

105TH CONGRESS
2D SESSION

H. R. 3968

To require within 90 days an assessment of, and a national strategy for addressing, the Year 2000 computer problem to ensure that critical public and private services to the American public are not disrupted, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 1998

Mr. LEACH (for himself, Mr. LAFALCE, Mrs. ROUKEMA, Mr. VENTO, Mr. BAKER, Mr. LAZIO of New York, Mr. BACHUS, and Mr. CASTLE) introduced the following bill; which was referred to the Committee on Science, and in addition to the Committees on Government Reform and Oversight, and Banking and Financial Services, 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 require within 90 days an assessment of, and a national strategy for addressing, the Year 2000 computer problem to ensure that critical public and private services to the American public are not disrupted, and for other purposes.

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 “National Year 2000
5 Readiness Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress hereby finds the following:

3 (1) Congressional hearings have documented
4 that there are enormous national interest economic
5 implications of the Year 2000 technology challenge
6 for critical national infrastructures, including bank-
7 ing and finance, energy, telecommunications, trans-
8 portation, and vital human services.

9 (2) The private sector costs of year 2000 reme-
10 diation are likely to be significant with the Board of
11 Governors of the Federal Reserve System estimat-
12 ing, in recent congressional testimony, such costs at
13 roughly \$50,000,000,000.

14 (3) Although critical national infrastructures
15 are interdependent, with domestic and international
16 banking operations heavily dependent on tele-
17 communications and power infrastructures, there is
18 neither a national nor an international framework
19 for ensuring that all such infrastructures will be
20 ready for the Year 2000.

21 (4) In an April 1998 report to Congress enti-
22 tled, "Year 2000 Computing Crisis: Potential for
23 Widespread Disruption Calls for Strong Leadership
24 and Partnerships," the General Accounting Office
25 recommended that the President's Council on Year
26 2000 Conversion quickly formulate a comprehensive

1 picture of the Nation's Year 2000 readiness and es-
2 tablish an effective approach to promote public-pri-
3 vate partnerships to resolve the Nation's Year 2000
4 crisis.

5 **SEC. 3. DEFINITIONS.**

6 For purposes of this Act, the following definitions
7 shall apply:

8 (1) YEAR 2000 COMPUTER PROBLEM.—The
9 term “Year 2000 computer problem” means, with
10 respect to information technology, any problem
11 which prevents such technology from accurately
12 processing, calculating, comparing, or sequencing
13 date or time data—

14 (A) from, into, or between—

15 (i) the 20th and 21st centuries; or

16 (ii) the years 1999 and 2000; or

17 (B) with regard to leap year calculations.

18 (2) YEAR 2000 CONVERSION COUNCIL.—The
19 term “Year 2000 Conversion Council” means the
20 President's Council on Year 2000 Conversion estab-
21 lished under section 2 of Executive Order No.
22 13073, issued on February 4, 1998.

1 **SEC. 4. NATIONAL ASSESSMENT OF YEAR 2000 COMPUTER**
2 **PROBLEM.**

3 Before the end of the 90-day period beginning on the
4 date of the enactment of this Act, the Chairperson of the
5 Year 2000 Conversion Council shall submit to the Con-
6 gress a national assessment of the Year 2000 computer
7 problem covering all critical national infrastructures and
8 key sectors of the economy, including banking and finance,
9 energy, telecommunications, transportation, and vital
10 human services which protect the public health and safety,
11 water supply, and environment.

12 **SEC. 5. NATIONAL STRATEGY TO ADDRESS YEAR 2000 COM-**
13 **PUTER PROBLEM.**

14 (a) IN GENERAL.—Consistent with the spirit of the
15 Government Performance and Results Act of 1993, the
16 Chairperson of the Year 2000 Conversion Council shall
17 prepare, and submit to the Congress with the assessment
18 required under section 4, a national strategy to ensure
19 that the most critical services provided by Federal, State,
20 and local governments as well as key sectors of the econ-
21 omy will be prepared for the Year 2000 date change, in-
22 cluding the sectors involved in the provision of banking
23 and financial services (especially financial services involv-
24 ing Federal and State payments to individuals and access
25 to individual transaction accounts at financial institu-
26 tions), the provision and distribution of power and fuel,

1 the provision of telecommunication and transportation
2 services, and the sectors which are involved in or have an
3 impact on the public health and safety, water supply, and
4 environment.

5 (b) PERSONNEL.—

6 (1) IN GENERAL.—In preparing the strategy,
7 the Chairperson of the Year 2000 Conversion Coun-
8 cil shall include a plan for ensuring the availability
9 of an adequate supply of technical personnel to rem-
10 edy the Year 2000 computer problem in the private
11 sector as well as the Federal Government before De-
12 cember 31, 1999, and, in formulating such plan,
13 shall make recommendations relating to any need to
14 raise immigrant visa ceilings under the Immigration
15 and Nationality Act for such purpose.

16 (2) CONSIDERATION OF NEED FOR FEDERAL
17 TECHNOLOGY INFORMATION SERVICE.—In preparing
18 the plan under paragraph (1), the Chairperson of
19 the Year 2000 Conversion Council shall—

20 (A) make recommendations relating to the
21 capacity of the Federal Government to attract
22 and retain individuals of high-quality tech-
23 nology competence;

24 (B) consider whether a Federal technology
25 information service should be established in a

1 form similar to the Senior Executive Service;
2 and

3 (C) submit a report on the findings and
4 conclusions of the Chairperson to the Congress
5 before the end of the 6-month period beginning
6 on the date of the enactment of this Act.

7 (c) EFFORTS AT INTERNATIONAL FINANCIAL INSTI-
8 TUTIONS TO SOLVE YEAR 2000 COMPUTER PROBLEM.—
9 In preparing the strategy, the Chairperson of the Year
10 2000 Conversion Council, in consultation with the Chair-
11 man of the Board of Governors of the Federal Reserve
12 System and the Secretary of the Treasury, shall include—

13 (1) the goals and strategies the United States
14 will pursue at the Bank for International Settle-
15 ments, the Group of Ten Industrialized Nations, the
16 European Union, and elsewhere to encourage an
17 international effort to ensure readiness for the Year
18 2000 at banks and other financial institutions; and

19 (2) the initiatives which the representatives of
20 the United States to the International Monetary
21 Fund, International Bank for Development and Re-
22 construction, and other international development
23 banks are taking to engage such institutions in pro-
24 viding funding or technical assistance to developing

1 countries for remedying the Year 2000 computer
2 problem in such countries.

3 **SEC. 6. QUARTERLY PROGRESS REPORTS REQUIRED.**

4 (a) IN GENERAL.—Beginning after the submission of
5 the report on the national assessment and strategy under
6 sections 4 and 5, the Chairperson of the Year 2000 Con-
7 version Council shall submit a quarterly report to the Con-
8 gress on the progress that has been made since the sub-
9 mission of the prior report in solving the Year 2000 com-
10 puter problem in all critical infrastructures and key sec-
11 tors of the economy and in developing a contingency plan.

12 (b) FINAL REPORT.—The final report submitted
13 under subsection (a) shall assess the ongoing Year 2000
14 and other date-related problems that will occur in the fu-
15 ture as temporary Year 2000 renovations lapse or other
16 fail dates occur in computer systems.

17 (c) SUNSET.—No reports shall be required under
18 subsection (a) after December 31, 2001.

19 **SEC. 7. REVISION OF FEDERAL ACQUISITION REGULATION**
20 **TO PROVIDE FOR CERTAIN PENALTIES FOR**
21 **CONTRACTORS THAT VIOLATE YEAR 2000 RE-**
22 **QUIREMENT.**

23 In the case of any person who enters into a contract
24 with a Federal agency, and who knowingly provides goods
25 or services to the agency under the contract that are not

1 Year 2000 compliant (as that term is defined in section
2 39.002 of the Federal Acquisition Regulation, as adopted
3 on August 22, 1997), the Federal Acquisition Regulation
4 may be revised to provide for an appropriate period for
5 which such person shall not be eligible for award of any
6 contract by any Federal agency. Any restrictions devel-
7 oped pursuant to this section may, at the discretion of the
8 applicable Federal agency, be waived if the new goods or
9 services are Year 2000 compliant.

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