

107TH CONGRESS
1ST SESSION

H. R. 2458

To enhance the management and promotion of electronic Government services and processes by establishing a Federal Chief Information Officer within the Office of Management and Budget, and by establishing a broad framework of measures that require using Internet-based information technology to enhance citizen access to Government information and services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2001

Mr. TURNER, (for himself, Ms. HARMAN, Mr. SANDLIN, Mrs. MCCARTHY of New York, Mrs. TAUSCHER, Mr. SCHIFF, Mr. MORAN of Virginia, Mrs. CAPPS, Mr. DOOLEY of California, Mr. MCINTYRE, Mr. KIND, Mr. CRAMER, Mr. TANNER, Mr. STENHOLM, Mr. THOMPSON of California, Mr. FORD, Mr. MOORE, Mr. CARSON of Oklahoma, Mr. ROSS, Mr. DAVIS of Florida, Mr. SMITH of Washington, Ms. ESHOO, Mr. ETHERIDGE, Mr. BOSWELL, Mr. BOYD, Mr. BENTSEN, Mr. EDWARDS, Mr. WU, Ms. HOOLEY of Oregon, Mr. HILL, Mr. LAMPSON, Mr. PRICE of North Carolina, Mr. DOGGETT, Mr. HOLT, Mr. LARSON of Connecticut, Mrs. THURMAN, and Mr. GREEN of Texas) introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To enhance the management and promotion of electronic Government services and processes by establishing a Federal Chief Information Officer within the Office of Management and Budget, and by establishing a broad framework of measures that require using Internet-based information technology to enhance citizen access to Government information and services, 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 “E-
 5 Government Act of 2001”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purposes.

TITLE I—OFFICE OF MANAGEMENT AND BUDGET ELECTRONIC
 GOVERNMENT SERVICES

Sec. 101. Federal Chief Information Officer.

Sec. 102. Office of Information Policy and Office of Information and Regu-
 latory Affairs.

Sec. 103. Management and promotion of electronic Government services.

TITLE II—FEDERAL MANAGEMENT AND PROMOTION OF
 ELECTRONIC GOVERNMENT SERVICES

Sec. 201. Federal agency responsibilities.

Sec. 202. Compatibility of executive agency methods for use and acceptance of
 electronic signatures.

Sec. 203. Online Federal telephone directory.

Sec. 204. Online National Library.

Sec. 205. Federal courts.

Sec. 206. Regulatory agencies.

Sec. 207. Integrated reporting feasibility study and pilot projects.

Sec. 208. Online access to federally funded research and development.

Sec. 209. Common protocols for geographic information systems.

Sec. 210. Share-In-Savings Program improvements.

Sec. 211. Enhancing crisis management through advanced information tech-
 nology.

Sec. 212. Federal Information Technology Training Center.

Sec. 213. Community technology centers.

Sec. 214. Disparities in access to the Internet.

Sec. 215. Accessibility, usability, and preservation of Government information.

Sec. 216. Public domain directory of Federal Government websites.

Sec. 217. Standards for agency websites.

Sec. 218. Privacy protections.

Sec. 219. Accessibility to people with disabilities.

Sec. 220. Notification of obsolete or counterproductive provisions.

TITLE III—AUTHORIZATION OF APPROPRIATIONS AND
 EFFECTIVE DATE

Sec. 301. Authorization of appropriations.

Sec. 302. Effective date.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The use of computers and the Internet is
4 rapidly transforming societal interactions and the re-
5 lationships among citizens, private businesses, and
6 the Government.

7 (2) The Federal Government has had uneven
8 success in applying advances in information tech-
9 nology to enhance Governmental functions and serv-
10 ices, achieve more efficient performance, and in-
11 crease access to Government information and citizen
12 participation in Government.

13 (3) Most Internet-based services of the Federal
14 Government are developed and presented separately,
15 according to the jurisdictional boundaries of an indi-
16 vidual department or agency, rather than being inte-
17 grated cooperatively according to function.

18 (4) Internet-based Government services involv-
19 ing interagency cooperation are especially difficult to
20 develop and promote, in part because of a lack of
21 funding mechanisms to support such interagency co-
22 operation.

23 (5) To take full advantage of the improved Gov-
24 ernment performance that can be achieved through

1 the use of Internet-based technology requires new
2 leadership, better organization, improved interagency
3 collaboration, and more focused oversight of agency
4 compliance with statutes related to information re-
5 source management.

6 (b) PURPOSES.—The purposes of this Act are the fol-
7 lowing:

8 (1) To provide effective leadership of Federal
9 Government efforts to develop and promote elec-
10 tronic Government services and processes by estab-
11 lishing a Federal Chief Information Officer within
12 the Office of Management and Budget.

13 (2) To establish measures that require using
14 Internet-based information technology to enhance
15 citizen access to Government information and serv-
16 ices, improve Government efficiency and reduce Gov-
17 ernment operating costs, and increase opportunities
18 for citizen participation in Government.

19 (3) To promote interagency collaboration in
20 providing electronic Government services, where this
21 collaboration would improve the service to citizens by
22 integrating related function.

23 (4) To promote interagency collaboration in the
24 use of internal electronic Government processes,

1 where this collaboration would improve the efficiency
2 and effectiveness of the processes.

3 **TITLE I—OFFICE OF MANAGE-**
4 **MENT AND BUDGET ELEC-**
5 **TRONIC GOVERNMENT SERV-**
6 **ICES**

7 **SEC. 101. FEDERAL CHIEF INFORMATION OFFICER.**

8 (a) ESTABLISHMENT.—Section 502 of title 31,
9 United States Code, is amended—

10 (1) by redesignating subsections (d), (e), and
11 (f), as subsections (e), (f), and (g), respectively; and

12 (2) by inserting after subsection (c) the fol-
13 lowing:

14 “(d) The Office has a Federal Chief Information Offi-
15 cer appointed by the President, by and with the advice
16 and consent of the Senate. The Federal Chief Information
17 Officer shall provide direction, coordination, and oversight
18 of the development, application, and management of infor-
19 mation resources by the Federal Government.”.

20 (b) COMPENSATION.—Section 5313 of title 5, United
21 States Code, is amended by adding at the end the fol-
22 lowing:

23 “Federal Chief Information Officer.”.

24 (c) MODIFICATION OF DEPUTY DIRECTOR FOR MAN-
25 AGEMENT FUNCTIONS.—Section 503(b)(2)(D) of title 31,

1 United States Code, is amended by striking “and statis-
2 tical policy” and inserting “collection review”.

3 (d) OFFICE OF INFORMATION POLICY.—

4 (1) IN GENERAL.—Chapter 5 of title 31, United
5 States Code, is amended by inserting after section
6 506 the following:

7 **“§ 507. Office of Information Policy**

8 “The Office of Information Policy, established under
9 section 3503 of title 44, is an office in the Office of Man-
10 agement and Budget.”.

11 (2) TECHNICAL AND CONFORMING AMEND-
12 MENT.—The table of sections for chapter 5 of title
13 31, United States Code, is amended by inserting
14 after the item relating to section 506 the following:
“507. Office of Information Policy.”.

15 (e) PRIVACY ACT FUNCTIONS.—

16 Section 552a(v) of title 5, United States Code (com-
17 monly referred to as the Privacy Act) is amended to read
18 as follows:

19 “(v) OFFICE OF MANAGEMENT AND BUDGET RE-
20 SPONSIBILITIES.—The Director of the Office of Manage-
21 ment and Budget shall—

22 “(1) develop and, after notice and opportunity
23 for public comment, prescribe guidelines and regula-
24 tions for the use of agencies in implementing the
25 provisions of this section;

1 “(2) provide continuing assistance to and over-
2 sight of the implementation of this section by agen-
3 cies; and

4 “(3) delegate all of the functions to be per-
5 formed by the Director under this section to the
6 Federal Chief Information Officer.”.

7 (f) ACQUISITIONS OF INFORMATION TECHNOLOGY.—

8 (1) RESPONSIBILITIES AND FUNCTIONS.—Sec-
9 tion 5111 of the Clinger-Cohen Act of 1996 (40
10 U.S.C. 1411) is amended—

11 (A) by inserting “(a) IN GENERAL.—” be-
12 fore “In fulfilling”; and

13 (B) by adding at the end the following:

14 “(b) DELEGATION.—The Director shall delegate all
15 of the responsibilities and functions to be performed by
16 the Director under this title to the Federal Chief Informa-
17 tion Officer.”.

18 (2) INFORMATION TECHNOLOGY ACQUISITION
19 PILOT PROGRAMS.—Section 5301(a)(1) of the
20 Clinger-Cohen Act of 1996 (40 U.S.C. 1471(a)(1))
21 is amended by striking “Administrator for the Office
22 of Information and Regulatory Affairs” and insert-
23 ing “Federal Chief Information Officer”.

24 (g) FEDERAL COMPUTER SYSTEMS STANDARDS AND
25 GUIDELINES.—

1 (1) PROMULGATION.—Section 5131 of the
2 Clinger-Cohen Act of 1996 (40 U.S.C. 1441) is
3 amended—

4 (A) by striking “Secretary of Commerce”
5 each place it appears and inserting “Federal
6 Chief Information Officer” in each such place;
7 and

8 (B) by striking “Secretary” each place it
9 appears and inserting “Federal Chief Informa-
10 tion Officer” in each such place.

11 (2) SUBMISSION.—Section 20(a)(4) of the Na-
12 tional Institute of Standards and Technology Act
13 (15 U.S.C. 278g–3(a)(4)) is amended by striking
14 “Secretary of Commerce” and inserting “Federal
15 Chief Information Officer”.

16 (h) INFORMATION TECHNOLOGY FUND.—Section
17 110(a) of the Federal Property and Administrative Serv-
18 ices Act of 1949 (40 U.S.C. 757(a)) is amended by adding
19 at the end the following:

20 “(3) The Administrator’s decisions with regard
21 to obligations of and expenditures from the Fund
22 shall be made after consultation with the Federal
23 Chief Information Officer, with respect to those pro-
24 grams that—

1 “(A) promote the use of information tech-
2 nology to agencies; or

3 “(B) are intended to facilitate the efficient
4 management, coordination, operation, or use of
5 those information technologies.”.

6 (i) **ELECTRONIC GOVERNMENT AND INFORMATION**
7 **TECHNOLOGIES.—**

8 (1) **IN GENERAL.**—The Federal Property and
9 Administrative Services Act of 1949 (40 U.S.C. 471
10 et seq.) is amended by inserting after section 112
11 the following:

12 **“SEC. 113. ELECTRONIC GOVERNMENT AND INFORMATION**
13 **TECHNOLOGIES.**

14 “The Administrator of General Services shall consult
15 with the Federal Chief Information Officer on programs
16 undertaken by the General Services Administration to pro-
17 mote electronic Government and the efficient use of infor-
18 mation technologies by Federal agencies.”.

19 (2) **TECHNICAL AND CONFORMING AMEND-**
20 **MENT.**—The table of sections for the Federal Prop-
21 erty and Administrative Services Act of 1949 is
22 amended by inserting after the item relating to sec-
23 tion 112 the following:

 “Sec. 113. Electronic Government and information technologies.”.

1 (j) GOVERNMENT PAPERWORK ELIMINATION.—The
2 Government Paperwork Elimination Act (44 U.S.C. 3504
3 note) is amended—

4 (1) by redesignating sections 1709 and 1710 as
5 sections 1710 and 1711, respectively; and

6 (2) by inserting after section 1708 the fol-
7 lowing:

8 **“SEC. 1709. DELEGATION OF FUNCTIONS TO FEDERAL**
9 **CHIEF INFORMATION OFFICER.**

10 “The Director of the Office of Management and
11 Budget shall delegate all of the functions to be performed
12 by the Director under this title to the Federal Chief Infor-
13 mation Officer.”.

14 **SEC. 102. OFFICE OF INFORMATION POLICY AND OFFICE**
15 **OF INFORMATION AND REGULATORY AF-**
16 **FAIRS.**

17 (a) ESTABLISHMENT.—

18 (1) IN GENERAL.—Section 3503 of title 44,
19 United States Code, is amended to read as follows:

20 **“§ 3503. Office of Information Policy and Office of In-**
21 **formation and Regulatory Affairs**

22 “(a)(1) There is established in the Office of Manage-
23 ment and Budget an office to be known as the Office of
24 Information Policy.

1 “(2) The Office shall be administered by the Federal
2 Chief Information Officer established under section
3 502(d) of title 31. The Director shall delegate to the Fed-
4 eral Chief Information Officer the authority to administer
5 all functions under this chapter, except those delegated to
6 the Administrator of the Office of Information and Regu-
7 latory Affairs under subsection (b)(2). Any such delega-
8 tion shall not relieve the Director of responsibility for the
9 administration of such function.

10 “(b)(1) There is established in the Office of Manage-
11 ment and Budget an office to be known as the Office of
12 Information and Regulatory Affairs.

13 “(2) There shall be at the head of the Office an Ad-
14 ministrator who shall be appointed by the President, by
15 and with the advice and consent of the Senate. The Direc-
16 tor shall delegate to the Administrator the authority to
17 administer all functions under this chapter explicitly relat-
18 ing to information collection review. Any such delegation
19 shall not relieve the Director of responsibility for the ad-
20 ministration of such functions.”.

21 (2) TECHNICAL AND CONFORMING AMEND-
22 MENT.—The table of sections for chapter 35 of title
23 44, United States Code, is amended by striking the
24 item relating to section 3503 and inserting the fol-
25 lowing:

“3503. Office of Information Policy and Office of Information and Regulatory Affairs.”.

1 (b) PROMOTION OF INFORMATION TECHNOLOGY.—
2 Section 3504(h)(5) of title 44, United States Code, is
3 amended by inserting “direct the Federal Chief Informa-
4 tion Officer and the Administrator of the Office of Infor-
5 mation and Regulatory Affairs, acting jointly, to” after
6 “(5)”.

7 (c) COORDINATION OF INFORMATION COLLECTION
8 REVIEWS.—

9 (1) INFORMATION COLLECTION REVIEW.—Sec-
10 tion 3502 of title 44, United States Code is
11 amended—

12 (A) by redesignating paragraphs (6)
13 through (14) as paragraphs (7) through (15),
14 respectively; and

15 (B) by inserting after paragraph (5) the
16 following:

17 “(6) the term ‘information collection review’
18 means those functions described under section
19 3504(c) and related functions;”.

20 (2) COORDINATION.—Section 3504 of title 44,
21 United States Code, is amended—

22 (A) by redesignating paragraph (2) as
23 paragraph (3); and

1 (B) by inserting after paragraph (1) the
2 following:

3 “(2) The Director shall ensure that the Office
4 of Information Policy and the Office of Information
5 and Regulatory Affairs coordinate their efforts in
6 applying the principles developed and implemented
7 under this section to information collection re-
8 views.”.

9 (d) REFERENCES.—Reference in any Federal law,
10 Executive order, rule, regulation, or delegation of author-
11 ity, or any document of or relating to the Office of Infor-
12 mation and Regulatory Affairs or the Administrator of the
13 Office of Information and Regulatory Affairs, respectively,
14 shall be deemed a reference to—

15 (1) the Office of Information Policy or the Fed-
16 eral Chief Information Officer, respectively, with re-
17 spect to functions described under section 3503(a) of
18 title 44, United States Code (as amended by section
19 103 of this Act); and

20 (2) the Office of Information and Regulatory
21 Affairs or the Administrator of the Office of Infor-
22 mation and Regulatory Affairs, respectively, with re-
23 spect to functions described under section 3503(b)
24 of such title (as amended by section 103 of this
25 Act).

1 (e) ADDITIONAL CONFORMING AMENDMENTS.—

2 (1) RECOMMENDED LEGISLATION.—After con-
3 sultation with the appropriate committees of Con-
4 gress, the Director of the Office of Management and
5 Budget shall prepare and submit to Congress rec-
6 ommended legislation containing technical and con-
7 forming amendments to reflect the changes made by
8 this Act.

9 (2) SUBMISSION TO CONGRESS.—Not later than
10 6 months after the effective date of this Act, the Di-
11 rector of the Office of Management and Budget
12 shall submit the recommended legislation referred to
13 under paragraph (1).

14 **SEC. 103. MANAGEMENT AND PROMOTION OF ELECTRONIC**
15 **GOVERNMENT SERVICES.**

16 (a) IN GENERAL.—Title 44, United States Code, is
17 amended by inserting after chapter 35 the following:

18 **“CHAPTER 36—MANAGEMENT AND PRO-**
19 **MOTION OF ELECTRONIC GOVERN-**
20 **MENT SERVICES**

“Sec.

“3601. Definitions.

“3602. Federal Chief Information Officer functions.

“3603. Chief Information Officers Council.

“3604. E-Government Fund.

1 **“§ 3601. Definitions**

2 “In this chapter, the definitions under section 3502
3 shall apply, and the term—

4 “(1) ‘Council’ means the Chief Information Of-
5 ficers Council established under section 3603;

6 “(2) ‘Cross-Sector Forum’ means the Cross-
7 Sector Forum on Information Resources Manage-
8 ment established under section 3602(a)(10);

9 “(3) ‘Fund’ means the E-Government Fund es-
10 tablished under section 3604;

11 “(4) ‘interoperability’ means the ability of dif-
12 ferent software systems, applications, and services to
13 communicate and exchange data in an accurate, ef-
14 fective, and consistent manner; and

15 “(5) ‘integrated service delivery’ means the pro-
16 vision of Internet-based Federal Government infor-
17 mation or services integrated according to function
18 rather than separated according to the boundaries of
19 agency jurisdiction.

20 **“§ 3602. Federal Chief Information Officer functions**

21 “(a) Subject to the direction and approval of the Di-
22 rector of the Office of Management Budget, and subject
23 to requirements of this chapter, the Federal Chief Infor-
24 mation Officer shall perform information resources man-
25 agement functions as follows:

1 “(1) Perform all functions of the Director, in-
2 cluding all functions delegated by the President to
3 the Director, relating to information resources man-
4 agement.

5 “(2) Perform the following functions with re-
6 spect to information resources management:

7 “(A) Under section 5112 of the Clinger-
8 Cohen Act of 1996 (40 U.S.C. 1412), review
9 agency budget requests related to information
10 technology capital planning and investment.

11 “(B) Under section 5113 of the Clinger-
12 Cohen Act of 1996 (40 U.S.C. 1413), evaluate
13 the investments referred to under subparagraph
14 (A) with respect to performance and results.

15 “(C) Review legislative proposals related to
16 information technology capital planning and in-
17 vestment.

18 “(D) Advise the Director on the resources
19 required to develop and effectively operate and
20 maintain Federal Government information sys-
21 tems.

22 “(E) Recommend to the Director changes
23 relating to Governmentwide strategies and pri-
24 orities for information resources management.

1 “(3) Provide overall leadership and direction to
2 the executive branch on information policy by estab-
3 lishing information resources management policies
4 and requirements, and by reviewing each agency’s
5 performance in acquiring, using, and managing in-
6 formation resources.

7 “(4) Promote innovative uses of information
8 technology by agencies, particularly initiatives in-
9 volving multiagency collaboration, through support
10 of pilot projects, research, experimentation, and the
11 use of innovative technologies.

12 “(5) Administer the distribution of funds from
13 the E-Government Fund established under section
14 3604.

15 “(6) Consult with the Administrator of General
16 Services regarding the use of the Information Tech-
17 nology Fund established under section 110 of the
18 Federal Property and Administrative Coordinate
19 Services Act of 1949 (40 U.S.C. 757), and coordi-
20 nate with the Administrator of General Services re-
21 garding programs undertaken by the General Serv-
22 ices Administration to promote electronic Govern-
23 ment and the efficient use of information tech-
24 nologies by agencies.

1 “(7) Chair the Chief Information Officers
2 Council established under section 3603.

3 “(8) Establish and promulgate information
4 technology standards for the Federal Government
5 under section 5131 of the Clinger-Cohen Act of
6 1996 (40 U.S.C. 1441) based on the recommenda-
7 tions of the National Institute of Standards and
8 Technology, taking into account, if appropriate, rec-
9 ommendations of the Chief Information Officers
10 Council, experts, and interested parties from the pri-
11 vate and nonprofit sectors and State, local, and trib-
12 al governments, as follows:

13 “(A) Standards and guidelines for
14 interconnectivity and interoperability as de-
15 scribed under section 3504.

16 “(B) Standards and guidelines for catego-
17 rizing and electronically labeling Federal Gov-
18 ernment electronic information, to enhance elec-
19 tronic search capabilities.

20 “(C) Standards and guidelines for Federal
21 Government computer system efficiency and se-
22 curity.

23 “(9) Establish a regular forum for consulting
24 and communicating with leaders in information re-
25 sources management in the legislative and judicial

1 branches to encourage collaboration and enhance un-
2 derstanding of best practices and innovative ap-
3 proaches in acquiring, using, and managing informa-
4 tion resources.

5 “(10) Establish a regular forum for consulting
6 and communicating with leaders in information re-
7 sources management in State, local, and tribal gov-
8 ernments (including the National Association of
9 State Information Resources Executives) to encour-
10 age collaboration and enhance understanding of best
11 practices and innovative approaches in acquiring,
12 using, and managing information resources.

13 “(11) Establish a regular forum for consulting
14 and communicating with program managers and
15 leaders in information resources management in the
16 regulatory executive branch agencies to encourage
17 collaboration and enhance understanding of best
18 practices and innovative approaches related to the
19 acquisition, use, and management of information re-
20 sources in regulatory applications.

21 “(12) Establish a Cross-Sector Forum on Infor-
22 mation Resources Management, subject to the Fed-
23 eral Advisory Committee Act (5 U.S.C. App.), as a
24 periodic colloquium with representatives from Fed-
25 eral agencies (including Federal employees who are

1 not supervisors or management officials as such
2 terms are defined under section 7103(a) (10) and
3 (11), respectively) and the private, nonprofit, and
4 academic sectors, to encourage collaboration and en-
5 hance understanding of best practices and innovative
6 approaches in acquiring, using, and managing infor-
7 mation resources. The Cross-Sector Forum shall be
8 used for the following:

9 “(A) To develop innovative models for Gov-
10 ernment information resources management
11 and for Government information technology
12 contracts. These models may be developed
13 through focused Cross-Sector Forum discus-
14 sions or using separately sponsored research.

15 “(B) To identify opportunities for perform-
16 ance-based shared-savings contracts as a means
17 of increasing the quantity and quality of Gov-
18 ernment information and services available
19 through the Internet.

20 “(C) To identify opportunities for public-
21 private collaboration in using Internet-based
22 technology to increase the efficiency of Govern-
23 ment-to-business transactions.

24 “(D) To identify mechanisms for providing
25 incentives to program managers and other Gov-

1 ernment employees to develop and implement
2 innovative uses of information technologies.

3 “(E) To identify opportunities for public-
4 private collaboration in addressing the dispari-
5 ties in access to the Internet and information
6 technology.

7 “(F) To develop guidance to advise agen-
8 cies and private companies on any relevant legal
9 and ethical restrictions.

10 “(13) Direct the establishment, maintenance,
11 and promotion of an integrated Internet-based sys-
12 tem of delivering Government information and serv-
13 ices to the public. To the extent practicable, the in-
14 tegrated system shall be designed and operated ac-
15 cording to the following criteria:

16 “(A) The provision of Internet-based Gov-
17 ernment information and services integrated ac-
18 cording to function rather than separated ac-
19 cording to the boundaries of agency jurisdic-
20 tion.

21 “(B) An ongoing effort to ensure that all
22 Internet-based Government services relevant to
23 a given citizen activity are available from a sin-
24 gle point.

1 “(C) Standardized methods for navigating
2 Internet-based Government information and
3 services.

4 “(D) The consolidation of Federal Govern-
5 ment information and services with Internet-
6 based information and services provided by
7 State, local, and tribal governments.

8 “(14) Coordinate with the Administrator of the
9 Office of Federal Procurement Policy to ensure ef-
10 fective implementation of electronic procurement ini-
11 tiatives.

12 “(15) Assist Federal agencies, the United
13 States Access Board, the General Services Adminis-
14 tration, and the Attorney General in—

15 “(A) implementing accessibility standards
16 under section 508 of the Rehabilitation Act of
17 1973 (29 U.S.C. section 794d); and

18 “(B) ensuring compliance with those
19 standards through the budget review process
20 and other means.

21 “(16) Administer the Office of Information Pol-
22 icy established under section 3503.

23 “(b) The Director of the Office of Management and
24 Budget shall consult with the Federal Chief Information

1 Officer on each agency budget request and legislative pro-
2 posal described under subsection (a)(2).

3 “(c) The Federal Chief Information Officer shall ap-
4 point the employees of the Office. The Director of the Of-
5 fice of Management and Budget shall ensure that the Of-
6 fice of Information Policy has adequate employees and re-
7 sources to properly fulfill all functions delegated to the Of-
8 fice and the Federal Chief Information Officer.

9 “(d) There are authorized to be appropriated
10 \$15,000,000 for the establishment, maintenance, and pro-
11 motion of the integrated Internet-based system established
12 under subsection (a)(13) for fiscal year 2002, and such
13 sums as are necessary for fiscal years 2003 through 2006.

14 **“§ 3603. Chief Information Officers Council**

15 “(a) There is established in the executive branch a
16 Chief Information Officers Council.

17 “(b) The members of the Council shall be as follows:

18 “(1) The chief information officer of each agen-
19 cy described under section 901(b) of title 31.

20 “(2) The chief information officer of the Cen-
21 tral Intelligence Agency.

22 “(3) The chief information officer of the De-
23 partment of the Army, the Department of the Navy,
24 and the Department of the Air Force, if chief infor-

1 mation officers have been designated for these de-
2 partments under section 3506(a)(2)(B).

3 “(4) Any other officers or employees of the
4 United States designated by the Federal Chief Infor-
5 mation Officer.

6 “(c)(1) The Federal Chief Information Officer shall
7 be the Chairman of the Council.

8 “(2)(A) The Deputy Chairman of the Council shall
9 be selected by the Council from among its members.

10 “(B) The Deputy Chairman shall serve a 1-year term,
11 and may serve multiple terms.

12 “(3) The Administrator of General Services shall pro-
13 vide administrative and other support for the Council, in-
14 cluding resources provided through the Information Tech-
15 nology Fund established under section 110 of the Federal
16 Property and Administrative Services Act of 1949 (40
17 U.S.C. 757).

18 “(d) The Council is designated the principal inter-
19 agency forum for improving agency practices related to
20 the design, acquisition, development, modernization, use,
21 operation, sharing, and performance of Federal Govern-
22 ment information resources. The Council shall perform the
23 following functions:

24 “(1) Develop recommendations for the Federal
25 Chief Information Officer on Government informa-

1 tion resources management policies and require-
2 ments.

3 “(2) Assist the Federal Chief Information Offi-
4 cer in developing and maintaining the Government-
5 wide strategic information resources management
6 plan required under section 3506.

7 “(3) Share experiences, ideas, best practices,
8 and innovative approaches related to information re-
9 sources management.

10 “(4) Assist the Federal Chief Information Offi-
11 cer in the identification, development, and coordina-
12 tion of multiagency projects and other innovative ini-
13 tiatives to improve Government performance through
14 the use of information technology.

15 “(5) Provide recommendations to the Federal
16 Chief Information Officer regarding the distribution
17 of funds from the E-Government Fund established
18 under section 3604.

19 “(6) Coordinate the development and use of
20 common performance measures for agency informa-
21 tion resources management under section 5123 of
22 the Clinger-Cohen Act of 1996 (40 U.S.C. 1423).

23 “(7) Work as appropriate with the National In-
24 stitute of Standards and Technology to develop rec-
25 ommendations for the Federal Chief Information Of-

1 ficer on information technology standards developed
2 under section 20 of the National Institute of Stand-
3 ards and Technology Act (15 U.S.C. 278g–3) and
4 promulgated under section 5131 of the Clinger-
5 Cohen Act of 1996 (40 U.S.C. 1441), as follows:

6 “(A) Standards and guidelines for
7 interconnectivity and interoperability as de-
8 scribed under section 3504.

9 “(B) Standards and guidelines for catego-
10 rizing and electronically labeling Government
11 electronic information, to enhance electronic
12 search capabilities.

13 “(C) Standards and guidelines for Federal
14 Government computer system efficiency and se-
15 curity.

16 “(8) Work with the Office of Personnel Man-
17 agement to assess and address the hiring, training,
18 classification, and professional development needs of
19 the Government related to information resources
20 management.

21 **“§ 3604. E-Government Fund**

22 “(a) There is established in the Treasury of the
23 United States an E-Government Fund, which shall be
24 available without fiscal year limitation.

1 “(b) The Fund shall be used to fund interagency in-
2 formation technology projects, and other innovative uses
3 of information technology. The Fund shall be operated as
4 follows:

5 “(1) Any member of the Council, including the
6 Federal Chief Information Officer, may propose a
7 project to be funded from the Fund.

8 “(2) On a regular basis, an appropriate com-
9 mittee within the Council shall review candidate
10 projects for funding eligibility, and make rec-
11 ommendations to the Federal Chief Information Of-
12 ficer on which projects should be funded from the
13 Fund. The review committee shall consider the fol-
14 lowing:

15 “(A) The relevance of this project in sup-
16 porting the missions of the affected agencies
17 and other statutory provisions.

18 “(B) The usefulness of interagency collabo-
19 ration on this project in supporting integrated
20 service delivery.

21 “(C) The usefulness of this project in illus-
22 trating a particular use of information tech-
23 nology that could have broader applicability
24 within the Government.

1 “(D) The extent to which privacy and in-
2 formation security will be provided in the imple-
3 mentation of the project.

4 “(E) The willingness of the agencies af-
5 fected by this project to provide matching
6 funds.

7 “(F) The availability of funds from other
8 sources for this project.

9 “(3) After considering the recommendations of
10 the Council, the Federal Chief Information Officer
11 shall have final authority to determine which of the
12 candidate projects shall be funded from the Fund.

13 “(c) The Fund may be used to fund the integrated
14 Internet-based system under section 3602(a)(13).

15 “(d) None of the funds provided from the Fund may
16 be transferred to any agency until 15 days after the Fed-
17 eral Chief Information Officer has submitted to the Com-
18 mittees on Appropriations of the Senate and the House
19 of Representatives, the Committee on Governmental Af-
20 fairs of the Senate, the Committee on Government Reform
21 of the House of Representatives, and the appropriate au-
22 thorizing committees of the Senate and the House of Rep-
23 resentatives, a notification and description of how the
24 funds are to be allocated and how the expenditure will fur-
25 ther the purposes of this chapter.

1 **TITLE II—FEDERAL MANAGE-**
2 **MENT AND PROMOTION OF**
3 **ELECTRONIC GOVERNMENT**
4 **SERVICES**

5 **SEC. 201. FEDERAL AGENCY RESPONSIBILITIES.**

6 (a) IN GENERAL.—The head of each agency shall be
7 responsible for—

8 (1) complying with the requirements of this Act
9 (including the amendments made by this Act) and
10 the related information resource management poli-
11 cies and information technology standards estab-
12 lished by the Federal Chief Information Officer;

13 (2) ensuring that the policies and standards es-
14 tablished by the Federal Chief Information Officer
15 and the Chief Information Officers Council are com-
16 municated promptly and effectively to all relevant
17 managers with information resource management re-
18 sponsibilities within their agency; and

19 (3) supporting the efforts of the Federal Chief
20 Information Officer to develop, maintain, and pro-
21 mote an integrated Internet-based system of deliv-
22 ering Federal Government information and services
23 to the public under chapter 36 of title 44, United
24 States Code (as added by section 103 of this Act).

1 (b) CHIEF INFORMATION OFFICERS.—The Chief In-
2 formation Officer of each of the agencies designated under
3 chapter 36 of title 44, United States Code (as added by
4 section 103 of this Act), shall be responsible for—

5 (1) participating in the functions of the Chief
6 Information Officers Council; and

7 (2) monitoring the implementation, within their
8 respective agencies, of information technology stand-
9 ards established by the Federal Chief Information
10 Officer, including common standards for
11 interconnectivity and interoperability, categorization
12 and labeling of Federal Government electronic infor-
13 mation, and computer system efficiency and security.

14 (c) E-GOVERNMENT STATUS REPORT.—

15 (1) IN GENERAL.—Each agency shall compile
16 and submit to the Federal Chief Information Officer
17 an E-Government Status Report on the current sta-
18 tus of agency information and agency services avail-
19 able online.

20 (2) CONTENT.—Each report under this sub-
21 section shall contain—

22 (A) a list and brief description of the agen-
23 cy services available online;

24 (B) a list, by number and title, of the 25
25 most frequently requested agency forms avail-

1 able online, annotated to indicate which forms
2 can be submitted to the agency electronically;
3 and

4 (C) a summary of the type, volume, gen-
5 eral topical areas, and currency of agency infor-
6 mation available online.

7 (3) SUBMISSION.—Not later than March 1, of
8 each year, each agency shall submit a report under
9 this subsection to the Federal Chief Information Of-
10 ficer.

11 (4) CONSOLIDATION OF REPORTS.—Section
12 3516(a)(2) of title 31, United States Code, is
13 amended—

14 (A) by redesignating subparagraph (C) as
15 subparagraph (D); and

16 (B) by inserting after subparagraph (B)
17 the following:

18 “(C) Any E-Government Status Report
19 under section 201(c) of the E-Government Act
20 of 2001.”.

21 **SEC. 202. COMPATIBILITY OF EXECUTIVE AGENCY METH-**
22 **ODS FOR USE AND ACCEPTANCE OF ELEC-**
23 **TRONIC SIGNATURES.**

24 (a) ELECTRONIC SIGNATURES.—In order to fulfill
25 the objectives of the Government Paperwork Elimination

1 Act (Public Law 105–277; 112 Stat. 2681–749 through
2 2681–751), each Executive agency (as defined under sec-
3 tion 105 of title 5, United States Code) shall ensure that
4 its methods for use and acceptance of electronic signatures
5 are compatible with the relevant procedures and standards
6 promulgated by the Director of the Office of Management
7 and Budget.

8 (b) BRIDGE AUTHORITY FOR DIGITAL SIGNA-
9 TURES.—The Administrator of the General Services Ad-
10 ministration shall support the Director of the Office of
11 Management and Budget by establishing the Federal
12 bridge certification authority which shall provide a central
13 authority to allow efficient interoperability among Execu-
14 tive agencies when certifying digital signatures.

15 (c) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to the General Services
17 Administration, to ensure the development and operation
18 of a Federal bridge certification authority for digital sig-
19 nature compatibility, \$7,000,000 in fiscal year 2002, and
20 such sums as may be necessary for each fiscal year there-
21 after.

22 **SEC. 203. ONLINE FEDERAL TELEPHONE DIRECTORY.**

23 (a) IN GENERAL.—

24 (1) DEVELOPMENT.—The Administrator of the
25 General Services Administration, in coordination

1 with the Chief Information Officers Council, shall
2 develop and promulgate an online Federal telephone
3 directory.

4 (2) ORGANIZATION.—Information in the online
5 Federal telephone directory shall be organized and
6 retrievable both by function and by agency name.

7 (3) TELEPHONE DIRECTORIES.—Information
8 compiled for publication in the online Federal tele-
9 phone directory shall be provided to local telephone
10 book publishers, to encourage publication and dis-
11 semination of functionally arranged directories in
12 local Federal blue pages.

13 (b) EXECUTIVE AGENCIES.—

14 (1) IN GENERAL.—Each Executive agency (as
15 defined under section 105 of title 5, United States
16 Code) shall publish an online agency directory, ac-
17 cessible by electronic link from the online Federal
18 telephone directory.

19 (2) CONTENT.—Each agency directory—

20 (A) shall include telephone numbers and
21 electronic mail addresses for principal depart-
22 ments and principal employees, subject to secu-
23 rity restrictions and agency judgment; and

24 (B) shall be electronically searchable.

1 **SEC. 204. ONLINE NATIONAL LIBRARY.**

2 (a) IN GENERAL.—The Director of the National
3 Science Foundation, the Secretary of the Smithsonian In-
4 stitution, the Director of the National Park Service, the
5 Director of the Institute of Museum and Library Services,
6 and the Librarian of Congress shall establish an Online
7 National Library after consultation with—

- 8 (1) the private sector;
9 (2) public, research, and academic libraries;
10 (3) historical societies;
11 (4) archival institutions; and
12 (5) other cultural and academic organizations.

13 (b) FUNCTIONS.—The Online National Library—

14 (1) shall provide public access to an expanding
15 database of educational resource materials, including
16 historical documents, photographs, audio recordings,
17 films, and other media as appropriate, that are sig-
18 nificant for education and research in United States
19 history and culture;

20 (2) shall be functionally integrated, so that a
21 user may have access to the resources of the Library
22 without regard to the boundaries of the contributing
23 institutions; and

24 (3) shall include educational resource materials
25 across a broad spectrum of United States history
26 and culture, including the fields of mathematics,

1 science, technology, liberal arts, fine arts, and hu-
2 manities.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—For the
4 purposes of developing, expanding, and maintaining this
5 Online National Library, there are authorized to be
6 appropriated—

7 (1) to the National Science Foundation
8 \$5,000,000 in fiscal year 2002, and such sums as
9 may be necessary for each fiscal year thereafter; and

10 (2) to the Library of Congress \$5,000,000 in
11 fiscal year 2002, and such sums as may be nec-
12 essary for each fiscal year thereafter.

13 **SEC. 205. FEDERAL COURTS.**

14 (a) INDIVIDUAL COURT WEBSITES.—The Chief Jus-
15 tice of the United States and the chief judge of each cir-
16 cuit and district shall establish with respect to the Su-
17 preme Court or the respective court of appeal or district
18 (including the bankruptcy court of that district) a website,
19 that contains the following information or links to websites
20 with the following information:

21 (1) Location and contact information for the
22 courthouse, including the telephone numbers and
23 contact names for the clerk's office and justices' or
24 judges' chambers.

1 (2) Local rules and standing or general orders
2 of the court.

3 (3) Individual rules, if in existence, of each jus-
4 tice or judge in that court.

5 (4) Access to docket information for each case.

6 (5) Access to the substance of all written opin-
7 ions issued by the court, regardless of whether such
8 opinions are to be published in the official court re-
9 porter, in a text searchable format.

10 (6) Access to all documents filed with the court-
11 house in electronic form, described under subsection
12 (c)(2).

13 (7) Any other information (including forms in
14 a format that can be downloaded) that the court de-
15 termines useful to the public.

16 (b) MAINTENANCE OF DATA ONLINE.—

17 (1) UPDATE OF INFORMATION.—The informa-
18 tion and rules on each website shall be updated reg-
19 ularly and kept reasonably current.

20 (2) CLOSED CASES.—Electronic files and docket
21 information for cases closed for more than 1 year
22 are not required to be made available online, except
23 all written opinions with a date of issuance after the
24 effective date of this section shall remain available
25 online.

1 (c) ELECTRONIC FILINGS.—

2 (1) IN GENERAL.—Each court shall make any
3 document that is filed electronically publicly avail-
4 able online. A court may convert any document that
5 is filed in paper form to electronic form. To the ex-
6 tent such conversions are made, all such electronic
7 versions of the document shall be made available on-
8 line.

9 (2) EXCEPTIONS.—

10 (A) IN GENERAL.—Documents that are
11 filed that are not otherwise available to the
12 public, such as documents filed under seal, shall
13 not be made available online.

14 (B) LIMITATION.—

15 (i) IN GENERAL.—A party, witness, or
16 other person with an interest may file a
17 motion with the court to redact any docu-
18 ment that would be made available online
19 under this section.

20 (ii) REDACTION.—A redaction under
21 this subparagraph shall be made only to—

22 (I) the electronic form of the docu-
23 ment made available online; and

24 (II) the extent necessary to pro-
25 tect important privacy concerns.

1 (C) PRIVACY CONCERNS.—The Judicial
2 Conference of the United States may promul-
3 gate rules under this subsection to protect im-
4 portant privacy concerns.

5 (d) DOCKETS WITH LINKS TO DOCUMENTS.—The
6 Judicial Conference of the United States, in consultation
7 with the Federal Chief Information Officer, shall explore
8 the feasibility of technology to post online dockets with
9 links allowing all filings, decisions, and rulings in each
10 case to be obtained from the docket sheet of that case.

11 (e) COST OF PROVIDING ELECTRONIC DOCKETING
12 INFORMATION.—Section 503(a) of the Judiciary Appro-
13 priations Act, 1992 (28 U.S.C. 1913 note) is amended in
14 the first sentence by striking “shall hereafter” and insert-
15 ing “may, only to the extent necessary,”.

16 (f) TIME REQUIREMENTS.—Not later than 2 years
17 after the effective date of this Act, the websites under sub-
18 section (a) shall be established, except that access to docu-
19 ments filed in electronic form shall be established not later
20 than 4 years after that effective date.

21 (g) OPT OUT.—

22 (1) IN GENERAL.—

23 (A) ELECTION.—

24 (i) NOTIFICATION.—The Chief Justice
25 of the United States or a chief judge may

1 submit a notification to the Administrative
2 Office of the United States Courts to elect
3 not to comply with any requirement of this
4 section with respect to the Supreme Court,
5 a court of appeals, or district (including
6 the bankruptcy court of that district).

7 (ii) CONTENTS.—A notification sub-
8 mitted under this subparagraph shall
9 state—

10 (I) the reasons for the non-
11 compliance; and

12 (II) the online methods, if any,
13 or any alternative methods, such court
14 or district is using to provide greater
15 public access to information.

16 (B) EXCEPTION.—To the extent that the
17 Supreme Court, a court of appeals, or district
18 maintains a website under subsection (a), the
19 Supreme Court or that court of appeals or dis-
20 trict shall comply with subsection (b)(1).

21 (2) REPORT.—Not later than 1 year after the
22 effective date of this Act, the Judicial Conference of
23 the United States shall submit a report to the Com-
24 mittees on Governmental Affairs and the Judiciary
25 of the Senate and the Committees on Government

1 Reform and the Judiciary of the House of Rep-
2 resentatives that—

3 (A) contains all notifications submitted to
4 the Administrative Office of the United States
5 Courts under this subsection; and

6 (B) summarizes and evaluates all notifica-
7 tions.

8 **SEC. 206. REGULATORY AGENCIES.**

9 (a) INFORMATION PROVIDED BY AGENCIES ON-
10 LINE.—To the extent practicable, each agency (as defined
11 under section 551 of title 5, United States Code) shall—

12 (1) establish a website with information about
13 that agency; and

14 (2) post on the website all information—

15 (A) required to be published in the Federal
16 Register under section 552(a)(1) of title 5,
17 United States Code; and

18 (B) made available for public inspection
19 and copying under section 552(a) (2) and (5) of
20 title 5, United States Code, after the effective
21 date of this section.

22 (b) COMPLIANCE.—An agency may comply with sub-
23 section (a)(2) by providing hypertext links on a website
24 directing users to other websites where such information
25 may be found. To the extent that an agency provides

1 hypertext links, the agency shall provide clear instructions
2 to users on how to access the information sought within
3 the external website to which the links direct users.

4 (c) SUBMISSIONS BY ELECTRONIC MEANS.—To the
5 extent practicable, agencies shall accept submissions under
6 section 553(c) of title 5, United States Code, by electronic
7 means, including e-mail and telefacsimile.

8 (d) ELECTRONIC DOCKETING.—

9 (1) IN GENERAL.—To the extent practicable,
10 agencies shall, in consultation with the Federal Chief
11 Information Officer, and in connection with the
12 forum established under section 3602(a)(10) of title
13 44, United States Code (as added by section 103 of
14 this Act), establish and maintain on their websites
15 electronic dockets for rulemakings under section 553
16 of title 5, United States Code.

17 (2) INFORMATION AVAILABLE.—Agency elec-
18 tronic dockets shall make publicly available online—

19 (A) all agency notices, publications, or
20 statements in connection with each rulemaking;
21 and

22 (B) to the extent practicable, all submis-
23 sions under section 553(c) of title 5, United
24 States Code, whether or not submitted elec-
25 tronically.

1 (e) OPT OUT.—

2 (1) IN GENERAL.—

3 (A) NOTIFICATION.—An agency may sub-
4 mit a notification to the Federal Chief Informa-
5 tion Officer to elect to not comply with any re-
6 quirement of subsection (d).

7 (B) CONTENTS.—A notification submitted
8 under this paragraph shall state—

9 (i) the reasons for the noncompliance;
10 and

11 (ii) the online methods, if any, or any
12 alternative methods, the agency is using to
13 provide greater public access to regulatory
14 proceedings.

15 (2) REPORT.—Not later than October 1, of
16 each year, the Federal Chief Information Officer
17 shall submit a report to the Committee on Govern-
18 mental Affairs of the Senate and the Committee on
19 Government Reform of the House of Representatives
20 that—

21 (A) contains all notifications submitted to
22 the Federal Chief Information Officer under
23 this subsection; and

24 (B) summarizes and evaluates all notifica-
25 tions.

1 (f) TIME LIMITATION.—To the extent practicable,
2 agencies shall implement subsections (a) and (b) not later
3 than 2 years after the effective date of this Act, and sub-
4 section (c) not later than 4 years after that effective date.

5 **SEC. 207. INTEGRATED REPORTING FEASIBILITY STUDY**
6 **AND PILOT PROJECTS.**

7 (a) PURPOSES.—The purposes of this section are
8 to—

9 (1) enhance the interoperability of Federal in-
10 formation systems;

11 (2) assist the public, including the regulated
12 community, in electronically submitting information
13 to agencies under Federal requirements, by reducing
14 the burden of duplicate collection and ensuring the
15 accuracy of submitted information; and

16 (3) enable any person to integrate and obtain
17 similar information held by 1 or more agencies
18 under 1 or more Federal requirements without vio-
19 lating the privacy rights of an individual.

20 (b) DEFINITIONS.—In this section, the term—

21 (1) “agency” means an Executive agency as de-
22 fined under section 105 of title 5, United States
23 Code; and

24 (2) “person” means any individual, trust, firm,
25 joint stock company, corporation (including a gov-

1 ernment corporation), partnership, association,
2 State, municipality, commission, political subdivision
3 of a State, interstate body, or agency or component
4 of the Federal Government.

5 (c) REPORT.—

6 (1) IN GENERAL.—Not later than 3 years after
7 the date of enactment of this Act, the Federal Chief
8 Information Officer shall conduct a study and sub-
9 mit a report to the Committee on Governmental Af-
10 fairs of the Senate and the Committee on Govern-
11 ment Reform of the House of Representatives on the
12 feasibility of integrating Federal information sys-
13 tems across agencies.

14 (2) CONTENT.—The report under this section
15 shall—

16 (A) address the feasibility of integrating
17 data elements used in the electronic collection
18 of information within databases established
19 under Federal statute without reducing the
20 quality, accessibility, scope, or utility of the in-
21 formation contained in each database;

22 (B) address the feasibility of developing, or
23 enabling the development of, software, including
24 Internet-based tools, for use by reporting per-
25 sons in assembling, documenting, and validating

1 the accuracy of information electronically sub-
2 mitted to agencies under nonvoluntary, statu-
3 tory, and regulatory requirements; and

4 (C) address the feasibility of developing a
5 distributed information system involving, on a
6 voluntary basis, at least 2 agencies, that—

7 (i) provides consistent, dependable,
8 and timely public access to the information
9 holdings of 1 or more agencies, or some
10 portion of such holdings, including the un-
11 derlying raw data, without requiring public
12 users to know which agency holds the in-
13 formation;

14 (ii) provides methods for input on im-
15 proving the quality and integrity of the
16 data, including correcting errors in submis-
17 sion, consistent with the need to archive
18 changes made to the data; and

19 (iii) allows any person to integrate
20 public information held by the partici-
21 pating agencies;

22 (D) address the feasibility of incorporating
23 other elements related to the purposes of this
24 section at the discretion of the Federal Chief
25 Information Officer; and

1 (E) make recommendations that Congress
2 or the executive branch can implement, through
3 the use of integrated reporting and information
4 systems, to reduce the burden on reporting and
5 strengthen public access to databases within
6 and across agencies.

7 (d) PILOT PROJECTS TO ENCOURAGE INTEGRATED
8 COLLECTION AND MANAGEMENT OF DATA AND INTER-
9 OPERABILITY OF FEDERAL INFORMATION SYSTEMS.—

10 (1) IN GENERAL.—In order to provide input to
11 the study under subsection (c) the Federal Chief In-
12 formation Officer shall implement a series of no
13 more than 5 pilot projects that integrate data ele-
14 ments. The Federal Chief Information Officer shall
15 consult with agencies, the regulated community,
16 public interest organizations, and the public on the
17 implementation.

18 (2) GOALS OF PILOT PROJECTS.—

19 (A) IN GENERAL.—Each goal described
20 under subparagraph (B) shall be addressed by
21 at least 1 pilot project each.

22 (B) GOALS.—The goals under this para-
23 graph are to—

24 (i) reduce information collection bur-
25 dens by eliminating duplicative data ele-

1 ments within 2 or more reporting require-
2 ments;

3 (ii) create interoperability between or
4 among public databases managed by 2 or
5 more agencies using technologies and tech-
6 niques that facilitate public access; and

7 (iii) develop, or enable the develop-
8 ment, of software to reduce errors in elec-
9 tronically submitted information.

10 (3) INPUT.—Each pilot project shall seek input
11 from users on the utility of the pilot project and
12 areas for improvement.

13 (e) CONSULTATION IN PREPARING THE REPORT AND
14 PILOT PROJECT.—The Federal Chief Information Officer
15 shall coordinate with the Office of Information and Regu-
16 latory Affairs, and to the extent practicable, shall work
17 with relevant agencies, and State, tribal, and local govern-
18 ments in carrying out the report and pilot projects under
19 this section.

20 (f) PRIVACY PROTECTIONS.—The activities author-
21 ized in this section shall afford protections for confidential
22 business information consistent with section 552(b)(4) of
23 title 5, United States Code and personal privacy informa-
24 tion under section 552a of title 5, United States Code and
25 other relevant law.

1 **SEC. 208. ONLINE ACCESS TO FEDERALLY FUNDED RE-**
2 **SEARCH AND DEVELOPMENT.**

3 (a) DEFINITIONS.—In this section, the term—

4 (1) “essential information” shall include—

5 (A) information identifying any person per-
6 forming research and development under an
7 agreement and the agency providing the fund-
8 ing;

9 (B) an abstract describing the research;

10 (C) references to published results; and

11 (D) other information determined appro-
12 priate by the interagency task force convened
13 under this section; and

14 (2) “federally funded research and
15 development”—

16 (A) shall be defined by the interagency
17 task force, with reference to applicable Office of
18 Management and Budget circulars and Depart-
19 ment of Defense regulations; and

20 (B) shall include funds provided to—

21 (i) institutions other than the Federal
22 Government; and

23 (ii) Federal research and development
24 centers.

25 (b) INTERAGENCY TASK FORCE.—The Federal Chief
26 Information Officer shall—

1 (1) convene an interagency task force to—

2 (A) review databases, owned by the Fed-
3 eral Government and other entities, that collect
4 and maintain data on federally funded research
5 and development to—

6 (i) determine areas of duplication; and

7 (ii) identify data that is needed but is
8 not being collected or efficiently dissemi-
9 nated to the public or throughout the Gov-
10 ernment;

11 (B) develop recommendations for the Fed-
12 eral Chief Information Officer on standards for
13 the collection and electronic dissemination of es-
14 sential information about federally funded re-
15 search and development that addresses public
16 availability and agency coordination and col-
17 laboration; and

18 (C) make recommendations to the Federal
19 Chief Information Officer on—

20 (i) which agency or agencies should
21 develop and maintain databases and a
22 website containing data on federally fund-
23 ed research and development;

1 (ii) whether to continue using existing
2 databases, to use modified versions of
3 databases, or to develop another database;

4 (iii) the appropriate system architec-
5 ture to minimize duplication and use
6 emerging technologies;

7 (iv) criteria specifying what federally
8 funded research and development projects
9 should be included in the databases; and

10 (v) standards for security of and pub-
11 lic access to the data; and

12 (2) not later than 1 year of the date of enact-
13 ment of this Act, after offering an opportunity for
14 public comment, promulgate standards and regula-
15 tions based on the recommendations, including a de-
16 termination as to which agency or agencies should
17 develop and maintain databases and a website con-
18 taining data on federally funded research and devel-
19 opment.

20 (c) MEMBERSHIPS.—The interagency task force shall
21 consist of the Federal Chief Information Officer and rep-
22 resentatives from—

23 (1) the Department of Commerce;

24 (2) the Department of Defense;

25 (3) the Department of Energy;

1 (4) the Department of Health and Human
2 Services;

3 (5) the National Aeronautics and Space Admin-
4 istration;

5 (6) the National Archives and Records Adminis-
6 tration;

7 (7) the National Science Foundation;

8 (8) the National Institute of Standards and
9 Technology; and

10 (9) any other agency determined by the Federal
11 Chief Information Officer.

12 (d) CONSULTATION.—The task force shall consult
13 with—

14 (1) Federal agencies supporting research and
15 development;

16 (2) members of the scientific community;

17 (3) scientific publishers; and

18 (4) interested persons in the private and non-
19 profit sectors.

20 (e) DEVELOPMENT AND MAINTENANCE OF DATA-
21 BASE AND WEBSITE.—

22 (1) IN GENERAL.—

23 (A) DATABASE AND WEBSITE.—The agen-
24 cy or agencies determined under subsection

25 (b)(2), with the assistance of any other agency

1 designated by the Federal Chief Information
2 Officer, shall develop—

3 (i) a database if determined to be nec-
4 essary by the Federal Chief Information
5 Officer; and

6 (ii) a centralized, searchable website
7 for the electronic dissemination of informa-
8 tion reported under this section, with re-
9 spect to information made available to the
10 public and for agency coordination and col-
11 laboration.

12 (B) CONFORMANCE TO STANDARDS.—The
13 website and any necessary database shall con-
14 form to the standards promulgated by the Fed-
15 eral Chief Information Officer.

16 (2) LINKS.—Where the results of the federally
17 funded research have been published, the website
18 shall contain links to the servers of the publishers if
19 possible. The website may include links to other rel-
20 evant websites containing information about the re-
21 search.

22 (3) OTHER RESEARCH.—The website may in-
23 clude information about published research not
24 funded by the Federal Government, and links to the
25 servers of the publishers.

1 interested parties, shall facilitate the development of com-
2 mon protocols for the development, acquisition, mainte-
3 nance, distribution, and application of geographic informa-
4 tion.

5 (b) FEDERAL CHIEF INFORMATION OFFICER.—The
6 Federal Chief Information Officer shall—

7 (1) oversee the interagency initiative to develop
8 common protocols;

9 (2) coordinate with State, local, and tribal gov-
10 ernments and other interested persons on aligning
11 geographic information; and

12 (3) promulgate the standards relating to the
13 protocols.

14 (c) COMMON PROTOCOLS.—The common protocols
15 shall be designed to—

16 (1) maximize the degree to which unclassified
17 geographic information from various sources can be
18 made electronically compatible; and

19 (2) promote the development of interoperable
20 geographic information systems technologies that
21 will allow widespread, low-cost use and sharing of
22 geographic data by Federal agencies, State, local,
23 and tribal governments, and the public.

1 **SEC. 210. SHARE-IN-SAVINGS PROGRAM IMPROVEMENTS.**

2 Section 5311 of the Clinger-Cohen Act of 1996 (divi-
3 sions D and E of Public Law 104–106; 110 Stat. 692;
4 40 U.S.C. 1491) is amended—

5 (1) in subsection (a)—

6 (A) by striking “the heads of two executive
7 agencies to carry out” and inserting “heads of
8 executive agencies to carry out a total of five
9 projects under”;

10 (B) by striking “and” at the end of para-
11 graph (1);

12 (C) by striking the period at the end of
13 paragraph (2) and inserting “; and”; and

14 (D) by adding at the end the following:

15 “(3) encouraging the use of the contracting and
16 sharing approach described in paragraphs (1) and
17 (2) by allowing the head of the executive agency con-
18 ducting a project under the pilot program—

19 “(A) to retain, out of the appropriation ac-
20 counts of the executive agency in which savings
21 computed under paragraph (2) are realized as
22 a result of the project, up to the amount equal
23 to half of the excess of—

24 “(i) the total amount of the savings;
25 over

1 “(ii) the total amount of the portion
2 of the savings paid to the private sector
3 source for such project under paragraph
4 (2); and

5 “(B) to use the retained amount to acquire
6 additional information technology.”;

7 (2) in subsection (b)—

8 (A) by inserting “a project under” after
9 “authorized to carry out”; and

10 (B) by striking “carry out one project
11 and”; and

12 (3) by striking subsection (c) and inserting the
13 following:

14 “(c) EVOLUTION BEYOND PILOT PROGRAM.—(1)

15 The Administrator may provide general authority to the
16 heads of executive agencies to use a share-in-savings con-
17 tracting approach to the acquisition of information tech-
18 nology solutions for improving mission-related or adminis-
19 trative processes of the Federal Government if—

20 “(A) after reviewing the experience under the
21 five projects carried out under the pilot program
22 under subsection (a), the Administrator finds that
23 the approach offers the Federal Government an op-
24 portunity to improve its use of information tech-
25 nology and to reduce costs; and

1 “(B) issues guidance for the exercise of that
2 authority.

3 “(2) For the purposes of paragraph (1), a share-in-
4 savings contracting approach provides for contracting as
5 described in paragraph (1) of subsection (a) together with
6 the sharing and retention of amounts saved as described
7 in paragraphs (2) and (3) of that subsection.

8 “(3) In exercising the authority provided to the Ad-
9 ministrator in paragraph (1), the Administrator shall con-
10 sult with the Federal Chief Information Officer.

11 “(d) AVAILABILITY OF RETAINED SAVINGS.—(1)
12 Amounts retained by the head of an executive agency
13 under subsection (a)(3) or (c) shall, without further ap-
14 propriation, remain available until expended and may be
15 used by the executive agency for any of the following pur-
16 poses:

17 “(A) The acquisition of information technology.

18 “(B) Support for share-in-savings contracting
19 approaches throughout the agency including—

20 “(i) education and training programs for
21 share-in-savings contracting;

22 “(ii) any administrative costs associated
23 with the share-in-savings contract from which
24 the savings were realized; or

1 “(iii) the cost of employees who specialize
2 in share-in-savings contracts.

3 “(2) Amounts so retained from any appropriation of
4 the executive agency not otherwise available for the acqui-
5 sition of information technology shall be transferred to
6 any appropriation of the executive agency that is available
7 for such purpose.”.

8 **SEC. 211. ENHANCING CRISIS MANAGEMENT THROUGH AD-**
9 **VANCED INFORMATION TECHNOLOGY.**

10 (a) IN GENERAL.—

11 (1) STUDY ON ENHANCEMENT OF CRISIS RE-
12 SPONSE.—Not later than 90 days after the date of
13 enactment of this Act, the Federal Emergency Man-
14 agement Agency shall enter into a contract with the
15 National Research Council of the National Academy
16 of Sciences to conduct a study on using information
17 technology to enhance crisis response and con-
18 sequence management of natural and manmade dis-
19 asters.

20 (2) CONTENT.—The study under this sub-
21 section shall address—

22 (A) a research and implementation strat-
23 egy for effective use of information technology
24 in crisis response and consequence manage-
25 ment, including the more effective use of tech-

1 nologies, management of information technology
2 research initiatives, and incorporation of re-
3 search advances into the information and com-
4 munications systems of—

5 (i) the Federal Emergency Manage-
6 ment Agency; and

7 (ii) other Federal, State, and local
8 agencies responsible for crisis response and
9 consequence management; and

10 (B) opportunities for research and develop-
11 ment on enhanced technologies for—

12 (i) improving communications with
13 citizens at risk before and during a crisis;

14 (ii) enhancing the use of remote sen-
15 sor data and other information sources for
16 planning, mitigation, response, and ad-
17 vance warning;

18 (iii) building more robust and trust-
19 worthy systems for communications in cri-
20 ses;

21 (iv) facilitating coordinated actions
22 among responders through more interoper-
23 able communications and information sys-
24 tems; and

1 (v) other areas of potential improve-
2 ment as determined during the course of
3 the study.

4 (3) REPORT.—Not later than 2 years after the
5 date on which a contract is entered into under para-
6 graph (1), the National Research Council shall sub-
7 mit a report on the study, including findings and
8 recommendations to—

9 (A) the Committee on Governmental Af-
10 fairs of the Senate;

11 (B) the Committee on Government Reform
12 of the House of Representatives; and

13 (C) the Federal Emergency Management
14 Agency.

15 (4) INTERAGENCY COOPERATION.—The Federal
16 Emergency Management Agency and other Federal
17 departments and agencies with responsibility for dis-
18 aster relief and emergency assistance shall fully co-
19 operate with the National Research Council in car-
20 rying out this section.

21 (5) EXPEDITED PROCESSING OF SECURITY
22 CLEARANCES.—For the purpose of facilitating the
23 commencement of the study under this section, the
24 Federal Emergency Management Agency and other
25 relevant agencies shall expedite to the fullest extent

1 possible the processing of security clearances that
2 are necessary for the National Research Council.

3 (6) AUTHORIZATION OF APPROPRIATIONS.—

4 There are authorized to be appropriated to the Fed-
5 eral Emergency Management Agency for research
6 under this subsection, \$800,000 for fiscal year 2002.

7 (b) PILOT PROJECTS.—Based on the results of the
8 research conducted under subsection (a), the Federal
9 Chief Information Officer shall initiate pilot projects with
10 the goal of maximizing the utility of information tech-
11 nology in disaster management. The Federal Chief Infor-
12 mation Officer shall cooperate with the Federal Emer-
13 gency Management Agency, other relevant agencies, and,
14 if appropriate, State, local, and tribal governments, in ini-
15 tiating such pilot projects.

16 **SEC. 212. FEDERAL INFORMATION TECHNOLOGY TRAINING**
17 **CENTER.**

18 (a) IN GENERAL.—In consultation with the Federal
19 Chief Information Officer, the Chief Information Officers
20 Council, and the Administrator of General Services, the
21 Director of the Office of Personnel Management shall es-
22 tablish and operate a Federal Information Technology
23 Training Center (in this section referred to as the “Train-
24 ing Center”).

25 (b) FUNCTIONS.—The Training Center shall—

1 (1) analyze, on an ongoing basis, the personnel
2 needs of the Federal Government related to informa-
3 tion technology and information resource manage-
4 ment;

5 (2) design curricula, training methods, and
6 training schedules that correspond to the projected
7 personnel needs of the Federal Government related
8 to information technology and information resource
9 management; and

10 (3) recruit and train Federal employees in in-
11 formation technology disciplines, as necessary, at a
12 rate that ensures that the Federal Government's in-
13 formation resource management needs are met.

14 (c) CURRICULA.—The curricula of the Training
15 Center—

16 (1) shall cover a broad range of information
17 technology disciplines corresponding to the specific
18 needs of Federal agencies;

19 (2) shall be adaptable to achieve varying levels
20 of expertise, ranging from basic nonoccupational
21 computer training to expert occupational proficiency
22 in specific information technology disciplines, de-
23 pending on the specific information resource man-
24 agement needs of Federal agencies;

1 (3) shall be developed and applied according to
2 rigorous academic standards; and

3 (4) shall be designed to maximize efficiency
4 through the use of self-paced courses, online courses,
5 on-the-job training, and the use of remote instruc-
6 tors, wherever such features can be applied without
7 reducing training effectiveness or negatively impact-
8 ing academic standards.

9 (d) EMPLOYEE PARTICIPATION.—Subject to informa-
10 tion resource management needs and the limitations im-
11 posed by resource needs in other occupational areas, agen-
12 cies shall encourage their employees to participate in the
13 occupational information technology curricula of the
14 Training Center.

15 (e) AGREEMENTS FOR SERVICE.—Employees who
16 participate in full-time training at the Training Center for
17 a period of 6 months or longer shall be subject to an agree-
18 ment for service after training under section 4108 of title
19 5, United States Code.

20 (f) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to the Office of Per-
22 sonnel Management for developing and operating the
23 Training Center, \$7,000,000 in fiscal year 2002, and such
24 sums as may be necessary for each fiscal year thereafter.

1 **SEC. 213. COMMUNITY TECHNOLOGY CENTERS.**

2 (a) STUDY AND REPORT.—Not later than 2 years
3 after the effective date of this Act, the Secretary of Edu-
4 cation, in consultation with the Secretary of Agriculture,
5 the Secretary of Housing and Urban Development, the
6 National Telecommunications and Information Adminis-
7 tration, and the Federal Chief Information Officer, shall—

8 (1) conduct a study to evaluate the best prac-
9 tices of community technology centers that receive
10 Federal funds; and

11 (2) submit a report on the study to—

12 (A) the Committee on Governmental Af-
13 fairs of the Senate;

14 (B) the Committee on Health, Education,
15 Labor, and Pensions of the Senate;

16 (C) the Committee on Government Reform
17 of the House of Representatives; and

18 (D) the Committee on Education and the
19 Workforce of the House of Representatives.

20 (b) CONTENT.—The report shall include—

21 (1) an evaluation of the best practices being
22 used by successful community technology centers;

23 (2) a strategy for—

24 (A) continuing the evaluation of best prac-
25 tices used by community technology centers;

26 and

1 (B) establishing a network to share infor-
2 mation and resources as community technology
3 centers evolve;

4 (3) the identification of methods to expand the
5 use of best practices to assist community technology
6 centers, public libraries, and other institutions that
7 provide computer and Internet access to the public;

8 (4) a database of all community technology cen-
9 ters receiving Federal funds, including—

10 (A) each center's name, location, services
11 provided, director, other points of contact, num-
12 ber of individuals served; and

13 (B) other relevant information;

14 (5) an analysis of whether community tech-
15 nology centers have been deployed effectively in
16 urban and rural areas throughout the Nation; and

17 (6) recommendations of how to—

18 (A) enhance the development of community
19 technology centers; and

20 (B) establish a network to share informa-
21 tion and resources.

22 (c) COOPERATION.—All agencies that fund commu-
23 nity technology centers shall provide to the Department
24 of Education any information and assistance necessary for

1 the completion of the study and the report under this sec-
2 tion.

3 (d) ASSISTANCE.—

4 (1) IN GENERAL.—The Federal Chief Informa-
5 tion Officer shall work with the Department of Edu-
6 cation, other relevant Federal agencies, and other in-
7 terested persons in the private and nonprofit sectors
8 to—

9 (A) assist in the implementation of rec-
10 ommendations; and

11 (B) identify other ways to assist commu-
12 nity technology centers, public libraries, and
13 other institutions that provide computer and
14 Internet access to the public.

15 (2) TYPES OF ASSISTANCE.—Assistance under
16 this paragraph may include—

17 (A) contribution of funds;

18 (B) donations of equipment, and training
19 in the use and maintenance of the equipment;
20 and

21 (C) the provision of basic instruction or
22 training material in computer skills and Inter-
23 net usage.

24 (e) TRAINING CENTER.—The Federal Information
25 Technology Training Center established under section 212

1 of this Act shall make applicable information technology
2 curricula available to members of the public through the
3 community technology centers.

4 (f) ONLINE TUTORIAL.—

5 (1) IN GENERAL.—The Secretary of Education,
6 in consultation with the Federal Chief Information
7 Officer, the National Science Foundation, and other
8 interested persons, shall develop an online tutorial
9 that—

10 (A) explains how to access information and
11 services on the Internet; and

12 (B) provides a guide to available online re-
13 sources.

14 (2) DISTRIBUTION.—The Secretary of Edu-
15 cation shall distribute information on the tutorial to
16 community technology centers, public libraries, and
17 other institutions that afford Internet access to the
18 public.

19 (g) PROMOTION OF COMMUNITY TECHNOLOGY CEN-
20 TERS.—In consultation with other agencies and organiza-
21 tions, the Department of Education shall promote the
22 availability of community technology centers to raise
23 awareness within each community where such a center is
24 located.

1 (h) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the Department of
3 Education for the study of best practices at community
4 technology centers, for the development and dissemination
5 of the online tutorial, and for the promotion of community
6 technology centers under this section \$2,000,000 in fiscal
7 year 2002, \$2,000,000 in fiscal year 2003, and such sums
8 as are necessary in fiscal years 2004 through 2006.

9 **SEC. 214. DISPARITIES IN ACCESS TO THE INTERNET.**

10 (a) STUDY AND REPORT.—Not later than 1 year
11 after the effective date of this Act—

12 (1) the Federal Chief Information Officer shall
13 enter into an agreement with a nonprofit, non-
14 partisan organization to conduct a study on dispari-
15 ties in Internet access across various demographic
16 distributions; and

17 (2) the nonprofit, nonpartisan organization
18 shall conduct the study and submit a report to—

19 (A) the Committee on Governmental Af-
20 fairs of the Senate; and

21 (B) the Committee on Government Reform
22 of the House of Representatives.

23 (b) CONTENT.—The report shall include a study of—

24 (1) how disparities in Internet access influence
25 the effectiveness of online Government services;

1 (2) how the increase in online Government serv-
2 ices is influencing the disparities in Internet access;
3 and

4 (3) any related societal effects arising from the
5 interplay of disparities in Internet access and the in-
6 crease in online Government services.

7 (c) RECOMMENDATIONS.—The report shall include
8 recommendations on actions to ensure that online Govern-
9 ment initiatives shall not have the unintended result of
10 increasing any deficiency in public access to Government
11 services.

12 (d) POLICY CONSIDERATIONS.—When promulgating
13 policies and implementing programs regarding the provi-
14 sion of services over the Internet, the Federal Chief Infor-
15 mation Officer and agency heads shall—

16 (1) consider the impact on persons without ac-
17 cess to the Internet; and

18 (2) ensure that the availability of Government
19 services has not been diminished for individuals who
20 lack access to the Internet.

21 (e) TECHNOLOGY CONSIDERATIONS.—To the extent
22 feasible, the Federal Chief Information Officer and agency
23 heads shall pursue technologies that make Government
24 services and information more accessible to individuals
25 who do not own computers or have access to the Internet.

1 (f) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated \$950,000 in fiscal year
3 2002 to carry out this section.

4 **SEC. 215. ACCESSIBILITY, USABILITY, AND PRESERVATION**
5 **OF GOVERNMENT INFORMATION.**

6 (a) DEFINITIONS.—In this section, the term—

7 (1) “agency” has the meaning given under sec-
8 tion 3502(1) of title 44, United States Code;

9 (2) “Board” means the Advisory Board on Gov-
10 ernment Information established under subsection
11 (b);

12 (3) “Government information” means informa-
13 tion created, collected, processed, disseminated, or
14 disposed of by or for the Federal Government;

15 (4) “information” means any communication or
16 representation of knowledge such as facts, data, or
17 opinions, in any medium or form, including textual,
18 numerical, graphic, cartographic, narrative, or
19 audiovisual forms; and

20 (5) “permanent public access” means the proc-
21 ess by which applicable Government information
22 that has been disseminated on the Internet is pre-
23 served for current, continuous, and future public ac-
24 cess.

25 (b) ADVISORY BOARD.—

1 (1) ESTABLISHMENT.—There is established the
2 Advisory Board on Government Information. The
3 Board shall be subject to the Federal Advisory Com-
4 mittee Act (5 U.S.C. App.).

5 (2) MEMBERS.—The Federal Chief Information
6 Officer shall appoint the members of the Board who
7 shall include representatives from appropriate agen-
8 cies and interested persons from the public, private,
9 and nonprofit sectors.

10 (3) FUNCTIONS.—The Board shall conduct
11 studies and submit recommendations as provided by
12 this section to the Federal Chief Information Offi-
13 cer.

14 (4) TERMINATION.—The Board shall terminate
15 3 years after the effective date of this Act.

16 (c) CATALOGUING AND INDEXING STANDARDS.—

17 (1) AGENCY FUNCTIONS.—

18 (A) REPORTS.—Not later than 180 days
19 after the effective date of this Act, each agency
20 shall submit a report to the Board on all cata-
21 loguing and indexing standards used by that
22 agency, including taxonomies being used to
23 classify information.

24 (B) PRIORITIES AND SCHEDULES.—Not
25 later than 180 days after the issuance of a cir-

1 cular or the promulgation of proposed regula-
2 tions under paragraph (3), each agency shall
3 consult with interested persons and develop pri-
4 orities and schedules for making the agency in-
5 dexing and cataloguing standards fully inter-
6 operable with other standards in use in the
7 Federal Government.

8 (2) BOARD FUNCTIONS.—The Board shall—

9 (A) not later than 1 year after the effective
10 date of this Act—

11 (i) review cataloguing and indexing
12 standards used by agencies; and

13 (ii) determine whether the systems
14 using those standards are generally recog-
15 nized, in the public domain, and interoper-
16 able; and

17 (B) not later than 18 months after the ef-
18 fective date of this Act—

19 (i) consult interested persons;

20 (ii) analyze and determine agency
21 public domain standards that are not fully
22 interoperable with other standards; and

23 (iii) recommend priorities and sched-
24 ules for making such standards fully inter-
25 operable.

1 (3) FEDERAL CHIEF INFORMATION OFFICER
2 FUNCTIONS.—

3 (A) PROHIBITION OF PROPRIETARY SYS-
4 TEMS.—

5 (i) IN GENERAL.—After the submis-
6 sion of recommendations by the Board
7 under paragraph (2) and public notice and
8 opportunity for comment, the Federal
9 Chief Information Officer shall prohibit
10 agencies from using any system the Fed-
11 eral Chief Information Officer determines
12 to be proprietary.

13 (ii) WAIVER.—The Federal Chief In-
14 formation Officer may waive the applica-
15 tion of clause (i), if the Federal Chief In-
16 formation Officer determines there is a
17 compelling reason to continue the use of
18 the system.

19 (B) INTEROPERABILITY STANDARDS.—Not
20 later than 18 months after the effective date of
21 this Act and after public notice and opportunity
22 for comment, the Office of Management and
23 Budget, acting through the Federal Chief Infor-
24 mation Officer, shall issue a circular or promul-
25 gate proposed and final regulations requiring

1 the interoperability standards of cataloguing
2 and indexing standards used by agencies.

3 (d) PERMANENT PUBLIC ACCESS STANDARDS.—

4 (1) AGENCY FUNCTIONS.—

5 (A) REPORT TO BOARD.—Not later than
6 180 days after the effective date of this Act,
7 each agency shall submit a report to the Board
8 on any action taken by the agency to—

9 (i) preserve public access to informa-
10 tion disseminated by the Federal Govern-
11 ment on the Internet; and

12 (ii) set standards and develop policies
13 to ensure permanent public access to infor-
14 mation disseminated by the Federal Gov-
15 ernment on the Internet.

16 (B) COMPLIANCE WITH REGULATIONS.—

17 Not later than 1 year after the issuance of the
18 circular or the promulgation of final regulations
19 under paragraph (3), and on October 1, of each
20 year thereafter, each agency shall submit a re-
21 port on compliance of that agency with such
22 regulations to—

23 (i) the Federal Chief Information Of-
24 ficer;

1 (ii) the Committee on Governmental
2 Affairs of the Senate; and

3 (iii) the Committee on Government
4 Reform of the House of Representatives.

5 (2) BOARD FUNCTIONS.—

6 (A) RECOMMENDED STANDARDS.—Not
7 later than 30 months after the effective date of
8 this Act and after consultation with interested
9 persons, the Board shall submit recommenda-
10 tions to the Federal Chief Information Officer
11 on standards for permanent public access to in-
12 formation disseminated by the Federal Govern-
13 ment on the Internet.

14 (B) CONTENTS.—The recommendations
15 under subparagraph (A) shall include—

16 (i) a definition of the types of infor-
17 mation to which the standards apply; and

18 (ii) the process by which an agency—

19 (I) applies that definition to in-
20 formation disseminated by the agency
21 on the Internet; and

22 (II) implements permanent public
23 access.

24 (3) FEDERAL CHIEF INFORMATION OFFICER
25 FUNCTIONS.—

1 (A) IN GENERAL.—After the submission of
2 recommendations by the Board under para-
3 graph (2) and public notice and opportunity for
4 comment, the Office of Management and Budg-
5 et, acting through the Federal Chief Informa-
6 tion Officer, shall issue a circular or promulgate
7 proposed and final regulations establishing per-
8 manent public access standards for agencies.

9 (B) COMPLIANCE.—The Federal Chief In-
10 formation Officer shall—

11 (i) work with agencies to ensure time-
12 ly and ongoing compliance with this sub-
13 section; and

14 (ii) post agency reports on a central-
15 ized searchable database, with a link to the
16 integrated Internet-based system estab-
17 lished under section 3602(a)(13) of title
18 44, United States Code, as added by this
19 Act.

20 (e) INVENTORIES.—

21 (1) AGENCY FUNCTIONS.—

22 (A) IN GENERAL.—

23 (i) INVENTORIES.—Not later than
24 180 days after the effective date of this
25 Act, each agency shall inventory agency

1 websites, including all directories and sub-
2 directories of such websites established by
3 the agency or contractors of the agency.

4 (ii) INDIVIDUAL DOCUMENTS.—Noth-
5 ing in this paragraph shall preclude an
6 agency from inventorying individual docu-
7 ments on a website.

8 (iii) ASSISTANCE.—The Federal Chief
9 Information Officer and the General Serv-
10 ices Administration shall assist agencies
11 with inventories under this subsection.

12 (B) COMPLETION OF INVENTORY.—Each
13 agency shall complete inventories in accordance
14 with the circular issued or regulations promul-
15 gated under paragraph (3) and post the inven-
16 tories on the Internet.

17 (2) BOARD FUNCTIONS.—Not later than 1 year
18 after the effective date of this Act, the Board
19 shall—

20 (A) consult with interested parties;

21 (B) identify for inventory purposes all
22 classes of Government information, except
23 classes of information—

24 (i) the existence of which is classified;

25 or

1 (ii) is of such a sensitive nature, that
2 disclosure would harm the public interest;
3 and

4 (C) make recommendations on—

5 (i) the classes of information to be
6 inventoried; and

7 (ii) how the information within those
8 classes should be inventoried.

9 (3) FEDERAL CHIEF INFORMATION OFFICER
10 FUNCTIONS.—

11 (A) GUIDANCE.—After submission of rec-
12 ommendations by the Board under paragraph
13 (2) and public notice and opportunity for com-
14 ment, the Office of Management and Budget,
15 acting through the Chief Information Officer,
16 shall issue a circular or promulgate proposed
17 and final regulations to provide guidance and
18 requirements for inventorying under this sub-
19 section.

20 (B) CONTENTS.—The circular or regula-
21 tions under this paragraph shall include—

22 (i) requirements for the completion of
23 inventories of some portion of Government
24 information identified by the Board;

25 (ii) the scope of required inventories;

- 1 (iii) a schedule for completion; and
2 (iv) the classes of information re-
3 quired to be inventoried by law.

4 (C) LINKING OF INVENTORIES.—The Fed-
5 eral Chief Information Officer shall link inven-
6 tories posted by agencies under this subsection
7 to the integrated Internet-based system estab-
8 lished under section 3602(a)(13) of title 44,
9 United States Code, as added by this Act.

10 (f) STATUTORY AND REGULATORY REVIEW.—Not
11 later than 180 days after the effective date of this Act,
12 the General Accounting Office shall—

13 (1) conduct a review of all statutory and regu-
14 latory requirements of agencies to list and describe
15 Government information;

16 (2) analyze the inconsistencies, redundancies,
17 and inadequacies of such requirements; and

18 (3) submit a report on the review and analysis
19 to—

20 (A) the Federal Chief Information Officer;

21 (B) the Committee on Governmental Af-
22 fairs of the Senate; and

23 (C) the Committee on Government Reform
24 of the House of Representatives.

1 (g) CATALOGUING AND INDEXING DETERMINA-
2 TIONS.—

3 (1) AGENCY FUNCTIONS.—

4 (A) PRIORITIES AND SCHEDULES.—Not
5 later than 180 days after the issuance of a cir-
6 cular or the promulgation of proposed regula-
7 tions under paragraph (3), each agency shall
8 consult with interested persons and develop pri-
9 orities and schedules for cataloguing and index-
10 ing Government information. Agency priorities
11 and schedules shall be made available for public
12 review and comment and shall be linked on the
13 Internet to an agency's inventories.

14 (B) COMPLIANCE WITH REGULATIONS.—
15 Not later than 1 year after the issuance of the
16 circular or the promulgation of final regulations
17 under paragraph (3), and on October 1, of each
18 year thereafter, each agency shall submit a re-
19 port on compliance of that agency with such
20 circular or regulations to—

21 (i) the Federal Chief Information Of-
22 ficer;

23 (ii) the Committee on Governmental
24 Affairs of the Senate; and

1 (iii) the Committee on Government
2 Reform of the House of Representatives.

3 (2) BOARD FUNCTIONS.—The Board shall—

4 (A) not later than 1 year after the effective
5 date of this Act—

6 (i) review the report submitted by the
7 General Accounting Office under sub-
8 section (f); and

9 (ii) review the types of Government
10 information not covered by cataloguing or
11 indexing requirements; and

12 (B) not later than 18 months after receipt
13 of agency inventories—

14 (i) consult interested persons;

15 (ii) review agency inventories; and

16 (iii) make recommendations on—

17 (I) which Government informa-
18 tion should be catalogued and in-
19 dexed; and

20 (II) the priorities for the cata-
21 loguing and indexing of that Govern-
22 ment information, including priorities
23 required by statute or regulation.

24 (3) FEDERAL CHIEF INFORMATION OFFICER
25 FUNCTIONS.—

1 (A) IN GENERAL.—After the submission of
2 recommendations by the Board under para-
3 graph (2) and public notice and opportunity for
4 comment, the Office of Management and Budg-
5 et, acting through the Federal Chief Informa-
6 tion Officer, shall issue a circular or promulgate
7 proposed and final regulations that—

8 (i) specify which Government informa-
9 tion is required to be catalogued and in-
10 dexed; and

11 (ii) establish priorities for the cata-
12 logging and indexing of that information.

13 (B) COMPLIANCE.—The Federal Chief In-
14 formation Officer shall—

15 (i) work with agencies to ensure time-
16 ly and ongoing compliance with this sub-
17 section; and

18 (ii) post agency reports and indexes
19 and catalogues on a centralized searchable
20 database, with a link to the integrated
21 Internet-based system established under
22 section 3602(a)(13) of title 44, United
23 States Code, as added by this Act.

24 (h) AVAILABILITY OF GOVERNMENT INFORMATION
25 ON THE INTERNET.—Not later than 1 year after the com-

1 pletion of the agency inventory referred to under sub-
2 section (e)(1)(B), each agency shall—

3 (1) consult with the Board and interested per-
4 sons;

5 (2) determine which Government information
6 the agency intends to make available and accessible
7 to the public on the Internet and by other means;

8 (3) develop priorities and schedules for making
9 that Government information available and acces-
10 sible;

11 (4) make such final determinations, priorities,
12 and schedules available for public comment; and

13 (5) post such final determinations, priorities,
14 and schedules on an agency website with a link to
15 the integrated Internet-based system established
16 under section 3602(a)(13) of title 44, United States
17 Code, as added by this Act.

18 **SEC. 216. PUBLIC DOMAIN DIRECTORY OF FEDERAL GOV-**
19 **ERNMENT WEBSITES.**

20 (a) DEFINITIONS.—In this section, the term—

21 (1) “agency” has the meaning given under sec-
22 tion 3502(1) of title 44, United States Code; and

23 (2) “directory” means a taxonomy of subjects
24 linked to websites that is created with the participa-
25 tion of human editors.

1 (b) ESTABLISHMENT.—Not later than 2 years after
2 the effective date of this Act, the Federal Chief Informa-
3 tion Officer and each agency shall—

4 (1) develop and establish a public domain direc-
5 tory of Federal Government websites; and

6 (2) post the directory on the Internet with a
7 link to the integrated Internet-based system estab-
8 lished under section 3602(a)(13) of title 44, United
9 States Code, as added by this Act.

10 (c) DEVELOPMENT.—With the assistance of each
11 agency, the Federal Chief Information Officer shall—

12 (1) direct the development of the directory
13 through a collaborative effort, including input
14 from—

15 (A) agency librarians;

16 (B) Federal depository librarians; and

17 (C) other interested parties; and

18 (2) develop a public domain taxonomy of sub-
19 jects used to review and categorize Federal Govern-
20 ment websites.

21 (d) UPDATE.—With the assistance of each agency,
22 the Federal Chief Information Officer shall—

23 (1) update the directory; and

24 (2) solicit interested persons for improvements
25 to the directory.

1 **SEC. 217. STANDARDS FOR AGENCY WEBSITES.**

2 Not later than 1 year after the effective date of this
3 Act, the Federal Chief Information Officer shall promul-
4 gate standards and criteria for agency websites that
5 include—

6 (1) requirements that websites include direct
7 links to—

8 (A) privacy statements;

9 (B) descriptions of the mission and statu-
10 tory authority of the agency;

11 (C) the electronic reading rooms of the
12 agency relating to the disclosure of information
13 under section 552 of title 5, United States Code
14 (commonly referred to as the Freedom of Infor-
15 mation Act);

16 (D) agency regulations, rules, and
17 rulemakings;

18 (E) information about the organizational
19 structure of the agency, with an outline linked
20 to the agency on-line staff directory; and

21 (F) the strategic plan of the agency devel-
22 oped under section 306 of title 5, United States
23 Code; and

24 (2) minimum agency goals to assist public users
25 to navigate agency websites, including—

26 (A) speed of retrieval of search results;

- 1 (B) the relevance of the results; and
2 (C) tools to aggregate and disaggregate
3 data.

4 **SEC. 218. PRIVACY PROVISIONS.**

5 (a) DEFINITIONS.—In this section, the term—

6 (1) “agency” has the meaning given under sec-
7 tion 551(1) of title 5, United States Code;

8 (2) “information system” means a discrete set
9 of information resources organized for the collection,
10 processing, maintenance, transmission, and dissemi-
11 nation of information, in accordance with defined
12 procedures that—

13 (A) electronically collects or maintains per-
14 sonally identifiable information on 10 or more
15 individuals; or

16 (B) makes personally identifiable informa-
17 tion available to the public; and

18 (3) “personally identifiable information” means
19 individually identifiable information about an indi-
20 vidual, including—

21 (A) a first and last name;

22 (B) a home or other physical address in-
23 cluding street name and name of a city or town;

24 (C) an e-mail address;

25 (D) a telephone number;

1 (E) a social security number;

2 (F) a credit card number;

3 (G) a birth date, birth certificate number,
4 or a place of birth; and

5 (H) any other identifier that the Federal
6 Chief Information Officer determines permits
7 the identification or physical or online con-
8 tacting of a specific individual.

9 (b) PRIVACY IMPACT ASSESSMENTS.—

10 (1) RESPONSIBILITIES OF AGENCIES.—

11 (A) IN GENERAL.—Before developing or
12 procuring an information system, or initiating a
13 new collection of personally identifiable infor-
14 mation that will be collected, processed, main-
15 tained, or disseminated electronically, an agency
16 shall—

17 (i) conduct a privacy impact assess-
18 ment;

19 (ii) submit the assessment to the Fed-
20 eral Chief Information Officer; and

21 (iii) after completion of any review
22 conducted by the Federal Chief Informa-
23 tion Officer, where practicable—

24 (I) publish the assessment in the
25 Federal Register; or

1 (II) disseminate the assessment
2 electronically.

3 (B) SENSITIVE INFORMATION.—Subpara-
4 graph (A)(iii) may be modified or waived to
5 protect classified, sensitive, or private informa-
6 tion contained in an assessment.

7 (2) CONTENTS OF A PRIVACY IMPACT ASSESS-
8 MENT.—A privacy impact assessment shall include—

9 (A) a description of—

10 (i) the information to be collected;

11 (ii) the purpose for the collection of
12 the information and the reason each item
13 of information is necessary and relevant;

14 (iii)(I) any notice that will be provided
15 to persons from whom information is col-
16 lected; and

17 (II) any choice that an individual who
18 is the subject of the collection of informa-
19 tion shall have to decline to provide infor-
20 mation;

21 (iv) the intended uses of the informa-
22 tion and proposed limits on other uses of
23 the information;

24 (v) the intended recipients or users of
25 the information and any limitations on ac-

1 cess to or reuse or redisclosure of the in-
2 formation;

3 (vi) the period for which the informa-
4 tion will be retained;

5 (vii) whether and by what means the
6 individual who is the subject of the collec-
7 tion of information—

8 (I) shall have access to the infor-
9 mation about that individual; or

10 (II) may exercise other rights
11 under section 552a of title 5, United
12 States Code; and

13 (viii) security measures that will pro-
14 tect the information;

15 (B) an assessment of the potential impact
16 on privacy relating to risks and mitigation of
17 risks; and

18 (C) other information and analysis re-
19 quired under guidance issued by the Federal
20 Chief Information Officer.

21 (3) RESPONSIBILITIES OF THE FEDERAL CHIEF
22 INFORMATION OFFICER.—The Federal Chief Infor-
23 mation Officer shall—

1 (A)(i) develop policies and guidelines for
2 agencies on the conduct of privacy impact as-
3 sessments; and

4 (ii) oversee the implementation of the pri-
5 vacy impact assessment process throughout the
6 Government;

7 (B) require agencies to conduct privacy im-
8 pact assessments in—

9 (i) developing or procuring an infor-
10 mation system; or

11 (ii) planning for the initiation of a
12 new collection of personally identifiable in-
13 formation;

14 (C) require agencies to conduct privacy im-
15 pact assessments of existing information sys-
16 tems or ongoing collections of personally identi-
17 fiable information as the Federal Chief Infor-
18 mation Officer determines appropriate;

19 (D) assist agencies in developing privacy
20 impact assessment policies; and

21 (E) encourage officers and employees of an
22 agency to consult with privacy officers of that
23 agency in completing privacy impact assess-
24 ments.

1 (c) PRIVACY PROTECTIONS ON AGENCY
2 WEBSITES.—

3 (1) PRIVACY POLICIES ON WEBSITES.—

4 (A) GUIDELINES FOR NOTICES.—The Fed-
5 eral Chief Information Officer shall develop
6 guidelines for privacy notices on agency
7 websites.

8 (B) CONTENTS.—The guidelines shall re-
9 quire that a privacy notice include a description
10 of—

11 (i) information collected about visitors
12 to the agency’s website;

13 (ii) the intended uses of the informa-
14 tion collected;

15 (iii) the choices that an individual
16 may have in controlling collection or disclo-
17 sure of information relating to that indi-
18 vidual;

19 (iv) the means by which an individual
20 may be able to—

21 (I) access personally identifiable
22 information relating to that individual
23 that is held by the agency; and

24 (II) correct any inaccuracy in
25 that information;

- 1 (v) security procedures to protect in-
2 formation collected online;
- 3 (vi) the period for which information
4 will be retained; and
- 5 (vii) the rights of an individual under
6 statutes and regulations relating to the
7 protection of individual privacy, including
8 section 552a of title 5, United States Code
9 (commonly referred to as the Privacy Act
10 of 1974) and section 552 of that title
11 (commonly referred to as the Freedom of
12 Information Act).

13 (2) PRIVACY POLICIES IN MACHINE-READABLE
14 FORMATS.—

15 (A) IN GENERAL.—The Federal Chief In-
16 formation Officer shall promulgate guidelines
17 and standards requiring agencies to translate
18 privacy policies into a standardized machine-
19 readable format.

20 (B) WAIVER OR MODIFICATION.—The Fed-
21 eral Chief Information Officer may waive or
22 modify the application of subparagraph (A), if
23 the Federal Chief Information Officer deter-
24 mines that—

1 (i) such application is impracticable;

2 or

3 (ii) a more practicable alternative

4 shall be implemented.

5 (C) NOTIFICATION.—Not later than 30
6 days after granting a waiver or modification
7 under subparagraph (B), the Federal Chief In-
8 formation Officer shall notify the Committee on
9 Governmental Affairs of the Senate and the
10 Committee on Government Reform of the
11 House of Representatives of the reasons for the
12 waiver or modification.

13 **SEC. 219. ACCESSIBILITY TO PEOPLE WITH DISABILITIES.**

14 All actions taken by Federal departments and agen-
15 cies under this Act shall be in compliance with section 508
16 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

17 **SEC. 220. NOTIFICATION OF OBSOLETE OR COUNTER-**
18 **PRODUCTIVE PROVISIONS.**

19 If the Federal Chief Information Officer makes a de-
20 termination that any provision of this Act (including any
21 amendment made by this Act) is obsolete or counter-
22 productive to the purposes of this Act, as a result of
23 changes in technology or any other reason, the Federal
24 Chief Information Officer shall submit notification of that
25 determination to—

1 (1) the Committee on Governmental Affairs of
2 the Senate; and

3 (2) the Committee on Government Reform of
4 the House of Representatives.

5 **TITLE III—AUTHORIZATION OF**
6 **APPROPRIATIONS AND EF-**
7 **FECTIVE DATE**

8 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

9 Except for those purposes for which an authorization
10 of appropriations is specifically provided in this Act, in-
11 cluding the amendments made by this Act, there are au-
12 thorized to be appropriated such sums as may be nec-
13 essary to carry out this Act for each of fiscal years 2002
14 through 2006.

15 **SEC. 302. EFFECTIVE DATE.**

16 This Act and the amendments made by this Act shall
17 take effect 120 days after the date of enactment of this
18 Act.

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