

July 15, 2026

Charles Sallee, Director
Legislative Finance Committee
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Santa Fe, NM 87501

Thank you for your comments regarding the participation of the Legislative Finance Committee (LFC) and the Department of Finance and Administration (DFA) in the Project Certification Committee (PCC) and the project certification process.

Clarification of Current Rule and Statutory Authority

The PCC rule is leftover from the days of the Information Technology Commission (ITC). PCC was an advisory subcommittee of the ITC. Since the ITC no longer exists, but the rules have not been updated since the creation of DoIT, the PCC has continued to operate as an advisory committee to the DoIT Cabinet Secretary.

The current rule, specifically 1.12.9.9 NMAC, outlines PCC membership as follows:

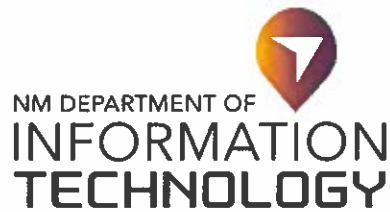
- PCC members are appointed by the ITC chair from among ITC members.
- The ITC chair appoints the PCC chair.
- The PCC selects a vice chair from its membership.

There is no requirement in the current rule for DFA or LFC participation in the PCC or IT project certification process. Under the previous ITC statute (§ 9-27-9 NMSA, now repealed), LFC had a non-voting member on the ITC, while DFA did not have membership.

The current statute (§ 9-27-10 NMSA) states that all references to the ITC and related entities are now references to the Department of Information Technology (DoIT). This means the Secretary of DoIT has the authority to appoint PCC members and has appointed LFC and DFA pursuant to that authority. The purpose of the rule change is not to remove LFC or DFA from the IT project certification process, but to remove the cumbersome committee-based process that was established under the defunct ITC.

Flexibility for DFA and LFC Involvement

Importantly, nothing in the proposed rule changes would prevent the Secretary from continuing to incorporate DFA and LFC in the certification process, especially regarding the certification of appropriate use of funding. This aligns with the Secretary's statutory duty under § 9-27-6(11)-(12) NMSA to promulgate rules ensuring IT projects meet criteria established by the Secretary, are phased with funding contingent on successful completion, and are subject to oversight for risk management, disaster recovery, business continuity, and compliance. The Secretary can and



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intends to establish criteria for project phasing, which involves DFA and LFC review and certification of the use of proper funding sources.

C2 Process and Legislative Oversight

It is important to reiterate that these changes do not affect the C2 process for funding requests, which is statutorily required under NMSA 9-27-6(10). The Secretary must review IT appropriation requests for compliance and make written recommendations to DFA and LFC by the specified statutory deadlines. Since this process will continue unchanged, DoIT intends to keep DFA and LFC as part of the certification review process to ensure funds are spent for their intended legislative purposes.

Maintaining DFA and LFC involvement in the certification review process supports transparency and accountability and ensures that oversight of funding and project certification remains robust.

Sincerely,

A handwritten signature in black ink, appearing to read "Manny Barreras".

Manny Barreras, DoIT Cabinet Secretary

CC: Representative Nathan Small, Chair, Legislative Finance Committee
Senator George Muñoz, Vice Chair, Legislative Finance Committee
Senator Heather Berghmans, Chair, Science, Technology and Telecommunications Committee
Mark Edwards, Bill Drafter, Legislative Council Services
Wayne Propst, Secretary, Department of Finance and Administration
Daniel Schlegal, Chief of Staff, Office of the Governor