

106TH CONGRESS
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H. R. 4232

To amend title 5, United States Code, to provide for the establishment of a program under which the Government shall furnish a home computer and Internet access to each of its employees, at no cost to the employee, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 11, 2000

Mr. CUMMINGS (for himself, Mr. WAXMAN, Mrs. MORELLA, Ms. NORTON, and Mr. WYNN) introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To amend title 5, United States Code, to provide for the establishment of a program under which the Government shall furnish a home computer and Internet access to each of its employees, at no cost to the employee, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Workforce
5 Digital Access Act”.

1 **SEC. 2. RESIDENTIAL DIGITAL ACCESS BENEFITS.**

2 (a) IN GENERAL.—Chapter 79 of title 5, United
3 States Code, is amended by adding at the end the fol-
4 lowing:

5 **“§ 7906. Residential digital access benefits**

6 “(a) For purposes of this section—

7 “(1) the term ‘employee’ means an individual
8 who—

9 “(A) is employed in or under an agency;

10 and

11 “(B) has completed the applicable proba-
12 tionary or trial period (if any), or at least 1
13 year of current continuous service in the same
14 or similar positions (disregarding any break in
15 service of 3 days or less);

16 but does not include an employee excluded under
17 paragraph (2)(B) or (3) of subsection (g);

18 “(2) the terms ‘agency’ and ‘entity of the legis-
19 lative branch’ have the same respective meanings as
20 given them under section 7905, except that the term
21 ‘agency’ does not include a Government corporation
22 (as defined by section 103); and

23 “(3) the term ‘Government’ means the Govern-
24 ment of the United States.

25 “(b)(1) In order to promote greater technological pro-
26 ficiency within the Government’s workforce, the General

1 Services Administration and the Office of Personnel Man-
2 agement shall (to the extent of the duties and responsibil-
3 ities assigned to each of them by the President, in con-
4 formance with succeeding provisions of this section) estab-
5 lish and operate a program under which there shall be fur-
6 nished to each employee, at no cost to the employee, his
7 or her own home computer, complete with Internet service
8 (hereinafter in this section referred to collectively as ‘dig-
9 ital access benefits’). An employee not wishing to receive
10 digital access benefits under this section may instead
11 elect—

12 “(A) to receive free Internet service alone; or

13 “(B) to decline benefits under this section alto-
14 gether.

15 “(2) For purposes of this section—

16 “(A) the term ‘home computer’ means a com-
17 puter (including any necessary peripheral devices
18 and software) that—

19 “(i) at a minimum, is capable of providing
20 access to the Internet, and is able to perform
21 office automation and e-learning functions; and

22 “(ii) is furnished for home use; and

23 “(B) the term ‘Internet service’ means access to
24 the Internet through an Internet Service Provider

1 (including the ability to send and receive electronic
2 mail) from one's home.

3 “(c) Any digital access benefits furnished under this
4 section shall include at least the following:

5 “(1) Training on the use of computers and ap-
6 plications (both Internet-based and, to the extent
7 practicable, through facilities at or convenient to the
8 employee's workplace).

9 “(2) One or more upgrade options, available at
10 the employee's request and expense.

11 “(d) Any Internet service furnished under this section
12 shall include at least the following:

13 “(1) A permanent home page that includes a
14 component linking the employee to designated Gov-
15 ernment sites and resources.

16 “(2) Features that allow for information shar-
17 ing and communication, including a means by which
18 an agency may readily contact or communicate with
19 employees at home (on a nationwide, regional, or
20 other basis, as the agency may require).

21 “(3) Inclusion on the permanent home page of
22 a means by which an employee may directly reach
23 the employing agency's Web site or intranet, if ap-
24 propriate.

1 “(4) All training and support services under
2 subsection (c) that are relevant to Internet service.

3 “(e) Nothing in this section shall be considered to
4 permit or require—

5 “(1) that employees declining benefits in ac-
6 cordance with subsection (b)(1)(B) be denied access
7 to training on the use of computers and applications
8 (as described in subsection (c)); or

9 “(2) that employees electing free Internet serv-
10 ice alone be denied access to training on the use of
11 computers and applications (as so described) beyond
12 that specified in subsection (d)(4).

13 “(f)(1) The General Services Administration may
14 contract with any qualified person to procure the goods
15 and services required in order to carry out this section.
16 Contracts under this subsection shall include appropriate
17 provisions relating to the following:

18 “(A) The time and manner in which any trans-
19 fers of title to personal property shall be made.

20 “(B) Restrictions to prevent inappropriate fi-
21 nancing or subsidization of benefits, including com-
22 mercial advertising.

23 “(C) Measures to prevent unauthorized tracking
24 of computer use and to otherwise protect a user’s
25 privacy.

1 “(D) Measures to prevent the unauthorized sale
2 or release of names or other identifying information.

3 “(E) Provisions to make benefits under this
4 section accessible to persons with disabilities, such
5 as through appropriate modifications or accessories.

6 “(F) Options for the renewal or extension of
7 benefits, including the conditions under which a
8 computer (or other piece of equipment) will periodi-
9 cally be replaced with a new one.

10 “(G) Measures to permit the donation of used
11 equipment to schools, nonprofit organizations, or
12 other similar entities, to the extent practicable.

13 “(H) Measures to prevent unauthorized access
14 to Government databases, sites, and other functions
15 or capabilities intended for employees only, such as
16 upon an employee’s separation from service.

17 “(2) The General Services Administration may pre-
18 scribe any regulations necessary to carry out its duties and
19 responsibilities under this section.

20 “(g)(1) In order to carry out this section, the Office
21 of Personnel Management shall—

22 “(A) upon request, furnish information or tech-
23 nical assistance—

24 “(i) on the design or operation of the pro-
25 gram or any aspect of the program; and

1 “(ii) on the design or delivery of Internet-
2 based training;

3 “(B) establish procedures for the communica-
4 tion of information to and from employees, including
5 procedures for the election of benefits; and

6 “(C) provide general program oversight, and
7 perform such other functions as the Office considers
8 appropriate to facilitate the efficient delivery (and,
9 to the extent practicable, the optimal use) of bene-
10 fits.

11 “(2) The Office may prescribe any regulations nec-
12 essary to carry out its duties and responsibilities under
13 this section, including—

14 “(A) in the case of an employee who has pre-
15 viously received or declined benefits under this sec-
16 tion, provisions relating to if, and under what condi-
17 tions, such employee may become eligible for benefits
18 under this section based on subsequent employment;
19 and

20 “(B) provisions for the exclusion of any employ-
21 ees abroad as to whom the application of this section
22 would be impracticable or inappropriate.

23 “(3) There may, under this paragraph, be excluded
24 any employees as to whom the application of this section
25 would be impracticable or inappropriate by reason of their

1 temporary or intermittent employment. Authority under
2 this paragraph may be exercised—

3 “(A) by the same official or agency as under
4 section 8347(g), (i), (j), (l), or (p) (in connection
5 with retirement); and

6 “(B) by the respective committees named in
7 section 7905(c)(2)–(3), in the case of the entities of
8 the legislative branch to which those provisions re-
9 late.

10 “(h)(1) The General Services Administration and the
11 Office of Personnel Management shall carry out their re-
12 spective duties and responsibilities under this section in
13 consultation with one another and with such other agen-
14 cies as each considers appropriate.

15 “(2) In carrying out this subsection, the General
16 Services Administration shall afford employing agencies
17 reasonable opportunity to communicate any needs or con-
18 cerns specific to that agency.

19 “(i) Each employing agency shall keep such records,
20 make such certifications, and furnish such information—

21 “(1) as the General Services Administration
22 may require to carry out its duties and responsibil-
23 ities under this section; and

1 “(2) as the Office of Personnel Management
2 may require to carry out its duties and responsibil-
3 ities under this section.

4 “(j)(1) There are authorized to be appropriated to
5 each agency (including to the General Services Adminis-
6 tration and the Office of Personnel Management, both as
7 employing agencies and as administering agencies) such
8 sums as may be necessary to carry out this section.

9 “(2) The costs associated with furnishing benefits to
10 an employee under this section shall be paid—

11 “(A) by that individual’s employing agency;

12 “(B) out of amounts made available to that
13 agency under paragraph (1); and

14 “(C) at the times and in the amounts specified
15 by the General Services Administration.

16 “(3)(A) The amounts paid by an agency under this
17 subsection shall be deposited in the Treasury of the United
18 States to the credit of the Employees’ Digital Access
19 Fund. The Fund is available—

20 “(i) without fiscal year limitation for all pay-
21 ments to persons providing goods or services under
22 this section (as referred to in subsection (f)); and

23 “(ii) to pay the respective expenses of the Gen-
24 eral Services Administration and the Office of Per-
25 sonnel Management in administering this section,

1 within the limitations that may be specified annually
2 by Congress.

3 “(B) The Secretary of the Treasury may, with re-
4 spect to the Fund, exercise the same authorities as de-
5 scribed in section 8909(c). The provisions of section
6 8909(f) shall similarly apply with respect to—

7 “(i) any payment made from the Fund to any
8 qualified person (as referred to in subsection (f)) in
9 consideration for any goods or services provided by
10 such person under this section; and

11 “(ii) the net income or profit accruing to or re-
12 alized by such person from business conducted under
13 this section.”.

14 (b) CLERICAL AMENDMENT.—The table of sections
15 for chapter 79 of title 5, United States Code, is amended
16 by adding at the end the following:

“7906. Residential digital access benefits.”.

17 **SEC. 3. REPORTING REQUIREMENTS.**

18 (a) IN GENERAL.—The Office of Management and
19 Budget shall prepare and submit to the President and
20 each House of Congress a report on the operation of the
21 program established under section 7906 of title 5, United
22 States Code, as amended by this Act. The report shall be
23 submitted by the end of the third year of the program’s
24 operation, and shall specifically address the following:

1 (1) Any cost savings, efficiencies, or other bene-
2 fits realized through the program, such as:

3 (A) Improved individual or collective orga-
4 nizational performance.

5 (B) Better employee productivity or mo-
6 rale.

7 (C) Greater flexibilities in the performance
8 of work outside of the customary hours or
9 workplace.

10 (D) Enhancement of Government recruit-
11 ment and retention efforts.

12 (E) Reduced printing or mailing costs to
13 the Government.

14 (F) Improved communications capabilities,
15 especially with regard to individuals in rural or
16 remote locations.

17 (G) New Internet-based training opportu-
18 nities.

19 (2) Best practices developed by particular agen-
20 cies to take advantage of any technologies or capa-
21 bilities made available through the program.

22 (3) The extent to which family members of em-
23 ployees were able to make use of or otherwise share
24 in the benefits made available through the program.

1 (4) The extent to which the program (A) bene-
2 fited communities or segments of the population that
3 historically have been technologically underserved,
4 and (B) otherwise helped alleviate the problem com-
5 monly referred to as the “digital divide”.

6 (b) ASSISTANCE.—Each agency shall (to the extent
7 not otherwise prohibited by law) submit to the Office of
8 Management and Budget such information as the Office
9 may require in order to prepare its report under this sec-
10 tion.

11 **SEC. 4. BUDGET ACT COMPLIANCE.**

12 Any contract authority under this Act shall be avail-
13 able only to such extent or in such amounts as are pro-
14 vided in advance in appropriation Acts.

15 **SEC. 5. COMMENCEMENT AND TERMINATION PROVISIONS.**

16 Benefits under section 7906 of title 5, United States
17 Code, as amended by this Act, may be furnished only on
18 the basis of elections made during the 48-month period
19 beginning on the first day of the first fiscal year beginning
20 at least 12 months after the date of enactment of this
21 Act.

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