



STATE OF VERMONT

MEMORANDUM

To: Chairs of the House Committees on Appropriations, on Commerce and Economic Development, on Education, on Energy and Technology, on Government Operations, and on Corrections and Institutions and of the Senate Committees on Appropriations, on Economic Development, Housing and General Affairs, on Education, on Government Operations, and on Institutions

From: Joint Information Technology Oversight Committee

Date: December 4, 2019

Subject: List of Recommendations for the 2020 Legislative Session

I. Introduction

The Joint Information Technology Oversight Committee (JITOC) has met on a monthly basis since the end of the 2019 legislative session. During this time, JITOC was primarily focused on understanding the federal and State cybersecurity landscape. In addition, JITOC also received updates from the Executive and Judicial Branches on key State information technology projects. JITOC heard from a number of witnesses on these subjects, including the Agency of Digital Services (ADS), the Chief Information Officer for the Judiciary, the Director of Legislative Information Technology, the State Archivist, the Secretary of State, the Commissioner of Human Resources, the Agency of Human Services (AHS), the Vermont League of Cities and Towns, the Attorney General's Office, the Office of Legislative Council, and the Joint Fiscal Office.

II. Recommendations

Pursuant to 2 V.S.A. § 614, the JITOC recommends the following priorities and actions for the 2020 Legislative Session:

- **Cooperation on Cybersecurity Initiatives:** Recommend to the House Committee on Energy and Technology to consider formalizing a method for the three branches to cooperate on cybersecurity initiatives.
- **Cybersecurity Legislation:** Recommend to the House Committee on Energy and Technology to include in cybersecurity legislation:
 - A periodic reporting requirement on Level 3, 4, and 5 cybersecurity incidents by system;
 - A requirement that State agencies and entities accessing State-collected or -generated data develop data backup protocols;

- Funding for a third-party assessment of the landscape of cybersecurity risks within local and State government; and
- Developing local and State government risk parameters with the Vermont League of Cities and Towns and ADS.
- **Education:** Recommend to the House and Senate Committees on Education to map out educational pathways for the IT profession.
- **IT Project Funding:**
 - Recommend to the House and Senate Committees on Appropriations, on Government Operations, and on Institutions to evaluate the need and cost for a cybersecurity expert (either an individual or firm) to provide regular technical assistance to the General Assembly; and
 - Recommend to the House and Senate Committees on Appropriations and on Government Operations to consider funding an innovation fund within ADS for the purposes of addressing systems upgrades or modernization.
- **IT Risk Assessment:** Recommend to the House Committee on Energy and Technology that they:
 - Propose legislation to develop an IT risk assessment process within State government to ensure that the State prioritize the information technology risks that it faces, respond effectively to those risks, and have a process in place to raise inadequate risk response to the Legislature for action (the process should involve the ADS, other Executive Branch agencies, the General Assembly, and the State Auditor; and
 - Understand the Administration's prioritization of risk in the system, including which IT systems are at greatest risk for theft of Vermonters' data and which system's disruption would pose the greatest threat to public safety.
- **IT Workforce Development:** Recommend to the House Committee on Commerce and Economic Development and the Senate Committee on Economic Development, Housing and General Affairs that they address workforce development initiatives in the IT profession, including reviewing employment needs, the promotion of the profession, secondary and post-secondary training, and deficiencies in pay in State government.
- **Legislative IT:** Recommend to the Senate Pro Tem's Office and the House Speaker's Office to provide periodic legislator training on cybersecurity.
- **Municipal Cybersecurity:** Recommend to the House and Senate Committees on Government Operations to review the State-level suite of secure services that are offered to municipalities to discover potential cost savings and ensure protection of Vermonters' data.

III. Status of Information Technology Projects

- **Integrated Eligibility and Enrollment (IE&E):** During the summer and fall the JITOC heard several presentations from AHS and ADS on the status of the IE&E program. After considering these presentations, as well as other information that was submitted, the committee recommended that the Joint

Fiscal Committee (JFC) approve and release the Second and Third Installment funds as specified by the FY20 Capital Bill (Act 42). While recognizing the progress that has been made in the IE&E program, including the successful completion of several projects and the overcoming of a number of technical challenges, the JITOC remains concerned about several issues. These include:

- The lack of accurate financial forecasts. The JITOC acknowledges that the IE&E program is being approached in an Agile/modular manner as opposed to the Waterfall (one big contract) manner that was pursued in the past. This means that rather than projecting the full program cost at the beginning of the program, cost estimates are developed as each individual project is defined and executed. The downside of this approach is that long-term budgeting becomes difficult due to the lack of long-term financial forecasts. As a result, the JITOC recommends that AHS and ADS develop their best estimate of the total implementation cost of the IE&E program through FY 2024, and present this estimate to the JITOC by the end of January 2020.
- The delays and uncertainty regarding the Business Intelligence project. This project was initially scheduled for completion by September 2019. Various issues delayed the project and increased costs, and the current completion estimate is February 2020. If the project has not been successfully completed by that date a second contingency plan must be executed, at greater cost to the State. While AHS and ADS appear confident that the revised schedule will be met, the project's track record to date may not justify that confidence. As a result, the JITOC recommends that AHS and ADS provide monthly updates on this project to the JITOC, which must include the currently estimated completion schedule and projected cost.
- **Tri-Branch Working Group:** The JITOC will periodically check-in with the Working Group on cybersecurity issues.