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SPEAKER

TWENTY-EIGHTH DISTRICT

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House Leaders Call on Kaine Appointee to Immediately Relinquish Government Post

-- [Attorney General Opinion](#) Legally Requires Pomata to Cease Serving Dual Jobs --

RICHMOND, VA – Citing the August 14, 2009 opinion released by Virginia Attorney General William C. Mims, Virginia House of Delegates Speaker William J. Howell (R-Stafford), House Republican Majority Caucus Chairman and a senior member of the Joint Commission on Technology and Science Samuel A. Nixon, Jr. (R-Chesterfield) and House Science and Technology Committee Chairman Kathy J. Byron (R-Campbell) today issued the following statements calling on Leonard M. Pomata, Virginia's Secretary of Technology as well as the Commonwealth's Chief Information Officer (CIO), to immediately relinquish one of those positions:

"The Attorney General's opinion could not be more clear in its finding that Mr. Pomata's capacity to serve simultaneously in both offices of the Secretary of Technology and CIO 'legally are incompatible,'" noted Chairman Nixon, patron of House Bill 1926 in 2003 that created the independent role of CIO under the Information Technology Investment Board (ITIB). "For over two long months now, I have called on the ITIB to rescind their decision to appoint Secretary Pomata as CIO or for the Secretary to step down of his own volition as I believed the dual roles created a legal conflict. The ITIB, Secretary Pomata and Governor Kaine all chose to ignore my serious concerns. Now the Attorney General's opinion has validated my original position. It is my hope that Governor Kaine and Secretary Pomata take swift and appropriate action in accordance with the findings of the Attorney General's opinion."

"The concerns raised by the House Science and Technology Committee in June, and subsequent correspondence with Technology Secretary Pomata, underscore the importance to the taxpayers of Virginia that we resolve – sooner not later – the many issues surrounding the Commonwealth's approach to information technology services," said Chairman Byron, who leads the panel that interviewed Secretary Pomata on June 29, 2009. "Before the Commonwealth can move forward on those critical contractual and technical issues necessary to delivering quality IT services, we need to get our own house in order and comply with the law. The first step toward real progress in addressing any unresolved problems and achieving a successful partnership with the state's contractor in the future is for Mr. Pomata to heed forthwith the opinion of the Attorney General and long-standing calls by legislative leaders."

"There is no question that Governor Kaine and Secretary Pomata need to act immediately to determine in which one government role Mr. Pomata should serve and which one he should resign," remarked Speaker Howell. "Like so many, I await the decision by the Secretary or Governor so Virginians can be assured that their leaders are acting in accordance with the law."

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