

Calendar No. 439

107TH CONGRESS
2^D SESSION

S. 803

[Report No. 107-174]

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 SENATE OF THE UNITED STATES

MAY 1, 2001

Mr. LIEBERMAN (for himself, Mr. BURNS, Mr. BINGAMAN, Mr. FITZGERALD, Mr. DASCHLE, Mr. MCCAIN, Mr. CARPER, Mr. DURBIN, Mr. JOHNSON, Mr. KERRY, Mr. LEAHY, Mr. LEVIN, Ms. STABENOW, Mr. CLELAND, and Mr. DAYTON) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

JUNE 24, 2002

Reported by Mr. LIEBERMAN, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in *italie*]

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 infor-

mation 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.

1 (5) To take full advantage of the improved Gov-
2 ernment performance that can be achieved through
3 the use of Internet-based technology requires new
4 leadership; better organization; improved interagency
5 collaboration; and more focused oversight of agency
6 compliance with statutes related to information re-
7 source management.

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

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

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

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

1 (4) To promote interagency collaboration in the
 2 use of internal electronic Government processes;
 3 where this collaboration would improve the efficiency
 4 and effectiveness of the processes.

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

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

10 (a) **ESTABLISHMENT.**—Section 502 of title 31,
 11 United States Code, is amended—

12 (1) by redesignating subsections (d), (e), and
 13 (f), as subsections (e), (f), and (g), respectively; and

14 (2) by inserting after subsection (e) the fol-
 15 lowing:

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

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

25 “Federal Chief Information Officer.”.

1 (c) ~~MODIFICATION OF DEPUTY DIRECTOR FOR MAN-~~
 2 ~~AGEMENT FUNCTIONS.~~—Section 503(b)(2)(D) of title 31,
 3 United States Code, is amended by striking “and statis-
 4 tical policy” and inserting “collection review”.

5 (d) ~~OFFICE OF INFORMATION POLICY.~~—

6 (1) ~~IN GENERAL.~~—Chapter 5 of title 31, United
 7 States Code, is amended by inserting after section
 8 506 the following:

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

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

13 (2) ~~TECHNICAL AND CONFORMING AMEND-~~
 14 ~~MENT.~~—The table of sections for chapter 5 of title
 15 31, United States Code, is amended by inserting
 16 after the item relating to section 506 the following:

“507. Office of Information Policy.”.

17 (e) ~~PRIVACY ACT FUNCTIONS.~~—

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

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

24 “~~(1) develop and, after notice and opportunity~~
 25 ~~for public comment, prescribe guidelines and regula-~~

tions for the use of agencies in implementing the provisions of this section;

~~“(2) provide continuing assistance to and oversight of the implementation of this section by agencies; and~~

~~“(3) delegate all of the functions to be performed by the Director under this section to the Federal Chief Information Officer.”.~~

~~(f) ACQUISITIONS OF INFORMATION TECHNOLOGY.—~~

~~(1) RESPONSIBILITIES AND FUNCTIONS.—Section 5111 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1411) is amended—~~

~~(A) by inserting “(a) IN GENERAL.—” before “In fulfilling”; and~~

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

~~“(b) DELEGATION.—The Director shall delegate all of the responsibilities and functions to be performed by the Director under this title to the Federal Chief Information Officer.”.~~

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

1 ~~(g) FEDERAL COMPUTER SYSTEMS STANDARDS AND~~
 2 ~~GUIDELINES.—~~

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

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

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

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

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

22 ~~“(3) The Administrator’s decisions with regard~~
 23 ~~to obligations of and expenditures from the Fund~~
 24 ~~shall be made after consultation with the Federal~~

1 Chief Information Officer, with respect to those pro-
 2 grams that—

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

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

8 (i) ELECTRONIC GOVERNMENT AND INFORMATION
 9 TECHNOLOGIES.—

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

14 **“SEC. 113. ELECTRONIC GOVERNMENT AND INFORMATION**
 15 **TECHNOLOGIES.**

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

21 (2) TECHNICAL AND CONFORMING AMEND-
 22 MENT.—The table of sections for the Federal Prop-
 23 erty and Administrative Services Act of 1949 is
 24 amended by inserting after the item relating to sec-
 25 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.—~~See-
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(e) 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 “(e) 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 fier 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 ~~ected 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 ~~airs 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 “(e) The Federal Chief Information Officer shall sub-
 2 mit an annual report to the President and Congress on
 3 the operation of the Fund. The report shall describe—

4 “(1) all projects which the Federal Chief Infor-
 5 mation Officer has approved for funding from the
 6 Fund;

7 “(2) the results that have been achieved to date
 8 for these funded projects; and

9 “(3) any recommendations for changes to the
 10 amount of capital appropriated annually for the
 11 Fund, with a description of the basis for any such
 12 recommended change.

13 “(f) There are authorized to be appropriated to the
 14 Fund \$200,000,000 in each of the fiscal years 2002
 15 through 2004, and such sums as may be necessary for
 16 fiscal years 2005 and 2006.”.

17 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 18 The table of chapters for title 44, United States Code,
 19 is amended by inserting after the item relating to chapter
 20 35 the following:

**“36. Management and Promotion of Electronic Govern-
 ment Services 3601”.**

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-

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

(C) a summary of the type, volume, general topical areas, and currency of agency information available online.

(3) SUBMISSION.—Not later than March 1, of each year, each agency shall submit a report under this subsection to the Federal Chief Information Officer.

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

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

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

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

SEC. 202. COMPATIBILITY OF EXECUTIVE AGENCY METHODS FOR USE AND ACCEPTANCE OF ELECTRONIC SIGNATURES.

(a) ELECTRONIC SIGNATURES.—In order to fulfill 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 doc-
 23 ument 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(e) 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(e) 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-

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

(c) REPORT.—

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

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

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

(B) address the feasibility of developing, or
 enabling the development of, software, including
 Internet-based tools, for use by reporting per-
 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 (4) DEVELOPMENT AND OPERATION.—The
 2 Federal Chief Information Officer shall oversee the
 3 development and operation of the website. The
 4 website shall be operational not later than 2 years
 5 after the date of enactment of this Act.

6 (f) PROVISION OF INFORMATION.—Any agency that
 7 funds research and development meeting the criteria pro-
 8 mulgated by the Federal Chief Information Officer shall
 9 provide the required information in the manner prescribed
 10 by the Federal Chief Information Officer. An agency may
 11 impose reporting requirements necessary for the imple-
 12 mentation of this section on recipients of Federal funding
 13 as a condition of the funding.

14 (g) AUTHORIZATION OF APPROPRIATIONS.—There
 15 are authorized to be appropriated for the development and
 16 maintenance of the centralized website and any necessary
 17 database under this section, \$1,000,000 in fiscal year
 18 2002, \$5,000,000 in fiscal year 2003, and such sums as
 19 may be necessary for fiscal years 2004 through 2006.

20 **SEC. 209. COMMON PROTOCOLS FOR GEOGRAPHIC INFOR-**
 21 **MATION SYSTEMS.**

22 (a) IN GENERAL.—The Secretary of the Interior, in
 23 consultation with the National Institute of Standards and
 24 Technology and other agencies, private sector experts,
 25 commercial and international standards groups, and other

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 “(e) 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 ear-
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 ular 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 (2) 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

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

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

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

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

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

(A) consult with interested parties;

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

(i) the existence of which is classified;

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.—~~

(A) IN GENERAL.—After the submission of recommendations by the Board under paragraph (2) and public notice and opportunity for comment, the Office of Management and Budget, acting through the Federal Chief Information Officer, shall issue a circular or promulgate proposed and final regulations that—

(i) specify which Government information is required to be catalogued and indexed; and

(ii) establish priorities for the cataloguing and indexing of that information.

(B) COMPLIANCE.—The Federal Chief Information Officer shall—

(i) work with agencies to ensure timely and ongoing compliance with this subsection; and

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

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

1 pletion of the agency inventory referred to under sub-
 2 section (c)(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 (HI) 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 (HI) 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-

cess to or reuse or redisclosure of the information;

(vi) the period for which the information will be retained;

(vii) whether and by what means the individual who is the subject of the collection of information—

(I) shall have access to the information about that individual; or

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

(viii) security measures that will protect the information;

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

(C) other information and analysis required under guidance issued by the Federal Chief Information Officer.

(3) RESPONSIBILITIES OF THE FEDERAL CHIEF INFORMATION OFFICER.—The Federal Chief Information 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 ~~(e) 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.

19 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

20 (a) *SHORT TITLE.*—This Act may be cited as the “E-
21 *Government Act of 2002*”.

22 (b) *TABLE OF CONTENTS.*—The table of contents for
23 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. Management and promotion of Electronic Government services.

Sec. 102. Conforming amendments.

*TITLE II—FEDERAL MANAGEMENT AND PROMOTION OF
ELECTRONIC GOVERNMENT SERVICES*

Sec. 201. Definitions.

Sec. 202. Federal agency responsibilities.

*Sec. 203. Compatibility of Executive agency methods for use and acceptance of
electronic signatures.*

Sec. 204. Federal Internet portal.

Sec. 205. Federal courts.

Sec. 206. Regulatory agencies.

Sec. 207. Accessibility, usability, and preservation of Government information.

Sec. 208. Privacy provisions.

Sec. 209. Federal Information Technology workforce development.

Sec. 210. Common protocols for geographic information systems.

Sec. 211. Share-in-savings program improvements.

Sec. 212. Integrated reporting study and pilot projects.

Sec. 213. Community technology centers.

*Sec. 214. Enhancing crisis management through advanced information tech-
nology.*

Sec. 215. Disparities in access to the Internet.

Sec. 216. Notification of obsolete or counterproductive provisions.

TITLE III—GOVERNMENT INFORMATION SECURITY

Sec. 301. Information security.

*TITLE IV—AUTHORIZATION OF APPROPRIATIONS AND EFFECTIVE
DATES*

Sec. 401. Authorization of appropriations.

Sec. 402. Effective dates.

1 SEC. 2. FINDINGS AND PURPOSES.

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

3 (1) *The use of computers and the Internet is rap-*
4 *idly transforming societal interactions and the rela-*
5 *tionships among citizens, private businesses, and the*
6 *Government.*

7 (2) *The Federal Government has had uneven suc-*
8 *cess in applying advances in information technology*
9 *to enhance governmental functions and services,*

1 *achieve more efficient performance, increase access to*
2 *Government information, and citizen participation in*
3 *Government.*

4 *(3) Most Internet-based services of the Federal*
5 *Government are developed and presented separately,*
6 *according to the jurisdictional boundaries of an indi-*
7 *vidual department or agency, rather than being inte-*
8 *grated cooperatively according to function.*

9 *(4) Internet-based Government services involving*
10 *interagency cooperation are especially difficult to de-*
11 *velop and promote, in part because of a lack of suffi-*
12 *cient funding mechanisms to support such inter-*
13 *agency cooperation.*

14 *(5) Electronic Government has its impact*
15 *through improved Government performance and out-*
16 *comes within and across agencies.*

17 *(6) Electronic Government is a critical element*
18 *in the management of Government, to be implemented*
19 *as part of a management framework that also ad-*
20 *dresses finance, procurement, human capital, and*
21 *other challenges to improve the performance of Gov-*
22 *ernment.*

23 *(7) To take full advantage of the improved Gov-*
24 *ernment performance that can be achieved through the*
25 *use of Internet-based technology requires new leader-*

1 *ship, better organization, improved interagency col-*
2 *laboration, and more focused oversight of agency com-*
3 *pliance with statutes related to information resource*
4 *management.*

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

7 *(1) To provide effective leadership of Federal*
8 *Government efforts to develop and promote electronic*
9 *Government services and processes by establishing an*
10 *Administrator of a new Office of Electronic Govern-*
11 *ment within the Office of Management and Budget.*

12 *(2) To promote use of the Internet and other in-*
13 *formation technologies to provide increased opportu-*
14 *nities for citizen participation in Government.*

15 *(3) To promote interagency collaboration in pro-*
16 *viding electronic Government services, where this col-*
17 *laboration would improve the service to citizens by*
18 *integrating related functions, and in the use of inter-*
19 *nal electronic Government processes, where this col-*
20 *laboration would improve the efficiency and effective-*
21 *ness of the processes.*

22 *(4) To improve the ability of the Government to*
23 *achieve agency missions and program performance*
24 *goals.*

1 (5) *To promote the use of the Internet and*
 2 *emerging technologies within and across Government*
 3 *agencies to provide citizen-centric services.*

4 (6) *To reduce costs and burdens for businesses*
 5 *and other Government entities.*

6 (7) *To promote better informed decisionmaking*
 7 *by policy makers.*

8 (8) *To promote access to high quality informa-*
 9 *tion and services across multiple channels, available*
 10 *to customers through the channels which are preferred*
 11 *by the customer.*

12 (9) *To make the Federal Government more trans-*
 13 *parent and accountable.*

14 (10) *To transform agency operations by uti-*
 15 *lizing, where appropriate, best practices from public*
 16 *and private sector organizations.*

17 ***TITLE I—OFFICE OF MANAGE-***
 18 ***MENT AND BUDGET ELEC-***
 19 ***TRONIC GOVERNMENT SERV-***
 20 ***ICES***

21 ***SEC. 101. MANAGEMENT AND PROMOTION OF ELECTRONIC***
 22 ***GOVERNMENT SERVICES.***

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

1 **“CHAPTER 36—MANAGEMENT AND PRO-**
 2 **MOTION OF ELECTRONIC GOVERN-**
 3 **MENT SERVICES**

“Sec.

“3601. *Definitions.*

“3602. *Office of Electronic Government.*

“3603. *Chief Information Officers Council.*

“3604. *E-Government Fund.*

“3605. *E-Government report.*

4 **“§ 3601. *Definitions***

5 *“In this chapter, the definitions under section 3502*
 6 *shall apply, and the term—*

7 *“(1) ‘Administrator’ means the Administrator of*
 8 *the Office of Electronic Government established under*
 9 *section 3602;*

10 *“(2) ‘Council’ means the Chief Information Offi-*
 11 *cers Council established under section 3603;*

12 *“(3) ‘electronic Government’ means the use by*
 13 *the Government of web-based Internet applications*
 14 *and other digital technologies, combined with proc-*
 15 *esses that implement these technologies, to—*

16 *“(A) enhance the access to and delivery of*
 17 *Government information and services to the pub-*
 18 *lic, other agencies, and other Government enti-*
 19 *ties; or*

20 *“(B) bring about improvements in Govern-*
 21 *ment operations that may include effectiveness,*
 22 *efficiency, service quality, or transformation;*

1 “(4) ‘enterprise architecture’ means a framework
 2 for incorporating business processes, information
 3 flows, applications, and infrastructure to support
 4 agency and interagency goals;

5 “(5) ‘Fund’ means the E-Government Fund es-
 6 tablished under section 3604;

7 “(6) ‘interoperability’ means the ability of dif-
 8 ferent software systems, applications, and services to
 9 communicate and exchange data in an accurate, effec-
 10 tive, and consistent manner; and

11 “(7) ‘integrated service delivery’ means the pro-
 12 vision of Internet-based Federal Government informa-
 13 tion or services integrated according to function rath-
 14 er than separated according to the boundaries of
 15 agency jurisdiction.

16 **“§ 3602. Office of Electronic Government**

17 “(a) There is established in the Office of Management
 18 and Budget an Office of Electronic Government.

19 “(b) There shall be at the head of the Office an Admin-
 20 istrator who shall be appointed by the President, by and
 21 with the advice and consent of the Senate.

22 “(c) The Administrator shall assist the Director in car-
 23 rying out—

24 “(1) all functions under this chapter;

1 “(2) *all of the functions assigned to the Director*
 2 *under title II of the E-Government Act of 2002; and*

3 “(3) *other electronic government initiatives, con-*
 4 *sistent with other statutes.*

5 “(d) *The Administrator shall assist the Director and*
 6 *the Deputy Director for Management and work with the*
 7 *Administrator of the Office of Information and Regulatory*
 8 *Affairs in setting strategic direction for implementing elec-*
 9 *tronic Government, under relevant statutes, including—*

10 “(1) *chapter 35;*

11 “(2) *division E of the Clinger-Cohen Act of 1996*
 12 *(division E of Public Law 104–106; 40 U.S.C. 1401*
 13 *et seq.);*

14 “(3) *section 552a of title 5 (commonly referred*
 15 *to as the Privacy Act);*

16 “(4) *the Government Paperwork Elimination Act*
 17 *(44 U.S.C. 3504 note);*

18 “(5) *the Government Information Security Re-*
 19 *form Act; and*

20 “(6) *the Computer Security Act of 1987 (40*
 21 *U.S.C. 759 note).*

22 “(e) *The Administrator shall work with the Adminis-*
 23 *trator of the Office of Information and Regulatory Affairs*
 24 *and with other offices within the Office of Management and*
 25 *Budget to oversee implementation of electronic Government*

1 *under this chapter, chapter 35, the E-Government Act of*
2 *2002, and other relevant statutes relating to—*

3 “(1) *capital planning and investment control for*
4 *information technology;*

5 “(2) *the development of enterprise architectures;*

6 “(3) *information security;*

7 “(4) *privacy;*

8 “(5) *access to, dissemination of, and preservation*
9 *of Government information; and*

10 “(6) *other areas of electronic Government.*

11 “(f) *Subject to requirements of this chapter, the Ad-*
12 *ministrator shall assist the Director by performing elec-*
13 *tronic Government functions as follows:*

14 “(1) *Advise the Director on the resources re-*
15 *quired to develop and effectively operate and main-*
16 *tain Federal Government information systems.*

17 “(2) *Recommend to the Director changes relating*
18 *to Governmentwide strategies and priorities for elec-*
19 *tronic Government.*

20 “(3) *Provide overall leadership and direction to*
21 *the executive branch on electronic Government by*
22 *working with authorized officials to establish informa-*
23 *tion resources management policies and requirements,*
24 *and by reviewing performance of each agency in ac-*
25 *quiring, using, and managing information resources.*

1 “(4) *Promote innovative uses of information*
2 *technology by agencies, particularly initiatives in-*
3 *volving multiagency collaboration, through support of*
4 *pilot projects, research, experimentation, and the use*
5 *of innovative technologies.*

6 “(5) *Oversee the distribution of funds from, and*
7 *ensure appropriate administration of, the E-Govern-*
8 *ment Fund established under section 3604.*

9 “(6) *Coordinate with the Administrator of Gen-*
10 *eral Services regarding programs undertaken by the*
11 *General Services Administration to promote electronic*
12 *government and the efficient use of information tech-*
13 *nologies by agencies.*

14 “(7) *Lead the activities of the Chief Information*
15 *Officers Council established under section 3603 on be-*
16 *half of the Deputy Director for Management, who*
17 *shall chair the council.*

18 “(8) *Assist the Director in establishing policies*
19 *which shall set the framework for information tech-*
20 *nology standards for the Federal Government under*
21 *section 5131 of the Clinger-Cohen Act of 1996 (40*
22 *U.S.C. 1441), to be developed by the National Insti-*
23 *tute of Standards and Technology and promulgated*
24 *by the Secretary of Commerce, taking into account, if*
25 *appropriate, recommendations of the Chief Informa-*

1 *tion Officers Council, experts, and interested parties*
2 *from the private and nonprofit sectors and State,*
3 *local, and tribal governments, and maximizing the*
4 *use of commercial standards as appropriate, as fol-*
5 *lows:*

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 Federal Government electronic informa-*
11 *tion to enable efficient use of technologies, such*
12 *as through the use of extensible markup lan-*
13 *guage.*

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

17 *“(9) Sponsor ongoing dialogue that—*

18 *“(A) shall be conducted among Federal,*
19 *State, local, and tribal government leaders on*
20 *electronic Government in the executive, legisla-*
21 *tive, and judicial branches to encourage collabo-*
22 *ration and enhance understanding of best prac-*
23 *tices and innovative approaches in acquiring,*
24 *using, and managing information resources;*

1 “(B) is intended to improve the perform-
 2 ance of governments in collaborating on the use
 3 of information technology to improve the delivery
 4 of information and services; and

5 “(C) may include—

6 “(i) development of innovative
 7 models—

8 “(I) for electronic Government
 9 management and Government informa-
 10 tion technology contracts; and

11 “(II) that may be developed
 12 through focused discussions or using
 13 separately sponsored research;

14 “(ii) identification of opportunities for
 15 public-private collaboration in using Inter-
 16 net-based technology to increase the effi-
 17 ciency of Government-to-business trans-
 18 actions;

19 “(iii) identification of mechanisms for
 20 providing incentives to program managers
 21 and other Government employees to develop
 22 and implement innovative uses of informa-
 23 tion technologies; and

24 “(iv) identification of opportunities for
 25 public, private, and intergovernmental col-

1 *laboration in addressing the disparities in*
2 *access to the Internet and information tech-*
3 *nology.*

4 “(10) *Oversee the work of the General Services*
5 *Administration and other agencies in developing the*
6 *integrated Internet-based system under section 204 of*
7 *the E-Government Act of 2002.*

8 “(11) *Coordinate with the Administrator of the*
9 *Office of Federal Procurement Policy to ensure effec-*
10 *tive implementation of electronic procurement initia-*
11 *tives.*

12 “(12) *Assist Federal agencies, including the Gen-*
13 *eral Services Administration and the Department of*
14 *Justice, and the United States Access Board in—*

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

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

21 “(13) *Oversee the development of enterprise ar-*
22 *chitectures within and across agencies.*

23 “(14) *Administer the Office of Electronic Gov-*
24 *ernment established under section 3602.*

1 “(15) *Assist the Director in preparing the E-*
 2 *Government report established under section 3605.*

3 “(g) *The Director shall ensure that the Office of Man-*
 4 *agement and Budget, including the Office of Electronic*
 5 *Government, the Office of Information and Regulatory Af-*
 6 *fairs, and other relevant offices, have adequate staff and re-*
 7 *sources to properly fulfill all functions under the E-Govern-*
 8 *ment Act of 2002.*

9 **“§ 3603. Chief Information Officers Council**

10 “(a) *There is established in the executive branch a*
 11 *Chief Information Officers Council.*

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

13 “(1) *The Deputy Director for Management of the*
 14 *Office of Management and Budget, who shall act as*
 15 *chairperson of the Council.*

16 “(2) *The Administrator of the Office of Elec-*
 17 *tronic Government.*

18 “(3) *The Administrator of the Office of Informa-*
 19 *tion and Regulatory Affairs.*

20 “(4) *The chief information officer of each agency*
 21 *described under section 901(b) of title 31.*

22 “(5) *The chief information officer of the Central*
 23 *Intelligence Agency.*

24 “(6) *The chief information officer of the Depart-*
 25 *ment of the Army, the Department of the Navy, and*

1 *the Department of the Air Force, if chief information*
2 *officers have been designated for such departments*
3 *under section 3506(a)(2)(B).*

4 *“(7) Any other officer or employee of the United*
5 *States designated by the chairperson.*

6 *“(c)(1) The Administrator of the Office of Electronic*
7 *Government shall lead the activities of the Council on behalf*
8 *of the Deputy Director for Management.*

9 *“(2)(A) The Vice Chairman of the Council shall be se-*
10 *lected by the Council from among its members.*

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

13 *“(3) The Administrator of General Services shall pro-*
14 *vide administrative and other support for the Council.*

15 *“(d) The Council is designated the principal inter-*
16 *agency forum for improving agency practices related to the*
17 *design, acquisition, development, modernization, use, oper-*
18 *ation, sharing, and performance of Federal Government in-*
19 *formation resources.*

20 *“(e) The Council shall perform the following functions:*

21 *“(1) Develop recommendations for the Director*
22 *on Government information resources management*
23 *policies and requirements.*

1 “(2) *Share experiences, ideas, best practices, and*
2 *innovative approaches related to information re-*
3 *sources management.*

4 “(3) *Assist the Administrator in the identifica-*
5 *tion, development, and coordination of multiagency*
6 *projects and other innovative initiatives to improve*
7 *Government performance through the use of informa-*
8 *tion technology.*

9 “(4) *Promote the development and use of com-*
10 *mon performance measures for agency information re-*
11 *sources management under this chapter and title II*
12 *of the E-Government Act of 2002.*

13 “(5) *Work as appropriate with the National In-*
14 *stitute of Standards and Technology and the Admin-*
15 *istrator to develop recommendations on information*
16 *technology standards developed under section 20 of the*
17 *National Institute of Standards and Technology Act*
18 *(15 U.S.C. 278g–3) and promulgated under section*
19 *5131 of the Clinger-Cohen Act of 1996 (40 U.S.C.*
20 *1441), as follows:*

21 “(A) *Standards and guidelines for*
22 *interconnectivity and interoperability as de-*
23 *scribed under section 3504.*

24 “(B) *Standards and guidelines for catego-*
25 *rizing Federal Government electronic informa-*

1 *tion to enable efficient use of technologies, such*
 2 *as through the use of extensible markup lan-*
 3 *guage.*

4 *“(C) Standards and guidelines for Federal*
 5 *Government computer system efficiency and se-*
 6 *curity.*

7 *“(6) Work with the Office of Personnel Manage-*
 8 *ment to assess and address the hiring, training, clas-*
 9 *sification, and professional development needs of the*
 10 *Government related to information resources manage-*
 11 *ment.*

12 **“§ 3604. E-Government Fund**

13 *“(a)(1) There is established in the General Services Ad-*
 14 *ministration the E-Government Fund.*

15 *“(2) The Fund shall be administered by the Adminis-*
 16 *trator of the General Services Administration to support*
 17 *projects approved by the Director, assisted by the Adminis-*
 18 *trator of the Office of Electronic Government, that enable*
 19 *the Federal Government to expand its ability, through the*
 20 *development and implementation of innovative uses of the*
 21 *Internet or other electronic methods, to conduct activities*
 22 *electronically.*

23 *“(3) Projects under this subsection may include efforts*
 24 *to—*

1 “(A) *make Federal information and services*
2 *more readily available to members of the public (in-*
3 *cluding individuals, businesses, grantees, and State*
4 *and local governments);*

5 “(B) *make it easier for the public to apply for*
6 *benefits, receive services, pursue business opportuni-*
7 *ties, submit information, and otherwise conduct*
8 *transactions with the Federal Government; and*

9 “(C) *enable Federal agencies to take advantage*
10 *of information technology in sharing information and*
11 *conducting transactions with each other and with*
12 *State and local governments.*

13 “(b)(1) *The Administrator shall—*

14 “(A) *establish procedures for accepting and re-*
15 *viewing proposals for funding; and*

16 “(B) *consult with interagency councils, includ-*
17 *ing the Chief Information Officers Council, the Chief*
18 *Financial Officers Council, and other interagency*
19 *management councils, in establishing procedures and*
20 *reviewing proposals.*

21 “(2) *When reviewing proposals and managing the*
22 *Fund, the Administrator shall observe and incorporate the*
23 *following procedures:*

24 “(A) *A project requiring substantial involvement*
25 *or funding from an agency shall be approved by a*

1 *senior official with agencywide authority on behalf of*
2 *the head of the agency, who shall report directly to the*
3 *head of the agency.*

4 “(B) *Projects shall adhere to fundamental cap-*
5 *ital planning and investment control processes.*

6 “(C) *Agencies shall assess the results of funded*
7 *projects.*

8 “(D) *Agencies shall identify in their proposals*
9 *resource commitments from the agencies involved, and*
10 *include plans for potential continuation of projects*
11 *after all funds made available from the Fund are ex-*
12 *pendended.*

13 “(E) *After considering the recommendations of*
14 *the interagency councils, the Director, assisted by the*
15 *Administrator, shall have final authority to deter-*
16 *mine which of the candidate projects shall be funded*
17 *from the Fund.*

18 “(c) *In determining which proposals to recommend for*
19 *funding, the Administrator—*

20 “(1) *shall consider criteria that include whether*
21 *a proposal—*

22 “(A) *identifies the customer group to be*
23 *served, including citizens, businesses, the Federal*
24 *Government, or other governments;*

1 “(B) indicates what service or information
2 the project will provide that meets needs of cus-
3 tomers;

4 “(C) directly delivers services to the public
5 or provides the infrastructure for delivery;

6 “(D) ensures proper security and protects
7 privacy;

8 “(E) is interagency in scope, including
9 projects implemented by a primary or single
10 agency that—

11 “(i) could confer benefits on multiple
12 agencies; and

13 “(ii) have the support of other agen-
14 cies;

15 “(F) supports integrated service delivery;

16 “(G) describes how business processes across
17 agencies will reflect appropriate transformation
18 simultaneous to technology implementation;

19 “(H) has performance objectives that tie to
20 agency missions and strategic goals, and interim
21 results that relate to the objectives; and

22 “(I) is new or innovative and does not sup-
23 plant existing funding streams within agencies;
24 and

1 “(2) may also rank proposals based on criteria
2 that include whether a proposal—

3 “(A) has Governmentwide application or
4 implications;

5 “(B) has demonstrated support by the cus-
6 tomers to be served;

7 “(C) integrates Federal with State, local, or
8 tribal approaches to service delivery;

9 “(D) identifies resource commitments from
10 nongovernmental sectors;

11 “(E) identifies resource commitments from
12 the agencies involved; and

13 “(F) uses web-based technologies to achieve
14 objectives.

15 “(d) The Fund may be used to fund the integrated
16 Internet-based system under section 204 of the E-Govern-
17 ment Act of 2002.

18 “(e) None of the funds provided from the Fund may
19 be transferred to any agency until 15 days after the Admin-
20 istrator of the General Services Administration has sub-
21 mitted to the Committees on Appropriations of the Senate
22 and the House of Representatives, the Committee on Gov-
23 ernmental Affairs of the Senate, the Committee on Govern-
24 ment Reform of the House of Representatives, and the ap-
25 propriate authorizing committees of the Senate and the

1 *House of Representatives, a notification and description of*
 2 *how the funds are to be allocated and how the expenditure*
 3 *will further the purposes of this chapter.*

4 “(f)(1) *The Director shall report annually to Congress*
 5 *on the operation of the Fund, through the report established*
 6 *under section 3605.*

7 “(2) *The report shall describe—*

8 “(A) *all projects which the Director has ap-*
 9 *proved for funding from the Fund; and*

10 “(B) *the results that have been achieved to date*
 11 *for these funded projects.*

12 “(g)(1) *There are authorized to be appropriated to the*
 13 *Fund—*

14 “(A) *\$45,000,000 for fiscal year 2003;*

15 “(B) *\$50,000,000 for fiscal year 2004;*

16 “(C) *\$100,000,000 for fiscal year 2005;*

17 “(D) *\$150,000,000 for fiscal year 2006; and*

18 “(E) *such sums as are necessary for fiscal year*
 19 *2007.*

20 “(2) *Funds appropriated under this subsection shall*
 21 *remain available until expended.*

22 **“§ 3605. E-Government report**

23 “(a) *Not later than March 1 of each year, the Director*
 24 *shall submit an E-Government status report to the Com-*
 25 *mittee on Governmental Affairs of the Senate and the Com-*

1 *mittee on Government Reform of the House of Representa-*
 2 *tives.*

3 “(b) *The report shall contain—*

4 “(1) *a summary of the information reported by*
 5 *agencies under section 202 (f) of the E-Government*
 6 *Act of 2002;*

7 “(2) *the information required to be reported by*
 8 *section 3604(f); and*

9 “(3) *a description of compliance by the Federal*
 10 *Government with other goals and provisions of the E-*
 11 *Government Act of 2002.”.*

12 (b) *TECHNICAL AND CONFORMING AMENDMENT.—The*
 13 *table of chapters for title 44, United States Code, is amend-*
 14 *ed by inserting after the item relating to chapter 35 the*
 15 *following:*

**“36. Management and Promotion of Electronic Govern-
 ment Services 3601”.**

16 **SEC. 102. CONFORMING AMENDMENTS.**

17 (a) *ELECTRONIC GOVERNMENT AND INFORMATION*
 18 *TECHNOLOGIES.—*

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

1 **“SEC. 113. ELECTRONIC GOVERNMENT AND INFORMATION**
 2 **TECHNOLOGIES.**

3 *“The Administrator of General Services shall consult*
 4 *with the Administrator of the Office of Electronic Govern-*
 5 *ment on programs undertaken by the General Services Ad-*
 6 *ministration to promote electronic Government and the effi-*
 7 *cient use of information technologies by Federal agencies.”.*

8 (2) *TECHNICAL AND CONFORMING AMEND-*
 9 *MENT.—The table of sections for the Federal Property*
 10 *and Administrative Services Act of 1949 is amended*
 11 *by inserting after the item relating to section 112 the*
 12 *following:*

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

13 (b) *MODIFICATION OF DEPUTY DIRECTOR FOR MAN-*
 14 *AGEMENT FUNCTIONS.—Section 503(b) of title 31, United*
 15 *States Code, is amended—*

16 (1) *by redesignating paragraphs (5), (6), (7),*
 17 *(8), and (9), as paragraphs (6), (7), (8), (9), and*
 18 *(10), respectively; and*

19 (2) *by inserting after paragraph (4) the fol-*
 20 *lowing:*

21 *“(5) Chair the Chief Information Officers Coun-*
 22 *cil established under section 3603 of title 44.”.*

23 (c) *OFFICE OF ELECTRONIC GOVERNMENT.—*

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

4 **“§ 507. Office of Electronic Government**

5 *“The Office of Electronic Government, established*
 6 *under section 3602 of title 44, is an office in the Office of*
 7 *Management and Budget.”.*

8 (2) *TECHNICAL AND CONFORMING AMEND-*
 9 *MENT.*—The table of sections for chapter 5 of title 31,
 10 United States Code, is amended by inserting after the
 11 item relating to section 506 the following:

“507. Office of Electronic Government.”.

12 **TITLE II—FEDERAL MANAGEMENT AND PROMOTION OF**
 13 **ELECTRONIC GOVERNMENT**
 14 **SERVICES**

16 **SEC. 201. DEFINITIONS.**

17 *Except as otherwise provided, in this title the defini-*
 18 *tions under sections 3502 and 3601 of title 44, United*
 19 *States Code, shall apply.*

20 **SEC. 202. FEDERAL AGENCY RESPONSIBILITIES.**

21 (a) *IN GENERAL.*—The head of each agency shall be
 22 responsible for—

23 (1) *complying with the requirements of this Act*
 24 *(including the amendments made by this Act), the re-*
 25 *lated information resource management policies and*

1 *guidance established by the Director of the Office of*
2 *Management and Budget, and the related information*
3 *technology standards promulgated by the Secretary of*
4 *Commerce;*

5 *(2) ensuring that the information resource man-*
6 *agement policies and guidance established under this*
7 *Act by the Director, and the information technology*
8 *standards promulgated under this Act by the Sec-*
9 *retary of Commerce are communicated promptly and*
10 *effectively to all relevant officials within their agency;*
11 *and*

12 *(3) supporting the efforts of the Director and the*
13 *Administrator of the General Services Administration*
14 *to develop, maintain, and promote an integrated*
15 *Internet-based system of delivering Federal Govern-*
16 *ment information and services to the public under*
17 *section 204.*

18 *(b) PERFORMANCE INTEGRATION.—*

19 *(1) Agencies shall develop performance measures*
20 *that demonstrate how electronic government enables*
21 *progress toward agency objectives and strategic goals.*

22 *(2) In measuring performance under this section,*
23 *agencies shall rely on existing data collections to the*
24 *extent practicable.*

1 (3) *Areas of performance measurement that*
2 *agencies should consider include—*

3 *(A) customer service;*

4 *(B) agency productivity; and*

5 *(C) adoption of innovative information*
6 *technology, including the appropriate use of com-*
7 *mercial best practices.*

8 (4) *Agencies shall link their performance goals to*
9 *key customer segments, including citizens, businesses,*
10 *and other governments, and to internal Federal Gov-*
11 *ernment operations.*

12 (5) *As appropriate, agencies shall work collec-*
13 *tively in linking their performance goals to key cus-*
14 *tomers segments and shall use information technology*
15 *in delivering information and services to common*
16 *customer groups.*

17 (c) *AVOIDING DIMINISHED ACCESS.—When promul-*
18 *gating policies and implementing programs regarding the*
19 *provision of information and services over the Internet,*
20 *agency heads shall consider the impact on persons without*
21 *access to the Internet, and shall, to the extent practicable—*

22 *(1) ensure that the availability of Government*
23 *services and information has not been diminished for*
24 *individuals who lack access to the Internet; and*

1 (2) *pursue alternate modes of delivery that make*
 2 *Government services and information more accessible*
 3 *to individuals who do not own computers or lack ac-*
 4 *cess to the Internet.*

5 (d) *ACCESSIBILITY TO PEOPLE WITH DISABILITIES.*—
 6 *All actions taken by Federal departments and agencies*
 7 *under this Act shall be in compliance with section 508 of*
 8 *the Rehabilitation Act of 1973 (29 U.S.C. 794d).*

9 (e) *CHIEF INFORMATION OFFICERS.*—*The Chief Infor-*
 10 *mation Officer of each of the agencies designated under*
 11 *chapter 36 of title 44, United States Code (as added by this*
 12 *Act) shall be responsible for—*

13 (1) *participating in the functions of the Chief*
 14 *Information Officers Council; and*

15 (2) *monitoring the implementation, within their*
 16 *respective agencies, of information technology stand-*
 17 *ards promulgated under this Act by the Secretary of*
 18 *Commerce, including common standards for*
 19 *interconnectivity and interoperability, categorization*
 20 *of Federal Government electronic information, and*
 21 *computer system efficiency and security.*

22 (f) *E-GOVERNMENT STATUS REPORT.*—

23 (1) *IN GENERAL.*—*Each agency shall compile*
 24 *and submit to the Director an E-Government Status*
 25 *Report on—*

1 (A) the status of the implementation by the
2 agency of electronic government initiatives;

3 (B) compliance by the agency with this Act;
4 and

5 (C) how electronic Government initiatives of
6 the agency improve performance in delivering
7 programs to constituencies.

8 (2) *SUBMISSION.*—Each agency shall submit a
9 report under this subsection—

10 (A) to the Director at such time and in such
11 manner as the Director requires; and

12 (B) consistent with related reporting re-
13 quirements.

14 (g) *USE OF TECHNOLOGY.*—Nothing in this Act super-
15 sedes the responsibility of an agency to use information
16 technology to deliver information and services that fulfill
17 the statutory mission and programs of the agency.

18 **SEC. 203. COMPATIBILITY OF EXECUTIVE AGENCY METH-**
19 **ODS FOR USE AND ACCEPTANCE OF ELEC-**
20 **TRONIC SIGNATURES.**

21 (a) *PURPOSE.*—The purpose of this section is to
22 achieve interoperable implementation of electronic signa-
23 tures for secure electronic government.

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

1 *(Public Law 105–277; 112 Stat. 2681–749 through 2681–*
 2 *751), each Executive agency (as defined under section 105*
 3 *of title 5, United States Code) shall ensure that its methods*
 4 *for use and acceptance of electronic signatures are compat-*
 5 *ible with the relevant procedures and standards promul-*
 6 *gated by the Director.*

7 (c) *AUTHORITY FOR ELECTRONIC SIGNATURES.—The*
 8 *Administrator of General Services shall support the Direc-*
 9 *tor by establishing a framework to allow efficient interoper-*
 10 *ability among Executive agencies when using electronic sig-*
 11 *natures, including certification of digital signatures.*

12 (d) *AUTHORIZATION OF APPROPRIATIONS.—There are*
 13 *authorized to be appropriated to the General Services Ad-*
 14 *ministration, to ensure the development and operation of*
 15 *a Federal bridge certification authority for digital signa-*
 16 *ture compatibility, or for other activities consistent with*
 17 *this section, \$8,000,000 in fiscal year 2003, and such sums*
 18 *as are necessary for each fiscal year thereafter.*

19 **SEC. 204. FEDERAL INTERNET PORTAL.**

20 (a) *IN GENERAL.—*

21 (1) *PUBLIC ACCESS.—The Director shall work*
 22 *with the Administrator of the General Services Ad-*
 23 *ministration and other agencies to maintain and pro-*
 24 *mote an integrated Internet-based system of providing*

1 *the public with access to Government information and*
2 *services.*

3 (2) *CRITERIA.—To the extent practicable, the in-*
4 *tegrated system shall be designed and operated ac-*
5 *cording to the following criteria:*

6 (A) *The provision of Internet-based Govern-*
7 *ment information and services directed to key*
8 *customer groups, including citizens, business,*
9 *and other governments, and integrated according*
10 *to function rather than separated according to*
11 *the boundaries of agency jurisdiction.*

12 (B) *An ongoing effort to ensure that Inter-*
13 *net-based Government services relevant to a*
14 *given citizen activity are available from a single*
15 *point.*

16 (C) *Access to Federal Government informa-*
17 *tion and services consolidated, as appropriate,*
18 *with Internet-based information and services*
19 *provided by State, local, and tribal governments.*

20 (b) *AUTHORIZATION OF APPROPRIATIONS.—There are*
21 *authorized to be appropriated to the General Services Ad-*
22 *ministration \$15,000,000 for the maintenance, improve-*
23 *ment, and promotion of the integrated Internet-based sys-*
24 *tem for fiscal year 2003, and such sums as are necessary*
25 *for fiscal years 2004 through 2007.*

1 **SEC. 205. FEDERAL COURTS.**

2 (a) *INDIVIDUAL COURT WEBSITES.*—*The Chief Justice*
 3 *of the United States, the chief judge of each circuit and dis-*
 4 *trict, and the chief bankruptcy judge of each district shall*
 5 *establish with respect to the Supreme Court or the respective*
 6 *court of appeals, district, or bankruptcy court of a district,*
 7 *a website that contains the following information or links*
 8 *to websites with the following information:*

9 (1) *Location and contact information for the*
 10 *courthouse, including the telephone numbers and con-*
 11 *tact names for the clerk's office and justices' or judges'*
 12 *chambers.*

13 (2) *Local rules and standing or general orders of*
 14 *the court.*

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

17 (4) *Access to docket information for each case.*

18 (5) *Access to the substance of all written opin-*
 19 *ions issued by the court, regardless of whether such*
 20 *opinions are to be published in the official court re-*
 21 *porter, in a text searchable format.*

22 (6) *Access to all documents filed with the court-*
 23 *house in electronic form, described under subsection*
 24 *(c).*

1 (7) *Any other information (including forms in a*
 2 *format that can be downloaded) that the court deter-*
 3 *mines useful to the public.*

4 (b) *MAINTENANCE OF DATA ONLINE.—*

5 (1) *UPDATE OF INFORMATION.—The information*
 6 *and rules on each website shall be updated regularly*
 7 *and kept reasonably current.*

8 (2) *CLOSED CASES.—Electronic files and docket*
 9 *information for cases closed for more than 1 year are*
 10 *not required to be made available online, except all*
 11 *written opinions with a date of issuance after the ef-*
 12 *fective date of this section shall remain available on-*
 13 *line.*

14 (c) *ELECTRONIC FILINGS.—*

15 (1) *IN GENERAL.—Except as provided under*
 16 *paragraph (2), each court shall make any document*
 17 *that is filed electronically publicly available online. A*
 18 *court may convert any document that is filed in*
 19 *paper form to electronic form. To the extent such con-*
 20 *versions are made, all such electronic versions of the*
 21 *document shall be made available online.*

22 (2) *EXCEPTIONS.—*

23 (A) *IN GENERAL.—Documents that are filed*
 24 *that are not otherwise available to the public,*

1 *such as documents filed under seal, shall not be*
 2 *made available online.*

3 *(B) LIMITATION.—*

4 *(i) IN GENERAL.—A party, witness, or*
 5 *other person with an interest may file a*
 6 *motion with the court to redact any docu-*
 7 *ment that would be made available online*
 8 *under this section.*

9 *(ii) REDACTION.—A redaction under*
 10 *this subparagraph shall be made only to—*

11 *(I) the electronic form of the docu-*
 12 *ment made available online; and*

13 *(II) the extent necessary to protect*
 14 *important privacy concerns.*

15 *(3) PRIVACY AND SECURITY CONCERNS.—The Ju-*
 16 *dicial Conference of the United States may promul-*
 17 *gate rules under this subsection to protect important*
 18 *privacy and security concerns.*

19 *(d) DOCKETS WITH LINKS TO DOCUMENTS.—The Ju-*
 20 *dicial Conference of the United States shall explore the fea-*
 21 *sibility of technology to post online dockets with links allow-*
 22 *ing all filings, decisions, and rulings in each case to be ob-*
 23 *tained from the docket sheet of that case.*

24 *(e) COST OF PROVIDING ELECTRONIC DOCKETING IN-*
 25 *FORMATION.—Section 303(a) of the Judiciary Appropria-*

1 *tions Act, 1992 (28 U.S.C. 1913 note) is amended in the*
 2 *first sentence by striking “shall hereafter” and inserting*
 3 *“may, only to the extent necessary,”.*

4 (f) *TIME REQUIREMENTS.*—*Not later than 2 years*
 5 *after the effective date of this title, the websites under sub-*
 6 *section (a) shall be established, except that access to docu-*
 7 *ments filed in electronic form shall be established not later*
 8 *than 4 years after that effective date.*

9 (g) *DEFERRAL.*—

10 (1) *IN GENERAL.*—

11 (A) *ELECTION.*—

12 (i) *NOTIFICATION.*—*The Chief Justice*
 13 *of the United States, a chief judge, or chief*
 14 *bankruptcy judge may submit a notification*
 15 *to the Administrative Office of the United*
 16 *States Courts to defer compliance with any*
 17 *requirement of this section with respect to*
 18 *the Supreme Court, a court of appeals, dis-*
 19 *trict, or the bankruptcy court of a district.*

20 (ii) *CONTENTS.*—*A notification sub-*
 21 *mitted under this subparagraph shall*
 22 *state—*

23 (I) *the reasons for the deferral;*
 24 *and*

1 (II) *the online methods, if any, or*
 2 *any alternative methods, such court or*
 3 *district is using to provide greater*
 4 *public access to information.*

5 (B) *EXCEPTION.—To the extent that the Su-*
 6 *preme Court, a court of appeals, district, or*
 7 *bankruptcy court of a district maintains a*
 8 *website under subsection (a), the Supreme Court*
 9 *or that court of appeals or district shall comply*
 10 *with subsection (b)(1).*

11 (2) *REPORT.—Not later than 1 year after the ef-*
 12 *fective date of this title, and every year thereafter, the*
 13 *Judicial Conference of the United States shall submit*
 14 *a report to the Committees on Governmental Affairs*
 15 *and the Judiciary of the Senate and the Committees*
 16 *on Government Reform and the Judiciary of the*
 17 *House of Representatives that—*

18 (A) *contains all notifications submitted to*
 19 *the Administrative Office of the United States*
 20 *Courts under this subsection; and*

21 (B) *summarizes and evaluates all notifica-*
 22 *tions.*

23 **SEC. 206. REGULATORY AGENCIES.**

24 (a) *PURPOSES.—The purposes of this section are to—*

1 (1) *improve performance in the development and*
 2 *issuance of agency regulations by using information*
 3 *technology to increase access, accountability, and*
 4 *transparency; and*

5 (2) *enhance public participation in Government*
 6 *by electronic means, consistent with requirements*
 7 *under subchapter II of chapter 5 of title 5, United*
 8 *States Code, (commonly referred to as the Adminis-*
 9 *trative Procedures Act).*

10 (b) *INFORMATION PROVIDED BY AGENCIES ONLINE.—*
 11 *To the extent practicable as determined by the agency in*
 12 *consultation with the Director, each agency (as defined*
 13 *under section 551 of title 5, United States Code) shall en-*
 14 *sure that a publicly accessible Federal Government website*
 15 *includes all information about that agency required to be*
 16 *published in the Federal Register under section 552(a)(1)*
 17 *of title 5, United States Code.*

18 (c) *SUBMISSIONS BY ELECTRONIC MEANS.—To the ex-*
 19 *tent practicable, agencies shall accept submissions under*
 20 *section 553(c) of title 5, United States Code, by electronic*
 21 *means, including e-mail and telefacsimile.*

22 (d) *ELECTRONIC DOCKETING.—*

23 (1) *IN GENERAL.—To the extent practicable, as*
 24 *determined by the agency in consultation with the Di-*
 25 *rector, agencies shall ensure that a publicly accessible*

1 *Federal Government website contains electronic dock-*
 2 *ets for rulemakings under section 553 of title 5,*
 3 *United States Code.*

4 (2) *INFORMATION AVAILABLE.*—*Agency electronic*
 5 *dockets shall make publicly available online to the ex-*
 6 *tent practicable, as determined by the agency in con-*
 7 *sultation with the Director—*

8 (A) *all submissions under section 553(c) of*
 9 *title 5, United States Code; and*

10 (B) *other materials that by agency rule or*
 11 *practice are included in the rulemaking docket*
 12 *under section 553(c) of title 5, United States*
 13 *Code, whether or not submitted electronically.*

14 (e) *TIME LIMITATION.*—*Agencies shall implement the*
 15 *requirements of this section consistent with a timetable es-*
 16 *tablished by the Director and reported to Congress in the*
 17 *first annual report under section 3605 of title 44 (as added*
 18 *by this Act).*

19 **SEC. 207. ACCESSIBILITY, USABILITY, AND PRESERVATION**
 20 **OF GOVERNMENT INFORMATION.**

21 (a) *PURPOSE.*—*The purpose of this section is to im-*
 22 *prove the methods by which Government information, in-*
 23 *cluding information on the Internet, is organized, pre-*
 24 *served, and made accessible to the public.*

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

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

3 (2) “Committee” means the Interagency Com-
4 mittee on Government Information established under
5 subsection (c);

6 (3) “directory” means a taxonomy of subjects
7 linked to websites that—

8 (A) organizes Government information on
9 the Internet according to subject matter; and

10 (B) may be created with the participation
11 of human editors;

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

15 (5) “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 audio-
19 visual forms.

20 (c) INTERAGENCY COMMITTEE.—

21 (1) ESTABLISHMENT.—Not later than 90 days
22 after the date of enactment of this title, the Director
23 shall establish the Interagency Committee on Govern-
24 ment Information.

1 (2) *MEMBERSHIP.—The Committee shall be*
2 *chaired by the Director or the designee of the Director*
3 *and—*

4 (A) *shall include representatives from—*

5 (i) *the National Archives and Records*
6 *Administration;*

7 (ii) *the offices of the Chief Information*
8 *Officers from Federal agencies; and*

9 (iii) *other relevant officers from the ex-*
10 *ecutive branch; and*

11 (B) *may include representatives from the*
12 *Federal legislative and judicial branches.*

13 (3) *FUNCTIONS.—The Committee shall—*

14 (A) *engage in public consultation to the*
15 *maximum extent feasible, including consultation*
16 *with interested communities such as public advo-*
17 *cacy organizations;*

18 (B) *conduct studies and submit rec-*
19 *ommendations, as provided under this section, to*
20 *the Director and Congress;*

21 (C) *act as a resource to assist agencies in*
22 *the effective implementation of policies derived*
23 *from this Act; and*

1 (D) share effective practices for access to,
 2 dissemination of, and retention of Federal infor-
 3 mation.

4 (4) *TERMINATION.*—The Committee shall termi-
 5 nate on a date determined by the Director, except the
 6 Committee may not terminate before the Committee
 7 submits all recommendations required under this sec-
 8 tion.

9 (d) *CATEGORIZING OF INFORMATION.*—

10 (1) *COMMITTEE FUNCTIONS.*—Not later than 1
 11 year after the date of enactment of this Act, the Com-
 12 mittee shall submit recommendations to the Director
 13 on—

14 (A) the adoption of standards, which are
 15 open to the maximum extent feasible, to enable
 16 the organization and categorization of Govern-
 17 ment information—

18 (i) in a way that is searchable elec-
 19 tronically, including by searchable identi-
 20 fiers; and

21 (iii) in ways that are interoperable
 22 across agencies;

23 (B) the definition of categories of Govern-
 24 ment information which should be classified
 25 under the standards; and

1 (C) *determining priorities and developing*
 2 *schedules for the initial implementation of the*
 3 *standards by agencies.*

4 (2) *FUNCTIONS OF THE DIRECTOR.*—*Not later*
 5 *than 180 days after the submission of recommenda-*
 6 *tions under paragraph (1), the Director shall issue*
 7 *policies—*

8 (A) *requiring the adoption of standards,*
 9 *which are open to the maximum extent feasible,*
 10 *to enable the organization and categorization of*
 11 *Government information—*

12 (i) *in a way that is searchable elec-*
 13 *tronically, including by searchable identi-*
 14 *fiers; and*

15 (ii) *in ways that are interoperable*
 16 *across agencies;*

17 (B) *defining categories of Government infor-*
 18 *mation which shall be required to be classified*
 19 *under the standards; and*

20 (C) *determining priorities and developing*
 21 *schedules for the initial implementation of the*
 22 *standards by agencies.*

23 (3) *COMPLIANCE REPORT.*—*After the submission*
 24 *of agency reports under paragraph (4), the Director*
 25 *shall—*

1 (A) *annually report to Congress on compli-*
2 *ance with this subsection in the E-Government*
3 *report under section 3605 of title 44, United*
4 *States Code (as added by this Act); and*

5 (B) *modify the policies, as needed, in con-*
6 *sultation with the Committee and interested par-*
7 *ties.*

8 (4) *AGENCY FUNCTIONS.—Each agency shall re-*
9 *port annually to the Director, in the report estab-*
10 *lished under section 202(f), on compliance of that*
11 *agency with the policies issued under paragraph*
12 *(2)(A).*

13 (e) *PUBLIC ACCESS TO ELECTRONIC INFORMATION.—*

14 (1) *COMMITTEE FUNCTIONS.—Not later than 1*
15 *year after the date of enactment of this Act, the Com-*
16 *mittee shall submit recommendations to the Director*
17 *and the Archivist of the United States on—*

18 (A) *the adoption by agencies of policies and*
19 *procedures to ensure that chapters 21, 25, 27, 29,*
20 *and 31 of title 44, United States Code, are ap-*
21 *plied effectively and comprehensively to Govern-*
22 *ment information on the Internet and to other*
23 *electronic records; and*

1 *(B) the imposition of timetables for the im-*
 2 *plementation of the policies and procedures by*
 3 *agencies.*

4 *(2) FUNCTIONS OF THE ARCHIVIST.—Not later*
 5 *than 180 days after the submission of recommenda-*
 6 *tions by the Committee under paragraph (1), the Ar-*
 7 *chivist of the United States shall issue policies—*

8 *(A) requiring the adoption by agencies of*
 9 *policies and procedures to ensure that chapters*
 10 *21, 25, 27, 29, and 31 of title 44, United States*
 11 *Code, are applied effectively and comprehensively*
 12 *to Government information on the Internet and*
 13 *to other electronic records; and*

14 *(B) imposing timetables for the implemen-*
 15 *tation of the policies, procedures, and tech-*
 16 *nologies by agencies.*

17 *(3) MODIFICATION OF POLICIES.—After the sub-*
 18 *mission of agency reports under paragraph (4), the*
 19 *Archivist of the United States shall modify the poli-*
 20 *cies, as needed, in consultation with the Committee*
 21 *and interested parties.*

22 *(4) AGENCY FUNCTIONS.—Each agency shall re-*
 23 *port annually to the Director, in the report estab-*
 24 *lished under section 202(f), on compliance of that*

1 *agency with the policies issued under paragraph*
 2 *(2)(A).*

3 *(5) FUNCTIONS OF THE DIRECTOR.—After the*
 4 *submission of agency reports under paragraph (4),*
 5 *the Director shall annually report to Congress on*
 6 *compliance with this subsection in the E-Government*
 7 *report under section 3605 of title 44 (as added by this*
 8 *Act).*

9 *(f) EDUCATIONAL RESOURCE MATERIALS.—*

10 *(1) COMMITTEE FUNCTIONS.—*

11 *(A) IDENTIFICATION OF AGENCIES.—Not*
 12 *later than 90 days after the date of enactment of*
 13 *this Act, the Committee shall identify agencies*
 14 *involved in disseminating educational resources*
 15 *materials.*

16 *(B) RECOMMENDATIONS.—Not later than 15*
 17 *months after the date of enactment of this Act,*
 18 *working with the Librarian of Congress, the Ar-*
 19 *chivist of the United States, the Director or the*
 20 *Institute of Museum and Library Services, and*
 21 *the agencies previously identified by the Com-*
 22 *mittee, and after consultation with interested*
 23 *parties, including libraries, historical societies,*
 24 *archival institutions, and other cultural and*

1 *academic organizations, the Committee shall sub-*
2 *mit recommendations to the Director on—*

3 *(i) policies to promote coordinated ac-*
4 *cess to educational resources materials on*
5 *the Internet; and*

6 *(ii) the imposition of timetables for the*
7 *implementation of the policies by agencies,*
8 *where appropriate.*

9 *(2) FUNCTIONS OF THE DIRECTOR.—*

10 *(A) Not later than 180 days after the sub-*
11 *mission of recommendations by the Committee*
12 *under paragraph (1)(B), the Director shall issue*
13 *policies—*

14 *(i) promoting coordinated access to*
15 *educational resources materials on the*
16 *Internet; and*

17 *(ii) imposing timetables for the imple-*
18 *mentation of the policies by agencies, as ap-*
19 *propriate.*

20 *(B) After the submission of agency reports*
21 *under paragraph (3), the Director shall—*

22 *(i) annually report to Congress on*
23 *compliance with this subsection in the E-*
24 *Government report under section 3605 of*
25 *title 44 (as added by this Act); and*

1 (ii) refine the policies, as needed, in
2 consultation with the Committee and inter-
3 ested parties.

4 (3) AGENCY FUNCTIONS.—Each agency shall re-
5 port annually to the Director, in the report estab-
6 lished in section 202(f), on compliance of that agency
7 with the policies issued under paragraph (2)(A).

8 (g) AVAILABILITY OF GOVERNMENT INFORMATION ON
9 THE INTERNET.—

10 (1) IN GENERAL.—Not later than 1 year after
11 the date of enactment of this Act, each agency shall—

12 (A) consult with the Committee and solicit
13 public comment;

14 (B) determine which Government informa-
15 tion the agency intends to make available and
16 accessible to the public on the Internet and by
17 other means;

18 (C) develop priorities and schedules for
19 making that Government information available
20 and accessible;

21 (D) make such final determinations, prior-
22 ities, and schedules available for public comment;

23 (E) post such final determinations, prior-
24 ities, and schedules on the Internet; and

1 (F) submit such final determinations, prior-
 2 ities, and schedules to the Director, in the report
 3 established under section 202(f).

4 (2) *UPDATE.*—Each agency shall update deter-
 5 minations, priorities, and schedules of the agency, as
 6 needed, after consulting with the Committee and solici-
 7 ting public comment, if appropriate.

8 (h) *ACCESS TO FEDERALLY FUNDED RESEARCH AND*
 9 *DEVELOPMENT.*—

10 (1) *DEFINITIONS.*—In this subsection, the
 11 term—

12 (A) “essential information” shall include—

13 (i) the name, mission, and annual
 14 budget authority for research and develop-
 15 ment of all Federal agencies, constituent bu-
 16 reaus of agencies, the constituent programs
 17 of such bureaus, and the constituent projects
 18 of such programs; and

19 (ii) details on every separable research
 20 and development task performed
 21 intramurally within the Federal entities de-
 22 scribed under clause (i) on every extramural
 23 research and development award made by
 24 the Federal entities described under clause
 25 (i), and on every individual research and

1 *development task or award, including field*
2 *work proposals, made by a federally funded*
3 *research and development center,*
4 *including—*

5 *(I) the unique identifying number*
6 *of the task or award;*

7 *(II) the dates upon which the re-*
8 *search and development task or award*
9 *is expected to start and end;*

10 *(III) an abstract describing the*
11 *objective and the scientific and tech-*
12 *nical focus of the research and develop-*
13 *ment task or award;*

14 *(IV) the name of the principal*
15 *person or persons performing the re-*
16 *search and development, their contact*
17 *information and institutional affili-*
18 *ations, and the geographic location of*
19 *the institution;*

20 *(V) the total amount of Federal*
21 *funds expected to be provided to the re-*
22 *search and development task or award*
23 *over its lifetime and the amount of*
24 *funds expected to be provided in each*
25 *fiscal year in which the work of the re-*

1 *search and development task or award*
2 *is ongoing;*

3 (VI) *the type of legal instrument*
4 *under which the research and develop-*
5 *ment funds were transferred to the re-*
6 *cipient;*

7 (VII) *the name and location of*
8 *any industrial partner formally in-*
9 *volved in the performance of the re-*
10 *search and development task or award;*

11 (VIII) *any restrictions attached to*
12 *the task or award that would prevent*
13 *the sharing with the general public of*
14 *any or all of the information deter-*
15 *mined to be essential information, and*
16 *the reasons for such restrictions; and*

17 (IX) *such other information as*
18 *may be determined to be appropriate;*
19 *and*

20 (B) *“Federal research and development”—*

21 (i) *means those activities which con-*
22 *stitute basic research, applied research, and*
23 *development as defined by the Director; and*

1 (ii) shall include all funds spent on
2 Federal research and development that are
3 provided to—

4 (I) institutions and entities not a
5 part of the Federal Government,
6 including—

7 (aa) State, local, and foreign
8 governments;

9 (bb) industrial firms;

10 (cc) educational institutions;

11 (dd) not-for-profit organiza-
12 tions;

13 (ee) federally funded research
14 and development centers; and

15 (ff) private individuals; and

16 (II) entities of the Federal Gov-
17 ernment, including research and devel-
18 opment laboratories, centers, and of-
19 fices.

20 (2) DEVELOPMENT AND MAINTENANCE OF GOV-
21 ERNMENTWIDE DATABASE AND WEBSITE.—

22 (A) DATABASE AND WEBSITE.—The Direc-
23 tor of the National Science Foundation, working
24 with the Director of the Office of Management
25 and Budget and the Director of the Office of

1 *Science and Technology Policy, shall develop and*
2 *maintain—*

3 *(i) a database that fully integrates, to*
4 *the maximum extent feasible, all essential*
5 *information on Federal research and devel-*
6 *opment that is gathered and maintained by*
7 *Federal agencies; and*

8 *(ii) 1 or more websites upon which all*
9 *or part of the database of Federal research*
10 *and development shall be made available to*
11 *and searchable by Federal agencies and*
12 *non-Federal entities, including the general*
13 *public, to facilitate—*

14 *(I) the coordination of Federal re-*
15 *search and development activities;*

16 *(II) collaboration among those*
17 *conducting Federal research and devel-*
18 *opment;*

19 *(III) the transfer of technology*
20 *among Federal agencies and between*
21 *Federal agencies and non-Federal enti-*
22 *ties; and*

23 *(IV) access by policymakers and*
24 *the public to information concerning*

1 *Federal research and development ac-*
2 *tivities.*

3 *(B) OVERSIGHT.—The Director of the Office*
4 *of Management and Budget shall oversee the de-*
5 *velopment and operation of the database and*
6 *website and issue any guidance determined nec-*
7 *essary to ensure that agencies provide all essen-*
8 *tial information requested under this subsection.*

9 *(3) AGENCY FUNCTIONS.—*

10 *(A) IN GENERAL.—Any agency that funds*
11 *Federal research and development of this sub-*
12 *section shall—*

13 *(i) provide the information required to*
14 *populate the database in the manner pre-*
15 *scribed by the Director of the Office of Man-*
16 *agement and Budget; and*

17 *(ii) report annually to the Director, in*
18 *the report established under section 202(f),*
19 *on compliance of that agency with the re-*
20 *quirements established under this sub-*
21 *section.*

22 *(B) REQUIREMENTS.—An agency may im-*
23 *pose reporting requirements necessary for the im-*
24 *plementation of this section on recipients of Fed-*

1 *eral research and development funding as a con-*
 2 *dition of receiving the funding.*

3 (4) *COMMITTEE FUNCTIONS.*—*Not later than 1*
 4 *year after the date of enactment of this Act, working*
 5 *with the Director of the Office of Science and Tech-*
 6 *nology Policy, and after consultation with interested*
 7 *parties, the Committee shall submit recommendations*
 8 *to the Director on—*

9 (A) *policies to improve agency reporting of*
 10 *information for the database established under*
 11 *this subsection; and*

12 (B) *policies to improve dissemination of the*
 13 *results of research performed by Federal agencies*
 14 *and federally funded research and development*
 15 *centers.*

16 (5) *FUNCTIONS OF THE DIRECTOR.*—

17 (A) *RECOMMENDATIONS.*—*After submission*
 18 *of recommendations by the Committee under*
 19 *paragraph (4), the Director shall report on the*
 20 *recommendations of the Committee and Director*
 21 *to Congress, in the E-Government report under*
 22 *section 3605 of title 44 (as added by this Act).*

23 (B) *COMPLIANCE.*—*The Director shall an-*
 24 *nually report to Congress on agency compliance*

1 *with the requirements established under para-*
 2 *graph (3).*

3 (6) *AUTHORIZATION OF APPROPRIATIONS.—*

4 *There are authorized to be appropriated to the Na-*
 5 *tional Science Foundation for the development, main-*
 6 *tenance, and operation of the governmentwide data-*
 7 *base and website under this subsection—*

8 (A) *\$2,000,000 in each of the fiscal years*
 9 *2003 through 2005; and*

10 (B) *such sums as are necessary in each of*
 11 *the fiscal years 2006 and 2007.*

12 (i) *PUBLIC DOMAIN DIRECTORY OF FEDERAL GOV-*
 13 *ERNMENT WEBSITES.—*

14 (1) *ESTABLISHMENT.—Not later than 2 years*
 15 *after the effective date of this title, the Director and*
 16 *each agency shall—*

17 (A) *develop and establish a public domain*
 18 *directory of Federal Government websites; and*

19 (B) *post the directory on the Internet with*
 20 *a link to the integrated Internet-based system es-*
 21 *tablished under section 204.*

22 (2) *DEVELOPMENT.—With the assistance of each*
 23 *agency, the Director shall—*

1 (A) *direct the development of the directory*
2 *through a collaborative effort, including input*
3 *from—*

4 (i) *agency librarians;*

5 (ii) *information technology managers;*

6 (iii) *program managers;*

7 (iv) *records managers;*

8 (v) *Federal depository librarians; and*

9 (vi) *other interested parties; and*

10 (B) *develop a public domain taxonomy of*
11 *subjects used to review and categorize Federal*
12 *Government websites.*

13 (3) *UPDATE.—With the assistance of each agen-*
14 *cy, the Administrator of the Office of Electronic Gov-*
15 *ernment shall—*

16 (A) *update the directory as necessary, but*
17 *not less than every 6 months; and*

18 (B) *solicit interested persons for improve-*
19 *ments to the directory.*

20 (j) *STANDARDS FOR AGENCY WEBSITES.—Not later*
21 *than 1 year after the effective date of this title, the Director*
22 *shall promulgate guidance for agency websites that*
23 *include—*

24 (1) *requirements that websites include direct*
25 *links to—*

1 (A) descriptions of the mission and statu-
2 tory authority of the agency;

3 (B) the electronic reading rooms of the
4 agency relating to the disclosure of information
5 under section 552 of title 5, United States Code
6 (commonly referred to as the Freedom of Infor-
7 mation Act);

8 (C) information about the organizational
9 structure of the agency, with an outline linked to
10 the agency online staff directory; and

11 (D) the strategic plan of the agency devel-
12 oped under section 306 of title 5, United States
13 Code; and

14 (2) minimum agency goals to assist public users
15 to navigate agency websites, including—

16 (A) speed of retrieval of search results;

17 (B) the relevance of the results; and

18 (C) tools to aggregate and disaggregate
19 data.

20 **SEC. 208. PRIVACY PROVISIONS.**

21 (a) *PURPOSE.*—The purpose of this section is to ensure
22 sufficient protections for the privacy of personal informa-
23 tion as agencies implement citizen-centered electronic Gov-
24 ernment.

25 (b) *PRIVACY IMPACT ASSESSMENTS.*—

1 (1) *RESPONSIBILITIES OF AGENCIES.*—

2 (A) *IN GENERAL.*—An agency shall take ac-
3 tions described under subparagraph (B) in sub-
4 section (b)(1)(B), before—

5 (i) *developing or procuring informa-*
6 tion technology that collects, maintains, or
7 disseminates information that includes any
8 identifier permitting the physical or online
9 contacting of a specific individual; or

10 (ii) *initiating a new collection of infor-*
11 mation that—

12 (I) *will be collected, maintained,*
13 or disseminated electronically; and

14 (II) *includes any identifier per-*
15 mitting the physical or online con-
16 tacting of a specific individual, if the
17 information concerns 10 or more per-
18 sons.

19 (B) *AGENCY ACTIVITIES.*—To the extent re-
20 quired under subparagraph (A), each agency
21 shall—

22 (i) *conduct a privacy impact assess-*
23 ment;

24 (ii) *ensure the review of the privacy*
25 *impact assessment by the Chief Information*

Officer, or equivalent official, as determined
by the head of the agency; and

(iii) if practicable, after completion of
the review under clause (ii), make the pri-
vacy impact assessment publicly available,
through the website of the agency, publica-
tion in the Federal Register, or other
means.

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

(D) COPY TO DIRECTOR.—Agencies shall
provide the Director with a copy of the privacy
impact assessment for each system for which
funding is requested.

(2) CONTENTS OF A PRIVACY IMPACT ASSESS-
MENT.—

(A) IN GENERAL.—The Director shall issue
guidance to agencies specifying the required con-
tents of a privacy impact assessment.

(B) GUIDANCE.—The guidance shall—

(i) ensure that a privacy impact as-
sessment is commensurate with the size of
the information system being assessed, the

1 *sensitivity of personally identifiable infor-*
2 *mation in that system, and the risk of harm*
3 *from unauthorized release of that informa-*
4 *tion; and*

5 (ii) *require that a privacy impact as-*
6 *essment address—*

7 (I) *what information is to be col-*
8 *lected;*

9 (II) *why the information is being*
10 *collected;*

11 (III) *the intended use of the agen-*
12 *cy of the information;*

13 (IV) *with whom the information*
14 *will be shared;*

15 (V) *what notice or opportunities*
16 *for consent would be provided to indi-*
17 *viduals regarding what information is*
18 *collected and how that information is*
19 *shared;*

20 (VI) *how the information will be*
21 *secured; and*

22 (VII) *whether a system of records*
23 *is being created under section 552a of*
24 *title 5, United States Code, (commonly*
25 *referred to as the Privacy Act).*

1 (3) *RESPONSIBILITIES OF THE DIRECTOR.*—*The*
 2 *Director shall—*

3 (A) *develop policies and guidelines for agen-*
 4 *cies on the conduct of privacy impact assess-*
 5 *ments;*

6 (B) *oversee the implementation of the pri-*
 7 *vacY impact assessment process throughout the*
 8 *Government; and*

9 (C) *require agencies to conduct privacy im-*
 10 *pacT assessments of existing information systems*
 11 *or ongoing collections of personally identifiable*
 12 *information as the Director determines appro-*
 13 *priate.*

14 (c) *PRIVACY PROTECTIONS ON AGENCY WEBSITES.*—

15 (1) *PRIVACY POLICIES ON WEBSITES.*—

16 (A) *GUIDELINES FOR NOTICES.*—*The Direc-*
 17 *tor shall develop guidance for privacy notices on*
 18 *agency websites.*

19 (B) *CONTENTS.*—*The guidance shall require*
 20 *that a privacy notice address—*

21 (i) *what information is to be collected;*

22 (ii) *why the information is being col-*
 23 *lected;*

24 (iii) *the intended use of the agency of*
 25 *the information;*

1 (iv) *with whom the information will be*
 2 *shared;*

3 (v) *what notice or opportunities for*
 4 *consent would be provided to individuals re-*
 5 *garding what information is collected and*
 6 *how that information is shared;*

7 (vi) *how the information will be se-*
 8 *cured; and*

9 (vii) *a statement of the rights of the in-*
 10 *dividual under section 552a of title 5,*
 11 *United States Code (commonly referred to*
 12 *as the Privacy Act), and other laws relevant*
 13 *to the protection of the privacy of an indi-*
 14 *vidual.*

15 (2) *PRIVACY POLICIES IN MACHINE-READABLE*
 16 *FORMATS.—The Director shall issue guidance requir-*
 17 *ing agencies to translate privacy policies into a*
 18 *standardized machine-readable format.*

19 **SEC. 209. FEDERAL INFORMATION TECHNOLOGY WORK-**
 20 **FORCE DEVELOPMENT.**

21 (a) *PURPOSE.—The purpose of this section is to im-*
 22 *prove the skills of the Federal workforce in using informa-*
 23 *tion technology to deliver information and services.*

24 (b) *IN GENERAL.—In consultation with the Director,*
 25 *the Chief Information Officers Council, and the Adminis-*

1 *trator of General Services, the Director of the Office of Per-*
 2 *sonnel Management shall oversee the development and oper-*
 3 *ation of a Federal Information Technology Training Center*
 4 *(in this section referred to as the “Training Center”).*

5 *(c) FUNCTIONS.—The Training Center shall—*

6 *(1) analyze, on an ongoing basis, the personnel*
 7 *needs of the Federal Government related to informa-*
 8 *tion technology and information resource manage-*
 9 *ment;*

10 *(2) oversee the development of curricula, training*
 11 *methods, and training schedules that correspond to*
 12 *the projected personnel needs of the Federal Govern-*
 13 *ment related to information technology and informa-*
 14 *tion resource management; and*

15 *(3) oversee the training of Federal employees in*
 16 *information technology disciplines, as necessary, at a*
 17 *rate that ensures that the information resource man-*
 18 *agement needs of the Federal Government are met.*

19 *(d) EMPLOYEE PARTICIPATION.—Subject to informa-*
 20 *tion resource management needs and the limitations im-*
 21 *posed by resource needs in other occupational areas, and*
 22 *consistent with their overall workforce development strate-*
 23 *gies, agencies shall encourage employees to participate in*
 24 *the occupational information technology curricula of the*
 25 *Training Center.*

1 (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
 2 *authorized to be appropriated to the Office of Personnel*
 3 *Management for overseeing the development and operation*
 4 *of the Training Center, \$7,000,000 in fiscal year 2003, and*
 5 *such sums as are necessary for each fiscal year thereafter.*

6 **SEC. 210. COMMON PROTOCOLS FOR GEOGRAPHIC INFOR-**
 7 **MATION SYSTEMS.**

8 (a) *PURPOSES.*—*The purposes of this section are to—*
 9 (1) *reduce redundant data collection and infor-*
 10 *mation; and*

11 (2) *promote collaboration and use of standards*
 12 *for government geographic information.*

13 (b) *DEFINITION.*—*In this section, the term “geographic*
 14 *information” means information systems that involve loca-*
 15 *tional data, such as maps or other geospatial information*
 16 *resources.*

17 (c) *IN GENERAL.*—

18 (1) *COMMON PROTOCOLS.*—*The Secretary of the*
 19 *Interior, working with the Director and through an*
 20 *interagency group, and working with private sector*
 21 *experts, State, local, and tribal governments, commer-*
 22 *cial and international standards groups, and other*
 23 *interested parties, shall facilitate the development of*
 24 *common protocols for the development, acquisition,*
 25 *maintenance, distribution, and application of geo-*

1 *graphic information. If practicable, the Secretary of*
 2 *the Interior shall incorporate intergovernmental and*
 3 *public private geographic information partnerships*
 4 *into efforts under this subsection.*

5 (2) *INTERAGENCY GROUP.—The interagency*
 6 *group referred to under paragraph (1) shall include*
 7 *representatives of the National Institute of Standards*
 8 *and Technology and other agencies.*

9 (d) *DIRECTOR.—The Director shall—*

10 (1) *oversee the interagency initiative to develop*
 11 *common protocols;*

12 (2) *oversee the coordination with State, local,*
 13 *and tribal governments, public private partnerships,*
 14 *and other interested persons on effective and efficient*
 15 *ways to align geographic information and develop*
 16 *common protocols; and*

17 (3) *oversee the adoption of common standards re-*
 18 *lating to the protocols.*

19 (e) *COMMON PROTOCOLS.—The common protocols*
 20 *shall be designed to—*

21 (1) *maximize the degree to which unclassified ge-*
 22 *ographic information from various sources can be*
 23 *made electronically compatible and accessible; and*

24 (2) *promote the development of interoperable geo-*
 25 *graphic information systems technologies that shall—*

1 (A) allow widespread, low-cost use and
 2 sharing of geographic data by Federal agencies,
 3 State, local, and tribal governments, and the
 4 public; and

5 (B) enable the enhancement of services
 6 using geographic data.

7 (f) *AUTHORIZATION OF APPROPRIATIONS.*—There are
 8 authorized to be appropriated to the Department of the In-
 9 terior such sums as are necessary to carry out this section,
 10 for each of the fiscal years 2003 through 2007.

11 **SEC. 211. SHARE-IN-SAVINGS PROGRAM IMPROVEMENTS.**

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

15 (1) in subsection (a)—

16 (A) by striking “the heads of two executive
 17 agencies to carry out” and inserting “heads of
 18 executive agencies to carry out a total of 5
 19 projects under”;

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

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

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

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

5 “(A) to retain, out of the appropriation ac-
 6 counts of the executive agency in which savings
 7 computed under paragraph (2) are realized as a
 8 result of the project, up to the amount equal to
 9 half of the excess of—

10 “(i) the total amount of the savings;
 11 over

12 “(ii) the total amount of the portion of
 13 the savings paid to the private sector source
 14 for such project under paragraph (2); and

15 “(B) to use the retained amount to acquire
 16 additional information technology.”;
 17 (2) in subsection (b)—

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

20 (B) by striking “carry out one project and”;
 21 and

22 (3) in subsection (c), by inserting before the pe-
 23 riod “and the Administrator for the Office of Elec-
 24 tronic Government”; and

1 (4) *by inserting after subsection (c) the fol-*
2 *lowing:*

3 “(d) *REPORT.—*

4 “(1) *IN GENERAL.—After 5 pilot projects have*
5 *been completed, but no later than 3 years after the ef-*
6 *fective date of this subsection, the Director shall sub-*
7 *mit a report on the results of the projects to the Com-*
8 *mittee on Governmental Affairs of the Senate and the*
9 *Committee on Government Reform of the House of*
10 *Representatives.*

11 “(2) *CONTENTS.—The report shall include—*

12 “(A) *a description of the reduced costs and*
13 *other measurable benefits of the pilot projects;*

14 “(B) *a description of the ability of agencies*
15 *to determine the baseline costs of a project*
16 *against which savings would be measured; and*

17 “(C) *recommendations of the Director relat-*
18 *ing to whether Congress should provide general*
19 *authority to the heads of executive agencies to*
20 *use a share-in-savings contracting approach to*
21 *the acquisition of information technology solu-*
22 *tions for improving mission-related or adminis-*
23 *trative processes of the Federal Government.”.*

1 **SEC. 212. INTEGRATED REPORTING STUDY AND PILOT**
2 **PROJECTS.**

3 (a) *PURPOSES.*—*The purposes of this section are to—*

4 (1) *enhance the interoperability of Federal infor-*
5 *mation systems;*

6 (2) *assist the public, including the regulated*
7 *community, in electronically submitting information*
8 *to agencies under Federal requirements, by reducing*
9 *the burden of duplicate collection and ensuring the*
10 *accuracy of submitted information; and*

11 (3) *enable any person to integrate and obtain*
12 *similar information held by 1 or more agencies under*
13 *1 or more Federal requirements without violating the*
14 *privacy rights of an individual.*

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

16 (1) *“agency” means an Executive agency as de-*
17 *finied under section 105 of title 5, United States Code;*
18 *and*

19 (2) *“person” means any individual, trust, firm,*
20 *joint stock company, corporation (including a govern-*
21 *ment corporation), partnership, association, State,*
22 *municipality, commission, political subdivision of a*
23 *State, interstate body, or agency or component of the*
24 *Federal Government.*

25 (c) *REPORT.*—

1 (1) *IN GENERAL.*—Not later than 3 years after
2 the date of enactment of this Act, the Director shall
3 conduct a study and submit a report to the Com-
4 mittee on Governmental Affairs of the Senate and the
5 Committee on Government Reform of the House of
6 Representatives on progress toward integrating Fed-
7 eral information systems across agencies.

8 (2) *CONTENTS.*—The report under this section
9 shall—

10 (A) address the integration of data elements
11 used in the electronic collection of information
12 within databases established under Federal stat-
13 ute without reducing the quality, accessibility,
14 scope, or utility of the information contained in
15 each database;

16 (B) address the feasibility of developing, or
17 enabling the development of, software, including
18 Internet-based tools, for use by reporting persons
19 in assembling, documenting, and validating the
20 accuracy of information electronically submitted
21 to agencies under nonvoluntary, statutory, and
22 regulatory requirements; and

23 (C) address the feasibility of developing a
24 distributed information system involving, on a
25 voluntary basis, at least 2 agencies, that—

1 (i) provides consistent, dependable, and
 2 timely public access to the information
 3 holdings of 1 or more agencies, or some por-
 4 tion of such holdings, including the under-
 5 lying raw data, without requiring public
 6 users to know which agency holds the infor-
 7 mation; and

8 (ii) allows the integration of public in-
 9 formation held by the participating agen-
 10 cies;

11 (D) address the feasibility of incorporating
 12 other elements related to the purposes of this sec-
 13 tion at the discretion of the Director; and

14 (E) make recommendations that Congress or
 15 the executive branch can implement, through the
 16 use of integrated reporting and information sys-
 17 tems, to reduce the burden on reporting and
 18 strengthen public access to databases within and
 19 across agencies.

20 (d) *PILOT PROJECTS TO ENCOURAGE INTEGRATED*
 21 *COLLECTION AND MANAGEMENT OF DATA AND INTEROPER-*
 22 *ABILITY OF FEDERAL INFORMATION SYSTEMS.—*

23 (1) *IN GENERAL.*—*In order to provide input to*
 24 *the study under subsection (c), the Director shall des-*
 25 *ignate a series of no more than 5 pilot projects that*

1 *integrate data elements. The Director shall consult*
 2 *with agencies, the regulated community, public inter-*
 3 *est organizations, and the public on the implementa-*
 4 *tion.*

5 (2) *GOALS OF PILOT PROJECTS.—*

6 (A) *IN GENERAL.—Each goal described*
 7 *under subparagraph (B) shall be addressed by at*
 8 *least 1 pilot project each.*

9 (B) *GOALS.—The goals under this para-*
 10 *graph are to—*

11 (i) *reduce information collection bur-*
 12 *dens by eliminating duplicative data ele-*
 13 *ments within 2 or more reporting require-*
 14 *ments;*

15 (ii) *create interoperability between or*
 16 *among public databases managed by 2 or*
 17 *more agencies using technologies and tech-*
 18 *niques that facilitate public access; and*

19 (iii) *develop, or enable the develop-*
 20 *ment, of software to reduce errors in elec-*
 21 *tronically submitted information.*

22 (3) *INPUT.—Each pilot project shall seek input*
 23 *from users on the utility of the pilot project and areas*
 24 *for improvement. To the extent practicable, the Direc-*
 25 *tor shall consult with relevant agencies and State,*

1 tribal, and local governments in carrying out the re-
 2 port and pilot projects under this section.

3 (e) *PRIVACY PROTECTIONS.*—The activities authorized
 4 under this section shall afford protections for—

5 (1) confidential business information consistent
 6 with section 552(b)(4) of title 5, United States Code,
 7 and other relevant law; and

8 (2) personal privacy information under section
 9 552a of title 5, United States Code, and other relevant
 10 law.

11 **SEC. 213. COMMUNITY TECHNOLOGY CENTERS.**

12 (a) *PURPOSES.*—The purposes of this section are to—

13 (1) study and enhance the effectiveness of com-
 14 munity technology centers, public libraries, and other
 15 institutions that provide computer and Internet ac-
 16 cess to the public; and

17 (2) promote awareness of the availability of on-
 18 line government information and services, to users of
 19 community technology centers, public libraries, and
 20 other public facilities that provide access to computer
 21 technology and Internet access to the public.

22 (b) *STUDY AND REPORT.*—Not later than 2 years after
 23 the effective date of this title, the Secretary of Education,
 24 in consultation with the Secretary of Housing and Urban
 25 Development, the Secretary of Commerce, the Director of the

1 *National Science Foundation, and the Director of the Office*
2 *of Management and Budget, shall—*

3 (1) *conduct a study to evaluate the best practices*
4 *of community technology centers that receive Federal*
5 *funds; and*

6 (2) *submit a report on the study to—*

7 (A) *the Committee on Governmental Affairs*
8 *of the Senate;*

9 (B) *the Committee on Health, Education,*
10 *Labor, and Pensions of the Senate;*

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

13 (D) *the Committee on Education and the*
14 *Workforce of the House of Representatives.*

15 (c) *CONTENTS.—The report may consider—*

16 (1) *an evaluation of the best practices being used*
17 *by successful community technology centers;*

18 (2) *a strategy for—*

19 (A) *continuing the evaluation of best prac-*
20 *tices used by community technology centers; and*

21 (B) *establishing a network to share infor-*
22 *mation and resources as community technology*
23 *centers evolve;*

24 (3) *the identification of methods to expand the*
25 *use of best practices to assist community technology*

1 *centers, public libraries, and other institutions that*
 2 *provide computer and Internet access to the public;*

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

5 *(A) each center's name, location, services*
 6 *provided, director, other points of contact, num-*
 7 *ber of individuals served; and*

8 *(B) other relevant information;*

9 *(5) an analysis of whether community technology*
 10 *centers have been deployed effectively in urban and*
 11 *rural areas throughout the Nation; and*

12 *(6) recommendations of how to—*

13 *(A) enhance the development of community*
 14 *technology centers; and*

15 *(B) establish a network to share informa-*
 16 *tion and resources.*

17 *(d) COOPERATION.—All agencies that fund community*
 18 *technology centers shall provide to the Department of Edu-*
 19 *cation any information and assistance necessary for the*
 20 *completion of the study and the report under this section.*

21 *(e) ASSISTANCE.—*

22 *(1) IN GENERAL.—The Director of the Office of*
 23 *Management and Budget shall work with the Sec-*
 24 *retary of the Department of Education, other relevant*

1 *Federal agencies, and other interested persons in the*
 2 *private and nonprofit sectors to—*

3 *(A) assist in the implementation of rec-*
 4 *ommendations; and*

5 *(B) identify other ways to assist community*
 6 *technology centers, public libraries, and other in-*
 7 *stitutions that provide computer and Internet*
 8 *access to the public.*

9 (2) *TYPES OF ASSISTANCE.—Assistance under*
 10 *this paragraph may include—*

11 *(A) contribution of funds;*

12 *(B) donations of equipment, and training*
 13 *in the use and maintenance of the equipment;*
 14 *and*

15 *(C) the provision of basic instruction or*
 16 *training material in computer skills and Inter-*
 17 *net usage.*

18 (f) *ONLINE TUTORIAL.—*

19 (1) *IN GENERAL.—The Secretary of Education,*
 20 *in consultation with the Director of the Office of*
 21 *Management and Budget, the Director of the National*
 22 *Science Foundation, other relevant agencies, and the*
 23 *public, shall develop an online tutorial that—*

24 *(A) explains how to access Government in-*
 25 *formation and services on the Internet; and*

1 (B) provides a guide to available online re-
2 sources.

3 (2) *DISTRIBUTION.*—*The Secretary of Education*
4 *shall distribute information on the tutorial to commu-*
5 *nity technology centers, public libraries, and other in-*
6 *stitutions that afford Internet access to the public.*

7 (g) *PROMOTION OF COMMUNITY TECHNOLOGY CEN-*
8 *TERS.*—*In consultation with other agencies and organiza-*
9 *tions, the Department of Education shall promote the avail-*
10 *ability of community technology centers to raise awareness*
11 *within each community where such a center is located.*

12 (h) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
13 *authorized to be appropriated to the Department of Edu-*
14 *cation for the study of best practices at community tech-*
15 *nology centers, for the development and dissemination of*
16 *the online tutorial, and for the promotion of community*
17 *technology centers under this section—*

18 (1) \$2,000,000 in fiscal year 2003;

19 (2) \$2,000,000 in fiscal year 2004; and

20 (3) such sums as are necessary in fiscal years
21 2005 through 2007.

22 **SEC. 214. ENHANCING CRISIS MANAGEMENT THROUGH AD-**
23 **VANCED INFORMATION TECHNOLOGY.**

24 (a) *PURPOSE.*—*The purpose of this section is to im-*
25 *prove how information technology is used in coordinating*

1 *and facilitating information on disaster preparedness and*
2 *response while ensuring the availability of such information*
3 *across multiple access channels.*

4 *(b) IN GENERAL.—*

5 *(1) STUDY ON ENHANCEMENT OF CRISIS RE-*
6 *SPONSE.—Not later than 90 days after the date of en-*
7 *actment of this Act, the Federal Emergency Manage-*
8 *ment Agency shall enter into a contract to conduct a*
9 *study on using information technology to enhance cri-*
10 *sis response and consequence management of natural*
11 *and manmade disasters.*

12 *(2) CONTENTS.—The study under this subsection*
13 *shall address—*

14 *(A) a research and implementation strategy*
15 *for effective use of information technology in cri-*
16 *sis response and consequence management, in-*
17 *cluding the more effective use of technologies,*
18 *management of information technology research*
19 *initiatives, and incorporation of research ad-*
20 *vances into the information and communications*
21 *systems of—*

22 *(i) the Federal Emergency Manage-*
23 *ment Agency; and*

1 (ii) other Federal, State, and local
2 agencies responsible for crisis response and
3 consequence management; and

4 (B) opportunities for research and develop-
5 ment on enhanced technologies into areas of po-
6 tential improvement as determined during the
7 course of the study.

8 (3) *REPORT.*—Not later than 2 years after the
9 date on which a contract is entered into under para-
10 graph (1), the Federal Emergency Management Agen-
11 cy shall submit a report on the study, including find-
12 ings and recommendations to—

13 (A) the Committee on Governmental Affairs
14 of the Senate; and

15 (B) the Committee on Government Reform
16 of the House of Representatives.

17 (4) *INTERAGENCY COOPERATION.*—Other Federal
18 departments and agencies with responsibility for dis-
19 aster relief and emergency assistance shall fully co-
20 operate with the Federal Emergency Management
21 Agency in carrying out this section.

22 (5) *AUTHORIZATION OF APPROPRIATIONS.*—
23 There are authorized to be appropriated to the Fed-
24 eral Emergency Management Agency for research

1 *under this subsection, such sums as are necessary for*
 2 *fiscal year 2003.*

3 *(c) PILOT PROJECTS.—Based on the results of the re-*
 4 *search conducted under subsection (a), the Federal Emer-*
 5 *gency Management Agency shall initiate pilot projects or*
 6 *report to Congress on other activities that further the goal*
 7 *of maximizing the utility of information technology in dis-*
 8 *aster management. The Federal Emergency Management*
 9 *Agency shall cooperate with other relevant agencies, and,*
 10 *if appropriate, State, local, and tribal governments, in ini-*
 11 *tiating such pilot projects.*

12 **SEC. 215. DISPARITIES IN ACCESS TO THE INTERNET.**

13 *(a) STUDY AND REPORT.—*

14 *(1) STUDY.—Not later than 90 days after the*
 15 *date of enactment of this Act, the Director of the Na-*
 16 *tional Science Foundation shall request that the Na-*
 17 *tional Academy of Sciences, acting through the Na-*
 18 *tional Research Council, enter into a contract to con-*
 19 *duct a study on disparities in Internet access for on-*
 20 *line Government services.*

21 *(2) REPORT.—Not later than 2 years after the*
 22 *date of enactment of this Act, the Director of the Na-*
 23 *tional Science Foundation shall submit to the Com-*
 24 *mittee on Governmental Affairs of the Senate and the*
 25 *Committee on Government Reform of the House of*

1 *Representatives a final report of the study under this*
2 *section, which shall set forth the findings, conclusions,*
3 *and recommendations of the Council.*

4 *(b) CONTENTS.—The report shall include a study of—*

5 *(1) how disparities in Internet access influence*
6 *the effectiveness of online Government services, includ-*
7 *ing a review of—*

8 *(A) the nature of disparities in Internet ac-*
9 *cess;*

10 *(B) the affordability of Internet service;*

11 *(C) the incidence of disparities among dif-*
12 *ferent groups within the population; and*

13 *(D) changes in the nature of personal and*
14 *public Internet access that may alleviate or ag-*
15 *gravate effective access to online Government*
16 *services;*

17 *(2) how the increase in online Government serv-*
18 *ices is influencing the disparities in Internet access*
19 *and how technology development or diffusion trends*
20 *may offset such adverse influences; and*

21 *(3) related societal effects arising from the inter-*
22 *play of disparities in Internet access and the increase*
23 *in online Government services.*

24 *(c) RECOMMENDATIONS.—The report shall include rec-*
25 *ommendations on actions to ensure that online Government*

1 *initiatives shall not have the unintended result of increas-*
 2 *ing any deficiency in public access to Government services.*

3 *(d) AUTHORIZATION OF APPROPRIATIONS.—There are*
 4 *authorized to be appropriated to the National Science*
 5 *Foundation \$950,000 in fiscal year 2003 to carry out this*
 6 *section.*

7 **SEC. 216. NOTIFICATION OF OBSOLETE OR COUNTER-**
 8 **PRODUCTIVE PROVISIONS.**

9 *If the Director of the Office of Management and Budget*
 10 *makes a determination that any provision of this Act (in-*
 11 *cluding any amendment made by this Act) is obsolete or*
 12 *counterproductive to the purposes of this Act, as a result*
 13 *of changes in technology or any other reason, the Director*
 14 *shall submit notification of that determination to—*

15 *(1) the Committee on Governmental Affairs of*
 16 *the Senate; and*

17 *(2) the Committee on Government Reform of the*
 18 *House of Representatives.*

19 **TITLE III—GOVERNMENT**
 20 **INFORMATION SECURITY**

21 **SEC. 301. INFORMATION SECURITY.**

22 *(a) ADDITION OF SHORT TITLE.—Subtitle G of title*
 23 *X of the Floyd D. Spence National Defense Authorization*
 24 *Act for Fiscal Year 2001 (as enacted into law by Public*
 25 *Law 106–398; 114 Stat. 1654A–266) is amended by insert-*

1 *ing after the heading for the subtitle the following new sec-*
 2 *tion:*

3 **“SEC. 1060. SHORT TITLE.**

4 *“This subtitle may be cited as the ‘Government Infor-*
 5 *mation Security Reform Act’.”.*

6 *(b) CONTINUATION OF AUTHORITY.—*

7 *(1) IN GENERAL.—Section 3536 of title 44,*
 8 *United States Code, is repealed.*

9 *(2) TECHNICAL AND CONFORMING AMEND-*
 10 *MENT.—The table of sections for chapter 35 of title*
 11 *44, United States Code, is amended by striking the*
 12 *item relating to section 3536.*

13 **TITLE IV—AUTHORIZATION OF**
 14 **APPROPRIATIONS AND EF-**
 15 **FECTIVE DATES**

16 **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

17 *Except for those purposes for which an authorization*
 18 *of appropriations is specifically provided in title I or II,*
 19 *including the amendments made by such titles, there are*
 20 *authorized to be appropriated such sums as are necessary*
 21 *to carry out titles I and II for each of fiscal years 2003*
 22 *through 2007.*

23 **SEC. 402. EFFECTIVE DATES.**

24 *(a) TITLES I AND II.—*

1 (1) *IN GENERAL.*—*Except as provided under*
 2 *paragraph (2), titles I and II and the amendments*
 3 *made by such titles shall take effect 120 days after the*
 4 *date of enactment of this Act.*

5 (2) *IMMEDIATE ENACTMENT.*—*Sections 207, 214,*
 6 *215, and 216 shall take effect on the date of enact-*
 7 *ment of this Act.*

8 (b) *TITLES III AND IV.*—*Title III and this title shall*
 9 *take effect on the date of enactment of this Act.*

Amend the title so as to read: “A bill to enhance the management and promotion of electronic Government services and processes by establishing an Office of Electronic Government 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.”.

Calendar No. 439

107TH CONGRESS
2D SESSION

S. 803

[Report No. 107-174]

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.

JUNE 24, 2002

Reported with an amendment and an amendment to the
title