

Editorial Notes

REFERENCES IN TEXT

Reorganization Plan No. 1 of 1977, referred to in subsec. (b), is set out in the Appendix to Title 5, Government Organization and Employees.

Executive order, referred to in subsec. (b), probably means Ex. Ord. No. 12046, Mar. 27, 1978, 43 F.R. 13349, which is set out as a note under section 305 of Title 47, Telecommunications.

The Antitrust Civil Process Act, referred to in subsec. (c)(1)(C), is Pub. L. 87-664, Sept. 19, 1962, 76 Stat. 548, which is classified principally to chapter 34 (§ 1311 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 1311 of Title 15 and Tables.

Section 13 of the Federal Trade Commission Improvements Act of 1980, referred to in subsec. (c)(1)(C), is classified to section 57b-1 of Title 15.

Executive Order No. 12333, referred to in subsec. (c)(1)(D), is Ex. Ord. No. 12333, Dec. 4, 1981, 46 F.R. 59941, which is set out as a note under section 3001 of Title 50, War and National Defense.

Section 11332 of title 40, referred to in subsec. (d), was repealed by Pub. L. 107-296, title X, § 1005(a)(1), Nov. 25, 2002, 116 Stat. 2272, and Pub. L. 107-347, title III, § 305(a), Dec. 17, 2002, 116 Stat. 2960.

PRIOR PROVISIONS

A prior section 3518, added Pub. L. 96-511, § 2(a), Dec. 11, 1980, 94 Stat. 2824, related to the effect on existing laws and regulations prior to the general amendment of this chapter by Pub. L. 104-13.

AMENDMENTS

2002—Subsec. (d). Pub. L. 107-217 substituted “sections 11331 and 11332 of title 40” for “section 5131 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1441) and the Computer Security Act of 1987 (40 U.S.C. 759 note)”.

2000—Pub. L. 106-398 substituted “subchapter” for “chapter” wherever appearing.

1997—Subsec. (d). Pub. L. 105-85 substituted “Clinger-Cohen Act of 1996 (40 U.S.C. 1441)” for “Information Technology Management Reform Act of 1996”.

1996—Subsec. (d). Pub. L. 104-106 substituted “section 5131 of the Information Technology Management Reform Act of 1996 and the Computer Security Act of 1987 (40 U.S.C. 759 note) on the Secretary of Commerce or” for “Public Law 89-306 on the Administrator of the General Services Administration, the Secretary of Commerce, or”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-398 effective 30 days after Oct. 30, 2000, see section 1 [[div. A], title X, § 1065] of Pub. L. 106-398, Oct. 30, 2000, 114 Stat. 1654, formerly set out as an Effective Date note under former section 3531 of this title.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-106 effective 180 days after Feb. 10, 1996, see section 5701 of Pub. L. 104-106, Feb. 10, 1996, 110 Stat. 702.

EFFECTIVE DATE

Section effective Oct. 1, 1995, except as otherwise provided, see section 4(a) of Pub. L. 104-13, set out as a note under section 3501 of this title.

§ 3519. Access to information

Under the conditions and procedures prescribed in section 716 of title 31, the Director and personnel in the Office of Information and Regulatory Affairs shall furnish such information as the Comptroller General may require for the dis-

charge of the responsibilities of the Comptroller General. For the purpose of obtaining such information, the Comptroller General or representatives thereof shall have access to all books, documents, papers and records, regardless of form or format, of the Office.

(Added Pub. L. 104-13, § 2, May 22, 1995, 109 Stat. 183.)

Editorial Notes

PRIOR PROVISIONS

A prior section 3519, added Pub. L. 96-511, § 2(a), Dec. 11, 1980, 94 Stat. 2825; amended Pub. L. 97-258, § 3(m)(3), Sept. 13, 1982, 96 Stat. 1066, related to access to information prior to the general amendment of this chapter by Pub. L. 104-13.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 1995, except as otherwise provided, see section 4(a) of Pub. L. 104-13, set out as a note under section 3501 of this title.

§ 3520. Chief Data Officers

(a) ESTABLISHMENT.—The head of each agency shall designate a nonpolitical appointee employee in the agency as the Chief Data Officer of the agency.

(b) QUALIFICATIONS.—The Chief Data Officer of an agency shall be designated on the basis of demonstrated training and experience in data management, governance (including creation, application, and maintenance of data standards), collection, analysis, protection, use, and dissemination, including with respect to any statistical and related techniques to protect and de-identify confidential data.

(c) FUNCTIONS.—The Chief Data Officer of an agency shall—

(1) be responsible for lifecycle data management;

(2) coordinate with any official in the agency responsible for using, protecting, disseminating, and generating data to ensure that the data needs of the agency are met;

(3) manage data assets of the agency, including the standardization of data format, sharing of data assets, and publication of data assets in accordance with applicable law;

(4) in carrying out the requirements under paragraphs (3) and (5), consult with any statistical official of the agency (as designated under section 314 of title 5);

(5) carry out the requirements of the agency under subsections (b) through (d), (f), and (i) of section 3506, section 3507, and section 3511;

(6) ensure that, to the extent practicable, agency data conforms with data management best practices;

(7) engage agency employees, the public, and contractors in using public data assets and encourage collaborative approaches on improving data use;

(8) support the Performance Improvement Officer of the agency in identifying and using data to carry out the functions described in section 1124(a)(2) of title 31;

(9) support the Evaluation Officer of the agency in obtaining data to carry out the functions described in section 313(d) of title 5;

(10) review the impact of the infrastructure of the agency on data asset accessibility and coordinate with the Chief Information Officer of the agency to improve such infrastructure to reduce barriers that inhibit data asset accessibility;

(11) ensure that, to the extent practicable, the agency maximizes the use of data in the agency, including for the production of evidence (as defined in section 3561), cybersecurity, and the improvement of agency operations;

(12) identify points of contact for roles and responsibilities related to open data use and implementation (as required by the Director);

(13) serve as the agency liaison to other agencies and the Office of Management and Budget on the best way to use existing agency data for statistical purposes (as defined in section 3561); and

(14) comply with any regulation and guidance issued under subchapter III, including the acquisition and maintenance of any required certification and training.

(d) **DELEGATION OF RESPONSIBILITIES.**—

(1) **IN GENERAL.**—To the extent necessary to comply with statistical laws, the Chief Data Officer of an agency shall delegate any responsibility under subsection (c) to the head of a statistical agency or unit (as defined in section 3561) within the agency.

(2) **CONSULTATION.**—To the extent permissible under law, the individual to whom a responsibility has been delegated under paragraph (1) shall consult with the Chief Data Officer of the agency in carrying out such responsibility.

(3) **DEFERENCE.**—The Chief Data Officer of the agency shall defer to the individual to whom a responsibility has been delegated under paragraph (1) regarding the necessary delegation of such responsibility with respect to any data acquired, maintained, or disseminated by the agency under applicable statistical law.

(e) **REPORTS.**—The Chief Data Officer of an agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives an annual report on the compliance of the agency with the requirements of this subchapter, including information on each requirement that the agency could not carry out and, if applicable, what the agency needs to carry out such requirement.

(Added Pub. L. 107–198, § 3(a)(2), June 28, 2002, 116 Stat. 730; amended Pub. L. 115–435, title II, § 202(e)(1), Jan. 14, 2019, 132 Stat. 5541.)

Editorial Notes

PRIOR PROVISIONS

A prior section 3520 was renumbered section 3521 of this title.

Another prior section 3520, added Pub. L. 96–511, § 2(a), Dec. 11, 1980, 94 Stat. 2825; amended Pub. L. 99–500, § 101(m) [title VIII, § 820], Oct. 18, 1986, 100 Stat. 1783–308, 1783–340, and Pub. L. 99–591, § 101(m) [title VIII, § 820], Oct. 30, 1986, 100 Stat. 3341–308, 3341–340, related to au-

thorization of appropriations prior to the general amendment of this chapter by Pub. L. 104–13.

AMENDMENTS

2019—Pub. L. 115–435 amended section generally. Prior to amendment, section related to establishment of task force on information collection and dissemination.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Oversight and Government Reform of House of Representatives changed to Committee on Oversight and Reform of House of Representatives by House Resolution No. 6, One Hundred Sixteenth Congress, Jan. 9, 2019. Committee on Oversight and Reform of House of Representatives changed to Committee on Oversight and Accountability of House of Representatives by House Resolution No. 5, One Hundred Eighteenth Congress, Jan. 9, 2023.

EFFECTIVE DATE OF 2019 AMENDMENT

Amendment by Pub. L. 115–435 effective 180 days after Jan. 14, 2019, see section 403 of Pub. L. 115–435, set out as a note under section 306 of Title 5, Government Organization and Employees.

§ 3520A. Chief Data Officer Council

(a) **ESTABLISHMENT.**—There is established in the Office of Management and Budget a Chief Data Officer Council (in this section referred to as the “Council”).

(b) **PURPOSE AND FUNCTIONS.**—The Council shall—

(1) establish Governmentwide best practices for the use, protection, dissemination, and generation of data;

(2) promote and encourage data sharing agreements between agencies;

(3) identify ways in which agencies can improve upon the production of evidence for use in policymaking;

(4) consult with the public and engage with private users of Government data and other stakeholders on how to improve access to data assets of the Federal Government; and

(5) identify and evaluate new technology solutions for improving the collection and use of data.

(c) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Chief Data Officer of each agency shall serve as a member of the Council.

(2) **CHAIR.**—The Director shall select the Chair of the Council from among the members of the Council.

(3) **ADDITIONAL MEMBERS.**—The Administrator of the Office of Electronic Government shall serve as a member of the Council.

(4) **EX OFFICIO MEMBER.**—The Director shall appoint a representative for all Chief Information Officers and Evaluation Officers, and such representative shall serve as an ex officio member of the Council.

(d) **REPORTS.**—The Council shall submit to the Director, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives a biennial report on the work of the Council.

(e) **EVALUATION AND TERMINATION.**—