.

Mr. LATURNER. Same question for Mr. Sherman.

Mr. SHERMAN. Yes, sir. It is an effective tool for us as well. But because cybersecurity is my top priorities, the Department of Defense CIO, we are already actively moving out with concepts of Zero Trust, getting after technical debt on our weapon systems, and securing the United States' defense industrial base of the 300,000 companies across this Nation that provides supply chain to the DOD. So FITARA helps push this along, but I can promise you this has already got a lot of wind in its sails because of what we faced with China, Russia, and other potential challenges, sir. Thank you.

Mr. LATURNER. I appreciate that. And Mr. Shive?

Mr. SHIVE. Thank you for the question. Yes, the FITARA has been imminently helpful to me as a CIO in a couple of ways. One, it allows us to narrow our focus on the things that really matter because I believe FITARA actually captures many of the things that really matter here in Federal Government and IT. But it has also been a super-valuable tool for me to focus conversation with a variety of stakeholders outside of my Agency and, specifically, inside of my Agency. It provides a recurring mechanism for focus to pivot back to IT for decisionmakers in my Agency, and they ask me about it. They ask me about why my scores are fluctuating the way they do. And it also generates the opportunity for discussion for them to say, what resources do we need to be able to continue to do well in this space.

Mr. LATURNER. Let me stick with you. I don't have much time left, but are there any potential FITARA reforms that haven't been discussed?

Mr. SHIVE. Yes. Yes. There is a fair number of discussions, both formally and informally: formally with staffers and informally with our partners at GAO about iterating the FITARA scoring to be reflective of modern agile, iterative IT.

Mr. LATURNER. Real quick, Mr. Sherman?

Mr. CONNOLLY. And, Mr. LaTurner—sorry—I remember you have talked about shared expertise that you would like to see captured. Do you mind mentioning that?

Mr. SHIVE. Yes. So everything we do here in government is funded by considerable taxpayer dollars. And one of the ways that we can extend the value of those investments that taxpayers make to us to provide good government service is to share everything that we do. That doesn't just mean code and configuration management scripts. It means playbooks, know-how, and knowledge. And the community envisioned by FITARA, if it is operating in its best self, would have those who do well in particular places share those learnings with agencies that are struggling.

Mr. CONNOLLY. The gentleman's time has expired, but if Mr. Sherman or Mr. Noga want to comment on that particular question, you are welcome to.

Mr. SHERMAN. Just very briefly. Everything Mr. Shive said is spot on. I would argue that FITARA has been and remains a very valuable tool. But as things evolved as we move not only toward ensuring we are the best stewards of the taxpayer dollar, but mod-

ernizing and focusing on mission outcomes, in my case with the Department of Defense, we are postured against outpacing the challenge of China for areas like edge computing, capitalizing on commercial SATCOM, and having the very best cybersecurity. Areas beyond just savings, but mission outcome would be an area that we want to continue to inject into the discussion. Thank you.

Mr. NOGA. Certainly from EPA perspective, one of things we have been focused on is optimizing and delivery of infrastructure services. And so I think, you know, there is an opportunity here to look at how we are doing that, how we will maximize the investment dollar across the Agency. And we have done that in the EPA where we look at where can we elevate these things that were once done at the component or bureau level to an enterprise-wide offering, right? How can we drive those efficiencies within the Agency? And that is something that we are distinctly focused on with an EPA.

Mr. LATURNER. Thank you for your indulgence, Mr. Chairman.

Mr. CONNOLLY. Yes, thank you Mr. LaTurner. And I would just say, before you came, I mean, you made reference to just checking the box. I hardly think the Scorecard is just checking the box because we heard testimony before that the savings directly attributable to this law is at least \$24.8 billion. That is not checking a box. The fact that we have moved from fewer than half of CIOs reporting to the boss to 90 percent of CIOs reporting to the boss, empowering that CIO and having more accountability is also hardly checking the box.

So I don't want this subcommittee to be selling itself short in terms of what, in fact, we have accomplished with not only a bill we passed in law, but in insisting on its implementation, and we will continue to remain flexible as that Scorecard evolves. But the end game here is, as Mr. Shive puts it, to find it a useful tool to move us forward in IT modernization and implementation in cyber protection. I thank my friend.

The chair now recognizes the distinguished gentlelady from Ohio, Ms. Brown, for her line of questioning.

Ms. BROWN. Thank you, Chairman Connolly, for holding this important bipartisan hearing. One metric that the FITARA Scorecard measures is how agencies are transitioning off legacy telecommunication contracts that are out of date and will soon expire. If Federal agencies fail their transition to new telecom contracts, they will be unable to serve those who depend on agency services the most. You should see a graphic, and as it stands, only 14 out of 24 agencies are even 50 percent of the way to a successful transition—

[Chart]

Ms. BROWN [continuing]. a milestone originally set to be achieved by March 31, 2021. In fact, only four agencies have successfully hit the latest milestone of a 90-percent transition, which was on March 31, 2022. So my question Ms. Harris, if agencies fail to transition their legacy services by May 31, 2023, what consequences will there be for agencies and for customers?

Ms. HARRIS. The immediate consequence is the potential disruption in service if any issues that result in transition delays occur. And this could be as a result of inadequate human resource outlays or the need to transition previously unidentified services. And let

me say something about the latter. That is something that could very well happen because what we have found through our body of work in this area is that agencies don't have a very good comprehensive inventory of their telecommunication services. So as they are transitioning and moving those services onto the new contracts, they could identify services that they didn't even know they had, and that could incur a delay. And if there is a delay, then agencies will miss out on potential cost savings because the services that are provided on the legacy have higher rates than the ones on EIS. And in addition to that, they could be missing out on, you know, hundreds of millions of dollars in savings, as what happened in the previous transition.

Ms. BROWN. Thank you for that. Now, none of the agencies before have achieved the most recent transition milestone up to 90 percent completion in 2022. And as of today, the DOD and EPA have 15 grades with GSA being slightly ahead with the DOD. The CIOs, why are your agencies struggling to meet these transition milestones?

Mr. NOGA. Thank you for the question, Congresswoman. I don't necessarily think the EPA is struggling to meet the milestone. Going back to the Scorecard and the visibility of the score, certainly it is a visual representation of where we need to focus. And I would say the EPA is very focused on ensuring that we migrate our telecommunications over to EIS. One of things that we have done at the EPA since, you know, networks is we have consolidated how we deliver network services at the enterprise level, so we have a strong understanding of inventory. We have awarded a contract, and we are working with the carrier to migrate that, and so that is what is going on right now. We awarded the contract in December 2021, and we are actively migrating services. And we feel very confident that we will migrate those services before the end of the contract.

Ms. BROWN. OK. I appreciate that. Please, go ahead.

Mr. SHERMAN. I am sorry, ma'am. I am John Sherman here from DOD. I would echo what Mr. Noga said. On the Department of Defense side, part of it is our scale at the \$4 million plus size enterprise and the inherent number of contracts we have moving out with alacrity to get after this. But I can commit to you, Congresswoman, this has my undivided attention. Checking with my team, we are going to be at 80 percent by later this year and 100 percent by next spring to round up all the contracts we have and get onto the new GSA platform for that. So this has our attention, ma'am. Thank you.

Ms. BROWN. Thank you.

Mr. SHIVE. Thank you for the question. Oh, go ahead.

Ms. BROWN. No. You go ahead, please. Thank you.

Mr. SHIVE. Sorry. Thank you for the question. In GSA's instance, the way things are measured don't give a particularly accurate representation of where we are. The way that the measures are designed is when you decommission a circuit and move to a new circuit or a new line, that increases your percentage of success. And at GSA, we did a lot of the work to transform from line-based communications technologies to digital voice over IP technology 7 or 8 years ago, and as we implement EIS now, we are using it more as

a transformation play. So the number of circuits that we are moving is much smaller denominator in that calculus.

The second most part is because we are using it as a transformation play, the vast majority of the work in the beginning is done in a planning state phase. And when we go to implement, it literally will flip overnight. Massive numbers of our lines that are measured will go from decommissioned to commissioned on the new platform. So it is really a flip-the-switch type of model. And so what you are seeing now is representative of lot of our planning work ahead of that transformation play.

Mr. CONNOLLY. Thank you. And thank you, Ms. Brown. The gentleman from Georgia, Mr. Clyde, is recognized for his line of questioning.

Mr. CLYDE. Thank you, Mr. Chairman. An important part of this committee and its actual role is government reform and oversight, even though my colleagues on the other side have had the term "government" removed from its name. The key part of this is FITARA, which is why we are here today. The Federal Data Center Consolidation Category was initially created to optimize the use of data centers and cut costs, but it is unclear how much potential remains in this initiative today. The government should not be wasting time, or effort, or tax dollars. And while we are in this hearing, an important aspect as the committee charged with government oversight and reform is determining the effectiveness of FITARA and the way, in practice, that it is actually operating. I was in another office, so this was one of the concerns of mine.

Ms. Carol Harris, the FITARA Scorecard is supposed to grade agencies on their implementation of the provisions of the FITARA Law, but the current Scorecard includes some categories that were not in the law. Has the addition over the years of non-FITARA related categories to the Scorecard made it more or less effective in serving its intended purpose?

Ms. HARRIS. I think the addition of the other categories relative to MGT and other statutes has enhanced the Scorecard. I also think that, I mean, the fact that the Scorecard categories relative to FITARA are still in there has given a focus, as these gentlemen have talked about, in agencies' operations and their focus areas, what should be the priority. So I do think that it has been an overall very positive benefit to the implementation of the law using the Scorecard as a means for oversight.

Mr. CLYDE. OK. All right. Now, those additional categories would incur additional costs, right?

Ms. HARRIS. I don't believe it is incurring additional costs. I mean, we utilize data that is publicly available and it is data that would have been, you know, submitted regardless, so we are utilizing what is available today for these other areas. And so I think the net benefit has been, you know, has been the implementation of both FITARA as well as the other statutes that the other categories are hinged upon.

Mr. CLYDE. OK. All right. Well now, I have a question for each of you, and we will start over here on this end. Can you provide a rough estimate of the resources required for each of your representative agencies to put together the data feeding into the Scorecard?

Mr. NOGA. Thank you very much for that question, Congressman. I would have to get back to you on that, on the rough—

Mr. CLYDE. OK.

Mr. NOGA [continuing]. estimate on what it would take to.

Mr. CLYDE. So you can't give me an estimate of what you think it actually costs you to comply with this?

Mr. NOGA. Not at this time, sir.

Mr. CLYDE. OK.

Mr. CLYDE. Now, Mr. Sherman?

Mr. SHERMAN. I would have to take it for the record to get the exact amount. I would just say, though, what FITARA embodies is part of our normal job with the Department of Defense, so both drive out efficiencies and modernize. So it would be kind of marbled in the rest of what we are just doing as CIO, but we would have to take for the record for the exact amount, sir.

Mr. CLYDE. OK. All right. Mr. Shive?

Mr. SHIVE. My answer is actually quite similar to Mr. Sherman's. The IT shop that is doing its job well, measures its performance across multiple spectrum, and most of those are already captured in the creation of FITARA. I would say my estimate was it is a *de minimis* amount. We are already capturing this data, putting it into a format that we can, you know, share out on public forums, which is always the right thing to do. It is a *de minimis*.

Mr. CLYDE. OK. Ms. Harris, do you agree? All right.

Ms. HARRIS. Sorry. I do agree.

Mr. CLYDE. Looking at the final product in the overall grade, you consider this Scorecard to be an accurate reflection of your agencies' posture in the various categories?

Mr. CONNOLLY. Somebody needs to mute. I think that is you, Mr. Khanna. I am sorry. Mr. Clyde, to whom was your question?

Mr. NOGA. Thank you for the question, Mr. Congressman. OK. So we have talked about cybersecurity, I would say, of the areas of the Scorecard. Certainly it is not an accurate reflection, in my view, of our posture relative to cybersecurity. We have actually spent a lot of time and focused energy on improving cyber across the Agency, and we have done so, you know, since the start of the pandemic. The pandemic really forced us to rethink how we are, you know, managing our ITSS remotely, how we are protecting them, how we are securing, how we are patching them. So I don't necessarily think it is an accurate reflection, but we talked about that that it is just one perspective, which is the IG assessment, and so that is where my position is on that, sir.

Mr. CLYDE. OK. Go ahead, Mr. Sherman.

Mr. SHERMAN. Sir, with respect to FITARA and the value it has brought to us, I do not believe, particularly the FITARA 14.0 we are on, is an accurate reflection of the Department of Defense. It is pushing us in the right direction on a number of things, like to transition to the telecom contract. But if we look across the board of what we are doing to modernize for our warfighting mission, we are not accurately capturing what we are doing on there. And indeed, some of the metrics are with kind of an absolutist, either we have moved or not, is not accurate for an enterprise the size of the Department of Defense. We are better than the D plus we have on

the Scorecard right now in terms of supporting our women and men in uniform, sir.

Mr. CLYDE. OK. Fair enough. Mr. Shive?

Mr. SHIVE. Yes, thank you. The FITARA notational is notionally correct in assessing the status of an organization. Earlier in the hearing, we talked about how FITARA has iterated in response to changing business priorities, changing technology priorities. Part of iteration is there is a separation and a gap sometimes, as you change the measures, to be responsive to changes in those business or technology priorities or strategies, and so you see these blips. But notionally, it is notionally correct, in my opinion.

Mr. CLYDE. Thank you, and thank you, Mr. Chairman, for yielding.

Mr. CONNOLLY. Thank you. Thank you, Mr. Clyde. The chair now recognizes the gentleman from California, Mr. Khanna, for his line of questioning. Welcome.

Mr. KHANNA. Thank you, Mr. Chair. Thank you for your incredible leadership on these issues. No one has done more in modernizing our Federal Government than you have, Chair Connolly. I am introducing a bill to develop a pilot program that enhances our government's use of metadata, not just in one agency, but across government. We must rethink and invest in whole-of-government approaches that promote collaboration across agencies and then prompt us to work together to fight America's adversaries.

Let me ask Mr. Shive and Mr. Noga, as you know, OMB's memo related to improving response to cyber incidents, M-21-31 guidance implementation of logging, log retention, and log management with the focus on ensuring centralized access and visibility into agency cybersecurity. How would metadata regarding network traffic assist you in achieving your responsibilities under this OMB memo?

Mr. SHIVE. So it is critically important in prosecuting good defensive posture here in the Federal Government. Capturing data and knowing things that exist within that data is critically important. But if we are going to use the best, most practical tools, including machine learning and augmentation like AI, we have to have that captured metadata to be able to apply those forward-leaning tools to those datasets.

Mr. KHANNA. Thank you. Mr. Noga?

Mr. NOGA. Thank you for the question, Congressman. I totally agree with Mr. Shive. You know, I think it is invaluable to make sure that we collect all data as we start looking at how we can better improve and protect our IT assets and infrastructure.

Mr. KHANNA. Thank you both. So I look forward to working with both of you on this legislation on the use of metadata. In 2018, I worked with Chair Connolly and many of the colleagues on this committee to pass the 21st Century IDEA Act. However, since the passage of this important measure, the executive has been struggling to implement some of the reforms we have worked so hard to codify, and we have been working very constructively with the committee here to see if we can have a Federal CXO officer or an equivalent. Do you think that a Federal CXO officer or equivalent would increase the chances of success of ongoing future initiatives, and if so, why? And any of the witnesses can answer.

Mr. NOGA. Thank you very much for the question, Congressman. I really can't speak to the Federal CXO, but I can speak to the EPA. And one of the things that we have actually prioritized is customer experience, and what we have been looking at is certainly internal. What is the customer experience to our internal employees? And I naturally think that extends out.

Mr. KHANNA. So you would be supportive of some kind of Federal CXO?

Mr. NOGA. Congressman, I guess I would have to see exactly what we are talking about.

Mr. KHANNA. Sure.

Mr. NOGA. I am certainly supportive of customer experience and improving that.

Mr. KHANNA. All right. Any other folks on the panel who would be supportive of the Federal CXO or some equivalent, or interested in working on that kind of legislation?

Ms. HARRIS. Sir, we currently have work that we will be starting very soon on customer experience and the implementation of both the law and the executive order, and that work will be starting by this fall. And so we are happy to collaborate and work with your office to share with you, you know, the details of what we are finding relative to that implementation and certainly work with you to identify ways to better implement the laws around CX as well as the executive order. And if a Federal CX officer would help promote and better enable the agencies to execute the laws, then that is something that we are happy to work with you on.

Mr. KHANNA. Wonderful. Well, I appreciate that. And Mr. Shive, I know GSA has its own internal office of customer experience. Has that been successful, and do you think similar initiatives that other agencies would help if we sort of Federalize an officer?

Mr. SHIVE. Yes. The position has been wildly effective at not only helping GSA operate more effectively internally, providing internal services, but also that has been extensible out into the service that we provide. Regarding a Federal CXO, there is probably some value in something like that, that the need for us to present our government services to the citizens we serve in a holistic manner that provides value to them is paramount. And having somebody that is their primary focus who can look across agency boundaries, agency individual appropriations, and serve in the best interest of the citizen, the person that we are all serving in this community, is probably a good idea.

Mr. KHANNA. Thank you. Thank you, Mr. Chairman. Thank you to you for your leadership to your staff, and I look forward to continuing to work with them on the metadata bill and something on customer experience. They have been fantastic, as always, to work with and really appreciate your leadership and your staff's leadership.

Mr. CONNOLLY. Thank you so much, Mr. Khanna. Thank you for your kind remarks, and thank you for your legislative initiatives. We look forward to working with you.

Before I adjourn this hearing, I want to thank our panelists. Mr. Sherman, I took note of your remarks, and I am not unsympathetic to the fact that when we give a grade, it doesn't always capture the gray areas, and sometimes it doesn't even capture the essence of

what is happening, but it is a shot at a moment in time. And to be honest with you, the Pentagon often, not you personally, but often kind of sets itself as unique, you know, whether it is procurement of off-the-shelf items and being on the normal list of procurement, whether it is a fiscal unqualified audit. It is the only agency of the government that doesn't have one.

And, frankly, when we began this effort on IT because, you know, not everything is unique to the Pentagon, and so trying to make progress even there. And when we wrote FITARA, we were very careful so that we didn't get into jurisdictional issues here in Congress with the Armed Services Committee. So we were a little kind of light on the Pentagon. But I found your testimony today heartening because you are making strides in complying with FITARA and in seeing the value of the goals we set. And so, I thank you for that and congratulate you for that, and we look forward to continuing to work with you and the Pentagon, particularly.

And, Ms. Harris, I want to thank you as GAO was a partner. FITARA grew out of the fact that GAO in its high-risk list every year identified IT, and we decided to do something about it. And I partnered with the then chairman of this committee, Darrell Issa. We are an unlikely pair to partner, but we did because we both had a commitment to this subject, and it has been bipartisan since day one and has stayed that way: Mark Meadows, Will Hurd, Robin Kelly, now Jody Hice, Mr. Comer, and so many others, and of course, for the full support of our chairperson, Carolyn Maloney.

So we are going to continue to try to make progress. We want your input to make sure that that Scorecard serves your needs but also captures progress. We will fix the cyber problem that we have been talking about today. As I said, heartened by a conversation we had yesterday, I want to be committed to doing that. So I think we are all going to be operating from the same page as we move forward, and Ms. Harris, she will make sure we do.

And again, I want to thank everybody for participating today. I want to thank my staff. This is the 14th oversight hearing, and as this hearing has documented, we have made a lot of progress, but we don't want to let up on that because IT is an ever-evolving subject. The challenges and the potential are also ever evolving. We know that we are under attack from malign actors, both domestic and foreign, who would compromise data bases, would steal intellectual property, would try to disrupt operations, especially in the security area, but we know in the civilian sector as well. So this isn't just a nice academic subject that has no headlines to it. It is vital to the operations of government. So thank you so much.

And everyone has five days in which to submit additional questions, and we would ask our witnesses, should we give you written questions through the chair, if you could answer them as expeditiously as possible.

Mr. CONNOLLY. And again, I thank you all for participating today, and I thank my colleagues for thoughtful questioning.

We are adjourned.

[Whereupon, at 10:47 a.m., the subcommittee was adjourned.]