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To facilitate the growth of electronic commerce and enable the electronic commerce market to continue its current growth rate and realize its full potential, to signal strong support of the electronic commerce market by promoting its use within Federal Government agencies and small- and medium-sized businesses, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 10, 1999

Mr. FRIST (for himself, Mr. MCCAIN, and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To facilitate the growth of electronic commerce and enable the electronic commerce market to continue its current growth rate and realize its full potential, to signal strong support of the electronic commerce market by promoting its use within Federal Government agencies and small- and medium-sized businesses, 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 “Electronic Commerce
5 Technology Promotion Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress makes the following findings:

3 (1) Electronic commerce has been widely em-
4 braced by industry, both in the United States and
5 abroad. The volume of commerce conducted over the
6 Internet, though almost nonexistent just a few years
7 ago, is expected to top \$1 trillion by 2003, according
8 to market research reports. Continued growth of this
9 market is vital to the economy of the United States
10 as well as the global economy.

11 (2) United States industries are at the forefront
12 of this global revolution, continually evolving and in-
13 novating to respond to rapidly changing market
14 needs and conditions. Agility and flexibility are es-
15 sential elements in their abilities to compete and
16 adapt. These are also the elements required for the
17 electronic commerce market to sustain its current
18 phenomenal growth rate.

19 (3) The Federal Government should facilitate
20 the growth of electronic commerce by allowing the
21 private sector to continue to take the lead in devel-
22 oping this dynamic global market, and refraining
23 from undue regulatory measures whenever possible.
24 The Government should unambiguously support the
25 development of electronic commerce as a market-
26 driven phenomenon, yet also signal its strong desire

1 to promote and facilitate the growth of the electronic
2 commerce market.

3 (4) An important enabler for global electronic
4 commerce is the ability of different systems to com-
5 municate and exchange data, referred to as system
6 interoperability. The continued growth of electronic
7 commerce depends on a fundamental set of technical
8 standards that enable essential technologies to inter-
9 operate, and on a policy and legal framework that
10 supports the development that the market demands
11 in a timely manner.

12 (5) Prompt adoption and deployment of rel-
13 evant electronic commerce technologies and systems
14 by Federal agencies allow the Government to share
15 in the benefits of the electronic commerce revolution,
16 which can result in reduced cost and increased effi-
17 ciency, as well as improved quality.

18 (6) Usage of the technologies will enable the
19 Government to participate more directly and effec-
20 tively as an active contributor in the collaborative ef-
21 forts spearheaded by the private sector to develop
22 the frameworks and standards necessary for systems
23 and components to interoperate. This has the added
24 benefit of allowing the Government to intercede as
25 necessary in a timely manner, either in failure condi-

1 tions or to remove barriers erected by foreign gov-
2 ernments.

3 (7) In actively deploying such technologies, the
4 United States leadership in electronic commerce is
5 strengthened and, at the same time, establishes a
6 model for other governments and enables the growth
7 of the global electronic commerce market.

8 (8) Traditionally, small- and medium-sized en-
9 terprises play a critical role in enhancing the gross
10 domestic product associated with a growing eco-
11 nomic sector. Electronic commerce technologies have
12 the potential to enable these businesses to enter the
13 market with lower entry costs and compete more ef-
14 fectively. The United States Government has an in-
15 herent interest in ensuring that electronic commerce
16 technologies are deployed widely by these small- and
17 medium-sized businesses so that they can remain
18 competitive in the global economy.

19 **SEC. 3. DEFINITIONS.**

20 In this Act:

21 (1) CENTER.—The term “Center” means the
22 Center of Excellence for Electronic Commerce.

23 (2) DIRECTOR.—The term “Director” means
24 the Director of the National Institute of Standards
25 and Technology.

1 (3) INTEROPERABILITY.—The term “interoperability” means the ability of different software systems, applications, and services to communicate and exchange data in a predictable and consistent manner.

6 (4) INTEROPERABILITY SPECIFICATION.—The term “interoperability specification” means the technical documents developed by formal domestic and international standard organizations, industry consortia, and any other informal industry collaborations, for the purpose of creating interoperable systems and technologies.

13 (5) INSTITUTE.—The term “Institute” means the National Institute of Standards and Technology.

15 (6) MATRIX ORGANIZATION.—The term “matrix organization” means an organizational structure that is built based on coordinating the needed resources and expertise from other existing functional organizations.

20 **SEC. 4. PURPOSES.**

21 The purposes of this Act are—

22 (1) to enable the electronic commerce market to
23 continue its current growth rate and realize its full
24 potential by supporting the development of relevant
25 standards and interoperability specifications;

1 (2) to signal strong support of the electronic
2 commerce market by promoting the use of electronic
3 commerce technologies within Federal Government
4 agencies; and

5 (3) to establish a Center of Excellence in Elec-
6 tronic Commerce at the National Institute of Stand-
7 ards and Technology, which will act as a central re-
8 source for the Federal Government, promote the use
9 of electronic commerce technologies, and represent
10 the Government interest in private sector collabo-
11 rative efforts to develop electronic commerce tech-
12 nologies and interoperability specifications.

13 **SEC. 5. CENTER OF EXCELLENCE FOR ELECTRONIC COM-**
14 **MERCE.**

15 (a) **ESTABLISHMENT.**—The Director shall establish
16 an office within the Institute to be known as the Center
17 of Excellence for Electronic Commerce. The Center shall
18 be organized as a matrix organization built upon existing
19 expertise and resources at the Institute.

20 (b) **FUNCTIONS.**—The Center shall—

21 (1) act as the centralized resource of informa-
22 tion for Federal agencies in electronic commerce
23 technologies and issues;

1 (2) provide guidance to the Office of Manage-
2 ment and Budget in developing policies pertaining to
3 electronic commerce;

4 (3) promote the use of electronic commerce
5 technologies within Federal agencies and small- and
6 medium-sized businesses; and

7 (4) ensure that the interests of the United
8 States Government are appropriately represented at
9 both domestic and international meetings pertaining
10 to the setting of interoperability specifications for
11 electronic commerce technologies.

12 (c) ACTIVITIES.—In carrying out subsection (b), the
13 Center shall—

14 (1) work with all the affected parts of the Insti-
15 tute, develop a plan for all efforts related to elec-
16 tronic commerce at the Institute, and coordinate
17 these activities on an ongoing basis to achieve the
18 stated functions;

19 (2) coordinate and lead an inter-agency working
20 group to address issues related to the introduction
21 and deployment of electronic commerce technologies
22 and systems in the Federal Government;

23 (3) develop systems guidelines and reference
24 implementations for use by Federal agencies which
25 utilize electronic commerce interoperability specifica-

1 tions, consistent with section 2(b)(13) of the Na-
2 tional Institute of Standards and Technology Act
3 (15 U.S.C. 272(b)(13)) and section 12(d) of the Na-
4 tional Technology Transfer and Advancement Act of
5 1995 (15 U.S.C. 272 nt);

6 (4) advise the Secretary of Commerce upon en-
7 counterering abusive uses of standards as barriers to
8 trade or as unfair commercial practices in the do-
9 mestic and international arenas in the areas of elec-
10 tronic commerce; and

11 (5) lead a coordinated effort with the Depart-
12 ment of Commerce's Manufacturing Extension Pro-
13 gram and with the Small Business Administration,
14 consistent with the respective agencies' missions, to
15 provide technical assistance to small- and medium-
16 sized businesses on issues related to the deployment
17 and use of electronic commerce technologies, includ-
18 ing developing training modules and software tool-
19 kits.

20 **SEC. 6. REPORTS.**

21 (a) IN GENERAL.—Within 6 months after the enact-
22 ment of this Act, the Undersecretary of Technology shall
23 submit a report to the Committee on Commerce, Science,
24 and Transportation of the Senate and the Committee on

1 Science of the House of Representatives on the following
2 issues concerning electronic commerce:

3 (1) Current efforts and activities on electronic
4 commerce in the Institute.

5 (2) The current status of deployment of elec-
6 tronic commerce technologies in the Federal agen-
7 cies, including any future plans.

8 (3) Issues Federal agencies are expected to en-
9 counter in widespread deployment of electronic com-
10 merce technologies.

11 (4) Any legislative revisions to existing Federal
12 programs necessary to support the advancement of
13 electronic commerce in both the Federal Government
14 and industry.

15 (b) REPORT.—Within 1 year after the date of enact-
16 ment of this Act, the Director of the Institute, in collabo-
17 ration with the inter-agency working group referred to in
18 section 5(c)(2), shall submit a report to the Committee
19 on Commerce, Science, and Transportation of the Senate
20 and the Committee on Science of the House of Represent-
21 atives detailing the plan, proposed schedule, and associ-
22 ated costs and benefits for the deployment of electronic
23 commerce technologies in the Federal agencies.

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