

106TH CONGRESS
2D SESSION

H. R. 4670

To establish an Office of Information Technology in the Executive Office
of the President.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2000

Mr. TURNER introduced the following bill; which was referred to the
Committee on Government Reform

A BILL

To establish an Office of Information Technology in the
Executive Office of the President.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION. 1. SHORT TITLE.**

4 This Act may be cited as the “Chief Information Offi-
5 cer of the United States Act of 2000”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) Congress finds the following:

8 (1) Information technology is rapidly trans-
9 forming social relations, political processes, and the

1 economies of the United States and countries around
2 the world.

3 (2) The Federal Government is not taking full
4 advantage of the opportunities provided by informa-
5 tion technology to more efficiently and effectively
6 perform Governmental functions, including more
7 timely and effective delivery of services to the public
8 and more cost-effective Government operations.

9 (3) Federal agencies are not complying with ex-
10 isting statutory requirements to improve the man-
11 agement of information technology and related infor-
12 mation resources, including establishing information
13 technology investment control processes, providing
14 adequate protections for personal privacy and infor-
15 mation security, systematically managing records
16 maintained in electronic formats, and developing ef-
17 fective tools for delivering services to the public
18 through the Internet.

19 (4) New leadership at the highest levels of the
20 Federal Government is required to improve signifi-
21 cantly agency development, application, and manage-
22 ment of information technology and related informa-
23 tion resources, and to enhance the ability of the Of-
24 fice of Management and Budget to oversee agency

1 information resources management under chapter 35
2 of title 44, United States Code.

3 (5) The rapidly expanding use of the Internet
4 as a means for providing services to the public calls
5 for a Federal Government-wide effort to bridge the
6 digital divide and bring the promise of the Informa-
7 tion Age to all members of the public, while main-
8 taining the security and privacy required by laws
9 such as the Government Paperwork Elimination Act
10 (title XVII of Pub. Law 105–277; 112 Stat. 2681–
11 749) and the provisions enacted by the Computer
12 Security Act of 1987 (Pub. Law 100–235; 101 Stat.
13 1724).

14 (6) The information technology available to the
15 Federal Government to provide services to the public
16 calls for new approaches across agencies to provide
17 consolidated points of public access to those services.

18 (b) PURPOSES.—The purposes of this Act are the fol-
19 lowing:

20 (1) To establish a central focal point to provide
21 effective leadership for efforts by the Federal Gov-
22 ernment to use information technology to more effi-
23 ciently and effectively perform governmental func-
24 tions.

1 (2) To provide a mechanism for improved co-
2 ordination among Federal agencies for the develop-
3 ment, application, and management of information
4 technology and related information resources by the
5 Federal Government.

6 (3) To create opportunities for innovation in
7 the development, application, and management of in-
8 formation technology and related information re-
9 sources by the Federal Government.

10 **SEC. 3. OFFICE OF INFORMATION TECHNOLOGY.**

11 (a) ESTABLISHMENT.—There is established in the
12 Executive Office of the President an Office of Information
13 Technology (hereinafter in this Act referred to as the “Of-
14 fice”). The purpose of the Office shall be to serve as a
15 source of technical, policy, and management analysis, lead-
16 ership, and advice for the President and agencies with re-
17 spect to the development, application, and management of
18 information technology by the Federal Government.

19 (b) CHIEF INFORMATION OFFICER OF THE UNITED
20 STATES.—

21 (1) HEAD OF OFFICE.—There shall be at the
22 head of the Office a Chief Information Officer of the
23 United States (hereinafter in this Act referred to as
24 the “Chief Information Officer”), who shall serve as
25 a special assistant to, and report directly to, the

1 President. The Chief Information Officer shall be
2 appointed by the President, by and with the advice
3 and consent of the Senate, from among persons who
4 have demonstrated through practical experience in
5 the public or private sectors knowledge, skills, and
6 leadership abilities in the management and innova-
7 tive use of information technology necessary for the
8 performance of the functions required under this
9 Act.

10 (2) FUNCTIONS.—The Chief Information Offi-
11 cer shall, to the extent that the President determines
12 appropriate and in the interest of the United
13 States—

14 (A) be the principal adviser to the Presi-
15 dent on matters relating to the development,
16 application, and management of information
17 technology by the Federal Government; and

18 (B) in addition to such other functions and
19 activities as the President may assign—

20 (i) advise the President on opportuni-
21 ties to use information technology to im-
22 prove the efficiency and effectiveness of
23 programs and operations of the Federal
24 Government;

1 (ii) review and recommend to the
2 President and the Director of the Office of
3 Management and Budget changes to the
4 budget and legislative proposals of agencies
5 to ensure more efficient and effective use
6 of information technology to serve agency
7 missions, including enhanced service deliv-
8 ery to the public;

9 (iii) provide leadership in innovative
10 uses of information technology by agencies
11 through support of experimentation, test-
12 ing, and adoption of innovative concepts
13 and technologies, particularly with regard
14 to multi-agency initiatives;

15 (iv) identify opportunities, and coordi-
16 nate major multi-agency information tech-
17 nology initiatives, to improve communica-
18 tion and data exchange among all levels of
19 government and with the public, including
20 by providing consolidated points of public
21 access to government services;

22 (v) promote agency investments in in-
23 formation technology that enhance service
24 delivery to the public, improve cost-effec-
25 tive government operations, and serve such

1 other objectives determined to be critical
2 by the President;

3 (vi) advise the Director of the Office
4 of Management and Budget to ensure ef-
5 fective implementation of the functions and
6 responsibilities assigned under chapter 35
7 of title 44, United States Code;

8 (vii) serve as the chairperson of the
9 Chief Information Officers Council estab-
10 lished under section 4;

11 (viii) direct, at his discretion, the use
12 by the Administrator of General Services
13 of available budget authority in the Infor-
14 mation Technology Fund established by
15 section 110 of the Federal Property and
16 Administrative Services Act of 1949 (40
17 U.S.C. 757);

18 (ix) consult with the heads of agencies
19 that operate national security systems to
20 ensure effective communication among all
21 agencies concerning experiences in best
22 practices in the development, application,
23 and management of information tech-
24 nology; and

1 (x) consult with leaders in information
2 technology management in State govern-
3 ments (including the National Association
4 of State Information Resources Execu-
5 tives), the private sector, and foreign gov-
6 ernments to increase understanding of, and
7 collaboration on, best practices and innova-
8 tive approaches for the development, appli-
9 cation, and management of information
10 technology.

11 (3) ANNUAL REPORT.—The Chief Information
12 Officer shall submit an annual report to the Presi-
13 dent and Congress describing—

14 (A) efforts undertaken by the Chief Infor-
15 mation Officer to improve the development, ap-
16 plication, and management of information tech-
17 nology, including—

18 (i) the results of major information
19 technology initiatives, including those fund-
20 ed by the Information Technology Fund;
21 and

22 (ii) recommendations to improve Fed-
23 eral policies and practices with regard to
24 the development, application, and manage-
25 ment of information technology; and

1 (B) the results of major activities under-
2 taken by the Chief Information Officers Council
3 to carry out the functions described in section
4 4.

5 (4) COMPENSATION.—Section 5312 of title 5,
6 United States Code, is amended by adding at the
7 end the following:

8 “Chief Information Officer of the United
9 States.”

10 (c) EMPLOYEES.—The Chief Information Officer
11 shall appoint the employees of the Office, but the Office
12 shall have no more than twelve employees.

13 **SEC. 4. CHIEF INFORMATION OFFICERS COUNCIL.**

14 (a) ESTABLISHMENT.—There is established in the ex-
15 ecutive branch a Chief Information Officers Council (here-
16 inafter in this Act referred to as the “Council”).

17 (b) MEMBERSHIP.—The members of the Chief Infor-
18 mation Officers Council shall be as follows:

19 (1) The chief information officer of each agency
20 that is described in section 901(b) of title 31, United
21 States Code.

22 (2) The chief information officer of any agency
23 designated by the Chief Information Officer.

1 (3) The Administrator of the Office of Informa-
2 tion and Regulatory Affairs in the Office of Manage-
3 ment and Budget.

4 (4) Any other officers or employees of the
5 United States designated by the Chief Information
6 Officer.

7 (c) ADMINISTRATIVE PROVISIONS.—

8 (1) CHAIRMAN.—The Chief Information Officer
9 shall be the Chairman of the Council.

10 (2) DEPUTY CHAIRMAN.—

11 (A) The Deputy Chairman of the Council
12 shall be selected by the Council from among its
13 members.

14 (B) The Deputy Chairman shall serve a
15 one-year term, and may serve multiple terms.

16 (3) SUPPORT.—The Administrator of General
17 Services shall provide administrative and other sup-
18 port for the Council, including resources provided
19 through the Information Technology Fund estab-
20 lished by section 110 of the Federal Property and
21 Administrative Services Act of 1949 (40 U.S.C.
22 757).

23 (d) FUNCTIONS.—The Council shall—

24 (1) assist and advise in the development and
25 implementation of Federal policies and practices

1 with regard to agency development, application, and
2 management of information technology;

3 (2) assist and advise the Chief Information Of-
4 ficer and the Director of the Office of Management
5 and Budget in developing and maintaining the Gov-
6 ernment-wide strategic information resources man-
7 agement plan required by section 3506 of title 44,
8 United States Code;

9 (3) assist and advise the Chief Information Of-
10 ficer in the selection and coordination of—

11 (A) multi-agency initiatives to improve the
12 performance of agency missions through the use
13 of information technology; and

14 (B) pilot projects to test alternative ap-
15 proaches for agencies to plan for, acquire, and
16 manage information technology;

17 (4) coordinate and monitor the development
18 and use of common performance measures for agen-
19 cy information resources management activities;

20 (5) coordinate the acquisition and provision of
21 common infrastructure services to facilitate commu-
22 nication and data exchange among agencies and
23 with State, local, and tribal governments;

24 (6) review and make recommendations to ad-
25 dress the hiring, training, classification, and profes-

1 sional development needs of agencies with regard to
2 the development, application, and management of in-
3 formation technology;

4 (7) review and make recommendations with re-
5 gard to information technology standards, including
6 those developed under section 20 of the National In-
7 stitute of Standards and Technology Act (15 U.S.C.
8 278g-3) and section 5131 of the Clinger-Cohen Act
9 of 1996 (40 U.S.C. 1441);

10 (8) consult with appropriate individuals and or-
11 ganizations at all levels of government and the pri-
12 vate sector to enhance understanding of opportuni-
13 ties to improve the development, application, and
14 management of information technology to serve pub-
15 lic needs; and

16 (9) consult with appropriate agencies to facili-
17 tate effective participation by the Federal Govern-
18 ment in international information-related activities
19 and organizations.

20 **SEC. 5. NATIONAL SECURITY SYSTEMS.**

21 (a) **INAPPLICABILITY OF ACT TO NATIONAL SECU-**
22 **RITY SYSTEMS.**—This Act does not apply to national secu-
23 rity systems, as that term is defined by section 5142 of
24 the Clinger-Cohen Act of 1996 (40 U.S.C. 1452).

1 (b) REQUIREMENTS.—The head of an agency respon-
2 sible for a national security system shall—

3 (1) comply with the provisions of this Act with
4 regard to information technology other than such
5 national security system; and

6 (2) consult with the Chief Information Officer
7 to ensure effective communication concerning best
8 practices experiences in the development, applica-
9 tion, and management of information technology.

10 **SEC. 6. DEFINITIONS.**

11 The definitions in section 3502 of title 44, United
12 States Code, shall apply with respect to this Act.

13 **SEC. 7. TECHNICAL AND CONFORMING AMENDMENTS.**

14 (a) TITLE 44, U.S.C.—(1) Section 3503(b) of title
15 44, United States Code, is amended in the second sentence
16 by inserting before the period the following: “, and shall
17 coordinate all such functions with the Chief Information
18 Officer of the United States”.

19 (2) Section 3504(a)(2) of title 44, United States
20 Code, is amended by inserting before the period the fol-
21 lowing: “and in consultation with the Chief Information
22 Officer of the United States”.

23 (b) FEDERAL PROPERTY AND ADMINISTRATIVE
24 SERVICES ACT.—Section 110(a) of the Federal Property

1 and Administrative Services Act of 1949 (40 U.S.C.
2 757(a)), is amended by inserting at the end the following:

3 “(3) The Administrator’s decisions with regard
4 to obligations of, and expenditures from, the Fund
5 shall be subject to direction by the Chief Informa-
6 tion Officer of the United States.”.

7 **SEC. 8. FTS 2000 PROGRAM.**

8 The authority of the Chief Information Officer under
9 this Act to direct the use by the Administrator of General
10 Services of available budget authority in the Information
11 Technology Fund established by section 110 of the Fed-
12 eral Property and Administrative Services Act of 1949 (40
13 U.S.C. 757) is subject to the limitation provided under
14 section 5124(b) of the Clinger-Cohen Act of 1996 (40
15 U.S.C. 1424(b)) with regard to the Administrator’s man-
16 agement of the FTS 2000 program and any follow-on to
17 the program.

18 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated to carry out
20 this Act, to remain available until expended, such sums
21 as may be necessary for each of fiscal years 2001 through
22 2005.

1 **SEC. 10. EFFECTIVE DATE.**

2 This Act and the amendments made by this Act shall
3 take effect on the date that is 60 days after the date of
4 the enactment of this Act.

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