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Rockville, MD 20857



April 24, 2024

Maureen McBride, Ph.D.  
Executive Director and CEO  
United Network for Organ Sharing  
700 North 4th Street  
Richmond, VA 23219  
[Maureen.McBride@unos.org](mailto:Maureen.McBride@unos.org)

Dear Dr. McBride:

The Health Resources and Services Administration (HRSA) is in receipt of your April 10, 2024, letter and attachments. This correspondence is non-responsive to emails HRSA sent to the United Network for Organ Sharing (UNOS) on March 5, March 22, April 5, and April 9, 2024, regarding your proposed employment of Ankit Mathur, the former Chief Delivery Officer at U.S. Digital Service (USDS) of the federal Office of Management and Budget. We are writing to you directly to express our concerns because UNOS has still not provided substantive answers to the issues raised in these emails.

During Mathur's time at USDS, HRSA and USDS operated under a Memorandum of Understanding (MOU) to support HRSA's Organ Procurement and Transplantation Network (OPTN) Modernization Initiative. Mathur's employment history raises questions about potential conflicts of interest, specifically as it relates to current and future OPTN information technology and potential knowledge of non-public information.

In February 2024, UNOS notified HRSA of its intention to hire Mathur as its Chief Information Officer (CIO). The role of CIO is identified as key personnel in the UNOS contract with HRSA. HRSA did not approve this action and instead sent UNOS follow-up questions that have gone unanswered. On April 9, 2024, UNOS then publicly announced Mathur's appointment as Chief Technology Officer, stating on the UNOS website that Mathur's role with UNOS is to provide "enterprise-level leadership and direction for all information technology functions." It is incumbent on UNOS to document for HRSA how the position said to be responsible for all information technology functions of UNOS, which by definition includes the OPTN contract, is distinct from the CIO role. HRSA takes this matter very seriously and will not countenance semantic actions that appear to undermine contract obligations.

Further, UNOS has cited post-employment guidance to Mathur from the Office of Management and Budget as a rationale for its action. HRSA is not a party to that guidance, was not consulted in its development, and that guidance has no bearing on UNOS' contract obligations to HRSA. Further, HRSA notes that Mathur, in his USDS role, represented himself to HRSA as a USDS official who "oversees all of our projects across government," which would be inclusive of the HRSA-USDS MOU.

HRSA fully expects a timely response from UNOS as to how the Chief Technology Officer role materially differs from the CIO role for which UNOS first said it expected to hire Mathur.


**UNOS must provide this information and responses to HRSA's March 5, March 22, April 5, and April 9, 2024, emails within 3 business days from receipt of this letter.**

UNOS must ensure that Mathur does not use or disclose any non-public information that he obtained while working at USDS. Further Mathur is prohibited from performing CIO functions, including but not limited to oversight and management of information technology in any OPTN contract-related matters including:


- (1) engaging in any conversation, planning or strategy related to the OPTN Modernization Initiative, including current and future requests for proposals and related matters, such as plans for the next generation of the OPTN information technology systems and approach;
- (2) strategizing, reviewing, and/or drafting any current or future OPTN-related contract solicitations or related materials; and
- (3) participating in or attending any formal or informal meetings with the government related to OPTN contracts (e.g., Network Operations Oversight Committee or other OPTN Board of Directors or Committee meetings), including communications or preparation and/or drafting of communications with HRSA officials.

We look forward to your prompt response. Please direct your response to Jimmy Hupalar, [JHupalar@hrsa.gov](mailto:JHupalar@hrsa.gov), the Contracting Officer.

Sincerely,

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Suma Nair, PhD, MS, RD  
Associate Administrator  
Health Systems Bureau

**Cynthia R.  
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