

112TH CONGRESS  
1ST SESSION

# H. R. 1261

To establish an Office of the Federal Chief Technology Officer in the executive office of the President, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2011

Mr. CONNOLLY of Virginia (for himself, Mr. MORAN, and Mrs. MALONEY) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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## A BILL

To establish an Office of the Federal Chief Technology Officer in the executive office of the President, 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 “Chief Technology Offi-  
5 cer Act”.

6 **SEC. 2. OFFICE OF THE CHIEF TECHNOLOGY OFFICER.**

7 (a) ESTABLISHMENT AND STAFF.—

8 (1) ESTABLISHMENT.—

1 (A) IN GENERAL.—There is established in  
2 the Executive Office of the President an Office  
3 of the Federal Chief Technology Officer (in this  
4 Act referred to as the “Office”).

5 (B) HEAD OF THE OFFICE.—

6 (i) FEDERAL CHIEF TECHNOLOGY OF-  
7 FICER.—The President shall appoint a  
8 Federal Chief Technology Officer (in this  
9 Act referred to as the “Federal CTO”)  
10 who shall be the head of the Office.

11 (ii) COMPENSATION.—Section 5313 of  
12 title 5, United States Code, is amended by  
13 adding at the end the following:

14 “Federal Chief Technology Officer.”.

15 (2) STAFF OF THE OFFICE.—The President  
16 may appoint additional staff members to the Office.

17 (b) DUTIES OF THE OFFICE.—The functions of the  
18 Federal CTO are the following:

19 (1) Undertake fact-gathering, analysis, and as-  
20 sessment of the Federal Government’s information  
21 technology infrastructures, information technology  
22 strategy, and use of information technology, and  
23 provide advice on such matters to the President,  
24 heads of Federal departments and agencies, and

1 government chief information officers and chief tech-  
2 nology officers.

3 (2) Work to ensure the security and privacy of  
4 the Federal information technology infrastructure  
5 and networks, coordinating closely with other Fed-  
6 eral departments and agencies having responsibilities  
7 regarding security and privacy of the infrastructure  
8 and networks.

9 (3) Lead an interagency effort, working with  
10 the chief technology and chief information officers of  
11 each of the Federal departments and agencies, to de-  
12 velop and implement a planning process to ensure  
13 that they use best-in-class technologies, share best  
14 practices, and improve the use of technology in sup-  
15 port of Federal Government requirements.

16 (4) Provide, within the Executive Office of the  
17 President, advice on the engineering, technical and  
18 implementation aspects of information technology  
19 and information technology infrastructure issues  
20 that require attention at the highest levels of govern-  
21 ment.

22 (5) Evaluate the scale, quality, and effective-  
23 ness of the Federal effort in the use of information  
24 technology, and advise on appropriate actions.

1           (6) Advise the President on information tech-  
2 nology considerations with regard to Federal budg-  
3 ets.

4           (7) Assist the President in providing general  
5 leadership and coordination of the research and de-  
6 velopment programs of the Federal Government for  
7 information technology-related matters.

8           (8) Promote technological innovation in the  
9 Federal Government, and encourage and oversee the  
10 adoption of robust cross-governmental architectures  
11 and standards-based information technologies, in  
12 support of effective operational and management  
13 policies, practices, and services across Federal de-  
14 partments and agencies and with the public and ex-  
15 ternal entities.

16          (9) Establish cooperative public-private sector  
17 partnership initiatives to gain knowledge of tech-  
18 nologies available in the marketplace that can be  
19 used to improve governmental operations, citizen  
20 services, and the safety, security, and privacy of in-  
21 formation collected, maintained, processed, and com-  
22 municated by the Federal Government.

23          (10) Establish public-private sector partnership  
24 initiatives to gain knowledge of information tech-  
25 nology research activities underway and planned by

1 Federal departments and agencies and in the private  
2 sector that can improve the use of information tech-  
3 nologies by the Federal Government.

4 (11) Sponsor, initiate, and support research  
5 and demonstration projects in partnership with pri-  
6 vate sector industry and academic institutions to le-  
7 verage private sector expertise and innovation in  
8 order to enhance existing technologies or identify  
9 breakthrough innovations that can improve the Fed-  
10 eral Government's use of technology.

11 (12) Lead an interagency effort, working with  
12 the chief technology and chief information officers of  
13 each of the Federal departments and agencies, to  
14 promote the use of best-in-class technologies, share  
15 best practices, and establish an information tech-  
16 nology plan for the Federal Government that im-  
17 proves the effectiveness, efficiency, security, and pri-  
18 vacy of the Federal Government's information infra-  
19 structure and information technology-based services.

20 (13) Any other functions and activities that the  
21 President may assign to the Federal CTO.

22 (c) POLICY PLANNING; ANALYSIS AND ADVICE.—The  
23 Office shall serve as a source of analysis and advice for  
24 the President and heads of Federal departments and agen-  
25 cies with respect to major policies, plans, and programs

1 of the Federal Government associated with information  
2 technology. In carrying out this section, the Federal CTO  
3 shall—

4           (1) define coherent and systematic approaches  
5 for applying the use of information technology to  
6 critical and emerging Federal Government informa-  
7 tion management problems, and promote coordina-  
8 tion of the responsibilities and programs of Federal  
9 departments and agencies in the resolution of the  
10 problems;

11           (2) gather timely and authoritative information  
12 concerning significant developments and trends in  
13 information technology, and in national priorities,  
14 both current and prospective, and analyze and inter-  
15 pret the information for the purpose of determining  
16 whether the developments and trends are likely to  
17 affect achievement of the priority goals of the Fed-  
18 eral Government;

19           (3) encourage the development and mainte-  
20 nance of an adequate knowledge base for human re-  
21 sources in information technology, including the de-  
22 velopment of appropriate models to forecast future  
23 workforce requirements, and assess the effects of  
24 major governmental and public programs on human  
25 resources and their utilization;

1           (4) initiate studies and analyses, including sys-  
2           tems analyses and technology assessments, of alter-  
3           natives available for the resolution of critical and  
4           emerging information technology infrastructure  
5           problems and, insofar as possible, determine and  
6           compare probable costs, benefits, and impacts of the  
7           alternatives;

8           (5) assess the impact of information technology  
9           and networked information technology systems and  
10          applications on cybersecurity and personal privacy,  
11          utilizing Presidential and departmental advisory  
12          committees and agencies, such as the Privacy and  
13          Civil Liberties Oversight Board, the Information Se-  
14          curity and Privacy Advisory Board managed under  
15          the National Institute of Standards and Technology,  
16          the Department of Homeland Security Data Privacy  
17          and Integrity Advisory Board, and the National In-  
18          frastructure Advisory Committee, and advise the  
19          President on steps necessary to mitigate and man-  
20          age security and privacy risks;

21          (6) advise the President on the extent to which  
22          the information technology programs, policies, and  
23          operations activities of the Federal Government are  
24          likely to affect the achievement of the priority goals  
25          of the Government;

1           (7) provide the President with periodic reviews  
2 of Federal statutes and administrative regulations of  
3 the various Federal departments and agencies which  
4 affect research and development activities, internally  
5 and in relation to the private sector, or which may  
6 interfere with desirable technological innovation, to-  
7 gether with recommendations for elimination, re-  
8 form, or updating, as appropriate of the statutes  
9 and regulations;

10           (8) establish public-private partnerships to co-  
11 ordinate Federal Government's information tech-  
12 nology research agenda with private sector research  
13 and development initiatives and provide guidance to  
14 research-funding agencies;

15           (9) develop, review, revise, and recommend cri-  
16 teria for determining information technology activi-  
17 ties warranting Federal support, and recommend  
18 Federal policies designed to advance the develop-  
19 ment and maintenance of effective and efficient in-  
20 formation technology capabilities, including human  
21 resources, at all levels of government, academia, and  
22 industry, and the effective application of the capa-  
23 bilities to national needs;

24           (10) assess, and advise, on policies for inter-  
25 national cooperation in information technology which



1 will advance the national and international objectives  
2 of the United States;

3 (11) identify and assess areas in which informa-  
4 tion technology can be used effectively in addressing  
5 national and international problems; and

6 (12) perform such other duties and functions  
7 and make and furnish such studies, reports, and rec-  
8 ommendations as the President may request.

9 (d) OPERATIONS.—

10 (1) POWERS.—To carry out the duties de-  
11 scribed in subsections (b) and (c), the Federal CTO  
12 may do the following:

13 (A) HEARINGS.—Hold public hearings on  
14 any relevant topic.

15 (B) CONDUCT STUDIES.—Conduct a study  
16 on any relevant topic.

17 (C) ADVISORY PANELS.—Establish advi-  
18 sory panels composed of individuals appointed  
19 by the Federal CTO for such terms as the Fed-  
20 eral CTO determines appropriate.

21 (D) GRANTS AND FELLOWSHIPS.—Award  
22 grants and fellowships.

23 (E) MAILS.—Use the United States mails  
24 in the same manner and under the same condi-

1 tions as departments and agencies of the  
2 United States.

3 (F) CONTRACT AUTHORITY.—To the ex-  
4 tent or in the amounts provided in advance in  
5 appropriations Acts, enter into contracts with  
6 and compensate a government or private agency  
7 or person for the conduct of activities under  
8 this section.

9 (G) AUTHORITY TO ACCEPT VOLUNTARY  
10 SERVICES.—

11 (i) Notwithstanding section 1342 of  
12 title 31, United States Code, accept the  
13 service of a volunteer.

14 (ii) Reimburse a volunteer for ex-  
15 penses or office supplies and local travel,  
16 and for travel expenses, including per diem  
17 in lieu of subsistence, incurred in per-  
18 forming services for the Office.

19 (H) TEMPORARY AND INTERMITTENT  
20 SERVICES.—Obtain temporary and intermittent  
21 services in the same manner as an agency  
22 under section 3109(b) of title 5, United States  
23 Code.

24 (2) VOLUNTEER DEEMED A FEDERAL EM-  
25 PLOYEE.—While performing services for the Office,

1 a volunteer is deemed an employee of the Federal  
2 Government for the purposes of the following:

3 (A) Chapter 81 of title 5, United States  
4 Code, relating to compensation for work-related  
5 injuries.

6 (B) Chapter 11 of title 18, United States  
7 Code, relating to conflicts of interest.

8 (C) Chapter 171 of title 28, United States  
9 Code, relating to tort claims.

10 (3) TRAVEL EXPENSES.—The Federal CTO  
11 may receive travel expenses, including per diem in  
12 lieu of subsistence, in accordance with applicable  
13 provisions under subchapter I of chapter 57 of title  
14 5, United States Code.

15 (e) COORDINATION OF THE OFFICE WITH OTHER  
16 ENTITIES.—

17 (1) FEDERAL CTO TO BE ON DOMESTIC POLICY  
18 COUNCIL.—The Federal CTO shall be a member of  
19 the Domestic Policy Council.

20 (2) OBTAIN INFORMATION FROM AGENCIES.—  
21 The Office may secure, directly from any depart-  
22 ment or agency of the United States, information  
23 necessary to enable the Federal CTO to carry out  
24 this Act. On request of the Federal CTO, the head  
25 of the department or agency shall furnish the infor-

1       mation to the Office, subject to any applicable limi-  
2       tations of Federal law.

3           (3) STAFF OF FEDERAL AGENCIES.—On re-  
4       quest of the Federal CTO, to assist the Office in  
5       carrying out the duties of the Office, the head of any  
6       Federal department or agency may detail personnel,  
7       services, or facilities of the department or agency to  
8       the Office.

9           (4) COLLABORATION WITH BUREAU OF LABOR  
10       STATISTICS.—The Federal CTO shall work with the  
11       Bureau of Labor Statistics to develop mechanisms  
12       for tracking the effect of technological innovations  
13       on job creation.

14           (5) COLLABORATION WITH OFFICE OF MANAGE-  
15       MENT AND BUDGET.—The Federal CTO shall—

16           (A) assist the Office of Management and  
17       Budget with an annual review and analysis of  
18       funding proposed for research and development  
19       in the budgets of all Federal departments and  
20       agencies; and

21           (B) on a reimbursable basis, assist the Of-  
22       fice of Management and Budget and Federal  
23       departments and agencies throughout the budg-  
24       et development process.

25       (f) ANNUAL REPORT.—

1           (1) PUBLICATION AND CONTENTS.—The Fed-  
2           eral CTO shall publish, in the Federal Register and  
3           on a public Internet Web site of the Federal CTO,  
4           an annual report that includes the following:

5                   (A) Information on programs to promote  
6                   the development of technological innovations.

7                   (B) Recommendations for the adoption of  
8                   policies to encourage the generation of techno-  
9                   logical innovations.

10                  (C) Information on the activities and ac-  
11                  complishments of the Office in the year covered  
12                  by the report.

13           (2) SUBMISSION.—The Federal CTO shall sub-  
14           mit each report under paragraph (1) to—

15                   (A) the President;

16                   (B) the Committee on Oversight and Gov-  
17                   ernment Reform of the House of Representa-  
18                   tives;

19                   (C) the Committee on Science and Tech-  
20                   nology of the House of Representatives; and

21                   (D) the Committee on Commerce, Science,  
22                   and Transportation of the Senate.

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