THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

November 4, 2009

The Honorable Charles E. Grassley
Ranking Member
Committee on Finance
United States Senate
Washington, DC 20510-6200

Dear Senator Grassley:

Thank you for your letter of October 20, 2009 about the "State Your Support" link on the HHS.gov and HealthReform.gov websites that allows citizens to communicate their support for the President's health insurance reform efforts. As our Acting General Counsel relayed to you in a recent letter, we have carefully reviewed the website and the applicable legal authorities and confirmed that this link is entirely legal and proper. I am writing to provide you with additional information about this link per your request. Please note that we are continuing to review the remainder of your requests, which will take some time, but we are working to complete our review expeditiously.

The "State Your Support" link was established in connection with the HealthReform.gov website, launched in March of this year. The purpose of the HealthReform.gov website is to facilitate transparency and openness in connection with the national debate regarding health insurance reform, and to provide the American public with an opportunity to participate in the dialogue. The website is used to disseminate information about health insurance reform, and it offers a mechanism for people to express their support for reform and to share their ideas and experiences with the Administration.

For example, one of the first uses of the HealthReform.gov site was to stream live video of the President's White House Forum on Health Reform in March, so the American public could witness firsthand the conversations that were taking place among key players in the reform debate. As you may recall, the website and the link were actually rolled out during this Forum, which you and other Congressional leaders attended. Another feature on the HealthReform.gov website is the "Share Your Story" link, which allows individuals to share their personal stories and ideas regarding health reform.

The "State Your Support" link allows individuals to express their support for health insurance reform. Individuals who state their support and provide contact information are then notified of updates to information on the HealthReform.gov website and are occasionally invited to health reform-related events in their area. E-mails that have been sent to those who have provided contact information via the "State Your Support" link are in the public domain, but for ease of reference, enclosed are two sample e-mails. As you will note, in each e-mail, the recipient is provided with the opportunity to opt out of receiving future communications.

Information shared through the "State Your Support" link is stored in a secure, password-protected electronic file on HHS's e-mail system. There are only two people within HHS who have direct access to this information: two information technology specialists in HHS's Office of the Assistant Secretary for Public Affairs (ASPA). Occasionally, an information technology specialist has provided the Special Assistant for Events and Special Projects in ASPA with contact information for a subset of individuals in a particular geographic region for him to notify them of a health reform-related event in their area. To the best of my knowledge, the personal information that individuals submit via "State Your Support" has not been accessed or used by anyone else within HHS or outside of HHS for any other purpose.

In order to disseminate these e-mails, ASPA uses a service provided to HHS by the Department of the Interior's Federal Consulting Group (FCG), a Federal government organization that has been serving the Federal community for over 20 years; FCG contracts with an e-mail service provider on behalf of multiple Federal agencies. Enclosed is a copy of HHS's agreement with FCG for use of the e-mail provider service. As you will note, the agreement covers numerous websites throughout HHS, such as Flu.gov, AIDS.gov, FoodSafety.gov, HealthIT.hhs.gov, and SurgeonGeneral.gov. Because dissemination of e-mails to "State Your Support" subscribers constitutes only a small fraction of HHS's use of this service and no separate fee is associated with it, HHS would pay the same amount for the contract regardless of the existence of the "State Your Support" feature.

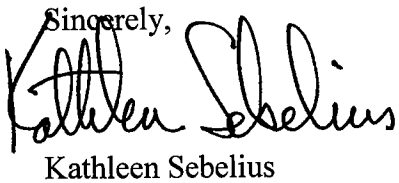
ASPA initiated and developed the "State Your Support" link in connection with the HealthReform.gov website. The people primarily involved with its creation, implementation, and maintenance are the Acting Assistant Secretary for Public Affairs, who oversees all Departmental communications matters, the Director of ASPA's Web Communications and New Media Division, who is responsible for implementing all web-related initiatives, and the Deputy Director of ASPA's Web Communications and New Media Division. In addition, current staff in HHS's Office of Health Reform were involved in the inception of, and development of content for, the HealthReform.gov website, including the "State Your Support" link.

Besides these HHS employees, other individuals have provided web design services pursuant to a contract between an outside service provider and HHS for web development, operations, and maintenance services. A copy of this contract is enclosed. Again, the agreement covers a broad range of services within ASPA, and the development and maintenance of the "State Your Support" link constitutes only a tiny fraction of those services.

Besides the flat fees HHS pays for all of its new media services, we are not aware of any other identifiable costs associated with the link. A handful of HHS employees within ASPA developed the link and have spent a small fraction of their time implementing and maintaining the link. As communicated to you in our previous letter, the Department has been careful to comply with all legal requirements with respect to this link and its other communications with the public.

I hope this information is helpful. Should you or your staff have any questions, please contact Elizabeth Engel or Bridgett Taylor in the Office of the Assistant Secretary for Legislation at 690-7267. My staff would be happy to answer any questions that you may have.

Sincerely,



Kathleen Sebelius

Enclosures

From: OS subscriptions
Sent: Wednesday, July 01, 2009 10:27 AM
To:
Subject: President's Online Town Hall Meeting Today

Friends,

This afternoon, President Obama will be hosting an online town hall where he will be taking your questions about health reform. The town hall meeting will begin at 1:15 PM EDT, and you can watch the event live by visiting www.HealthReform.gov.

As you watch the town hall meeting, be sure to participate in our online chat by visiting http://apps.facebook.com/whitehouselive/. There, you'll be able to share your thoughts with other Americans who are dedicated to making reform a reality.

The President and the entire health reform team are looking forward to hearing you thoughts and questions, and we hope you will watch this exciting event.

Sincerely,

Jeanne Lambrew
Director, HHS Office of Health Reform

Manage your HHS Subscriptions:

- Update your preferences or unsubscribe
- Questions about this service? support@govdelivery.com
- Other inquiries? Contact HHS

From: OS subscriptions
Sent: Thursday, August 20, 2009 3:43 AM
To:
Subject: New Video - Health Information Technology at Work

Dear Friend,

We've all sat in the hospital or the doctor's office and been asked to fill out form after form.

And when we come back to the very same doctor's office or the same hospital, we've probably been asked to fill out the very same forms.

All that paperwork is more than just annoying. It wastes time, prevents quick and accurate diagnoses, and makes our health care system less efficient. And it simply doesn't make sense that in today's digital age.

We know that electronic health records can improve the quality of care, reduce medical errors, and make doctors and hospitals more efficient. That's why the American Recovery and Reinvestment Act included new resources to help build a nationwide, interoperable health information network. This network will be built on a foundation of incentives to encourage doctors and hospitals to use electronic health records and protections for medical privacy.

We already know through example that health information technology is working in communities across the country.

Earlier this year, Secretary Sebelius toured Omaha's Alegent Health Lakeside Hospital to see how one hospital is using health information technology.

Today, we're releasing a new video showing some of the highlights of her trip. You can watch the video by clicking here.

Later this morning, Vice President Joe Biden and Secretary Sebelius will also be making a major announcement regarding the availability of grants worth nearly $1.2 billion to help hospitals and health care providers implement and use electronic health records. The grants are funded by the American Recovery and Reinvestment Act of 2009 (ARRA) and will help health care providers qualify for new incentives that will be made available in 2011 to doctors and hospitals that meaningfully use electronic health records.

Electronic health records are pillars of a reformed health care system. Together, our investment in health information technology and proposals to improve health insurance options and affordability will help ensure all Americans get the high quality care they deserve.

Sincerely,

Jeanne Lambrew
Director, HHS Office of Health Reform

Manage your HHS Subscriptions:

- Update your preferences or unsubscribe
- Questions about this service? support@govdelivery.com
- Other inquiries? Contact HHS

Statement of Work (SOW)
For
Department of Health and Human Services (HHS) / Office of the Secretary (OS) / Office of the Assistant Secretary for Public Affairs (ASPA) / Web Communications & New Media Division for Web Operations and Maintenance

1 Background

The Department of Health and Human Services (HHS) is the United States government's principal agency for protecting the health of all Americans and providing essential human services, especially for those who are least able to help themselves. HHS formed a Web Communications & New Media Division (WCD) within the Office of the Secretary to direct all Web-related efforts of the Department. This includes creating, uploading, managing, archiving, and maintaining the entire HHS Web site architecture accessible at www.hhs.gov, pandemicflu.gov, aids.gov, 4parents.gov, importsafety.gov, globalhealth.gov, psc.gov, surgeongeneral.gov, usability.gov and smallpox.gov (hereafter HHS.gov) as well as an intranet, portal, search function, and Web content management system. The HHS Web site supports all offices within the Office of the Secretary (Executive Secretary, Intergovernmental Affairs and Regional Representatives, Assistant Secretary for Health, Assistant Secretary for Administration and Management, Assistant Secretary for Budget, Technology and Finance, Assistant Secretary for Planning and Evaluation, Assistant Secretary for Legislation, Assistant Secretary for Public Affairs, General Counsel, Assistant Secretary for Public Health Emergency Preparedness, Center for Faith-Based and Community Initiatives, Office for Civil Rights, Inspector General, and Departmental Appeals Board). In addition to information available to the public, many offices have material intended only for internal use published on the HHS Intranet.

The HHS WCD also provides leadership and support to HHS Operating Divisions, each of which operates its own Web and intranet environments. HHS Operating Divisions include the Administration on Aging (AoA), Administration for Children and Families (ACF), Centers for Medicare and Medicaid Services (CMS), Agency for Healthcare Research and Quality (AHRQ), Centers for Disease Control and Prevention (CDC), Agency for Toxic Substances and Disease Registry (ATSDR), Food and Drug Administration (FDA), Health Resources and Services Administration (HRSA), Indian Health Service (IHS), National Institutes of Health (NIH), and Substance Abuse and Mental Health Services Administration (SAMHSA).

2 Scope

The tasks to accomplish under this Statement of Work (SOW) include Contractor services to provide on-site support to the daily operation of HHS.gov and related HHS Office of the Secretary Web and intranet sites, including supporting Web site management tools. The HHS WCD operations and management suite includes (current tool in parenthesis): search (Google), portal functionality (BEA Aqualogic), Web site quality management (IBM Rational Policy Tester), content management (Percussion Rhythymx); version control (CVS), Web analytics (Webtrends OnDemand), databases (Oracle), custom-built Web applications and standard Web

development tools (Dreamweaver, Adobe Acrobat Professional 8.0, etc.). While the contract does not include server administration support, the Contractor will be expected to provide consulting as needed regarding server issues and some database administration.

Operations and maintenance support will be expected to cover the hours of 7 a.m. – 7 p.m. Monday through Friday. While 24/7 support is not expected on a regular basis, during times of public health emergencies or other critical situations, the Contractor may be called upon to perform essential site operations and maintenance functions outside of these regular business hours, either on-site or off.

Web-based applications and products shall be in compliance with the stipulations of Section 508 of the Rehabilitation Act, 29 U.S.C. § 794d, as amended. Technical support shall include assistance with testing Web sites and documents posted on the Web for compliance. Federal staff shall make final determinations of compliance if there are questions regarding specific pages or documents. All Web sites should be published according to the OMB Federal Web Standards, and HHS/WCD policies, standards, and guidance.

2.1 Task 1 Participation in Project Meetings

The Contractor shall participate in regular project meetings called by HHS WCD to discuss current status, specifications, work plans, schedules, and related topics. The meetings may be held on-site at HHS, at Contractor's office, or other locations as deemed necessary in the Washington, D.C. local area. It is estimated that this will typically be monthly and not more than once per week.

Within 3 business days of award, the Contractor shall meet with the COTR to discuss project management including, but not limited to, introduction of Contractor and Government staff, agreement on meeting schedules, and agreement on initial delivery dates.

Relevant Contractor staff shall attend meetings of the HHS WCD as requested, based on the scheduled agenda. Regular meetings are currently scheduled for one hour on a weekly basis and held as needed. Contractor attendance is unusual.

Contractor shall conduct presentations and briefings directly related to the project to various audiences, as requested by the Government.

2.2 Task 2 Accomplishments Reports

The contractor shall provide a monthly report detailing labor category hours broken down by task with a short description of work completed. Additionally, quarterly projection of labor for the contract year shall be provided.

2.3 Task 3 General Web Development Tasks

- Understand the fundamentals of servers that are in use concerning the development of HHS.gov and other related Web sites and use this knowledge to support best practices and OMB and HHS Web site policy and requirements.
- Develop and maintain Web pages in adherence to HHS policies and standards including 508 compliance specifications.
- Develop and maintain Web pages in consideration of HHS usability guidelines (*Research-based Web Design & Usability Guidelines*).
- Offer consultation and advice for new processes/changes to the current system.
- Provide graphic expertise in template design and adaptations, as well as images that are to be placed on environments supported by the WCD.
- Offer customer service by consulting with Web contacts on how best to submit their Web request, as well as the most efficient representation of their material on the Web.
- Possess and demonstrate a working knowledge of all software applications involved in the development/upload process.
- Provide administrative implementation, documentation, maintenance, and training support for solutions involved in the development/upload process.
- Collaborate on development and implementation of a process that addresses built-in quality checks so that errors are minimized.

2.4 Task 4 Internet and Intranet Routine Uploads

- Respond to customer requests to post, update, or delete Web pages viewable on Internet and/or Intranet.
    - Use Web development software tools and Secure File Transfer Protocol (SFTP) to effectively manage the display of approved Web pages and/or content.

2.5 Task 5 New Page/New Site Development and/or Architecture Revamp

- Respond to customer requests to create new pages, new directory sites for either Internet or Intranet, and/or new Web sites hosted by the WCD.
    - Use Web development software tools and Secure File Transfer Protocol (SFTP) to effectively manage the display of approved Web pages.
    - Manage the Web site architecture efficiently and revamp as necessary.

2.6 Task 6 Migration of Web Sites to HHS.gov Environment

The Contractor, in cooperation with host providers of the existing Web sites, shall be responsible for migrating some Web sites that exist on contractor or other government servers to HHS.gov servers. The migration schedule will be directed by WCD as sites are identified as candidates for migration. Sites to be migrated may be hosted in a variety of operating environments.

2.7 Task 7 Support for Web Environment Tool Suite

2.7.1 Task 7.1 General Support

Contractor shall be familiar with and provide administrative implementation, maintenance, and training support for Web environmental software (e.g. content management and/or portal software, Web monitoring and configuration tools, and the HHS search engine) or other Web environmental tools selected by HHS to replace current tools during the life of the contract.

Working in cooperation with other HHS contractors, the Contractor shall provide support for installation of Web-based applications on the test, development and live platforms, and provide technical assistance on connectivity to all enterprise databases, including Oracle.

2.7.2 Task 7.2 Support for Web Content Management

The HHS WCD utilizes a Web content management system (WCMS) to support the sites it manages (HHS.gov). The Contractor shall support small-scale implementation for use by the WCD as well as expansion to other sites within the Office of the Secretary and possible use by HHS Operating Divisions. The Contractor shall administer, maintain, and enhance the Web content management system (WCMS), including templates, workflows, configuration settings, software upgrades, and custom scripts. The Contractor shall administer access to the WCMS, including all user accounts, permissions, and access to files, workflows, and other assets. The Contractor shall provide training and technical support, as needed, to all users of the WCMS. During business hours, the Contractor shall actively monitor the WCMS and shall promptly respond to problems by troubleshooting, diagnosing, and taking corrective action. The Contractor shall maintain documentation manuals, and develop user aids. Contractor shall also provide support to the appropriate Help Desk on questions pertaining to this tool. The Contractor shall provide reports as necessary on the operation of the WCMS.

2.7.3 Task 7.3 Support for Web Quality Management

The HHS WCD is currently using IBM Rational Policy Tester as a comprehensive site quality tool. The Contractor shall assist with system administration and maintenance, through collaboration with the vendor and the WCD. Tasks are expected to include designing and executing site scans, using site scan reports to fix site quality problems, including Section 508 accessibility issues and broken links, and making recommendations for process improvements based on analysis of site scan reports. Contractor shall also provide support to the appropriate Help Desk on questions pertaining to this tool.

2.7.4 Task 7.4 Support for Search Function

The HHS WCD operates a Google search appliance as the HHS.gov search tool. This search functionality will include up to 3 million documents from over 100 Web sites across the HHS enterprise. The Contractor shall assist with appliance administration and maintenance, through

collaboration with the vendor and appliance host provider. Tasks are expected to include designing and executing search indexes, designing search results pages, refining indexes to improve search results, and making recommendations for search or site improvements based on analysis of search reports. The Contractor shall support coding of XSL Style sheets to manipulate the search result pages for various implementations. Contractor shall also provide support to the appropriate Help Desk on questions pertaining to this tool.

2.7.5 Task 7.5 Support for Web Analytics

The HHS WCD uses Webtrends OnDemand for the purpose of tracking, analyzing, and reporting activity on HHS WCD Web sites. The Contractor shall assist, through collaboration with the vendor and the WCD, with software administration and maintenance. Tasks are expected to include system configuration changes, custom or regular report generation, adding and disabling of authorized users, recommendations for site or process improvements based on analysis of custom and regular reports and assistance with software upgrade procedures. Contractor shall also provide support to the appropriate Help Desk on questions pertaining to this tool.

2.7.6 Task 7.6 Support for HHS Enterprise Portal

The HHS WCD has implemented an extranet enterprise portal using BEA Aqualogic. The Contractor shall assist with software administration and maintenance through collaboration with the vendor, portal administrator, and host provider. Tasks are expected to include default portal configuration changes, custom or regular report generation, adding and disabling of authorized users, creation of communities, development of portlets, installation and configuration of new components/functionality, database administration for the Oracle backend, system and database backup verification and testing, demonstrations of Portal capabilities, new community requirements analysis, new community user and administrator training, development of integration functionality with other systems, installation of upgrades from the vendor, and recommendations for site or process improvements based on analysis of portal usage and operations. The Contractor shall build portal use as business needs are identified and promote portal functionality to the HHS user community. Contractor shall also provide support to the appropriate Help Desk on questions pertaining to this tool.

2.8 Task Orders

HHS may require the Contractor to discharge certain tasks which are not currently envisioned as an integral part of the operations and maintenance specified above, but which are within the general scope of the types of work defined in the tasks. HHS anticipates that the Contractor shall be required to provide task order support to meet the specific Web or intranet-related requirements of HHS for work within the general scope of this contract, e.g., for additional or specialized vocabulary or workflow analysis, additional or specialized Web site or database development and maintenance, etc. These requirements will include work plans, cost estimates, work and funding status reporting, meetings and other project management activities. HHS also anticipates a potential need for task order support to take full and prompt advantage of emerging

technologies as the Internet continues its rapid pace of innovation and evolution. In such cases, HHS shall issue a task order covering particular products or services.

3 Deliverables

Contractor deliverables include the following:

3.1 Updated Documentation

The Contractor shall provide updated documentation as required by operational/maintenance enhancements for all Web support activities. Specific details for documentation including type of document, due date, and purpose will be provided at the time of request for documentation. No regular documentation is expected.

3.2 Operations and Maintenance

The Contractor shall provide continuous operations and maintenance support for the duration of the contract. Operations and maintenance support will be expected to cover the hours of 7 a.m. – 7 p.m. Monday through Friday. While 24/7 support is not expected on a regular basis, during times of public health emergencies or other critical situations, the Contractor may be called upon to perform essential site operations and maintenance functions outside of these regular business hours.

4 Personnel

The contractor shall assign a Project Manager and the necessary supporting personnel who have the expertise to successfully complete the tasks described in this document. The government will hold the right to interview personnel proposed to work under this task. The hiring of such individuals is subject to approval by WCD. WCD may request to the involved in the hiring of key personnel.

Contractor shall be proficient in the use of HHS WCD Web development tools or other Web site development software selected by HHS to replace these during the life of the contract. Contractor staff shall be knowledgeable about HHS and federal guidance, standards, and policies related to Web sites, including OMB guidance.

5 GFE/GFI

Existing Government resources as required, including access to the main production environments, the development and test environments for the duration of the SOW period. The Government shall also provide the necessary onsite workspace, furnishings, telephone service and computer resources required to complete this SOW.

6 SECURITY

6.1. Spaces: The Contractor will be granted access to government facilities during normal working hours in performing the stated work requirements. Contractor personnel assigned to support personnel either have or can acquire the necessary security clearances based on attaining equivalent or higher clearances in current or recent client efforts.

6.2 Equipment: Non-classified information technology equipment is allocated as required.

6.3 Documents: Technical documentation handling shall be in accordance with existing HHS requirements and standards.

6.4 Security Clearance Requirements for Contract Personnel:

The Office of the Assistant Secretary for Management requires that all employees and Contractor employees (including subcontractors) who occupy public trust, computer/automated data processing (ADP), sensitive, and non-sensitive positions, undergo a suitability determination and security clearance. Further, Contractor employees may be required to undergo periodic review of suitability as deemed appropriate by Office of the Secretary (OS) officials. OS officials determine a position risk level for each employee position in the contract. The position risk level for positions in this contract, unless otherwise identified in individual Delivery Orders, has been determined as a Level 5 Public Trust position, which requires a National Agency Check and Inquiries plus Credit (NACIC) investigation.

The suitability determination and security clearance for employment of all employees under this contract shall be made by OS. OS will exercise full and complete control over granting, denying, withholding, or terminating clearances for employees under this OS contract. All forms required by this clause can be obtained from the Contracting Officer (CO).

OS will reimburse the Office of Personnel Management for the investigation costs for all contract personnel. Such costs will be borne by OS for the initial employee in each position under each task order. However, government costs for security clearances for replacement personnel will be paid by OS and subsequently deducted from Contractor invoices. Explicit security requirements and current costs will be provided in each task order. (Current government cost for a level 5 clearance is $87.00)

The Contractor shall require contract employees to submit standard forms (OPM-85P and FD258). Submitted forms are to be accurate and complete. The Contractor shall review forms for accuracy and completeness prior to submitting to OS. OS will not process incomplete forms. The Contractor shall advise its prospective employees that the completed forms will be forwarded to OS for determination and availability and security clearance that include validation of the information contained on the forms. The Contractor shall advise its employees that OS may find them unsuitable for employment under this OS contract.

The Contractor shall submit completed security forms for employees, including subcontractor employees, seven (7) days prior to appointment to the contract. Also, forms for any replacement employees shall be submitted seven (7) days prior to appointment to the contract.

All forms shall be submitted in a sealed envelope delivered to the CO. Forms shall be marked 'TO BE OPENED BY ADDRESSEE ONLY."

Employees for whom forms have not been received as required within seven days prior-to appointment under the contract, will not be permitted to work under this contract. The CO will return to the Contractor forms that are not timely, or that are incomplete or inaccurate, and advise the Contractor that employees with such forms will not be allowed to work under the contract, except as specifically authorized by the Project Officer.

7 Period of Performance

This contract is to be funded incrementally and will have a 12 month base year and four one year options for a possible total of 5 years.

All bid/proposal information related to this task order shall be submitted in writing.

8 Contract Type

This contract is specified as a time and materials contract

9 C.A. Section 508

This language is applicable to Statements of Work (SOW) or Performance Work Statements (PWS) generated by the Department of Health and Human Services (HHS) that require a contractor or consultant to (1) produce content in any format that could be placed on a Department-owned or Department-funded Web site; or (2) write, create or produce any communications materials intended for public or internal use; to include reports, documents, charts, posters, presentations (such as Microsoft PowerPoint) or video material that could be placed on a Department-owned or Department-funded Web site.

Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d) requires Federal agencies to purchase electronic and information technologies (EIT) that meet specific accessibility standards. This law helps to ensure that federal employees with disabilities have access to, and use of, the information and data they need to do their jobs. Furthermore, this law ensures that members of the public with disabilities have the ability to access government information and services.

There are three regulations addressing the requirements detailed in Section 508. The Section 508 technical and functional standards are codified at 36 CFR Part 1194 and may be accessed through the Access Board's Web site at http://www.access-board.gov. The second regulation issued to implement Section 508 is the Federal Acquisition Regulation (FAR). FAR Part 39.2 requires that agency acquisitions of Electronic and Information Technology (EIT) comply with the Access

Board's standards. The entire FAR is found at Chapter 1 of the Code of Federal Register (CFR) Title 48, located at http://www.acquisition.gov. The FAR rule implementing Section 508 can be found at http://www.section508.gov. The third applicable regulation is the HHS Acquisition Regulation (HHSAR).

Regardless of format, all Web content or communications materials produced for publication on or delivery via HHS Web sites - including text, audio or video - must conform to applicable Section 508 standards to allow federal employees and members of the public with disabilities to access information that is comparable to information provided to persons without disabilities. All contractors (including subcontractors[1]) or consultants responsible for preparing or posting content intended for use on an HHS-funded or HHS-managed Web site must comply with applicable Section 508 accessibility standards, and where applicable, those set forth in the referenced policy or standards documents below. Remediation of any materials that do not comply with the applicable provisions of 36 CFR Part 1194 as set forth in the SOW or PWS, shall be the responsibility of the contractor or consultant retained to produce the Web-suitable content or communications material.

The following Section 508 provisions apply to the content or communications material identified in this SOW or PWS:

36 CFR 1194.21(a)-(j)

References:

- HHS Policy for Section 508 Electronic and Information Technology (E&IT) (January 2005): http://www.hhs.gov/od/Final_Section_508_Policy.html

  HHS Section 508 Web site: http://508.hhs.gov/

  HHS ASPA Web Communications Division Web site: http://www.hhs.gov/web/policies/index.html

  US General Services Administration (GSA) Section 508 Web site: http://www.section508.gov/index.cfm

[1] Prime contractors may enter into subcontracts in the performance of a Federal contract, but the prime remains obligated to deliver what is called for under the contract.

Point-of-Contact (POC)
For
Web Communications Division for Operations and Maintenance

Kristen Kayatta Baldwin
Project Officer
Operations Manager
200 Independence Avenue, S.W.

Room 645F.6
Washington, D.C. 20201
202-690-6713 – Voice
202-690-7318 – Fax
Kristen.Kayatta@hhs.gov (email)

Michelle Ruhren
Business Manager
200 Independence Avenue, S.W.
Room 645F.4
Washington, D.C. 20201
202-690-4598 – Voice
202-690-7318 – Fax
Michelle.Ruhren@hhs.gov (email)

Statement of Work (SOW)
For
Department of Health and Human Services (HHS)/Office of the Secretary (OS)/
Office of the Assistant Secretary for Public Affairs (ASPA)/
Web Communications Division for
Professional Services: Email Subscription Management System
HHS IA XXXXXX
FCG IA 50024 Mod 1

I. Purpose

The purpose of this agreement is for the Department of Health and Human Services (HHS), Office of the Secretary (OS), Assistant Secretary for Public Affairs (ASPA) to obtain through the Department of Interior's Federal Consulting Group (FCG) an email subscription management system to connect HHS Web sites management process with an email subscription service.

II. Authority

Legal authority to enter into IA: ***P. L. 104-208, Div. A, §101(d)[§113], as amended***

III. Background

The US Department of Health and Human Services (HHS), Office of the Secretary (OS), Assistant Secretary for Public Affairs (ASPA), provides health and social service information through extensive Web pages and a few Listservs. In addition to HHS.gov, ASPA's Web Communications Division (WCD) provides support for several government-wide sites including Flu.gov, SurgeonGeneral.gov, Aids.gov, HealthReform.gov, FoodSafety.gov, healthit.hhs.gov, StopMedicareFraud.gov, and Usability.gov. Although the Web pages change regularly, we do not have a consistent method to inform users that information has been updated.

Email subscription management systems provide user-friendly mechanisms for people who use the HHS family of Web sites to subscribe to information that is most important to them. After they subscribe to specific areas of content, users receive email updates each time that particular content area changes. This system eliminates the need for multiple Listservs or email newsletters by allowing users to create profiles of interest by subject area directly from the HHS Web sites.

The FCG is a Federal government organization that has been serving the Federal community for over 20 years. It is a fee-for-service franchise activity within the Department of the Treasury. The staff is comprised of senior leaders and executives from throughout the Federal government who have managed major programs and led the transformation process to achieve high performing, citizen centered organizations. Our Group is often referred to as "insiders with outsiders" knowledge. FCG invests in its customers' future and commits to their success in creating customer-driven, value-added organizations.

FCG makes digital subscription management services available to Federal departments and agencies to support improving customer satisfaction with Federal websites. Research has shown

that Federal websites which proactively communicate with customers can improve customer satisfaction and increase usage of websites.

IV. Scope of Work

The FCG Team shall furnish the necessary personnel, materials, services, and facilities, and otherwise do all things necessary for or incident to the performance of the work described below:

1) Provide setup package that includes initial technology license and technical support;
2) Analyze HHS Web site and make recommendation for subscription placement;
3) Provide demonstration pages for HHS to review;
4) Provide technical assistance with placing HTML links to subscription information;
5) Setup and train application administrators;
6) Provide "Page Watch" service on designated HHS Web pages and provide feedback to administrators when those pages change;
7) Provide draft message for administrators to include in emails to subscribers;
8) Assist with setting up forms for collecting additional subscription information from registrants;
9) Maintain customer email lists categorized by interest profiles;
10) Provide capability of automated distribution of emails to the public;
11) Provide phone and email support during HHS business hours;
12) Make available a 24-hour emergency support system;
13) Provide secure and reliable application hosting at a location other than HHS;
14) Provide usage reports at least four times per year for the duration of the contract, and
15) Ensure that the application and all Web-based content and instructions are fully Sec. 508-compliant.
16) Provide Information Sharing Widgets.
17) Provide a "Share this Email" functionality.
18) Allows HHS the ability to utilize Message Analytics.
19) Provide Social Media Integration

E. Privacy and Ownership

All content and associated information provided by the HHS and user information (e.g., email addresses) from HHS users submitted to GovDelivery remain the property of the HHS. The user information will remain the sole property of the HHS. The FCG team shall have a license to use the user information in order to provide services to the HHS. The FCG team never shares information gathered through these services with third parties for promotional purposes. This agreement will be executed in full compliance with the Privacy Act of 1974.

V. Project Officers

HHS
Kristen Kayatta Baldwin
Web Communications Division
Dept. of Health and Human Services
200 Independence Ave, SW; Room 645F-6
Washington, DC 20201
Phone: (202) 690-6713
Email Address:
Kristen.Kayatta@hhs.gov

KKBaldwin 8/28

(signature & date)

FCG
Ron Oberbillig, FCG Project Officer
Federal Consulting Group
Department of the Interior
1849 C St, NW, MS #314
Washington, DC 20240
Phone: (202) 513-7677
Email address:
ron_oberbillig@nbc.gov

Ronald M. Oberbillig August 14, 2009

(signature & date)

VI. Duration of Agreement and Period of Performance

The initial period of performance for this agreement shall commence upon signature of the agreement by HHS and FCG and continue for 12 months. This agreement shall have a base year and two option years requiring annual agreement of both parties, including notification and acceptance of potential changes in costs and service levels. Option years are optional and will be based on the Government's availability of funds. This does not commit the Government to an extension or guarantee option year renewal. Estimated service periods are established as follows:

Base Year	September 7, 2009 – September 6, 2010
Option Year 1	September 7, 2010 – September 6, 2011
Option Year 2	September 7, 2011 – September 6, 2012

This agreement will become effective when signed by all parties. The agreement will terminate on or about September 6, 2010, but may be amended at any time by mutual consent of the parties or renewed and extended in accordance with the option provisions above.

Either party may terminate this agreement by providing sixty days written notice to the other party. However, the party receiving service will be liable for the cost of any services provided prior to termination. If for any reason, this service terminates through no fault of HHS prior to the delivery of twelve months of service, HHS will be entitled to a refund for any training, support or customized integration that has not been delivered. The annual software license fee is non-refundable.

This agreement is an internal Government agreement between the parties and is not intended to confer any right upon any private person or third party. Nothing in this agreement will be interpreted as limiting, superseding or otherwise affecting either agency's normal operations or decisions in carrying out its statutory or regulatory duties. This agreement does not limit or restrict HHS from participating in similar activities or arrangements with other entities.

VII. Funds and Payment of Services

The total cost for this acquisition is not to exceed $350,000.00 for the first year and each of two additional option years for all sites managed by ASPA/WCD. The first year's fee covers the entire setup package including the initial licensing and training and ongoing technical support and is based on successful performance of the FCG Team. The second and third year's fees are for monthly service and support only. These are firm, fixed prices.

FCG provides services to other Federal agencies through the use of an Interagency Agreement (IA). A copy of the IA is attached for reference and signature. Support shall begin when a fully executed IA has been completed by HHS and the FCG. FCG will invoice upon delivery of the software. A copy of the invoice will be sent to the project officer for verification and review.

VIII. Deliverables

The FCG team will report to the HHS in the following manner and at the following points in the project:

A. Conference call (one hour) with project officer and HHS staff to review work plan and schedule.
B. Report on Item and Category titles on Subscription Items List.
C. Proposals for interface plan, logos, and mock-up pages.
D. Category and Item administration tools training.
E. Usage reports upon request.
F. Ongoing technical support and service upon request.

IX. Justification for Purchase

The GovDelivery system allows users of the HHS website to create profiles of interest by subject area through simple and clear subscription points adjacent to the specific information they seek. Whenever information is updated, subscribers receive automatic email alerts on their self-selected topics areas, with click-through links back to the HHS website. Users may customize and manage their profiles directly from the HHS website to receive exactly the types of information they desire.

The GovDelivery system would significantly enhance HHS's outreach and communications by connecting the website management process with an email subscription process. An email subscription management and communications system will also support a primary goal of the President's E-Government Initiative, which is to develop innovative, customer-centric methods of disseminating information to the public. This type of system would address this goal by allowing us to direct our outreach according to the individual needs of subscribers.

Certification of Funds Available

Shoney Whitfield
OSEO
HHS

8/31/09
Date

TRANSFER FUNDS

FROM
Agency Symbol: 75-03-0030
Appropriation: 75X4552
CAN: 9-1869230
Object Class: 2538
Allotment: HA59607500
Allowance: 5960WMTC86
EIN: 26-1864515
Control Number: N/A
Commitment Number: N/A
Approval Number: N/A
DUNS Number: 803192033
Billing Contact:
Mia Burrell
202-690-7579

TO
Agency Symbol: 14-01-0001
Appropriation: 14X4529
CAN: N/A
Object Class: 2512
Allotment: N/A
Allowance: N/A
EIN: 84-1024566
Control Number: IA 40005

DUNS Number: 828582127
Billing Contact:
Melonita Andrews
202-513-7679, Fax: (202) 513-7686

The Interior Department's FCG cannot begin work or bill HHS through IPAC until receipt of a signed Interagency Agreement by all parties.

HHS will obligate FY 2009 funds not to exceed $198,000.00.

X. Duplication

Full implementation of this agreement will not duplicate any existing agreements.

XI. Disputes

Intra-governmental disputes and major differences shall be resolved in accordance with Treasury Financial Manual, Bulletin #2007-03, Volume 1, effective October 1, 2006. Dispute resolution will involve program offices, accounting offices, contracting officers, or chief financial officers of both agencies, as appropriate. All major disputes must be documented in writing with clear reasons outlining the dispute. If the issue is not resolved to the satisfaction of both parties, the dispute will be elevated to Interior Franchise Fund management officials and, if necessary, to the Treasury Chief Financial Officers Council's Intra-governmental Dispute Resolution Committee for final resolution. *(Refer to Treasury Financial Manual, Bulletin #2007-03, Volume 1, for more detailed information.)*