

105TH CONGRESS
2D SESSION

H. R. 3280

To clarify and enhance the authorities of the Chief Information Officer,
Department of Agriculture.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 1998

Mr. GOODLATTE (for himself and Mr. LATHAM) introduced the following bill; which was referred to the Committee on Government Reform and Oversight, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To clarify and enhance the authorities of the Chief
Information Officer, Department of Agriculture.

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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “USDA Year 2000 Compliance Enhancement Act”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Purpose and findings.

- Sec. 4. Position of Chief Information Officer, Department of Agriculture.
Sec. 5. Responsibilities of Chief Information Officer with regard to information technology architecture.
Sec. 6. Availability of agency information system funds.
Sec. 7. Authority of Chief Information Officer over information technology personnel.
Sec. 8. Annual Comptroller General report on compliance.

1 **SEC. 2. DEFINITIONS.**

2 For purposes of this Act:

3 (1) CHIEF INFORMATION OFFICER.—The term
4 “Chief Information Officer” means the individual
5 appointed by the Secretary of Agriculture under sec-
6 tion 3506(a)(2)(A) of title 44, United States Code,
7 to serve as Chief Information Officer of the Depart-
8 ment of Agriculture.

9 (2) INFORMATION TECHNOLOGY.—The term
10 “information technology” has the meaning given
11 that term in section 5002(3) of the Clinger-Cohen
12 Act of 1996 (40 U.S.C. 1401(3)).

13 (3) INFORMATION RESOURCES.—The term “in-
14 formation resources” has the meaning given that
15 term in section 3502(6) of title 44, United States
16 Code.

17 (4) INFORMATION RESOURCES MANAGEMENT.—
18 The term “information resources management” has
19 the meaning given that term in section 3502(7) of
20 title 44, United States Code.

1 (5) INFORMATION SYSTEM.—The term “infor-
2 mation system” has the meaning given such term in
3 section 3502(8) of title 44, United States Code.

4 (6) INFORMATION TECHNOLOGY ARCHITEC-
5 TURE.—The term “information technology architec-
6 ture” has the meaning given that term in section
7 5125(d) of the Clinger-Cohen Act of 1996 (40
8 U.S.C. 1425(d)).

9 (7) OFFICE OR AGENCY.—The terms “office or
10 agency” and “offices and agencies” mean each cur-
11 rent or future—

12 (A) national, regional, county, or local of-
13 fice or agency of the Department;

14 (B) county committee established under
15 section 8(b)(5) of the Soil Conservation and
16 Domestic Allotment Act (16 U.S.C.
17 590h(b)(5)); and

18 (C) State committee, State office, or field
19 service center of the Farm Service Agency.

20 (8) DEPARTMENT.—The term “Department”
21 means the United States Department of Agriculture.

22 **SEC. 3. PURPOSE AND FINDINGS.**

23 (a) PURPOSE.—It is the purpose of this Act to facili-
24 tate the continued successful administration of Depart-
25 ment of Agriculture farm policies and programs through

1 the creation of a centralized office in the Department to
2 oversee the use of information resources within the De-
3 partment.

4 (b) FINDINGS.—Congress finds that—

5 (1) American agriculture relies on the Depart-
6 ment for the administration of a number of policies
7 and programs essential to the success and vitality of
8 agricultural producers and rural communities in the
9 United States;

10 (2) the successful administration of these poli-
11 cies and programs depends upon the ability of the
12 Department to use information resources in as effi-
13 cient and effective manner as is technologically fea-
14 sible;

15 (3) in order to successfully administer these im-
16 portant farm policies and programs the Department
17 relies on a number of information resources that re-
18 quire comprehensive and Department-wide overview
19 and control in order to avoid needless duplication
20 and misuse of resources;

21 (4) agricultural production, marketing, the dis-
22 tribution of commodities, and the extension of farm
23 credit and security are particularly reliant upon the
24 successful use of information resources within the
25 Department;

1 (5) the failure of the Department to meet the
2 requirement of the Office of Management and Budg-
3 et that all Department mission critical systems be
4 year 2000 compliant would have an adverse impact
5 on the Department's farm policies and programs
6 and American agricultural producers; and

7 (6) in order to better ensure the continued suc-
8 cess and vitality of agricultural producers and rural
9 communities it is necessary that within the Depart-
10 ment measures are taken to coordinate and centrally
11 plan the use of the information resources of the De-
12 partment.

13 **SEC. 4. POSITION OF CHIEF INFORMATION OFFICER, DE-**
14 **PARTMENT OF AGRICULTURE.**

15 (a) POSITION IN DEPARTMENT.—In order to ensure
16 that information resources within the Department are di-
17 rected with the greatest efficiency towards the administra-
18 tion of farm policies and programs as authorized by law,
19 the Chief Information Officer of the Department—

20 (1) shall report directly to the Secretary of Ag-
21 riculture; and

22 (2) shall not be under the direction or control
23 of the Deputy Secretary of Agriculture or other offi-
24 cial or employee of the Department.

1 (b) POSITION ON EXECUTIVE INFORMATION TECH-
2 NOLOGY INVESTMENT REVIEW BOARD.—The Chief Infor-
3 mation Officer shall serve as vice-chairperson of the Exec-
4 utive Information Technology Investment Review Board of
5 the Department or any other entity established by the Sec-
6 retary of Agriculture to review and approve the acquisition
7 of information technology by offices and agencies of the
8 Department.

9 **SEC. 5. RESPONSIBILITIES OF CHIEF INFORMATION OFFI-**
10 **CER WITH REGARD TO INFORMATION TECH-**
11 **NOLOGY ARCHITECTURE.**

12 (a) IN GENERAL.—The Chief Information Officer
13 shall have the authority and responsibility for ensuring
14 that the information technology architecture of the De-
15 partment, and any office or agency of the Department,
16 is based on the strategic business plans, information re-
17 sources, goals of information resources management, and
18 core business process methodology of the Department in
19 order to ensure the successful implementation of farm
20 policies and programs administered by the Department as
21 required by law.

22 (b) DESIGN AND IMPLEMENTATION.—The Chief In-
23 formation Officer shall be responsible for the design and
24 implementation of an information technology architecture
25 for the Department that ensures that—

1 (1) the information system of each office or
2 agency of the Department maximizes—

3 (A) the effectiveness and efficiency of mis-
4 sion delivery and information resources man-
5 agement;

6 (B) quality per dollar expended; and

7 (C) the efficiency and coordination of in-
8 formation technology management among of-
9 fices and agencies of the Department, including
10 the exchange of information between field serv-
11 ice centers and other offices and agencies of the
12 Department;

13 (2) the planning for, and the lease or purchase
14 of, information resources of each office or agency of
15 the Department most efficiently satisfies the needs
16 of the office or agency in terms of the customers
17 served, program characteristics, and employees af-
18 fected by the system; and

19 (3) the information system of each office or
20 agency of the Department is designed and managed
21 to coordinate or consolidate similar functions of the
22 missions, and offices or agencies of the Department,
23 on a Department-wide basis.

24 (c) ENSURING COMPLIANCE WITH RESULTING AR-
25 CHITECTURE.—The Chief Information Officer shall be re-

1 sponsible for the development, acquisition, procurement,
2 and implementation of information resources by an office
3 or agency of the Department in a manner that—

4 (1) is consistent with the information tech-
5 nology architecture designed under subsection (b);
6 and

7 (2) results in the best use of resources of the
8 office or agency for information technology.

9 **SEC. 6. AVAILABILITY OF AGENCY INFORMATION SYSTEM**
10 **FUNDS.**

11 (a) **TRANSFER.**—Each office and agency of the De-
12 partment shall transfer to the control of the Chief Infor-
13 mation Officer an amount of funds each fiscal year equal
14 to four percent of the estimated expenditures to be made
15 by that office or agency for equipment and software for
16 the information system of that office or agency for a fiscal
17 year (other than expenditures for intra-government pay-
18 ments). The Secretary of Agriculture shall determine the
19 actual amount to be transferred by an office or agency
20 of the Department.

21 (b) **AVAILABILITY OF FUNDS.**—Funds transferred
22 under subsection (a) shall remain available until expended.

23 (c) **USE OF FUNDS.**—Funds transferred under sub-
24 section (a) may be used by the Chief Information Officer
25 only—

1 (1) to carry out the responsibilities of the Chief
2 Information Officer under this Act, section 5125 of
3 the Clinger-Cohen Act of 1996 (40 U.S.C. 1425),
4 and section 3506(a)(2) of title 44, United States
5 Code;

6 (2) to assist in the development, acquisition,
7 procurement, or implementation of information re-
8 sources by more than one office or agency of the De-
9 partment in order to ensure the creation of a De-
10 partment-wide single information system; and

11 (3) to meet the requirement of the Office and
12 Management and Budget to make all mission critical
13 systems year 2000 compliant.

14 **SEC. 7. AUTHORITY OF CHIEF INFORMATION OFFICER**
15 **OVER INFORMATION TECHNOLOGY PERSON-**
16 **NEL.**

17 (a) DEPUTY INFORMATION OFFICERS.—

18 (1) ESTABLISHMENT.—There is established
19 within the Office of the Chief Information Officer
20 the position of deputy information officer who shall
21 be appointed by the Chief Information Officer and
22 serve as a liaison between the Chief Information Of-
23 ficer and each office or agency of the Department.
24 The separate position of chief information officer of

1 an office or agency of the Department is hereby
2 abolished.

3 (2) SUCCESSION.—A person who is serving as
4 a chief information officer of an office or agency of
5 the Department on the date of the enactment of this
6 Act shall serve as a deputy information officer in the
7 Office of the Chief Information Officer until such
8 time as a successor (if any) is appointed by the
9 Chief Information Officer.

10 (b) MANAGERS OF MAJOR INFORMATION TECH-
11 NOLOGY PROJECTS.—The assignment of an employee of
12 the Department to serve as manager of a major informa-
13 tion technology program or project (as defined by the
14 Chief Information Officer) of an office or agency of the
15 Department, and continuation of the assignment, shall be
16 subject to the approval of the Chief Information Officer.
17 The Chief Information Officer shall provide input into the
18 performance review of any person so assigned.

19 (c) DETAIL AND ASSIGNMENT OF PERSONNEL.—
20 Notwithstanding any other provision of law, an employee
21 of the Department may be detailed or assigned to the Of-
22 fice of the Chief Information Officer for a period of more
23 than 30 days without reimbursement to the employee's
24 employing agency or office.

1 (d) INFORMATION TECHNOLOGY PROCUREMENT OF-
2 FICERS.—Procurement officers in the Department who
3 are responsible for the procurement of information tech-
4 nology shall serve under the direction and control of the
5 Chief Information Officer.

6 **SEC. 9. ANNUAL COMPTROLLER GENERAL REPORT ON**
7 **COMPLIANCE.**

8 (a) REPORT REQUIRED.—Not later than January 15
9 of each year, the Comptroller General of the United States
10 shall submit to the Committee on Agriculture of the House
11 of Representatives and the Committee on Agriculture, Nu-
12 trition, and Forestry of the Senate a report evaluating the
13 compliance by the Chief Information Officer and the De-
14 partment with this Act. The Comptroller General shall
15 conduct the evaluation in a manner which will permit an
16 assessment of the effect of the Department’s compliance
17 or lack thereof on the administration of farm policies and
18 programs carried out by the Department as required by
19 law.

20 (b) CONTENTS OF REPORT.—Each report under sub-
21 section (a) shall include the following:

22 (1) An ongoing review and compilation of
23 spending by the Department on information re-
24 sources which will permit an assessment of the com-

1 pliance with section 6(a) by offices and agencies of
2 the Department.

3 (2) An ongoing review and compilation of
4 spending by the Department on information re-
5 sources which will permit an assessment of the Chief
6 Information Officer's compliance with section 6(c).

7 (3) An ongoing assessment and evaluation of
8 the Chief Information Officer's performance of du-
9 ties under this Act.

10 (4) An ongoing review and evaluation of the
11 Department's success in creating a Department-wide
12 single information system, as described in section
13 6(c)(2), and in complying with the requirement of
14 the Office of Management and Budget to make all
15 mission critical systems year 2000 compliant, as re-
16 quired under section 6(c)(3).

17 (c) EVALUATION AND RECOMMENDATIONS.—In addi-
18 tion to the requirements of subsection (b), the Comptroller
19 General may include in a report under subsection (a) such
20 other recommendations and evaluations as the Comptrol-
21 ler General considers appropriate.

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