

105TH CONGRESS  
1ST SESSION

# S. 805

To reform the information technology systems of the Department of  
Agriculture, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 23, 1997

Mr. LUGAR (for himself and Mr. HARKIN) introduced the following bill; which  
was read twice and referred to the Committee on Agriculture, Nutrition,  
and Forestry

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## A BILL

To reform the information technology systems of the  
Department of Agriculture, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Department of Agriculture Information Technology Re-  
6 form Act”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. Powers and duties of Chief Information Officer.

- Sec. 5. Procurement of outside consultants.
- Sec. 6. Transfer of agency information technology funds.
- Sec. 7. Review by Office of Management and Budget.
- Sec. 8. Technical amendment.
- Sec. 9. Termination of authority.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) the Office of Management and Budget esti-  
4 mates that the Department of Agriculture will spend  
5 \$1,100,000,000, \$1,200,000,000, and  
6 \$1,250,000,000 for fiscal years 1996, 1997, and  
7 1998, respectively, on information technology and  
8 automated data processing equipment;

9 (2) according to the Department, as of October  
10 1993, the Department had 17 major information  
11 technology systems under development with an esti-  
12 mated life-cycle cost of \$6,300,000,000;

13 (3) over the past decade, committees of Con-  
14 gress, the General Accounting Office, the Office of  
15 Management and Budget, and private consultants  
16 have repeatedly argued that the Department's infor-  
17 mation technology decisions have been made in  
18 piecemeal fashion, on an individual agency basis, re-  
19 sulting in duplication, a lack of coordination, and  
20 wasted financial and technological resources by the  
21 offices or agencies of the Department and in hun-  
22 dreds of millions of wasted dollars over the past dec-  
23 ade;

1           (4) the Department's role in agriculture in the  
2           United States was substantially altered by the FAIR  
3           Act, although the Department has yet to adequately  
4           assess fully the impact the FAIR Act will have on  
5           the services the Department provides to its cus-  
6           tomers;

7           (5) decentralized, uncoordinated, and wasteful  
8           purchases for information technology have continued  
9           at the Department until recently when the Secretary  
10          imposed a moratorium on purchases;

11          (6) strong central and independent leadership,  
12          control, and accountability is essential to coordinat-  
13          ing planning and eliminating wasteful purchases;

14          (7) the Chief Information Officer should have a  
15          subcabinet rank within the Department;

16          (8) a single authority for Department-wide  
17          planning is needed to ensure that the information  
18          technology architecture of the Department is based  
19          on the strategic business plans, information re-  
20          sources, management goals, and core business proc-  
21          ess methodology of the Department;

22          (9) information technology is a strategic re-  
23          source for the missions and program activities of the  
24          Department;

1           (10) consolidating the budgetary authority for  
2 information technology purchases is key to eliminat-  
3 ing purchases that are conducted in piecemeal fash-  
4 ion, on an individual office or agency of the Depart-  
5 ment basis, resulting in duplication, a lack of coordi-  
6 nation, and wasted financial and technological re-  
7 sources at the Department;

8           (11) centralizing the authority and funding for  
9 planning and investment for information technology  
10 in the Office of the Chief Information Officer will—

11                   (A) provide the Department with strong  
12 and coordinated leadership and direction;

13                   (B) ensure that the business architecture  
14 is based on rigorous core business process  
15 methodology;

16                   (C) ensure that the information technology  
17 architecture of the Department is based on the  
18 strategic business plans of the offices or agen-  
19 cies of the Department and the missions of the  
20 Department;

21                   (D) ensure that funds will be invested in  
22 information technology only after the Chief In-  
23 formation Officer has completed the planning  
24 and review of future business requirements of  
25 the offices or agencies and developed an infor-

1           mation technology architecture that is based on  
2           the business requirements; and

3           (E) force the Department to act as a sin-  
4           gle enterprise with respect to information tech-  
5           nology, thus eliminating the duplication and in-  
6           efficiency associated with a single office- or  
7           agency-based approach;

8           (12) each office or agency of the Department  
9           should achieve at least—

10           (A) a 5 percent per year decrease in costs  
11           incurred for operation and maintenance of in-  
12           formation technology; and

13           (B) a 5 percent per year increase in oper-  
14           ational efficiency through improvements in in-  
15           formation resource management; and

16           (13) information resource management should  
17           be supported by a senior official of the Department  
18           who is committed to using information technology as  
19           a process to facilitate the most efficient administra-  
20           tion of the program functions of the Department by  
21           marshalling the necessary resources and the commit-  
22           ment of high-level managers toward that end.

23 **SEC. 3. DEFINITIONS.**

24           In this Act:

1           (1) AGENCY INFORMATION TECHNOLOGY  
2 FUNDS.—The term “agency information technology  
3 funds” means 10 percent of the annual fiscal year  
4 funds that are made available to each office or agen-  
5 cy of the Department for salaries and expenses.

6           (2) CHIEF INFORMATION OFFICER.—The term  
7 “Chief Information Officer” means the individual  
8 appointed by the Secretary to serve as Chief Infor-  
9 mation Officer (as established by section 5125 of the  
10 Information Technology Management Reform Act of  
11 1996 (40 U.S.C. 1425)) for the Department.

12           (3) DEPARTMENT.—The term “Department”  
13 means the Department of Agriculture.

14           (4) FAIR ACT.—The term “FAIR Act” means  
15 the Federal Agriculture Improvement and Reform  
16 Act of 1996 (Public Law 104–127).

17           (5) INFORMATION RESOURCE MANAGEMENT.—  
18 The term “information resource management”  
19 means the process of managing information re-  
20 sources to accomplish agency missions and to im-  
21 prove agency performance.

22           (6) INFORMATION RESOURCES.—The term “in-  
23 formation resources” means information and related  
24 resources such as personnel, equipment, funds, and  
25 information technology systems.

1           (7) INFORMATION TECHNOLOGY ARCHITEC-  
2           TURE.—The term “information technology architec-  
3           ture” means an integrated framework for evolving or  
4           maintaining existing information technology and ac-  
5           quiring new information technology to achieve the  
6           strategic business plans, information resources, man-  
7           agement goals, and core business process methodol-  
8           ogy of the Department.

9           (8) INFORMATION TECHNOLOGY SYSTEM.—The  
10          term “information technology system” means a sys-  
11          tem of automated data processing or telecommuni-  
12          cations equipment or software (including support  
13          services), information resource management, or busi-  
14          ness process reengineering of an office or agency of  
15          the Department.

16          (9) OFFICE OR AGENCY OF THE DEPART-  
17          MENT.—The term “office or agency of the Depart-  
18          ment” means, as applicable, each current or fu-  
19          ture—

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

22                 (B) county committee established under  
23                 section 8(b)(5) of the Soil Conservation and  
24                 Domestic Allotment Act (16 U.S.C.  
25                 590h(b)(5));

1 (C) State committee, State office, or field  
2 service center of the Farm Service Agency; and

3 (D) a group of multiple offices and agen-  
4 cies of the Department that are currently, or  
5 will be, connected through common program ac-  
6 tivities and information technology systems.

7 (10) PERFORMANCE GOAL.—The term “per-  
8 formance goal” means a target level of performance  
9 expressed as a tangible, measurable objective,  
10 against which actual achievement can be compared,  
11 including a goal expressed as a quantitative stand-  
12 ard, value, or rate.

13 (11) PROGRAM ACTIVITY.—The term “program  
14 activity” means a specific activity or project of a  
15 program that is carried out by 1 or more offices or  
16 agencies of the Department.

17 (12) SECRETARY.—The term “Secretary”  
18 means the Secretary of Agriculture.

19 (13) TRANSFER OR OBLIGATION OF FUNDS.—  
20 The term “transfer or obligation of funds” means,  
21 as applicable—

22 (A) the transfer of funds (including appro-  
23 priated funds, mandatory funds, and funds of  
24 the Commodity Credit Corporation) from 1 ac-  
25 count to another account of an office or agency

1 of the Department for the purpose of investing  
2 in an information technology system of an office  
3 or agency of the Department that exceeds  
4 \$250,000 for any 1 order, or aggregation of or-  
5 ders, for the same or similar items and involves  
6 planning, providing services, or leasing or pur-  
7 chasing of personal property (including all  
8 hardware and software) or services for an infor-  
9 mation technology system of an office or agency  
10 of the Department;

11 (B) the obligation of funds (including ap-  
12 propriated funds, mandatory funds, and funds  
13 of the Commodity Credit Corporation) for the  
14 purpose of investing in an information tech-  
15 nology system of an office or agency of the De-  
16 partment that exceeds \$250,000 for any 1  
17 order, or aggregation of orders, for the same or  
18 similar items and involves planning, providing  
19 services, or leasing or purchasing of personal  
20 property (including all hardware and software)  
21 or services for an information technology sys-  
22 tem of an office or agency of the Department;  
23 or

24 (C) the obligation of funds (including ap-  
25 propriated funds, mandatory funds, and funds

1 of the Commodity Credit Corporation) for the  
2 purpose of investing in an information tech-  
3 nology system of an office or agency of the De-  
4 partment that exceeds \$250,000 for any 1  
5 order, or aggregation of orders, for the same or  
6 similar items and involves planning, providing  
7 services, or leasing or purchasing of personal  
8 property (including all hardware and software)  
9 or services for an information technology sys-  
10 tem of an office or agency of the Department,  
11 to be obtained through a contract with an office  
12 or agency of the Federal Government, a State,  
13 the District of Columbia, or any person in the  
14 private sector.

15 **SEC. 4. POWERS AND DUTIES OF CHIEF INFORMATION OF-**  
16 **FICER.**

17 Notwithstanding any other provision of law (except  
18 the Government Performance and Results Act of 1993  
19 (Public Law 103-62), amendments made by that Act, and  
20 the Information Technology Management Reform Act of  
21 1996 (40 U.S.C. 1401 et seq.)), in addition to the general  
22 authorities provided to the Chief Information Officer by  
23 section 5125 of the Information Technology Management  
24 Reform Act of 1996 (40 U.S.C. 1425), the Chief Informa-

1 tion Officer shall have the following powers and duties  
2 within the Department:

3           (1) LEADERSHIP IN REORGANIZATION AND  
4           STREAMLINING EFFORTS.—The Chief Information  
5           Officer, in cooperation with other persons such as  
6           the Chief Financial Officer and the Executive Infor-  
7           mation Technology Investment Review Board (or its  
8           successor), shall provide the strong central leader-  
9           ship, planning, and accountability that is needed in  
10          light of the substantial changes created by the FAIR  
11          Act and reorganization and downsizing initiatives al-  
12          ready commenced within the Department.

13          (2) INFORMATION TECHNOLOGY SYSTEMS AND  
14          INFORMATION RESOURCE MANAGEMENT.—The Chief  
15          Information Officer shall oversee the development,  
16          implementation, and maintenance of all information  
17          technology systems and information resource man-  
18          agement in the Department.

19          (3) DEPARTMENT-WIDE INFORMATION TECH-  
20          NOLOGY SYSTEMS.—The Chief Information Officer  
21          shall ensure that information technology systems of  
22          the Department are designed to coordinate the func-  
23          tions of the offices or agencies of the Department on  
24          a Department-wide basis.

1           (4) INFORMATION TECHNOLOGY ARCHITEC-  
2           TURE.—The Chief Information Officer shall estab-  
3           lish, and exercise exclusive authority over, an infor-  
4           mation technical architecture that serves the entire  
5           Department based on the strategic business plans,  
6           information resources, management goals, and core  
7           business process methodology of the Department.

8           (5) COORDINATION OF INFORMATION TECH-  
9           NOLOGY ARCHITECTURE AND AGENCY STRATEGIC  
10          PLANS.—

11           (A) IN GENERAL.—The Chief Information  
12          Officer shall ensure that the information tech-  
13          nology architecture of the Department clearly  
14          implements the strategic business plans, and in-  
15          formation resource management, of offices or  
16          agencies of the Department regarding the needs  
17          and goals of program activities of the Depart-  
18          ment.

19           (B) GOALS OF THE INFORMATION TECH-  
20          NOLOGY ARCHITECTURE.—The Chief Informa-  
21          tion Officer shall design and implement an in-  
22          formation technology architecture in a manner  
23          that ensures that—

24                   (i) the information technology system  
25                   of each office or agency of the Department

1 maximizes the effectiveness and efficiency  
2 of mission delivery and information re-  
3 source management, and supports core  
4 business processes of the Department;

5 (ii) the information technology system  
6 of each office or agency of the Department  
7 maximizes quality per dollar expended;

8 (iii) maximizes efficiency and coordi-  
9 nation of information technology systems  
10 between offices or agencies of the Depart-  
11 ment;

12 (iv) planning for, leases, and pur-  
13 chases of the information technology sys-  
14 tem of each office or agency of the Depart-  
15 ment most efficiently satisfy the needs of  
16 the office or agency in terms of the cus-  
17 tomers served, program characteristics,  
18 and employees affected by the system; and

19 (v) information technology systems of  
20 the Department are designed and managed  
21 to coordinate or consolidate similar func-  
22 tions of the missions, and offices or agen-  
23 cies of the Department, on a Department-  
24 wide basis.

1           (6) COORDINATION AND EVALUATION OF IN-  
2           FORMATION TECHNOLOGY SYSTEMS OF OFFICES AND  
3           AGENCIES.—The Chief Information Officer shall—

4                   (A) monitor the performance of the infor-  
5                   mation technology system of each office or  
6                   agency of the Department;

7                   (B) evaluate the performance of the system  
8                   on the basis of applicable performance measure-  
9                   ments; and

10                  (C) advise the head of the office or agency  
11                  on whether to continue, modify, or terminate  
12                  the system.

13           (7) ELECTRONIC FUND TRANSFERS.—The  
14           Chief Information Officer shall ensure that the in-  
15           formation technology architecture of the Department  
16           complies with the requirement of section 3332 of  
17           title 31, United States Code, that certain current,  
18           and all future payments after January 1, 1999, be  
19           tendered through electronic fund transfer.

20           (8) FIELD SERVICE CENTERS.—The Chief In-  
21           formation Officer shall ensure that the information  
22           technology architecture of the Department provides  
23           for information technology systems that are designed  
24           for field service centers—

1 (A) to best facilitate the exchange of infor-  
2 mation between field service centers and other  
3 offices or agencies of the Department;

4 (B) that integrate the operation of all ex-  
5 isting information technology systems of the  
6 Department to provide a single point of service  
7 for program delivery;

8 (C) that integrate the changed missions of  
9 the Department in light of the FAIR Act and  
10 reorganization and downsizing initiatives of the  
11 Department; and

12 (D) that are cost effective.

13 (9) INFORMATION TECHNOLOGY SYSTEM IN-  
14 VESTMENTS.—

15 (A) IN GENERAL.—The Chief Information  
16 Officer shall have the exclusive authority to ap-  
17 prove a transfer or obligation of funds to be  
18 used for the purpose of investing in an informa-  
19 tion technology system of the Department that  
20 exceeds \$250,000 and that applies to an office  
21 or agency of the Department or has a Depart-  
22 ment-wide impact.

23 (B) CONDITIONS ON APPROVAL OF FUND-  
24 ING.—The Chief Information Officer shall not  
25 approve the transfer or obligation of funds with

1 respect to an office or agency of the Depart-  
2 ment unless the Chief Information Officer de-  
3 termines that—

4 (i) the information technology archi-  
5 tecture of the Department is complete;

6 (ii) the funds will be transferred or  
7 obligated for an information technology  
8 system that is consistent with, and maxi-  
9 mizes the performance of, the strategic  
10 business plans of the office or agency of  
11 the Department and of the Department;

12 (iii) ongoing projects and other acqui-  
13 sitions have been reviewed to ensure that  
14 similar requirements, common elements,  
15 and economies of scale are realized; and

16 (iv) in coordination with the Chief Fi-  
17 nancial Officer, the strategic business plan  
18 of the office or agency is complete.

19 (C) CAPITAL PLANNING AND INVESTMENT  
20 CONTROL.—Before approving a transfer or obli-  
21 gation of funds for an investment under sub-  
22 paragraph (A), the Chief Information Officer  
23 shall consult with the Executive Information  
24 Technology Investment Review Board (or its  
25 successor) concerning whether the investment—

1 (i) meets the objectives of capital  
2 planning processes for selecting, managing,  
3 and evaluating the results of major invest-  
4 ments in information systems; and

5 (ii) links the affected strategic plan  
6 with the information technology architec-  
7 ture of the Department.

8 (D) EVALUATION OF INVESTMENTS.—The  
9 Chief Information Officer shall adopt, and have  
10 exclusive authority to use, a standard set of cri-  
11 teria to evaluate proposals for information tech-  
12 nology system investments that are applicable  
13 to individual offices or agencies of the Depart-  
14 ment or have a Department-wide impact. The  
15 criteria adopted shall include considerations of  
16 Department-wide or Federal Government-wide  
17 impact, visibility, cost, risk, consistency with  
18 the information technology architecture, and  
19 maximization of performance goals for program  
20 activities.

21 (10) USE OF BUDGET PROCESS.—

22 (A) IN GENERAL.—The Chief Information  
23 Officer shall develop, as part of the budget  
24 process, a process for analyzing, tracking, and  
25 evaluating the risks and results of all major

1 capital investments made by an office or agency  
2 of the Department for information systems.

3 (B) PROCESS.—The process shall cover the  
4 life of each system and shall include explicit cri-  
5 teria for analyzing the projected and actual  
6 costs, benefits, and risks associated with the in-  
7 vestments.

8 (C) CONTROL AND OVERSIGHT OF BUDG-  
9 ET.—The Chief Information Officer shall exer-  
10 cise exclusive control over the budget of the Of-  
11 fice of the Chief Information Officer, including  
12 funds appropriated to the Office, and agency in-  
13 formation technology funds that are annually  
14 transferred to the account of the Chief Infor-  
15 mation Officer under section 6(a).

16 (11) COMPLIANCE WITH OMB CRITERIA AND  
17 OVERSIGHT.—The Chief Information Officer shall  
18 ensure compliance with all criteria for an informa-  
19 tion technology architecture or information tech-  
20 nology investment that are established by the Office  
21 of Management and Budget and under the Informa-  
22 tion Technology Management Reform Act of 1996  
23 (40 U.S.C. 1401 et seq.).

24 (12) EVALUATION OF PROGRAMS AND INVEST-  
25 MENTS.—

1           (A) REQUIREMENT.—The Chief Informa-  
2           tion Officer, in consultation with the Executive  
3           Information Technology Investment Review  
4           Board (or its successor), shall evaluate the in-  
5           formation resources management practices of  
6           the offices or agencies of the Department with  
7           respect to the performance and results of the  
8           investments made by the offices or agencies in  
9           information technology.

10          (B) DIRECTION FOR ACTION.—The Chief  
11          Information Officer shall issue to the head of  
12          each office or agency of the Department clear  
13          and concise direction that the head of the office  
14          or agency shall—

15               (i) establish effective and efficient  
16               capital planning processes for selecting,  
17               managing, and evaluating the results of all  
18               of its major investments in information  
19               systems;

20               (ii) determine, before making an in-  
21               vestment in a new information system—

22                       (I) whether the function to be  
23                       supported by the system should be  
24                       performed by the private sector and,  
25                       if so, whether any component of the

1 office or agency performing that func-  
2 tion should be converted from a gov-  
3 ernmental organization to a private  
4 sector organization; or

5 (II) whether the function should  
6 be performed by the office or agency  
7 and, if so, whether the function  
8 should be performed by a private sec-  
9 tor source under contract or by per-  
10 sonnel of the office or agency;

11 (iii) analyze the missions of the office  
12 or agency and, based on the analysis, re-  
13 vise the office or agency's mission-related  
14 processes and administrative processes, as  
15 appropriate, before making significant in-  
16 vestments in information technology to be  
17 used in support of those missions; and

18 (iv) ensure that the information secu-  
19 rity policies, procedures, and practices are  
20 adequate.

21 (13) REPORTING.—The Chief Information Offi-  
22 cer shall report only to the Secretary.

1 **SEC. 5. PROCUREMENT OF OUTSIDE CONSULTANTS.**

2 (a) IN GENERAL.—Consistent with section 3109 of  
3 title 5, United States Code, the Chief Information Officer  
4 may procure a private consultant who is an expert in—

5 (1) planning and organizing information tech-  
6 nologies in the context of a business; and

7 (2) coordinating information technologies with  
8 core business plans and processes.

9 (b) REPORT.—The Chief Information Officer shall  
10 submit the evaluation by the consultant to the Committee  
11 on Agriculture of the House of Representatives and the  
12 Committee on Agriculture, Nutrition, and Forestry of the  
13 Senate.

14 **SEC. 6. TRANSFER OF AGENCY INFORMATION TECH-**  
15 **NOLOGY FUNDS.**

16 (a) IN GENERAL.—Subject to subsections (b) and (c)  
17 and notwithstanding any other provision of law, each of-  
18 fice or agency of the Department shall annually transfer  
19 agency information technology funds to the account of the  
20 Chief Information Officer.

21 (b) USE AND AVAILABILITY OF FUNDS.—Agency in-  
22 formation technology funds that are transferred to the ac-  
23 count of the Chief Information Officer—

24 (1) may be used only for an activity described  
25 in section 4, 5, or 6 or the Information Technology  
26 Management Reform Act of 1996 (40 U.S.C. 1401

1 et seq.) that the Chief Information Officer deter-  
2 mines will best serve the needs of the Department;  
3 and

4 (2) shall remain available until expended.

5 (c) ADJUSTMENT OF FUNDS TRANSFERRED.—The  
6 Secretary may adjust the amount of funds transferred by  
7 an office or agency under subsection (a) to reflect the ac-  
8 tual or estimated expenditure of the office or agency for  
9 information technology systems for a fiscal year.

10 (d) MULTIPLE OFFICES AND AGENCIES.—An office  
11 or agency of the Department shall not be required to  
12 transfer more than 10 percent of the funds made available  
13 to the office or agency for salaries and expenses in any  
14 fiscal year to the extent that the office or agency partici-  
15 pates in a program activity that involves more than 1 of-  
16 fice or agency of the Department.

17 **SEC. 7. REVIEW BY OFFICE OF MANAGEMENT AND BUDGET.**

18 The Director of the Office of Management and Budg-  
19 et may review any regulation or transfer or obligation of  
20 funds involving an information technology system of the  
21 Department based on criteria for a strategic business  
22 plan, information technology architecture, or information  
23 technology investment, established by the Office of Man-  
24 agement and Budget under the Government Performance  
25 and Results Act of 1993 (Public Law 103–62), amend-

1 ments made by that Act, and the Information Technology  
2 Management Reform Act of 1996 (40 U.S.C. 1401 et  
3 seq.).

4 **SEC. 8. TECHNICAL AMENDMENT.**

5 Section 13 of the Commodity Credit Corporation  
6 Charter Act (15 U.S.C. 714k) is amended in the second  
7 sentence by striking “section 5 or 11” and inserting “sec-  
8 tion 4, 5, or 11”.

9 **SEC. 9. TERMINATION OF AUTHORITY.**

10 The authority under this Act (other than section 8)  
11 terminates on March 31, 2002.

○