

109TH CONGRESS
1ST SESSION

H. R. 4061

IN THE SENATE OF THE UNITED STATES

NOVEMBER 4, 2005

Received; read twice and referred to the Committee on Veterans' Affairs

AN ACT

To amend title 38, United States Code, to improve the management of information technology within the Department of Veterans Affairs by providing for the Chief Information Officer of that Department to have authority over resources, budget, and personnel related to the support function of information technology, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Department of Vet-
5 erans Affairs Information Technology Management Im-
6 provement Act of 2005”.

7 **SEC. 2. MANAGEMENT OF INFORMATION TECHNOLOGY IN**
8 **DEPARTMENT OF VETERANS AFFAIRS.**

9 (a) RESOURCES, BUDGET, AND PERSONNEL AU-
10 THORITY OF CHIEF INFORMATION OFFICER.—Section
11 310 of title 38, United States Code, is amended by adding
12 at the end the following new subsections:

13 “(c) To support the economical, efficient, and effec-
14 tive execution of the information technology objectives,
15 policies, and plans of the Department in support of De-
16 partment goals, the Secretary shall ensure that the Chief
17 Information Officer has the authority and control nec-
18 essary for the development, approval, implementation, in-
19 tegration, and oversight of policies, procedures, processes,
20 activities, and systems of the Department relating to the
21 management of information technology for the Depart-
22 ment, including the management of all related mission ap-
23 plications, information resources, personnel, and infra-
24 structure.

1 “(d)(1) The Secretary, acting through the Chief In-
2 formation Officer, shall develop, implement, and maintain
3 a process for the selection and oversight of information
4 technology for the Department.

5 “(2) As components of the development of the process
6 required by paragraph (1), the Secretary shall develop for
7 the Department—

8 “(A) an information technology strategic plan
9 that includes performance measurements; and

10 “(B) an integrated enterprise architecture.

11 “(3) The information technology strategic plan shall
12 set forth a multiyear plan for the use of information tech-
13 nology and related resources to support the accomplish-
14 ment of the Department’s mission.

15 “(4) The Chief Information Officer shall review and
16 update the information technology strategic plan and the
17 integrated enterprise architecture on an ongoing basis to
18 maintain the currency of the plan and the currency of the
19 enterprise architecture with technological changes and
20 changing mission needs of the Department.

21 “(e)(1) Funds may be obligated for information tech-
22 nology for the Department only in accordance with the
23 process implemented under paragraph (1) or as otherwise
24 specifically authorized or delegated by the Chief Informa-
25 tion Officer or as otherwise directed by the Secretary.

1 “(2)(A) Amounts appropriated for the Department
2 for any fiscal year that are available for information tech-
3 nology shall be allocated within the Department, con-
4 sistent with the provisions of appropriations Acts, in such
5 manner as may be specified by, or approved by, the Chief
6 Information Officer.

7 “(B) If for any fiscal year amounts referred to in sub-
8 paragraph (A) that are available for the Veterans Health
9 Administration (or are otherwise available for functions
10 relating to medical care) are to be allocated under sub-
11 paragraph (A) in a manner that is inconsistent with the
12 allocation method known as the Veterans Equitable Re-
13 source Allocation, such allocation may be made only with
14 the approval of the Secretary and after the Under Sec-
15 retary for Health is notified.

16 “(3) When the budget for any fiscal year is submitted
17 by the President to Congress under section 1105 of title
18 31, the Secretary shall submit to Congress a report that
19 identifies amounts requested for information technology
20 for the Department. The report shall set forth those
21 amounts both for each Administration within the Depart-
22 ment and for the Department in the aggregate and shall
23 identify, for each such amount, how that amount is
24 aligned with and supports the information technology stra-
25 tegic plan under subsection (d), as then in effect.

1 “(f)(1) The Chief Information Officer shall select the
2 Chief Information Officer for each of the Veterans Health
3 Administration, the Veterans Benefits Administration,
4 and the National Cemetery Administration. Any such se-
5 lection may only be made after consultation with the
6 Under Secretary with responsibility for the Administration
7 for which the selection is to be made.

8 “(2) Each Administration Chief Information Officer
9 selected under paragraph (1)—

10 “(A) shall be designated as a Department Dep-
11 uty Chief Information Officer; and

12 “(B) shall report to the Department Chief In-
13 formation Officer.

14 “(3) The Department Deputy Chief Information Offi-
15 cers are responsible for implementing in their respective
16 Administrations, as directed by the Department Chief In-
17 formation Officer, the information technology strategic
18 plan and the integrated enterprise architecture developed
19 for the Department by the Department Chief Information
20 Officer pursuant to subsection (d)(2).

21 “(4) To accomplish the policies, programmatic goals,
22 information technology system acquisitions, and align-
23 ments prescribed, authorized, or directed by the Depart-
24 ment Chief Information Officer, each Department Deputy
25 Chief Information Officer shall maintain, for their respec-

1 tive Administrations, operational control of all information
2 technology system assets and personnel necessary, includ-
3 ing direct management of the Administration’s software
4 and applications development activities.

5 “(5) The Department Deputy Chief Information Offi-
6 cers—

7 “(A) shall be the principal advocate for the in-
8 formation technology needs of their respective Ad-
9 ministrations; and

10 “(B) shall assure, by coordinating with the De-
11 partment Chief Information Officer, that the busi-
12 ness and mission needs of their respective Adminis-
13 trations are met by considering requirements at all
14 levels.

15 “(g)(1) The Secretary shall ensure that the annual
16 report submitted by the Secretary pursuant to section
17 11313 of title 40 includes an identification of any obliga-
18 tion approved by the Chief Information Officer under sub-
19 section (e)(1), including the date, amount, and purpose
20 of such obligation.

21 “(2) The Secretary shall submit to the Committees
22 on Veterans’ Affairs of the Senate and House of Rep-
23 resentatives an annual report, not later than March 1 of
24 each year (beginning in 2009), providing the Secretary’s
25 assessment of the implementation during the year covered

1 by the report of the provisions of subsections (c), (d), and
2 (e). Each such report shall include—

3 “(A) the assessment of the Secretary as to in-
4 creased efficiency within the Department of informa-
5 tion technology acquisition processes, management,
6 responsibility, and accountability as a result of those
7 provisions; and

8 “(B) estimated cost savings to the Department
9 as a result of those provisions.

10 “(h) In this section, the term ‘information tech-
11 nology’ has the meaning given that term in paragraph (6)
12 of section 11101 of title 40.”.

13 (b) REPORTS TO CONGRESS ON IMPLEMENTATION.—

14 (1) PERIODIC PROGRESS REPORTS.—

15 (A) REPORTS REQUIRED.—The Secretary
16 of Veterans Affairs shall submit to Congress
17 progress reports on the implementation of sub-
18 sections (c), (d), and (e), of section 310 of title
19 38, United States Code, as added by subsection
20 (a).

21 (B) TIME FOR PROGRESS REPORTS.—A re-
22 port under subparagraph (A) shall be submitted
23 as expeditiously as feasible after the end of the
24 60-day period, the 90-day period, and the 180-

1 day period beginning on the date of the enact-
2 ment of this Act.

3 (C) MATTER TO BE INCLUDED.—Each re-
4 port under this paragraph shall set out the
5 progress to date on the implementation of the
6 provisions specified in subparagraph (A).

7 (2) INTERIM REPORTS.—After the completion
8 of the first 12 months, and after the completion of
9 the first 18 months, of the implementation of the
10 provisions specified in paragraph (1)(A), the Sec-
11 retary shall submit to Congress an interim report on
12 the operation of those provisions to that date. Each
13 such report shall include the following:

14 (A) The assessment of the Secretary as to
15 increased efficiency within the Department of
16 Veterans Affairs of information technology ac-
17 quisition processes, management, responsibility,
18 and accountability.

19 (B) Estimated cost savings to the Depart-
20 ment as a result of those provisions.

21 (3) FINAL IMPLEMENTATION REPORT.—Not
22 later than January 1, 2008, the Secretary shall sub-
23 mit to Congress a final report on the implementation
24 of the provisions specified in paragraph (1)(A). The
25 Secretary shall include in that report the matters

1 specified in paragraph (2) and the Secretary's rec-
2 ommendation for any modifications to information
3 technology management within the Department of
4 Veterans Affairs.

Passed the House of Representatives November 2,
2005.

Attest:

JEFF TRANDAHL,
Clerk.