

105TH CONGRESS  
2D SESSION

# H. R. 4706

To ensure that the United States is prepared to meet the Year 2000 computer problem.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 6, 1998

Mrs. MORELLA introduced the following bill; which was referred to the Committee on Science, and in addition to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To ensure that the United States is prepared to meet the  
Year 2000 computer problem.

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 “Year 2000 Prepared-  
5       ness Act”.

6       **SEC. 2. DEFINITIONS.**

7       For purposes of this Act—

8               (1) the term “Year 2000 compliant” has the  
9       meaning given to such term in section 39.002 of the

1 Federal Acquisition Regulation (as adopted on Au-  
2 gust 22, 1997); and

3 (2) the term “Year 2000 computer problem”  
4 means, with respect to information technology, any  
5 problem which prevents such technology from accu-  
6 rately processing, calculating, comparing, or se-  
7 quencing date or time data—

8 (A) from, into, or between—

9 (i) the 20th and 21st centuries; or

10 (ii) the years 1999 and 2000; or

11 (B) with regard to leap year calculations.

12 **SEC. 3. CRITICAL GOVERNMENT SERVICES.**

13 The President shall provide for the acceleration of the  
14 development of business continuity plans by Federal agen-  
15 cies necessary to ensure the uninterrupted delivery by  
16 those agencies of critical mission-related services.

17 **SEC. 4. SENSE OF CONGRESS.**

18 It is the sense of the Congress that the President  
19 should—

20 (1) take a high profile national leadership posi-  
21 tion to aggressively promote Year 2000 date change  
22 awareness for information technology systems and  
23 sensitive infrastructure applications; and

24 (2) authorize the Chairperson of the President’s  
25 Council on Year 2000 Conversion to take control of

1 any critical Federal agency system that is in jeop-  
2 ardy because of ineffective management of not meet-  
3 ing the January 1, 2000, deadline with respect to  
4 the Year 2000 computer problem.

5 **SEC. 5. MONTHLY REPORTS.**

6 The Director of the Office of Management and Budg-  
7 et shall transmit to the Congress a monthly report assess-  
8 ing critical Federal information systems that will not, or  
9 may not, meet the Year 2000 computer problem deadline,  
10 and the anticipated consequences of those failures. Such  
11 report shall include a description of the status of business  
12 continuity plans for systems identified as being in jeop-  
13 ardy. The Director, in consultation with the Congress,  
14 shall establish additional reporting criteria for areas such  
15 as embedded systems and external data exchange.

16 **SEC. 6. AGENCY REPORTS.**

17 All Federal agency reports to the Office of Manage-  
18 ment and Budget relating to the Year 2000 computer  
19 problem shall be concurrently transmitted to the Congress.

20 **SEC. 7. GUIDELINES.**

21 The Chairperson of the President's Council on Year  
22 2000 Conversion shall develop, in consultation with indus-  
23 try, guidelines of best practices and standards for remedi-  
24 ation and validation with respect to the Year 2000 com-

1 puter problem to provide better direction for government  
2 and private sector efforts.

3 **SEC. 8. PROHIBITION ON ACQUISITION BY THE FEDERAL**  
4 **GOVERNMENT OF GOODS AND SERVICES**  
5 **THAT ARE NOT YEAR 2000 COMPLIANT.**

6 (a) PROHIBITION ON ACQUISITION.—

7 (1) IN GENERAL.—An officer or employee of  
8 the United States Government may not enter into  
9 any contract on behalf of the United States, or oth-  
10 erwise expend or obligate funds of the United  
11 States, to acquire goods or services that are not  
12 Year 2000 compliant.

13 (2) WAIVER.—

14 (A) IN GENERAL.—The head of any Fed-  
15 eral agency may waive the prohibition in para-  
16 graph (1) with respect to the acquisition of a  
17 particular good or service if—

18 (i) the head of such agency makes a  
19 determination, in writing, that the acquisi-  
20 tion of the good or service which is not  
21 Year 2000 compliant is necessary to the  
22 function and operation of the agency or is  
23 required pursuant to a signed contract  
24 which became effective before the effective

1 date of section 631 of Public Law 105–61;  
2 and

3 (ii) written notice of the issuance of  
4 the waiver and a copy of the determination  
5 are submitted by the head of such agency  
6 to the Director of the Office of Manage-  
7 ment and Budget and to the Congress.

8 (B) EFFECTIVE DATE OF WAIVER.—No  
9 waiver issued under subparagraph (A) shall be  
10 effective before the end of the 2d business day  
11 beginning after the notice required under sub-  
12 paragraph (A)(ii) is received by the Director of  
13 the Office of Management and Budget.

14 (b) SUNSET.—This section shall not apply after De-  
15 cember 31, 2002.

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