

Calendar No. 970

110TH CONGRESS }
2d Session }

SENATE

{ REPORT
110-465 }

E-GOVERNMENT REAUTHORIZATION ACT OF
2007

R E P O R T

OF THE

COMMITTEE ON
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

S. 2321

TO AMEND THE E-GOVERNMENT ACT OF 2002 (PUBLIC LAW 107-347) TO REAUTHORIZE APPROPRIATIONS, AND FOR OTHER PURPOSES



SEPTEMBER 16, 2008.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

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SEPTEMBER 16, 2008.—Ordered to be printed

Mr. LIEBERMAN, from the Committee on Homeland Security and
Governmental Affairs, submitted the following

REPORT

[To accompany S. 2321]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (S. 2321) to amend the E-Government Act of 2002 (Public Law 107-347) to reauthorize appropriations, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill do pass.

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I. PURPOSE AND SUMMARY

S. 2321 is a bipartisan bill to reauthorize the E-Government Act of 2002 (P.L. 107-347). The bill extends appropriations for programs whose authorizations of appropriations have expired, creates new requirements for the accessibility of government information, and mandates the development of best practices to enhance privacy impact assessments.

II. BACKGROUND AND NEED FOR THE LEGISLATION

The E-Government Act of 2002 improved the management and promotion of electronic government services; enhanced the public's access to information over the Internet and its ability to participate

in regulatory processes; and strengthened privacy protections. S. 2321 will ensure that this progress will continue and requires that additional steps be taken to further develop E-Government solutions across the government.

The E-Government Act established an Office of Electronic Government (hereinafter “the Office”) in the Office of Management and Budget (OMB) to “provide effective leadership of Federal Government efforts to develop and promote electronic Government services and processes.”¹ Information Technology (IT) represents a significant portion of the Federal budget, with OMB estimating that the federal government will spend over \$71 billion on IT projects in FY 2009. The E-Government Act created a substantial role for the Office in overseeing the expenditure of these funds. The Office also oversees the cross-agency E-Government initiatives that have been designed to help reach the goal of “systems based on functionality and the needs of the citizen rather than agency jurisdiction.”²

Among the programs being re-authorized in S. 2321 is the Federal Internet Portal, which can now be found at USA.gov. In FY 2007, USA.gov received approximately 97 million visits.³ This portal provides a single website where government information and services are organized by subject and function.

S. 2321 also extends authorizations for Section 207(g) of the E-Government Act, which required the development and maintenance of a government-wide repository and website to fully integrate information about research and development funded by the federal government. This mandate is not being fully met and the Committee intends that the funds authorized in this Act further develop this repository. As the Committee stated when reporting out the E-Government Act: “Integrating information about research and development across agencies, and making that information electronically accessible and searchable, will enhance scientific coordination and collaboration and the transfer of technology, improve oversight by policymakers and provide the public with access to meaningful information about research funded by the government.”⁴ While OMB continues to implement the Federal Funding and Transparency Act of 2006 (P.L. 109–282), which requires disclosure on a publicly accessible website of non-federal entities receiving federal funding (currently located at www.usaspending.gov), the Committee believes that OMB should consider incorporating the information required by Section 207(g) that relates to research and development into this website.

Another provision that will have its authorizations extended in S. 2321 is the Federal Information Security Management Act (FISMA), which was another critical component of the original E-Government Act. FISMA established guidelines for computer security throughout the federal government and provided for both OMB and Congressional oversight. Using the framework established by FISMA, agencies have taken significant strides in protecting their information systems since the passage of the Act, but the Com-

¹Pub. L. No. 107–347 § 2.

²S. Rept. 107–174, 107th Cong., 2nd Sess. (2002), pg. 6. (S. 803 was the original version of the E-Government Act; the legislation was subsequently enacted as H.R. 2458).

³Testimony of Karen S. Evans before the Senate Committee on Homeland Security and Governmental Affairs, December 11, 2007.

⁴S. Rept. 107–174, 107th Cong., 2nd Sess. (2002), pg. 27. (S. 803 was the original version of the E-Government Act; the legislation was subsequently enacted as H.R. 2458).

mittee believes more needs to be done to protect against information security breaches and abuse.

One of the central goals of the E-Government Act, which S. 2321 is intended to reinforce, is promoting the use of the Internet to improve citizens' access to government services and information. But at the same time, the Act reflected recognition by Congress that the federal government's over-reliance on Internet solutions could limit access to government services and information for those lacking easy access to the Internet.⁵ This concern remains relevant. The Committee does not intend that E-Government solutions entirely replace alternative ways for the public to apply for federal benefits or seek information from federal agencies. Recent studies have suggested that as federal agencies decrease the availability of non-Internet mechanisms and some government forms become more complex, public libraries and other entities are increasingly burdened with providing computer and Internet access and assisting the public in their interactions with federal agencies.⁶ The goals of the E-Government Act, and the Committee's intent in reauthorizing that Act, are to maximize technology's potential to enhance access to federal information and services. The Committee believes that these goals should be considered when OMB and federal agencies develop E-Government programs and tools that require access to the internet.

BEST PRACTICES FOR PRIVACY IMPACT ASSESSMENTS

Section 208 of the E-Government Act of 2002 requires agencies to complete a Privacy Impact Assessment (PIA) for any new information technology or new collection of information that collects, maintains, or disseminates personal information. This provision requires that agencies take into account privacy considerations and adopt appropriate privacy protections before developing or procuring IT systems or initiating new information collections. PIAs ensure that program managers, privacy officers, and policy makers can review the potential privacy implications of new IT systems, and new programs or policies that involve the collection of personal information. When developed early and rigorously, PIAs can reassure the public that an information system will adequately secure personal information. In addition, they can result in savings of millions of dollars by identifying potential problems at an early stage of development, thus forestalling later costly redesigns of a system to bring it into compliance with privacy laws and regulations.

Since the passage of the Act, PIAs—which are publicly available documents—have become a critical tool for agencies. But while some agencies have been quite successful with properly developing PIAs, policies for their use government-wide are inconsistent and

⁵ Pub. L. No. 107-347, see § 213 (requiring federal agencies to support community technology centers and public libraries that offer the public Internet access to government information and services), § 215 (requiring a study of how disparities in Internet access influence the effectiveness of online government services).

⁶ See John Bertot et al, Public access computing and Internet Access in Public Libraries: The role of public libraries in E-Government and emergency situation, 11 *First Monday* 9 <http://firstmonday.org/issues/issue11_9/bertot/index.html>. (“Increasingly, government agencies refer individuals to their local public libraries for assistance and technology to complete their interactions and meet their government services needs. The significance to this development is that public libraries, in the eyes of federal, state, and local government agencies, are seen as part of the larger governmental fabric that deliver a range of services—including emergency services—to its citizens.”)

PIAs have varied dramatically in quality. As Ari Schwartz, Vice President and Chief Operating Officer, Center for Democracy and Technology (CDT), testified before the Committee: “While some agencies, like the Department of Homeland Security (DHS) have set a high standard for PIAs and have continued to improve them over time, the lack of clear guidance has led some agencies to create cursory PIAs or none at all.”⁷ S. 2321 will enhance Section 208 of the E-Government Act by requiring OMB to develop best practices for agencies to follow when creating PIAs.

IMPROVING SEARCHES OF GOVERNMENT DOCUMENTS ON THE
WORLDWIDE WEB

S. 2321 addresses another problem that has developed since the passage of the E-Government Act. Given the wealth of government information and services that is now available online, the Committee believes that that information must be presented in a format that allows it to be as accessible and useful as possible to the public. For technical reasons, the intended audience often cannot find much of the information that agencies place on their websites.

A report by CDT and OMB Watch summarized the scope of the problem: “[T]he federal government is putting more information and services online, but a considerable amount of government information is, for all practical purposes, invisible to many users. Many federal agencies operate Web sites that are simply not configured to enable access through popular search engines. These Web sites don’t allow search engines to ‘crawl’ them, an industry term for indexing online content, and sometimes even block sites from being found by search engines.”⁸

To address this problem, the legislation requires OMB to promulgate guidance on making federal government information more accessible to search capabilities, including commercial search engines, and it requires that agencies comply with the guidance. Several companies that host search engines, including Google, Microsoft, and Yahoo, support a technical standard called the Sitemap Protocol which provides a mechanism for a website owner to produce a list of all web pages on a website and systematically communicate this information or “sitemap” to search engines. Using a sitemap, information will be more likely to be displayed in search results, regardless of the search engine being used. The Sitemap Protocol has already been used by federal agencies, including the Department of Energy’s Office of Scientific and Technical Information, the Government Accountability Office, the Library of Congress, the National Agricultural Library, and the National Archives and Records Administration, to improve citizen access to their online resources. The Committee encourages the Director to include the Sitemap Protocol in its guidance to agencies, if it continues to find the protocol to be an effective means of making information more readily accessible.

The Committee also believes this guidance should be used to encourage agencies to put more information in a structured format,

⁷ Testimony of Ari Schwartz before the Senate Committee on Homeland Security and Governmental Affairs, December 11, 2007.

⁸ “Hiding in Plain Sight: Why Important Government Information Cannot Be Found Through Commercial Search Engines,” Center for Democracy & Technology and OMB Watch, December 2007, pg. 3.

such as extensible markup language (XML), which would allow this information to be harnessed and used by external applications and was recommended in Section 101 of the E-Government Act.⁹ Data presented in this format allows for a rapid exchange of information that can be easily manipulated in a variety of ways by external websites, allowing for greater analysis of data.¹⁰

This legislation is not intended to limit the use of complex search applications included on government websites, including federated search capabilities, which may integrate multiple databases across many websites for public use.¹¹ It also does not prevent agencies from using complex databases or other methods to present information to the public—merely to ensure that information is being presented in a way that guarantees maximum public access without impairing the integrity of the data.

III. LEGISLATIVE HISTORY

S. 2321 was introduced by Chairman Lieberman on November 7, 2007 in the Senate, with Senators Collins and Carper as original co-sponsors. The bill was read twice and referred to the Committee on Homeland Security and Governmental Affairs.

HEARING

On December 11, 2007, the committee held a hearing entitled: “E-Government 2.0: Improving Innovation, Collaboration, and Access,” at which S. 2321 was discussed. The committee heard testimony from the following witnesses:

Karen S. Evans, Administrator, Office of Electronic Government and Information Technology, Office of Management and Budget;

John Lewis Needham, Manager, Public Sector Content Partnerships, Google, Inc.;

Ari Schwartz, Vice President and Chief Operating Officer, Center for Democracy and Technology;

Jimmy Wales, Founder, Wikipedia.

Karen Evans testified regarding the federal government’s progress in reaching the goals of the E-Government Act. She testified that “reauthorization will allow the intent and purpose of the E-Government Act to continue to be a driving force behind providing increased opportunity for the American public to participate in government.”

John Lewis Needham described what steps can be taken to present government information and services on the Internet in a format that would allow citizens to more easily access the material through commercial search engines. He stated that in its work with other government entities, Google has found that implementing the Sitemap Protocol is a technically simple and inexpensive solution

⁹ 44 U.S.C. 3602(8)(b).

¹⁰ See Jerry Brito, Hack, Mash, & Peer, 9 Colum. Sci. & Tech L. Rev. 119 (2007–2008). (“As we have seen, “structured data” is a term of art. It means that information is presented in a format that allows computers to easily parse and manipulate it. While a static web page that lists a series of news stories or proposed regulations is not structured, the web page may have a companion XML file containing the same information. A structured XML file would allow a user to sort the data by ascending or descending date, alphabetically by headline or author, by number of words, and in many other ways that a static web page does not afford.”)

¹¹ For example science.gov pulls content from the 13 federal science agencies in response to queries.

that would substantially increase the ability of citizens to find government information and services online.

Ari Schwartz of the Center for Democracy and Technology provided specific examples of government information that was on government websites but could not be found by commercial search engines, including Flood Map modernization databases from the Federal Emergency Management Agency, information relating to endangered species, and resources from the Smithsonian Institute. Schwartz also testified that the development of best practices for Privacy Impact Assessments, as mandated by S. 2321, would require OMB to provide better guidance and would improve the quality of agencies' PIAs.

The last witness, Jimmy Wales, testified about the use of "wikis" and possible applications to E-Government. Wales founded Wikipedia, which has used collaborative technology to inexpensively create an online encyclopedia—populated with information and edited by users of the site—with more than 9 million pages in more than 150 languages. Wales testified: "It is my belief that the government of the United States should be using wiki technology for both internal and public-facing projects. As with any large enterprise, internal communications problems are the cause of many inefficiencies and failures. Just as top corporations are finding wiki usage exploding, because the tool brings about new efficiencies, government agencies should be exploring these tools as well."¹²

COMMITTEE ACTION

The Committee considered S. 2321 on November 14, 2007. The Committee ordered the bill reported favorably without an amendment by voice vote. Members present for the vote were Lieberman, Carper, McCaskill, Tester, Collins, Stevens, Voinovich, Coleman, and Coburn.

IV. SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This section would permit the bill to be cited as the "E-Government Reauthorization Act of 2007."

Section 2. Reauthorization of appropriations

Subsection (a) extends through fiscal year 2012 the authorization of appropriations to carry out specified provisions of the E-Government Act of 2002. In particular, in subsection (a)(1) it extends the authorization of appropriations for the federal internet portal; in subsection (a)(2) it extends the authorizations of appropriations for the development and maintenance of a governmentwide repository and website for federally funded research and development; in section (a)(3) it extends the authorizations of appropriations for the study of best practices at community technology centers, for the development and dissemination of the online tutorial, and for the promotion of community technology centers; in section (a)(4) it extends the authorizations of appropriations for the development of common protocols for geographic information systems; and in section

¹²Testimony of Jimmy Wales before the Senate Committee on Homeland Security and Governmental Affairs, December 11, 2007.

(a)(5) it extends the authorizations of appropriations for all provisions for which an authorization of appropriations is not specifically provided in titles I or II of the E-Government Act.

Subsection (b) extends the authorization of appropriations until 2012 for the Federal Information Security Management Act of 2002.

Subsection (c) extends the authorization of appropriations until 2012 for the E-Government Fund.

Subsection (d) allows assignment under the Information Technology Exchange Program to occur in increments of 3 months to 1 year with the ability to be extended an additional 3 months but may not commence after September 30, 2012.

Subsection (e) extends the money appropriated to the Secretary of Commerce until fiscal year 2012 to carry out the Computer Standards Program by the National Institute of Standards and Technology.

Section 3. Best practices for privacy impact assessments

This section amends the E-Government Act by requiring the Director of the Office of Management and Budget to develop best practices for agencies to follow in conducting privacy impact assessments.

Section 4. Improving searches of government information on the worldwide web

This section amends the E-Government Act by requiring the Director of OMB, within 1 year of the date of enactment, to promulgate guidance and best practices to ensure that publicly available federal government information and services are made more accessible to external search engines. The guidance and best practices shall include guidelines for each agency to test the accessibility of websites to external search engines. The Director shall conduct a periodic review to ensure that any guidelines and best practices are consistent with any advances made in information technology. The Director shall report annually to Congress on the progress of each agency's implementation of the guidelines and best practices and the results of the agencies' testing of the website to ensure that it is externally searchable by search engines.

The section also states that within 2 years of enactment of S. 2321 each agency shall ensure compliance with the Director's guidelines and best practices. Agencies must report annually to the Director on their progress in complying with the best practices and guidance, including the result of any testing of agency websites.

Section 5. Providing agency E-Government reports to Congress

The E-Government Act requires agencies to submit to the OMB Director an annual E-Government Status Report on the status of the agency's implementation of electronic government initiatives, its compliance with the E-Government Act, and how the agency's electronic government initiatives improve performance in delivering programs to the public. This section requires that the annual E-Government Status Reports submitted by agencies to the OMB Director also be submitted to Congress, along with a summary of the reports.

V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirement of paragraph 11(b)(1) of rule XXVI of the Standing Rules of the Senate the Committee has considered the regulatory impact of this bill. The Committee believes that the bill strengthens government management practices and privacy protections, and will result in reduced costs for regulated entities. The legislation will not result in additional regulation, increased economic impact, adverse impact on personal privacy, or additional paperwork on any individuals or businesses.

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

DECEMBER 3, 2007.

Hon. JOSEPH I. LIEBERMAN,
Chairman, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2321, the E-Government Reauthorization Act of 2007.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

PETER R. ORSZAG.

Enclosure.

S. 2321—E-Government Reauthorization Act of 2007

Summary: S. 2321 would reauthorize and amend the E-Government Act of 2002. The legislation would authorize appropriations for programs to improve the coordination, deployment, and access to government information and services. Specifically, S. 2321 would authorize and centralize many Internet-related activities currently underway throughout the government.

Assuming appropriation of the necessary amounts, CBO estimates that implementing S. 2321 would cost about \$29 billion over the 2008–2012 period. Of this total, \$27.9 billion would result from the authorization of funding for the Federal Information Security Management Act (FISMA). Such costs, averaging about \$6 billion a year, represent a continuation of the current level of spending, with adjustments for anticipated inflation.

We also estimate that enacting S. 2321 would increase direct spending by \$11 million over the 2008–2017 period for the cost of the unfunded termination liability of share-in-savings (SIS) contracts authorized by the bill.

S. 2321 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

Estimated cost to the Federal Government: The estimated cost of implementing S. 2321 is shown in the following table. The costs of this legislation fall within budget functions 250 (general science, space, and technology), 500 (education, training, employment, and social services), and 800 (general government).

	By fiscal year, in millions of dollars—				
	2008	2009	2010	2011	2012
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Federal Information Security Management Act:					
Estimated Authorization Level	5,722	5,837	5,953	6,072	6,194
Estimated Outlays	4,578	5,242	5,919	6,037	6,158
Other Programs:					
Estimated Authorization Level	242	241	248	252	257
Estimated Outlays	154	239	246	251	255
Total Changes:					
Estimated Authorization Level	5,964	6,078	6,201	6,324	6,451
Estimated Outlays	4,732	5,481	6,165	6,288	6,413
CHANGES IN DIRECT SPENDING					
Estimated Budget Authority	*	1	1	2	2
Estimated Outlays	*	1	1	2	2

Note: * = less than \$500,000.

Basis of estimate: For this estimate, CBO assumes that the necessary amounts will be provided each year and that spending will follow historical patterns for ongoing activities. CBO estimates that S. 2321 would authorize the appropriation of approximately \$29 billion over the 2008–2012 period for the management and promotion of electronic government information services and processes. This estimate assumes that future funding would be adjusted for anticipated inflation.

SPENDING SUBJECT TO APPROPRIATION

The legislation would reauthorize and amend the E-Government Act through 2012. The current authorization expired at the end of 2007. Significant components of the legislation are described below.

Federal Information Security Management Act. As part of the E-Government Act of 2002, FISMA sets requirements for securing the government's information systems. The National Institute of Standards and Technology develops information security standards and guidelines for federal agencies, and OMB coordinates information technology security policies and practices. For fiscal year 2006, OMB estimates that federal agencies spent around \$5.5 billion to secure the government's information systems. CBO estimates that continuing this level of effort would cost \$27.9 billion over the 2008–2012 period. (That estimate reflects 2006 spending in this activity, adjusted for anticipated inflation.)

OTHER PROGRAMS

The legislation would authorize the appropriation of such sums as necessary over the 2008–2012 period to operate the following programs:

- The General Services Administration's (GSA's) E-Government Fund for interagency projects develops electronic signatures for executive agencies and maintains and promotes the federal Internet portal. This program supports interagency electronic government initiatives to provide individuals, businesses, and other governmental agencies with timely access to federal information, benefits, services, and business opportunities.
- The National Institute of Standards and Technology's Office of Information and Security Programs conducts research and issues standards related to the security of federal information systems.

- The Office of Personnel Management identifies information technology personnel needs for the federal workforce and provides training.

In addition, the bill would authorize other government programs to develop and maintain databases and Web sites for federally funded research and to support research and education programs concerning electronic information systems.

CBO estimates that continuing the current and new activities authorized by the bill for those programs would cost \$1.1 billion over the 2008–2012 period, assuming that current funding would be adjusted for anticipated inflation.

SAVINGS

The use of electronic information systems to collect information from the public and to provide government services could reduce administrative costs at federal agencies. Implementing S. 2321 could help the government achieve such savings; however, CBO has no basis for estimating any potential savings over the next few years.

DIRECT SPENDING

S. 2321 would authorize federal agencies to use SIS contracts for the purchase of information technology consultants and hardware through September 2012. The bill would allow up to five contracts per year in fiscal years 2008 through 2012.

An SIS contract can be used to procure information processing products and services without an up-front payment. Payment for such goods and services would be made from any operational savings or increased collections generated by the use of such equipment or services. In addition, S. 2321 would allow agencies to enter into SIS contracts without funds available for the termination liability. The bill would limit the amount of such unfunded termination liability to \$5 million per contract (or 25 percent of the termination costs, whichever is less).

Based on information from GSA about the use of SIS contracts, CBO estimates that 10 percent of the SIS contracts authorized by S. 2321 would be terminated before completion. Assuming that SIS contracts have an average duration of five years and that the maximum termination liability could be incurred in any year, we estimate that this provision would cost \$6 million over the 2008–2012 period and \$11 million over the 2008–2017 period.

Intergovernmental and private-sector impact: S. 2321 contains no intergovernmental mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. The bill would benefit the District of Columbia by allowing private organizations to assign their employees to the Office of the Chief Technology Officer, and allowing the office to assign its employees to private organizations. In either case, both the District and the private organizations must agree to such assignments.

Estimate prepared by: Federal Spending: Matthew Pickford; Impact on State, Local, and Tribal Governments: Elizabeth Cove; Impact on the Private Sector: Paige Piper/Bach.

Estimate approved by: Peter H. Fontaine, Assistant Director for Budget Analysis.

VII. CHANGES IN EXISTING LAW, AS REPORTED

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the following changes in existing law made by the bill, as reported, are shown as follows: (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

UNITED STATES CODE

* * * * *

**TITLE 5—GOVERNMENT EMPLOYEES
AND ORGANIZATION**

* * * * *

PART III—EMPLOYEES

* * * * *

SUBPART B—EMPLOYMENT AND RETENTION

* * * * *

**CHAPTER 37—INFORMATION TECHNOLOGY EXCHANGE
PROGRAM**

* * * * *

§ 3702. General provisions

(a) * * *

* * * * *

(d) DURATION.—Assignments under this chapter shall be for a period of between 3 months and 1 year, and may be extended in 3-month increments for a total of not more than 1 additional year, except that no assignment under this chapter may commence after [the end of the 5-year period beginning on the date of the enactment of this chapter] *September 30, 2012*.

* * * * *

TITLE 15—COMMERCE AND TRADE

* * * * *

**CHAPTER 7—NATIONAL INSTITUTE OF STANDARDS AND
TECHNOLOGY**

* * * * *

§ 278g-3. Computer standards programs

(a) * * *

* * * * *

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Commerce \$20,000,000 for each of fiscal years ~~2003, 2004, 2005, 2006, and 2007~~ *2003 through 2012* to enable the National Institute of Standards and Technology to carry out the provisions of this section.

* * * * *

TITLE 44—PUBLIC PRINTING AND DOCUMENTS

* * * * *

CHAPTER 35—COORDINATION OF FEDERAL INFORMATION POLICY

* * * * *

Subchapter III—Information Security

* * * * *

§ 3548. Authorization of Appropriations

There are authorized to be appropriated to carry out the provisions of this subchapter such sums as may be necessary for each of fiscal years 2003 through ~~2007~~ *2012*.

* * * * *

CHAPTER 36—MANAGEMENT AND PROMOTION OF ELECTRONIC GOVERNMENT

* * * * *

§ 3604. E-Government Fund

(a) * * *

* * * * *

(g)(1) There are authorized to be appropriated to the Fund—

* * * * *

(E) such sums are necessary for ~~fiscal year 2007~~ *fiscal years 2007 through 2012*.

* * * * *

§ 3606. E-Government report

(a) * * *

(b)~~[(1) a summary of the information reported by agencies under section 202(f) of the E-Government Act of 2002,]~~ *(1) the reports submitted by agencies to the Director under section 202(g) of the E-Government Act of 2002, and a summary of the information reported by the agencies;*

UNITED STATES PUBLIC LAW

* * * * *

**E-GOVERNMENT ACT OF 2002 (PUBLIC LAW
107-347)**

* * * * *

TITLE II

* * * * *

SEC. 204. FEDERAL INTERNET PORTAL.

(a) * * *

* * * * *

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the General Services Administration \$15,000,000 for the maintenance, improvement, and promotion of the integrated Internet-based system for fiscal year 2003, and such sums as are necessary for fiscal years 2004 through **[2007]** 2012.

* * * * *

SEC. 207. ACCESSIBILITY, USABILITY, AND PRESERVATION OF GOVERNMENT INFORMATION.

(a) * * *

* * * * *

(f) **AGENCY WEBSITES.**—

(1) * * *

* * * * *

(4) **SEARCHABILITY OF GOVERNMENT WEBSITES.**—

(A) **FUNCTIONS OF THE DIRECTOR.**—

(i) **GUIDELINES.**—*Not later than 1 year after the date of enactment of the E-Government Reauthorization Act of 2007, the Director shall promulgate guidance and best practices to ensure that publicly available online Federal Government information and services are made more accessible to external search capabilities, including commercial and governmental search capabilities. The guidance and best practices shall include guidelines for each agency to test the accessibility of the websites of that agency to external search capabilities.*

(ii) **REVIEW.**—*The Director shall ensure periodic review of any guidance and best practices promulgated under clause (i) to ensure that the guidance and best practices are consistent with any advances made in information technology.*

(iii) **REPORTS.**—*The Director shall report annually to Congress, through the report established under section 3606 of title 44, United States Code, on—*

(I) *the progress of agencies with the guidance promulgated under clause (i); and*

(II) *the results of the testing by agencies.*

(B) **AGENCY FUNCTIONS.**—

(i) **COMPLIANCE.**—*Effective on and after 2 years after the date of enactment of the E-Government Act of 2007, each agency shall ensure compliance with any guidance promulgated under subparagraph (A).*

(ii) *REPORTS.*—Each agency shall report annually to the Director, in the report established under section 202(g), on—

(I) the use of best practices and progress of that agency with the guidance promulgated under subparagraph (A); and

(II) the results of the testing by that agency.

* * * * *

(g) ACCESS TO FEDERALLY FUNDED RESEARCH AND DEVELOPMENT.—

(1) * * *

* * * * *

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the development, maintenance, and operation of the Governmentwide repository and website under this subsection—

(A) * * *

(B) such sums are necessary in each of the fiscal years 2006 [and 2007] through 2012.

* * * * *

SEC. 208. PRIVACY PROVISIONS.

(a) * * *

(b) PRIVACY IMPACT ASSESSMENTS.—

(1) * * *

* * * * *

(3) RESPONSIBILITIES OF THE DIRECTOR.—The Director shall—

(A) * * *

(B) oversee the implementation of the privacy impact assessment process throughout the Government; [and]

(C) require agencies to conduct privacy impact assessments of existing information systems or ongoing collections of information that is in an identifiable form as the Director determines appropriate[.]; and

(D) develop best practices for agencies to follow in conducting privacy impact assessments.

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SEC. 213. COMMUNITY TECHNOLOGY CENTERS.

(a) * * *

* * * * *

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) * * *

(2) * * *

(3) such sums as are necessary in fiscal years 2005 through [2007] 2012.

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SEC. 216. COMMON PROTOCOLS FOR GEOGRAPHIC INFORMATION SYSTEMS.

(a) * * *

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(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section, for each of the fiscal years 2003 through **2007** 2012.

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TITLE IV

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SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

Except for those purposes for which an authorization of appropriations is specifically provided in Title I or II, including the amendments made by such titles, there are authorized to be appropriated such sums as are necessary to carry out titles I and II for each of fiscal years 2003 through **2007** 2012.

