

total amount of the combined monthly benefit (before reduction) and monthly pension exceeds \$1,200, adjusted for inflation.

S. 664

At the request of Mr. GREGG, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 664, a bill to provide jurisdictional standards for the imposition of State and local tax obligations on interstate commerce, and for other purposes.

S. 682

At the request of Mr. MCCAIN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 682, a bill to amend title II of the Social Security Act to restore the link between the maximum amount of earnings by blind individuals permitted without demonstrating ability to engage in substantial gainful activity and the exempt amount permitted in determining excess earnings under the earnings test.

S. 694

At the request of Mr. LEAHY, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 694, a bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor.

S. 697

At the request of Mr. HATCH, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 697, a bill to modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries.

At the request of Mr. BAUCUS, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 697, *supra*.

S. 706

At the request of Mr. KERRY, the names of the Senator from Georgia (Mr. MILLER), the Senator from California (Mrs. FEINSTEIN), and the Senator from New Jersey (Mr. CORZINE) were added as cosponsors of S. 706, a bill to amend the Social Security Act to establish programs to alleviate the nursing profession shortage, and for other purposes.

S. 721

At the request of Mr. HUTCHINSON, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 721, a bill to amend the Public Health Service Act to establish a Nurse Corps and recruitment and retention strategies to address the nursing shortage, and for other purposes.

S. 723

At the request of Mr. SPECTER, the names of the Senator from Vermont (Mr. JEFFORDS) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 723, a bill to amend the Public Health Service Act

to provide for human embryonic stem cell generation and research.

S. 742

At the request of Mr. GRASSLEY, the names of the Senator from Nebraska (Mr. NELSON, of Nebraska), the Senator from Illinois (Mr. FITZGERALD), the Senator from Kansas (Mr. ROBERTS), and the Senator from South Carolina (Mr. HOLLINGS) were added as cosponsors of S. 742, a bill to provide for pension reform, and for other purposes.

S. 758

At the request of Mr. HUTCHINSON, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 758, a bill to amend the Food Security Act of 1985 to authorize the annual enrollment of land in the wetlands reserve program, to extend the wetlands reserve program through 2005, and for other purposes.

S. 777

At the request of Mr. ALLEN, the names of the Senator from Virginia (Mr. WARNER) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. 777, a bill to permanently extend the moratorium enacted by the Internet Tax Freedom Act, and for other purposes.

S. 778

At the request of Mr. HAGEL, the names of the Senator from Rhode Island (Mr. CHAFEE) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 778, a bill to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings.

S.J. RES. 13

At the request of Mr. WARNER, the name of the Senator from Louisiana (Mr. BREAU) was added as a cosponsor of S.J. Res. 13, a joint resolution conferring honorary citizenship of the United States on Paul Yves Roch Gilbert du Motier, also known as the Marquis de Lafayette.

S. RES. 24

At the request of Mr. SANTORUM, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. Res. 24, a resolution honoring the contributions of Catholic schools.

S. RES. 63

At the request of Mr. CAMPBELL, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Rhode Island (Mr. CHAFEE) were added as cosponsors of S. Res. 63, a resolution commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers.

S. RES. 74

At the request of Mr. DAYTON, the name of the Senator from Minnesota (Mr. WELLSTONE) was added as a cosponsor of S. Res. 74, a resolution expressing the sense of the Senate regarding consideration of legislation

providing medicare beneficiaries with outpatient prescription drug coverage.

S. RES. 75

At the request of Mr. HUTCHINSON, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. Res. 75, a resolution designating the week beginning May 13, 2001, as "National Biotechnology Week."

S. CON. RES. 8

At the request of Ms. SNOWE, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. Con. Res. 8, a concurrent resolution expressing the sense of Congress regarding subsidized Canadian lumber exports.

S. CON. RES. 11

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. Con. Res. 11, a concurrent resolution expressing the sense of Congress to fully use the powers of the Federal Government to enhance the science base required to more fully develop the field of health promotion and disease prevention, and to explore how strategies can be developed to integrate lifestyle improvement programs into national policy, our health care system, schools, workplaces, families and communities.

S. CON. RES. 14

At the request of Mr. CAMPBELL, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. Con. Res. 14, a concurrent resolution recognizing the social problem of child abuse and neglect, and supporting efforts to enhance public awareness of it.

S. CON. RES. 33

At the request of Mr. GREGG, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. Con. Res. 33, a concurrent resolution supporting a National Charter Schools Week.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LIEBERMAN (for himself, Mr. BURNS, Mr. BINGAMAN, Mr. FITZGERALD, Mr. DASCHLE, Mr. MCCAIN, Mr. CARPER, Mr. DURBIN, Mr. JOHNSON, Mr. KERRY, Mr. LEAHY, and Mr. LEVIN):

S. 803. 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; to the Committee on Governmental Affairs.

Mr. LIEBERMAN. Mr. President, I am pleased to introduce with my colleagues the "Electronic Government Act of 2001". Members of both parties understand that using new information technologies wisely can create a better

government more in touch with the needs of the public. That's why I am happy to be joined in this endeavor by such a distinguished group of original co-sponsors, namely Senators BURNS, BINGAMAN, FITZGERALD, DASCHLE, MCCAIN, CARPER, DURBIN, JOHNSON, KERRY, LEAHY, and LEVIN. Our legislation will provide the leadership, coordination, expertise, and resources necessary to utilize the Internet and create a more efficient, citizen-oriented government. Harnessing the Internet and other information technologies to deliver government programs, services, and information more effectively is critical to ensure that the Federal government remains a vital, positive presence in society.

Efforts to promote electronic government, which is still in its infancy, are advancing around the world. Federal, state, and local governments are using web-based technologies to enhance citizen access to information, provide round-the-clock services, save money on procurement and other transactions, and stimulate citizen participation. Citizens who have discovered the benefits of conducting business with government from their homes, and when it is convenient for them, are using the Internet to file their taxes, renew licenses and registrations, apply for college loans, and bid on government contracts. In some cases businesses are able to use the Internet to get advice about existing regulatory requirements and citizens to comment on proposed rules.

These examples are exciting and encouraging. However, the reality is that all but a handful of the applications now being put online by Federal agencies are developed in relative isolation. E-Government currently is a loose-knit mix of ideas, projects, and affiliations often not well coordinated, sometimes overlapping in its goals and redundant in its expenditures. Though there are some remarkable innovations championed by visionary government employees, many other efforts are hampered by traditional models of government management, and "stove-pipe" conceptions of agency jurisdiction. We are in essence taking the often confusing, overlapping and inefficient maze of government programs as they now exist and simply transferring them onto the Internet.

This is not the best way forward. We can and must take full advantage of information technologies to overcome the often arbitrary boundaries that exist between agencies, and to provide the public with seamless, secure online services. A functional approach focuses on delivering services to the citizen, organized according to the citizens' needs, and without regard to where the jurisdiction of one agency stops and another begins. The greatest challenge in many cases is realizing how the new technologies have created new opportunities, and reconfiguring government processes accordingly. Seizing these opportunities will require leadership,

coordination, and meaningful communication with agency decision-makers.

This legislation is designed to help accomplish that goal, first by establishing a Federal Chief Information Officer, or CIO, in the Office of Management and Budget. As many have pointed out, a Federal CIO is essential to provide government-wide coordination, leadership, and visibility to e-Government efforts. In fact, a recent survey revealed that 49 state governments already have Chief Information Officers to address government-wide information technology issues. The Federal CIO will have the necessary ties to relevant government agencies so that she or he is able to lead e-Government efforts, and will also work closely with state and local governments, with the private and non-profit sectors, and with the public. The Federal CIO will review agencies' information technology planning and performance, will ensure compliance with existing information statutes, and will be empowered to address other issues of concern such as online privacy and computer security.

The CIO will also direct expenditures from an E-Government Fund, which would promote the innovative, cross-agency projects that are extremely difficult to fund at present but absolutely necessary for the kind of integrated service delivery possible today. The legislation authorizes \$200 million for each of the next three years for the Fund, and contains criteria governing its use. Every year the federal government spends \$40 billion on information technology, and not always efficiently. In comparison the E-Government Fund represents a modest investment in a new kind of government venture: the virtual realignment of government services and information in pursuit of citizen-centered government.

Many of the improvements achieved by this legislation will be accessible from a centralized online government portal, which will build on the FirstGov website launched last year by the General Services Administration. The FirstGov website is an important first step, but there is much room for improvement. In those instances where agencies have cooperated to create truly integrated websites, as with Students.gov, the portal provides a demonstration of how citizens accessing the government through a single website may easily reach a wide range of information and services. But this type of site is the exception. Our E-Government bill will lead to more integrated sites, linked to the centralized portal. It will also create a directory of government web pages, so that citizens can easily find the help they need with a few clicks of the mouse rather than with cumbersome searches that often produce hundreds of thousands of results, sometimes in no discernable order.

New information technologies can be harnessed in many creative ways to better serve the public. Among other

provisions, the legislation will expand online access to judicial information, establish an online national library, and promote research into how information technologies can be used to improve our planning for and response to natural disasters. The Internet can also be used to facilitate public participation in democratic processes, as the Department of Transportation has proven; its docketing system has been placed entirely on-line, so that individuals can easily find the rulemaking that interests them, review comments, and file comments of their own from a home computer. Our bill requires other regulatory agencies to establish similar systems. Of course, the provisions in our bill only scratch the surface of what is possible. More importantly, the legislation establishes a process by which our government can transform itself.

Our citizens will not be fully comfortable engaging in transactions over the Internet unless they are confident that their personal information is kept secure and private. That's why the E-Government Act contains strong new protections requiring agencies to complete detailed assessments of privacy considerations when they procure new information systems or initiate new collections of personal information. The bill also empowers the Federal CIO to review agencies' computer security plans.

This legislation is a work in progress. The bill already reflects the input and insights of many individuals and organizations, including those who participated in the E-Government interactive web site launched by Senator THOMPSON and myself last year. I also want to acknowledge the important contribution made by Senator BINGAMAN; we have incorporated his share-in-savings legislation from the last Congress as a provision. Because this is a work in progress, we will continue to seek comments and feedback on the legislation, and I expect that this bill's provisions will change as we work to achieve a broad consensus. E-Government should not be a partisan issue; it concerns how we will respond to the opportunities of today and tomorrow to achieve a more responsive government for us all. I hope to work with the Administration, which has already expressed an interest in e-government, with Senators from both parties, and with others committed to this issue, to develop a bill that we can all support.

I ask unanimous consent that the text of the legislation and a section by section analysis be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 803

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

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

(a) **SHORT TITLE.**—This Act may be cited as the "E-Government Act of 2001".

(b) TABLE OF CONTENTS.—The table of contents for 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 Regulatory 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 technology.  
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.

#### SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) The use of computers and the Internet is rapidly transforming societal interactions and the relationships among citizens, private businesses, and the Government.

(2) The Federal Government has had uneven success in applying advances in information technology to enhance Governmental functions and services, achieve more efficient performance, and increase access to Government information and citizen participation in Government.

(3) Most Internet-based services of the Federal Government are developed and presented separately, according to the jurisdictional boundaries of an individual department or agency, rather than being integrated cooperatively according to function.

(4) Internet-based Government services involving interagency cooperation are especially difficult to develop and promote, in part because of a lack of funding mechanisms to support such interagency cooperation.

(5) To take full advantage of the improved Government performance that can be achieved through the use of Internet-based technology requires new leadership, better

organization, improved interagency collaboration, and more focused oversight of agency compliance with statutes related to information resource management.

(b) PURPOSES.—The purposes of this Act are the following:

(1) To provide effective leadership of Federal Government efforts to develop and promote electronic Government services and processes by establishing a Federal Chief Information Officer within the Office of Management and Budget.

(2) To establish measures that require using Internet-based information technology to enhance citizen access to Government information and services, improve Government efficiency and reduce Government operating costs, and increase opportunities for citizen participation in Government.

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

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

#### TITLE I—OFFICE OF MANAGEMENT AND BUDGET ELECTRONIC GOVERNMENT SERVICES

##### SEC. 101. FEDERAL CHIEF INFORMATION OFFICER.

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

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

(2) by inserting after subsection (c) the following:

“(d) The Office has a Federal Chief Information Officer appointed by the President, by and with the advice and consent of the Senate. The Federal Chief Information Officer shall provide direction, coordination, and oversight of the development, application, and management of information resources by the Federal Government.”.

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

“Federal Chief Information Officer.”.

(c) MODIFICATION OF DEPUTY DIRECTOR FOR MANAGEMENT FUNCTIONS.—Section 503(b)(2)(D) of title 31, United States Code, is amended by striking “and statistical policy” and inserting “collection review”.

(d) OFFICE OF INFORMATION POLICY.—

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

##### “§ 507. Office of Information Policy

“The Office of Information Policy, established under section 3503 of title 44, is an office in the Office of Management and Budget.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 31, United States Code, is amended by inserting after the item relating to section 506 the following:

“507. Office of Information Policy.”.

(e) PRIVACY ACT FUNCTIONS.—

Section 552a(v) of title 5, United States Code (commonly referred to as the Privacy Act) is amended to read as follows:

“(v) OFFICE OF MANAGEMENT AND BUDGET RESPONSIBILITIES.—The Director of the Office of Management and Budget shall—

“(1) develop and, after notice and opportunity for public comment, prescribe guidelines and regulations 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 511 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”.

(g) FEDERAL COMPUTER SYSTEMS STANDARDS AND GUIDELINES.—

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

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

(B) by striking “Secretary” each place it appears and inserting “Federal Chief Information Officer” in each such place.

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

(h) INFORMATION TECHNOLOGY FUND.—Section 110(a) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 757(a)) is amended by adding at the end the following:

“(3) The Administrator’s decisions with regard to obligations of and expenditures from the Fund shall be made after consultation with the Federal Chief Information Officer, with respect to those programs that—

“(A) promote the use of information technology to agencies; or

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

(i) ELECTRONIC GOVERNMENT AND INFORMATION TECHNOLOGIES.—

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

##### “SEC. 113. ELECTRONIC GOVERNMENT AND INFORMATION TECHNOLOGIES.

“The Administrator of General Services shall consult with the Federal Chief Information Officer on programs undertaken by the General Services Administration to promote electronic Government and the efficient use of information technologies by Federal agencies.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for the Federal Property and Administrative Services Act of 1949 is amended by inserting after the item relating to section 112 the following:

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

(j) GOVERNMENT PAPERWORK ELIMINATION.—The Government Paperwork Elimination Act (44 U.S.C. 3504 note) is amended—

(1) by redesignating sections 1709 and 1710 as sections 1710 and 1711, respectively; and

(2) by inserting after section 1708 the following:

**“SEC. 1709. DELEGATION OF FUNCTIONS TO FEDERAL CHIEF INFORMATION OFFICER.**

“The Director of the Office of Management and Budget shall delegate all of the functions to be performed by the Director under this title to the Federal Chief Information Officer.”.

**SEC. 102. OFFICE OF INFORMATION POLICY AND OFFICE OF INFORMATION AND REGULATORY AFFAIRS.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Section 3503 of title 44, United States Code, is amended to read as follows:

**“§ 3503. Office of Information Policy and Office of Information and Regulatory Affairs**

“(a)(1) There is established in the Office of Management and Budget an office to be known as the Office of Information Policy.

“(2) The Office shall be administered by the Federal Chief Information Officer established under section 502(d) of title 31. The Director shall delegate to the Federal Chief Information Officer the authority to administer all functions under this chapter, except those delegated to the Administrator of the Office of Information and Regulatory Affairs under subsection (b)(2). Any such delegation shall not relieve the Director of responsibility for the administration of such function.

“(b)(1) There is established in the Office of Management and Budget an office to be known as the Office of Information and Regulatory Affairs.

“(2) There shall be at the head of the Office an Administrator who shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall delegate to the Administrator the authority to administer all functions under this chapter explicitly relating to information collection review. Any such delegation shall not relieve the Director of responsibility for the administration of such functions.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 35 of title 44, United States Code, is amended by striking the item relating to section 3503 and inserting the following:

“3503. Office of Information Policy and Office of Information and Regulatory Affairs.”.

(b) PROMOTION OF INFORMATION TECHNOLOGY.—Section 3504(h)(5) of title 44, United States Code, is amended by inserting “direct the Federal Chief Information Officer and the Administrator of the Office of Information and Regulatory Affairs, acting jointly, to” after “(5)”.

(c) COORDINATION OF INFORMATION COLLECTION REVIEWS.—

(1) INFORMATION COLLECTION REVIEW.—Section 3502 of title 44, United States Code is amended—

(A) by redesignating paragraphs (6) through (14) as paragraphs (7) through (15), respectively; and

(B) by inserting after paragraph (5) the following:

“(6) the term ‘information collection review’ means those functions described under section 3504(c) and related functions.”.

(2) COORDINATION.—Section 3504 of title 44, United States Code, is amended—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following:

“(2) The Director shall ensure that the Office of Information Policy and the Office of Information and Regulatory Affairs coordinate their efforts in applying the principles developed and implemented under this section to information collection reviews.”.

(d) REFERENCES.—Reference in any Federal law, Executive order, rule, regulation, or del-

egation of authority, or any document of or relating to the Office of Information and Regulatory Affairs or the Administrator of the Office of Information and Regulatory Affairs, respectively, shall be deemed a reference to—

(1) the Office of Information Policy or the Federal Chief Information Officer, respectively, with respect to functions described under section 3503(a) of title 44, United States Code (as amended by section 103 of this Act); and

(2) the Office of Information and Regulatory Affairs or the Administrator of the Office of Information and Regulatory Affairs, respectively, with respect to functions described under section 3503(b) of such title (as amended by section 103 of this Act).

(e) ADDITIONAL CONFORMING AMENDMENTS.—

(1) RECOMMENDED LEGISLATION.—After consultation with the appropriate committees of Congress, the Director of the Office of Management and Budget shall prepare and submit to Congress recommended legislation containing technical and conforming amendments to reflect the changes made by this Act.

(2) SUBMISSION TO CONGRESS.—Not later than 6 months after the effective date of this Act, the Director of the Office of Management and Budget shall submit the recommended legislation referred to under paragraph (1).

**SEC. 103. MANAGEMENT AND PROMOTION OF ELECTRONIC GOVERNMENT SERVICES.**

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

**“CHAPTER 36—MANAGEMENT AND PROMOTION OF ELECTRONIC GOVERNMENT SERVICES**

“Sec.

“3601. Definitions.

“3602. Federal Chief Information Officer functions.

“3603. Chief Information Officers Council.

“3604. E-Government Fund.

**“§ 3601. Definitions**

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

“(1) ‘Council’ means the Chief Information Officers Council established under section 3603;

“(2) ‘Cross-Sector Forum’ means the Cross-Sector Forum on Information Resources Management established under section 3602(a)(10);

“(3) ‘Fund’ means the E-Government Fund established under section 3604;

“(4) ‘interoperability’ means the ability of different software systems, applications, and services to communicate and exchange data in an accurate, effective, and consistent manner; and

“(5) ‘integrated service delivery’ means the provision of Internet-based Federal Government information or services integrated according to function rather than separated according to the boundaries of agency jurisdiction.

**“§ 3602. Federal Chief Information Officer functions**

“(a) Subject to the direction and approval of the Director of the Office of Management and Budget, and subject to requirements of this chapter, the Federal Chief Information Officer shall perform information resources management functions as follows:

“(1) Perform all functions of the Director, including all functions delegated by the President to the Director, relating to information resources management.

“(2) Perform the following functions with respect to information resources management:

“(A) Under section 5112 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1412), review agency budget requests related to information technology capital planning and investment.

“(B) Under section 5113 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1413), evaluate the investments referred to under subparagraph (A) with respect to performance and results.

“(C) Review legislative proposals related to information technology capital planning and investment.

“(D) Advise the Director on the resources required to develop and effectively operate and maintain Federal Government information systems.

“(E) Recommend to the Director changes relating to Governmentwide strategies and priorities for information resources management.

“(3) Provide overall leadership and direction to the executive branch on information policy by establishing information resources management policies and requirements, and by reviewing each agency’s performance in acquiring, using, and managing information resources.

“(4) Promote innovative uses of information technology by agencies, particularly initiatives involving multiagency collaboration, through support of pilot projects, research, experimentation, and the use of innovative technologies.

“(5) Administer the distribution of funds from the E-Government Fund established under section 3604.

“(6) Consult with the Administrator of General Services regarding the use of the Information Technology Fund established under section 110 of the Federal Property and Administrative Coordinate Services Act of 1949 (40 U.S.C. 757), and coordinate with the Administrator of General Services regarding programs undertaken by the General Services Administration to promote electronic Government and the efficient use of information technologies by agencies.

“(7) Chair the Chief Information Officers Council established under section 3603.

“(8) Establish and promulgate information technology standards for the Federal Government under section 5131 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1441) based on the recommendations of the National Institute of Standards and Technology, taking into account, if appropriate, recommendations of the Chief Information Officers Council, experts, and interested parties from the private and nonprofit sectors and State, local, and tribal governments, as follows:

“(A) Standards and guidelines for interconnectivity and interoperability as described under section 3504.

“(B) Standards and guidelines for categorizing and electronically labeling Federal Government electronic information, to enhance electronic search capabilities.

“(C) Standards and guidelines for Federal Government computer system efficiency and security.

“(9) Establish a regular forum for consulting and communicating with leaders in information resources management in the legislative and judicial branches to encourage collaboration and enhance understanding of best practices and innovative approaches in acquiring, using, and managing information resources.

“(10) Establish a regular forum for consulting and communicating with leaders in information resources management in State, local, and tribal governments (including the National Association of State Information Resources Executives) to encourage collaboration and enhance understanding of best

practices and innovative approaches in acquiring, using, and managing information resources.

“(11) Establish a regular forum for consulting and communicating with program managers and leaders in information resources management in the regulatory executive branch agencies to encourage collaboration and enhance understanding of best practices and innovative approaches related to the acquisition, use, and management of information resources in regulatory applications.

“(12) Establish a Cross-Sector Forum on Information Resources Management, subject to the Federal Advisory Committee Act (5 U.S.C. App.), as a periodic colloquium with representatives from Federal agencies (including Federal employees who are not supervisors or management officials as such terms are defined under section 7103(a) (10) and (11), respectively) and the private, non-profit, and academic sectors, to encourage collaboration and enhance understanding of best practices and innovative approaches in acquiring, using, and managing information resources. The Cross-Sector Forum shall be used for the following:

“(A) To develop innovative models for Government information resources management and for Government information technology contracts. These models may be developed through focused Cross-Sector Forum discussions or using separately sponsored research.

“(B) To identify opportunities for performance-based shared-savings contracts as a means of increasing the quantity and quality of Government information and services available through the Internet.

“(C) To identify opportunities for public-private collaboration in using Internet-based technology to increase the efficiency of Government-to-business transactions.

“(D) To identify mechanisms for providing incentives to program managers and other Government employees to develop and implement innovative uses of information technologies.

“(E) To identify opportunities for public-private collaboration in addressing the disparities in access to the Internet and information technology.

“(F) To develop guidance to advise agencies and private companies on any relevant legal and ethical restrictions.

“(13) Direct the establishment, maintenance, and promotion of an integrated Internet-based system of delivering Government information and services to the public. To the extent practicable, the integrated system shall be designed and operated according to the following criteria:

“(A) The provision of Internet-based Government information and services integrated according to function rather than separated according to the boundaries of agency jurisdiction.

“(B) An ongoing effort to ensure that all Internet-based Government services relevant to a given citizen activity are available from a single point.

“(C) Standardized methods for navigating Internet-based Government information and services.

“(D) The consolidation of Federal Government information and services with Internet-based information and services provided by State, local, and tribal governments.

“(14) Coordinate with the Administrator of the Office of Federal Procurement Policy to ensure effective implementation of electronic procurement initiatives.

“(15) Assist Federal agencies, the United States Access Board, the General Services Administration, and the Attorney General in—

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

“(B) ensuring compliance with those standards through the budget review process and other means.

“(16) Administer the Office of Information Policy established under section 3503.

“(b) The Director of the Office of Management and Budget shall consult with the Federal Chief Information Officer on each agency budget request and legislative proposal described under subsection (a)(2).

“(c) The Federal Chief Information Officer shall appoint the employees of the Office. The Director of the Office of Management and Budget shall ensure that the Office of Information Policy has adequate employees and resources to properly fulfill all functions delegated to the Office and the Federal Chief Information Officer.

“(d) There are authorized to be appropriated \$15,000,000 for the establishment, maintenance, and promotion of the integrated Internet-based system established under subsection (a)(13) for fiscal year 2002, and such sums as are necessary for fiscal years 2003 through 2006.

#### “§ 3603. Chief Information Officers Council

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

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

“(1) The chief information officer of each agency described under section 901(b) of title 31.

“(2) The chief information officer of the Central Intelligence Agency.

“(3) The chief information officer of the Department of the Army, the Department of the Navy, and the Department of the Air Force, if chief information officers have been designated for these departments under section 3506(a)(2)(B).

“(4) Any other officers or employees of the United States designated by the Federal Chief Information Officer.

“(c)(1) The Federal Chief Information Officer shall be the Chairman of the Council.

“(2)(A) The Deputy Chairman of the Council shall be selected by the Council from among its members.

“(B) The Deputy Chairman shall serve a 1-year term, and may serve multiple terms.

“(3) The Administrator of General Services shall provide administrative and other support for the Council, including resources provided through the Information Technology Fund established under section 110 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 757).

“(d) The Council is designated the principal interagency forum for improving agency practices related to the design, acquisition, development, modernization, use, operation, sharing, and performance of Federal Government information resources. The Council shall perform the following functions:

“(1) Develop recommendations for the Federal Chief Information Officer on Government information resources management policies and requirements.

“(2) Assist the Federal Chief Information Officer in developing and maintaining the Governmentwide strategic information resources management plan required under section 3506.

“(3) Share experiences, ideas, best practices, and innovative approaches related to information resources management.

“(4) Assist the Federal Chief Information Officer in the identification, development, and coordination of multiagency projects and other innovative initiatives to improve Government performance through the use of information technology.

“(5) Provide recommendations to the Federal Chief Information Officer regarding the distribution of funds from the E-Government Fund established under section 3604.

“(6) Coordinate the development and use of common performance measures for agency information resources management under section 5123 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1423).

“(7) Work as appropriate with the National Institute of Standards and Technology to develop recommendations for the Federal Chief Information Officer on information technology standards developed under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) and promulgated under section 5131 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1441), as follows:

“(A) Standards and guidelines for interconnectivity and interoperability as described under section 3504.

“(B) Standards and guidelines for categorizing and electronically labeling Government electronic information, to enhance electronic search capabilities.

“(C) Standards and guidelines for Federal Government computer system efficiency and security.

“(8) Work with the Office of Personnel Management to assess and address the hiring, training, classification, and professional development needs of the Government related to information resources management.

#### “§ 3604. E-Government Fund

“(a) There is established in the Treasury of the United States an E-Government Fund, which shall be available without fiscal year limitation.

“(b) The Fund shall be used to fund interagency information technology projects, and other innovative uses of information technology. The Fund shall be operated as follows:

“(1) Any member of the Council, including the Federal Chief Information Officer, may propose a project to be funded from the Fund.

“(2) On a regular basis, an appropriate committee within the Council shall review candidate projects for funding eligibility, and make recommendations to the Federal Chief Information Officer on which projects should be funded from the Fund. The review committee shall consider the following:

“(A) The relevance of this project in supporting the missions of the affected agencies and other statutory provisions.

“(B) The usefulness of interagency collaboration on this project in supporting integrated service delivery.

“(C) The usefulness of this project in illustrating a particular use of information technology that could have broader applicability within the Government.

“(D) The extent to which privacy and information security will be provided in the implementation of the project.

“(E) The willingness of the agencies affected by this project to provide matching funds.

“(F) The availability of funds from other sources for this project.

“(3) After considering the recommendations of the Council, the Federal Chief Information Officer shall have final authority to determine which of the candidate projects shall be funded from the Fund.

“(c) The Fund may be used to fund the integrated Internet-based system under section 3602(a)(13).

“(d) None of the funds provided from the Fund may be transferred to any agency until 15 days after the Federal Chief Information Officer has submitted to the Committees on Appropriations of the Senate and the House of Representatives, the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House

of Representatives, and the appropriate authorizing committees of the Senate and the House of Representatives, a notification and description of how the funds are to be allocated and how the expenditure will further the purposes of this chapter.

“(e) The Federal Chief Information Officer shall submit an annual report to the President and Congress on the operation of the Fund. The report shall describe—

“(1) all projects which the Federal Chief Information Officer has approved for funding from the Fund;

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

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

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

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

**“36. Management and Promotion of Electronic Government Services .. 3601”.**  
**TITLE II—FEDERAL MANAGEMENT AND PROMOTION OF ELECTRONIC GOVERNMENT SERVICES**

**SEC. 201. FEDERAL AGENCY RESPONSIBILITIES.**

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

(1) complying with the requirements of this Act (including the amendments made by this Act) and the related information resource management policies and information technology standards established by the Federal Chief Information Officer;

(2) ensuring that the policies and standards established by the Federal Chief Information Officer and the Chief Information Officers Council are communicated promptly and effectively to all relevant managers with information resource management responsibilities within their agency; and

(3) supporting the efforts of the Federal Chief Information Officer to develop, maintain, and promote an integrated Internet-based system of delivering Federal Government information and services to the public under chapter 36 of title 44, United States Code (as added by section 103 of this Act).

(b) **CHIEF INFORMATION OFFICERS.**—The Chief Information Officer of each of the agencies designated under chapter 36 of title 44, United States Code (as added by section 103 of this Act), shall be responsible for—

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

(2) monitoring the implementation, within their respective agencies, of information technology standards established by the Federal Chief Information Officer, including common standards for interconnectivity and interoperability, categorization and labeling of Federal Government electronic information, and computer system efficiency and security.

(c) **E-GOVERNMENT STATUS REPORT.**—

(1) **IN GENERAL.**—Each agency shall compile and submit to the Federal Chief Information Officer an E-Government Status Report on the current status of agency information and agency services available online.

(2) **CONTENT.**—Each report under this subsection shall contain—

(A) a list and brief description of the agency services available online;

(B) a list, by number and title, of the 25 most frequently requested agency forms available 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—

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

(2) 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 Act (Public Law 105–277; 112 Stat. 2681–749 through 2681–751), each Executive agency (as defined under section 105 of title 5, United States Code) shall ensure that its methods for use and acceptance of electronic signatures are compatible with the relevant procedures and standards promulgated by the Director of the Office of Management and Budget.

(b) **BRIDGE AUTHORITY FOR DIGITAL SIGNATURES.**—The Administrator of the General Services Administration shall support the Director of the Office of Management and Budget by establishing the Federal bridge certification authority which shall provide a central authority to allow efficient interoperability among Executive agencies when certifying digital signatures.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the General Services Administration, to ensure the development and operation of a Federal bridge certification authority for digital signature compatibility, \$7,000,000 in fiscal year 2002, and such sums as may be necessary for each fiscal year thereafter.

**SEC. 203. ONLINE FEDERAL TELEPHONE DIRECTORY.**

(a) **IN GENERAL.**—

(1) **DEVELOPMENT.**—The Administrator of the General Services Administration, in coordination with the Chief Information Officers Council, shall develop and promulgate an online Federal telephone directory.

(2) **ORGANIZATION.**—Information in the online Federal telephone directory shall be organized and retrievable both by function and by agency name.

(3) **TELEPHONE DIRECTORIES.**—Information compiled for publication in the online Federal telephone directory shall be provided to local telephone book publishers, to encourage publication and dissemination of functionally arranged directories in local Federal blue pages.

(b) **EXECUTIVE AGENCIES.**—

(1) **IN GENERAL.**—Each Executive agency (as defined under section 105 of title 5, United States Code) shall publish an online agency directory, accessible by electronic link from the online Federal telephone directory.

(2) **CONTENT.**—Each agency directory—

(A) shall include telephone numbers and electronic mail addresses for principal departments and principal employees, subject to security restrictions and agency judgment; and

(B) shall be electronically searchable.

**SEC. 204. ONLINE NATIONAL LIBRARY.**

(a) **IN GENERAL.**—The Director of the National Science Foundation, the Secretary of the Smithsonian Institution, the Director of the National Park Service, the Director of the Institute of Museum and Library Serv-

ices, and the Librarian of Congress shall establish an Online National Library after consultation with—

(1) the private sector;

(2) public, research, and academic libraries;

(3) historical societies;

(4) archival institutions; and

(5) other cultural and academic organizations.

(b) **FUNCTIONS.**—The Online National Library—

(1) shall provide public access to an expanding database of educational resource materials, including historical documents, photographs, audio recordings, films, and other media as appropriate, that are significant for education and research in United States history and culture;

(2) shall be functionally integrated, so that a user may have access to the resources of the Library without regard to the boundaries of the contributing institutions; and

(3) shall include educational resource materials across a broad spectrum of United States history and culture, including the fields of mathematics, science, technology, liberal arts, fine arts, and humanities.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—For the purposes of developing, expanding, and maintaining this Online National Library, there are authorized to be appropriated—

(1) to the National Science Foundation \$5,000,000 in fiscal year 2002, and such sums as may be necessary for each fiscal year thereafter; and

(2) to the Library of Congress \$5,000,000 in fiscal year 2002, and such sums as may be necessary for each fiscal year thereafter.

**SEC. 205. FEDERAL COURTS.**

(a) **INDIVIDUAL COURT WEBSITES.**—The Chief Justice of the United States and the chief judge of each circuit and district shall establish with respect to the Supreme Court or the respective court of appeal or district (including the bankruptcy court of that district) a website, that contains the following information or links to websites with the following information:

(1) Location and contact information for the courthouse, including the telephone numbers and contact names for the clerk's office and justices' or judges' chambers.

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

(3) Individual rules, if in existence, of each justice or judge in that court.

(4) Access to docket information for each case.

(5) Access to the substance of all written opinions issued by the court, regardless of whether such opinions are to be published in the official court reporter, in a text searchable format.

(6) Access to all documents filed with the courthouse in electronic form, described under subsection (c)(2).

(7) Any other information (including forms in a format that can be downloaded) that the court determines useful to the public.

(b) **MAINTENANCE OF DATA ONLINE.**—

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

(2) **CLOSED CASES.**—Electronic files and docket information for cases closed for more than 1 year are not required to be made available online, except all written opinions with a date of issuance after the effective date of this section shall remain available online.

(c) **ELECTRONIC FILINGS.**—

(1) **IN GENERAL.**—Each court shall make any document that is filed electronically publicly available online. A court may convert any document that is filed in paper form to electronic form. To the extent such conversions are made, all such electronic



versions of the document shall be made available online.

(2) EXCEPTIONS.—

(A) IN GENERAL.—Documents that are filed that are not otherwise available to the public, such as documents filed under seal, shall not be made available online.

(B) LIMITATION.—

(1) IN GENERAL.—A party, witness, or other person with an interest may file a motion with the court to redact any document that would be made available online under this section.

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

(I) the electronic form of the document made available online; and

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

(C) PRIVACY CONCERNS.—The Judicial Conference of the United States may promulgate rules under this subsection to protect important privacy concerns.

(d) DOCKETS WITH LINKS TO DOCUMENTS.—The Judicial Conference of the United States, in consultation with the Federal Chief Information Officer, shall explore the feasibility of technology to post online dockets with links allowing all filings, decisions, and rulings in each case to be obtained from the docket sheet of that case.

(e) COST OF PROVIDING ELECTRONIC DOCKETING INFORMATION.—Section 503(a) of the Judiciary Appropriations Act, 1992 (28 U.S.C. 1913 note) is amended in the first sentence by striking “shall hereafter” and inserting “may, only to the extent necessary,”.

(f) TIME REQUIREMENTS.—Not later than 2 years after the effective date of this Act, the websites under subsection (a) shall be established, except that access to documents filed in electronic form shall be established not later than 4 years after that effective date.

(g) OPT OUT.—

(1) IN GENERAL.—

(A) ELECTION.—

(i) NOTIFICATION.—The Chief Justice of the United States or a chief judge may submit a notification to the Administrative Office of the United States Courts to elect not to comply with any requirement of this section with respect to the Supreme Court, a court of appeals, or district (including the bankruptcy court of that district).

(ii) CONTENTS.—A notification submitted under this subparagraph shall state—

(I) the reasons for the noncompliance; and

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

(B) EXCEPTION.—To the extent that the Supreme Court, a court of appeals, or district maintains a website under subsection (a), the Supreme Court or that court of appeals or district shall comply with subsection (b)(1).

(2) REPORT.—Not later than 1 year after the effective date of this Act, the Judicial Conference of the United States shall submit a report to the Committees on Governmental Affairs and the Judiciary of the Senate and the Committees on Government Reform and the Judiciary of the House of Representatives that—

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

(B) summarizes and evaluates all notifications.

**SEC. 206. REGULATORY AGENCIES.**

(a) INFORMATION PROVIDED BY AGENCIES ONLINE.—To the extent practicable, each agency (as defined under section 551 of title 5, United States Code) shall—

(1) establish a website with information about that agency; and

(2) post on the website all information—

(A) required to be published in the Federal Register under section 552(a)(1) of title 5, United States Code; and

(B) made available for public inspection and copying under section 552(a) (2) and (5) of title 5, United States Code, after the effective date of this section.

(b) COMPLIANCE.—An agency may comply with subsection (a)(2) by providing hypertext links on a website directing users to other websites where such information may be found. To the extent that an agency provides hypertext links, the agency shall provide clear instructions to users on how to access the information sought within the external website to which the links direct users.

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

(d) ELECTRONIC DOCKETING.—

(1) IN GENERAL.—To the extent practicable, agencies shall, in consultation with the Federal Chief Information Officer, and in connection with the forum established under section 3602(a)(10) of title 44, United States Code (as added by section 103 of this Act), establish and maintain on their websites electronic dockets for rulemakings under section 553 of title 5, United States Code.

(2) INFORMATION AVAILABLE.—Agency electronic dockets shall make publicly available online—

(A) all agency notices, publications, or statements in connection with each rulemaking; and

(B) to the extent practicable, all submissions under section 553(c) of title 5, United States Code, whether or not submitted electronically.

(e) OPT OUT.—

(1) IN GENERAL.—

(A) NOTIFICATION.—An agency may submit a notification to the Federal Chief Information Officer to elect to not comply with any requirement of subsection (d).

(B) CONTENTS.—A notification submitted under this paragraph shall state—

(i) the reasons for the noncompliance; and

(ii) the online methods, if any, or any alternative methods, the agency is using to provide greater public access to regulatory proceedings.

(2) REPORT.—Not later than October 1, of each year, the Federal Chief Information Officer shall submit a report to the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives that—

(A) contains all notifications submitted to the Federal Chief Information Officer under this subsection; and

(B) summarizes and evaluates all notifications.

(f) TIME LIMITATION.—To the extent practicable, agencies shall implement subsections (a) and (b) not later than 2 years after the effective date of this Act, and subsection (c) not later than 4 years after that effective date.

**SEC. 207. INTEGRATED REPORTING FEASIBILITY STUDY AND PILOT PROJECTS.**

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

(1) enhance the interoperability of Federal information systems; and

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

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

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

(1) “agency” means an Executive agency as defined under section 105 of title 5, United States Code; and

(2) “person” means any individual, trust, firm, joint stock company, corporation (including a government 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 submit a report to the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives on the feasibility of integrating Federal information systems 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 information contained in each database;

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

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

(i) provides consistent, dependable, and timely public access to the information holdings of 1 or more agencies, or some portion of such holdings, including the underlying raw data, without requiring public users to know which agency holds the information;

(ii) provides methods for input on improving the quality and integrity of the data, including correcting errors in submission, consistent with the need to archive changes made to the data; and

(iii) allows any person to integrate public information held by the participating agencies;

(D) address the feasibility of incorporating other elements related to the purposes of this section at the discretion of the Federal Chief Information Officer; and

(E) make recommendations that Congress or the executive branch can implement, through the use of integrated reporting and information systems, to reduce the burden on reporting and strengthen public access to databases within and across agencies.

(d) PILOT PROJECTS TO ENCOURAGE INTEGRATED COLLECTION AND MANAGEMENT OF DATA AND INTEROPERABILITY OF FEDERAL INFORMATION SYSTEMS.—

(1) IN GENERAL.—In order to provide input to the study under subsection (c) the Federal Chief Information Officer shall implement a series of no more than 5 pilot projects that integrate data elements. The Federal Chief Information Officer shall consult with agencies, the regulated community, public interest organizations, and the public on the implementation.

(2) GOALS OF PILOT PROJECTS.—

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

(B) GOALS.—The goals under this paragraph are to—

(i) reduce information collection burdens by eliminating duplicative data elements within 2 or more reporting requirements;

(ii) create interoperability between or among public databases managed by 2 or more agencies using technologies and techniques that facilitate public access; and

(iii) develop, or enable the development, of software to reduce errors in electronically submitted information.

(3) **INPUT.**—Each pilot project shall seek input from users on the utility of the pilot project and areas for improvement.

(e) **CONSULTATION IN PREPARING THE REPORT AND PILOT PROJECT.**—The Federal Chief Information Officer shall coordinate with the Office of Information and Regulatory Affairs, and to the extent practicable, shall work with relevant agencies, and State, tribal, and local governments in carrying out the report and pilot projects under this section.

(f) **PRIVACY PROTECTIONS.**—The activities authorized in this section shall afford protections for confidential business information consistent with section 552(b)(4) of title 5, United States Code and personal privacy information under section 552a of title 5, United States Code and other relevant law.

#### **SEC. 208. ONLINE ACCESS TO FEDERALLY FUNDED RESEARCH AND DEVELOPMENT.**

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

(1) “essential information” shall include—  
(A) information identifying any person performing research and development under an agreement and the agency providing the funding;

(B) an abstract describing the research;

(C) references to published results; and

(D) other information determined appropriate by the interagency task force convened under this section; and

(2) “federally funded research and development” —

(A) shall be defined by the interagency task force, with reference to applicable Office of Management and Budget circulars and Department of Defense regulations; and  
(B) shall include funds provided to—

(i) institutions other than the Federal Government; and

(ii) Federal research and development centers.

(b) **INTERAGENCY TASK FORCE.**—The Federal Chief Information Officer shall—

(1) convene an interagency task force to—

(A) review databases, owned by the Federal Government and other entities, that collect and maintain data on federally funded research and development to—

(i) determine areas of duplication; and

(ii) identify data that is needed but is not being collected or efficiently disseminated to the public or throughout the Government;

(B) develop recommendations for the Federal Chief Information Officer on standards for the collection and electronic dissemination of essential information about federally funded research and development that addresses public availability and agency coordination and collaboration; and

(C) make recommendations to the Federal Chief Information Officer on—

(i) which agency or agencies should develop and maintain databases and a website containing data on federally funded research and development;

(ii) whether to continue using existing databases, to use modified versions of databases, or to develop another database;

(iii) the appropriate system architecture to minimize duplication and use emerging technologies;

(iv) criteria specifying what federally funded research and development projects should be included in the databases; and

(v) standards for security of and public access to the data; and

(2) not later than 1 year of the date of enactment of this Act, after offering an opportunity for public comment, promulgate standards and regulations based on the recommendations, including a determination as to which agency or agencies should develop and maintain databases and a website containing data on federally funded research and development.

(c) **MEMBERSHIPS.**—The interagency task force shall consist of the Federal Chief Information Officer and representatives from—

(1) the Department of Commerce;  
(2) the Department of Defense;  
(3) the Department of Energy;  
(4) the Department of Health and Human Services;

(5) the National Aeronautics and Space Administration;  
(6) the National Archives and Records Administration;  
(7) the National Science Foundation;

(8) the National Institute of Standards and Technology; and  
(9) any other agency determined by the Federal Chief Information Officer.

(d) **CONSULTATION.**—The task force shall consult with—

(1) Federal agencies supporting research and development;

(2) members of the scientific community;

(3) scientific publishers; and

(4) interested persons in the private and nonprofit sectors.

(e) **DEVELOPMENT AND MAINTENANCE OF DATABASE AND WEBSITE.**—

(1) **IN GENERAL.**—

(A) **DATABASE AND WEBSITE.**—The agency or agencies determined under subsection (b)(2), with the assistance of any other agency designated by the Federal Chief Information Officer, shall develop—

(i) a database if determined to be necessary by the Federal Chief Information Officer; and

(ii) a centralized, searchable website for the electronic dissemination of information reported under this section, with respect to information made available to the public and for agency coordination and collaboration.

(B) **CONFORMANCE TO STANDARDS.**—The website and any necessary database shall conform to the standards promulgated by the Federal Chief Information Officer.

(2) **LINKS.**—Where the results of the federally funded research have been published, the website shall contain links to the servers of the publishers if possible. The website may include links to other relevant websites containing information about the research.

(3) **OTHER RESEARCH.**—The website may include information about published research not funded by the Federal Government, and links to the servers of the publishers.

(4) **DEVELOPMENT AND OPERATION.**—The Federal Chief Information Officer shall oversee the development and operation of the website. The website shall be operational not later than 2 years after the date of enactment of this Act.

(f) **PROVISION OF INFORMATION.**—Any agency that funds research and development meeting the criteria promulgated by the Federal Chief Information Officer shall provide the required information in the manner prescribed by the Federal Chief Information Officer. An agency may impose reporting requirements necessary for the implementation of this section on recipients of Federal funding as a condition of the funding.

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

#### **SEC. 209. COMMON PROTOCOLS FOR GEOGRAPHIC INFORMATION SYSTEMS.**

(a) **IN GENERAL.**—The Secretary of the Interior, in consultation with the National Institute of Standards and Technology and other agencies, private sector experts, commercial and international standards groups, and other interested parties, shall facilitate the development of common protocols for the development, acquisition, maintenance, distribution, and application of geographic information.

(b) **FEDERAL CHIEF INFORMATION OFFICER.**—The Federal Chief Information Officer shall—

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

(2) coordinate with State, local, and tribal governments and other interested persons on aligning geographic information; and

(3) promulgate the standards relating to the protocols.

(c) **COMMON PROTOCOLS.**—The common protocols shall be designed to—

(1) maximize the degree to which unclassified geographic information from various sources can be made electronically compatible; and

(2) promote the development of interoperable geographic information systems technologies that will allow widespread, low-cost use and sharing of geographic data by Federal agencies, State, local, and tribal governments, and the public.

#### **SEC. 210. SHARE-IN-SAVINGS PROGRAM IMPROVEMENTS.**

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

(1) in subsection (a)—

(A) by striking “the heads of two executive agencies to carry out” and inserting “heads of executive agencies to carry out a total of five projects under”;

(B) by striking “and” at the end of paragraph (1);

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

(D) by adding at the end the following:

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

“(A) to retain, out of the appropriation accounts of the executive agency in which savings computed under paragraph (2) are realized as a result of the project, up to the amount equal to half of the excess of—

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

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

“(B) to use the retained amount to acquire additional information technology.”;

(2) in subsection (b)—

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

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

(3) by striking subsection (c) and inserting the following:

“(c) **EVOLUTION BEYOND PILOT PROGRAM.**—

(1) The Administrator may provide general authority to the heads of executive agencies to use a share-in-savings contracting approach to the acquisition of information technology solutions for improving mission-related or administrative processes of the Federal Government if—

“(A) after reviewing the experience under the five projects carried out under the pilot program under subsection (a), the Administrator finds that the approach offers the Federal Government an opportunity to improve its use of information technology and to reduce costs; and

“(B) issues guidance for the exercise of that authority.



“(2) For the purposes of paragraph (1), a share-in-savings contracting approach provides for contracting as described in paragraph (1) of subsection (a) together with the sharing and retention of amounts saved as described in paragraphs (2) and (3) of that subsection.

“(3) In exercising the authority provided to the Administrator in paragraph (1), the Administrator shall consult with the Federal Chief Information Officer.

“(d) AVAILABILITY OF RETAINED SAVINGS.—(1) Amounts retained by the head of an executive agency under subsection (a)(3) or (c) shall, without further appropriation, remain available until expended and may be used by the executive agency for any of the following purposes:

“(A) The acquisition of information technology.

“(B) Support for share-in-savings contracting approaches throughout the agency including—

“(i) education and training programs for share-in-savings contracting;

“(ii) any administrative costs associated with the share-in-savings contract from which the savings were realized; or

“(iii) the cost of employees who specialize in share-in-savings contracts.

“(2) Amounts so retained from any appropriation of the executive agency not otherwise available for the acquisition of information technology shall be transferred to any appropriation of the executive agency that is available for such purpose.”

#### SEC. 211. ENHANCING CRISIS MANAGEMENT THROUGH ADVANCED INFORMATION TECHNOLOGY.

(a) IN GENERAL.—

(1) STUDY ON ENHANCEMENT OF CRISIS RESPONSE.—Not later than 90 days after the date of enactment of this Act, the Federal Emergency Management Agency shall enter into a contract with the National Research Council of the National Academy of Sciences to conduct a study on using information technology to enhance crisis response and consequence management of natural and manmade disasters.

(2) CONTENT.—The study under this subsection shall address—

(A) a research and implementation strategy for effective use of information technology in crisis response and consequence management, including the more effective use of technologies, management of information technology research initiatives, and incorporation of research advances into the information and communications systems of—

(i) the Federal Emergency Management Agency; and

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

(B) opportunities for research and development on enhanced technologies for—

(i) improving communications with citizens at risk before and during a crisis;

(ii) enhancing the use of remote sensor data and other information sources for planning, mitigation, response, and advance warning;

(iii) building more robust and trustworthy systems for communications in crises;

(iv) facilitating coordinated actions among responders through more interoperable communications and information systems; and

(v) other areas of potential improvement as determined during the course of the study.

(3) REPORT.—Not later than 2 years after the date on which a contract is entered into under paragraph (1), the National Research Council shall submit a report on the study, including findings and recommendations to—

(A) the Committee on Governmental Affairs of the Senate;

(B) the Committee on Government Reform of the House of Representatives; and

(C) the Federal Emergency Management Agency.

(4) INTERAGENCY COOPERATION.—The Federal Emergency Management Agency and other Federal departments and agencies with responsibility for disaster relief and emergency assistance shall fully cooperate with the National Research Council in carrying out this section.

(5) EXPEDITED PROCESSING OF SECURITY CLEARANCES.—For the purpose of facilitating the commencement of the study under this section, the Federal Emergency Management Agency and other relevant agencies shall expedite to the fullest extent possible the processing of security clearances that are necessary for the National Research Council.

(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Federal Emergency Management Agency for research under this subsection, \$800,000 for fiscal year 2002.

(b) PILOT PROJECTS.—Based on the results of the research conducted under subsection (a), the Federal Chief Information Officer shall initiate pilot projects with the goal of maximizing the utility of information technology in disaster management. The Federal Chief Information Officer shall cooperate with the Federal Emergency Management Agency, other relevant agencies, and, if appropriate, State, local, and tribal governments, in initiating such pilot projects.

#### SEC. 212. FEDERAL INFORMATION TECHNOLOGY TRAINING CENTER.

(a) IN GENERAL.—In consultation with the Federal Chief Information Officer, the Chief Information Officers Council, and the Administrator of General Services, the Director of the Office of Personnel Management shall establish and operate a Federal Information Technology Training Center (in this section referred to as the “Training Center”).

(b) FUNCTIONS.—The Training Center shall—

(1) analyze, on an ongoing basis, the personnel needs of the Federal Government related to information technology and information resource management;

(2) design curricula, training methods, and training schedules that correspond to the projected personnel needs of the Federal Government related to information technology and information resource management; and

(3) recruit and train Federal employees in information technology disciplines, as necessary, at a rate that ensures that the Federal Government's information resource management needs are met.

(c) CURRICULA.—The curricula of the Training Center—

(1) shall cover a broad range of information technology disciplines corresponding to the specific needs of Federal agencies;

(2) shall be adaptable to achieve varying levels of expertise, ranging from basic non-occupational computer training to expert occupational proficiency in specific information technology disciplines, depending on the specific information resource management needs of Federal agencies;

(3) shall be developed and applied according to rigorous academic standards; and

(4) shall be designed to maximize efficiency through the use of self-paced courses, online courses, on-the-job training, and the use of remote instructors, wherever such features can be applied without reducing training effectiveness or negatively impacting academic standards.

(d) EMPLOYEE PARTICIPATION.—Subject to information resource management needs and the limitations imposed by resource needs in other occupational areas, agencies shall encourage their employees to participate in

the occupational information technology curricula of the Training Center.

(e) AGREEMENTS FOR SERVICE.—Employees who participate in full-time training at the Training Center for a period of 6 months or longer shall be subject to an agreement for service after training under section 4108 of title 5, United States Code.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Office of Personnel Management for developing and operating the Training Center, \$7,000,000 in fiscal year 2002, and such sums as may be necessary for each fiscal year thereafter.

#### SEC. 213. COMMUNITY TECHNOLOGY CENTERS.

(a) STUDY AND REPORT.—Not later than 2 years after the effective date of this Act, the Secretary of Education, in consultation with the Secretary of Agriculture, the Secretary of Housing and Urban Development, the National Telecommunications and Information Administration, and the Federal Chief Information Officer, shall—

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

(2) submit a report on the study to—

(A) the Committee on Governmental Affairs of the Senate;

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

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

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

(b) CONTENT.—The report shall include—

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

(2) a strategy for—

(A) continuing the evaluation of best practices used by community technology centers; and

(B) establishing a network to share information and resources as community technology centers evolve;

(3) the identification of methods to expand the use of best practices to assist community technology centers, public libraries, and other institutions that provide computer and Internet access to the public;

(4) a database of all community technology centers receiving Federal funds, including—

(A) each center's name, location, services provided, director, other points of contact, number of individuals served; and

(B) other relevant information;

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

(6) recommendations of how to—

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

(B) establish a network to share information and resources.

(c) COOPERATION.—All agencies that fund community technology centers shall provide to the Department of Education any information and assistance necessary for the completion of the study and the report under this section.

(d) ASSISTANCE.—

(1) IN GENERAL.—The Federal Chief Information Officer shall work with the Department of Education, other relevant Federal agencies, and other interested persons in the private and nonprofit sectors to—

(A) assist in the implementation of recommendations; and

(B) identify other ways to assist community technology centers, public libraries, and other institutions that provide computer and Internet access to the public.

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

(A) contribution of funds;

(B) donations of equipment, and training in the use and maintenance of the equipment; and

(C) the provision of basic instruction or training material in computer skills and Internet usage.

(e) **TRAINING CENTER.**—The Federal Information Technology Training Center established under section 212 of this Act shall make applicable information technology curricula available to members of the public through the community technology centers.

(f) **ONLINE TUTORIAL.**—

(1) **IN GENERAL.**—The Secretary of Education, in consultation with the Federal Chief Information Officer, the National Science Foundation, and other interested persons, shall develop an online tutorial that—

(A) explains how to access information and services on the Internet; and

(B) provides a guide to available online resources.

(2) **DISTRIBUTION.**—The Secretary of Education shall distribute information on the tutorial to community technology centers, public libraries, and other institutions that afford Internet access to the public.

(g) **PROMOTION OF COMMUNITY TECHNOLOGY CENTERS.**—In consultation with other agencies and organizations, the Department of Education shall promote the availability of community technology centers to raise awareness within each community where such a center is located.

(h) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Department of Education for the study of best practices at community technology centers, for the development and dissemination of the online tutorial, and for the promotion of community technology centers under this section \$2,000,000 in fiscal year 2002, \$2,000,000 in fiscal year 2003, and such sums as are necessary in fiscal years 2004 through 2006.

#### **SEC. 214. DISPARITIES IN ACCESS TO THE INTERNET.**

(a) **STUDY AND REPORT.**—Not later than 1 year after the effective date of this Act—

(1) the Federal Chief Information Officer shall enter into an agreement with a nonprofit, nonpartisan organization to conduct a study on disparities in Internet access across various demographic distributions; and

(2) the nonprofit, nonpartisan organization shall conduct the study and submit a report to—

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

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

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

(1) how disparities in Internet access influence the effectiveness of online Government services;

(2) how the increase in online Government services is influencing the disparities in Internet access; and

(3) any related societal effects arising from the interplay of disparities in Internet access and the increase in online Government services.

(c) **RECOMMENDATIONS.**—The report shall include recommendations on actions to ensure that online Government initiatives shall not have the unintended result of increasing any deficiency in public access to Government services.

(d) **POLICY CONSIDERATIONS.**—When promulgating policies and implementing programs regarding the provision of services over the Internet, the Federal Chief Information Officer and agency heads shall—

(1) consider the impact on persons without access to the Internet; and

(2) ensure that the availability of Government services has not been diminished for individuals who lack access to the Internet.

(e) **TECHNOLOGY CONSIDERATIONS.**—To the extent feasible, the Federal Chief Information Officer and agency heads shall pursue technologies that make Government services and information more accessible to individuals who do not own computers or have access to the Internet.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$950,000 in fiscal year 2002 to carry out this section.

#### **SEC. 215. ACCESSIBILITY, USABILITY, AND PRESERVATION OF GOVERNMENT INFORMATION.**

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

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

(2) “Board” means the Advisory Board on Government Information established under subsection (b);

(3) “Government information” means information created, collected, processed, disseminated, or disposed of by or for the Federal Government;

(4) “information” means any communication or representation of knowledge such as facts, data, or opinions, in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual forms; and

(5) “permanent public access” means the process by which applicable Government information that has been disseminated on the Internet is preserved for current, continuous, and future public access.

(b) **ADVISORY BOARD.**—

(1) **ESTABLISHMENT.**—There is established the Advisory Board on Government Information. The Board shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(2) **MEMBERS.**—The Federal Chief Information Officer shall appoint the members of the Board who shall include representatives from appropriate agencies and interested persons from the public, private, and nonprofit sectors.

(3) **FUNCTIONS.**—The Board shall conduct studies and submit recommendations as provided by this section to the Federal Chief Information Officer.

(4) **TERMINATION.**—The Board shall terminate 3 years after the effective date of this Act.

(c) **CATALOGUING AND INDEXING STANDARDS.**—

(1) **AGENCY FUNCTIONS.**—

(A) **REPORTS.**—Not later than 180 days after the effective date of this Act, each agency shall submit a report to the Board on all cataloguing and indexing standards used by that agency, including taxonomies being used to classify information.

(B) **PRIORITIES AND SCHEDULES.**—Not later than 180 days after the issuance of a circular or the promulgation of proposed regulations under paragraph (3), each agency shall consult with interested persons and develop priorities and schedules for making the agency indexing and cataloguing standards fully interoperable with other standards in use in the Federal Government.

(2) **BOARD FUNCTIONS.**—The Board shall—

(A) not later than 1 year after the effective date of this Act—

(i) review cataloguing and indexing standards used by agencies; and

(ii) determine whether the systems using those standards are generally recognized, in the public domain, and interoperable; and

(B) not later than 18 months after the effective date of this Act—

(i) consult interested persons;

(ii) analyze and determine agency public domain standards that are not fully interoperable with other standards; and

(iii) recommend priorities and schedules for making such standards fully interoperable.

(3) **FEDERAL CHIEF INFORMATION OFFICER FUNCTIONS.**—

(A) **PROHIBITION OF PROPRIETARY SYSTEMS.**—

(i) **IN GENERAL.**—After the submission of recommendations by the Board under paragraph (2) and public notice and opportunity for comment, the Federal Chief Information Officer shall prohibit agencies from using any system the Federal Chief Information Officer determines to be proprietary.

(ii) **WAIVER.**—The Federal Chief Information Officer may waive the application of clause (i), if the Federal Chief Information Officer determines there is a compelling reason to continue the use of the system.

(B) **INTEROPERABILITY STANDARDS.**—Not later than 18 months after the effective date of this Act and after 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 requiring the interoperability standards of cataloguing and indexing standards used by agencies.

(d) **PERMANENT PUBLIC ACCESS STANDARDS.**—

(1) **AGENCY FUNCTIONS.**—

(A) **REPORT TO BOARD.**—Not later than 180 days after the effective date of this Act, each agency shall submit a report to the Board on any action taken by the agency to—

(i) preserve public access to information disseminated by the Federal Government on the Internet; and

(ii) set standards and develop policies to ensure permanent public access to information disseminated by the Federal Government on the Internet.

(B) **COMPLIANCE WITH REGULATIONS.**—Not later than 1 year after the issuance of the circular or the promulgation of final regulations under paragraph (3), and on October 1, of each year thereafter, each agency shall submit a report on compliance of that agency with such regulations to—

(i) the Federal Chief Information Officer;

(ii) the Committee on Governmental Affairs of the Senate; and

(iii) the Committee on Government Reform of the House of Representatives.

(2) **BOARD FUNCTIONS.**—

(A) **RECOMMENDED STANDARDS.**—Not later than 30 months after the effective date of this Act and after consultation with interested persons, the Board shall submit recommendations to the Federal Chief Information Officer on standards for permanent public access to information disseminated by the Federal Government on the Internet.

(B) **CONTENTS.**—The recommendations under subparagraph (A) shall include—

(i) a definition of the types of information to which the standards apply; and

(ii) the process by which an agency—

(I) applies that definition to information disseminated by the agency on the Internet; and

(II) implements permanent public access.

(3) **FEDERAL CHIEF INFORMATION OFFICER 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 establishing permanent public access standards for agencies.

(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 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.

(e) INVENTORIES.—

(1) AGENCY FUNCTIONS.—

(A) IN GENERAL.—

(i) INVENTORIES.—Not later than 180 days after the effective date of this Act, each agency shall inventory agency websites, including all directories and subdirectories of such websites established by the agency or contractors of the agency.

(ii) INDIVIDUAL DOCUMENTS.—Nothing in this paragraph shall preclude an agency from inventorying individual documents on a website.

(iii) ASSISTANCE.—The Federal Chief Information Officer and the General Services 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 promulgated under paragraph (3) and post the inventories 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; and

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

(i) the existence of which is classified; or

(ii) is of such a sensitive nature, that disclosure would harm the public interest; and

(C) make recommendations on—

(i) the classes of information to be inventoried; and

(ii) how the information within those classes should be inventoried.

(3) FEDERAL CHIEF INFORMATION OFFICER FUNCTIONS.—

(A) GUIDANCE.—After 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 Chief Information Officer, shall issue a circular or promulgate proposed and final regulations to provide guidance and requirements for inventorying under this subsection.

(B) CONTENTS.—The circular or regulations under this paragraph shall include—

(i) requirements for the completion of inventories of some portion of Government information identified by the Board;

(ii) the scope of required inventories;

(iii) a schedule for completion; and

(iv) the classes of information required to be inventoried by law.

(C) LINKING OF INVENTORIES.—The Federal Chief Information Officer shall link inventories posted by agencies under this subsection to the integrated Internet-based system established under section 3602(a)(13) of title 44, United States Code, as added by this Act.

(f) STATUTORY AND REGULATORY REVIEW.—Not later than 180 days after the effective date of this Act, the General Accounting Office shall—

(1) conduct a review of all statutory and regulatory requirements of agencies to list and describe Government information;

(2) analyze the inconsistencies, redundancies, and inadequacies of such requirements; and

(3) submit a report on the review and analysis to—

(A) the Federal Chief Information Officer;

(B) the Committee on Governmental Affairs of the Senate; and

(C) the Committee on Government Reform of the House of Representatives.

(g) CATALOGUING AND INDEXING DETERMINATIONS.—

(1) AGENCY FUNCTIONS.—

(A) PRIORITIES AND SCHEDULES.—Not later than 180 days after the issuance of a circular or the promulgation of proposed regulations under paragraph (3), each agency shall consult with interested persons and develop priorities and schedules for cataloguing and indexing Government information. Agency priorities and schedules shall be made available for public review and comment and shall be linked on the Internet to an agency's inventories.

(B) COMPLIANCE WITH REGULATIONS.—Not later than 1 year after the issuance of the circular or the promulgation of final regulations under paragraph (3), and on October 1, of each year thereafter, each agency shall submit a report on compliance of that agency with such circular or regulations to—

(i) the Federal Chief Information Officer;

(ii) the Committee on Governmental Affairs of the Senate; and

(iii) the Committee on Government Reform of the House of Representatives.

(2) BOARD FUNCTIONS.—The Board shall—

(A) not later than 1 year after the effective date of this Act—

(i) review the report submitted by the General Accounting Office under subsection (f); and

(ii) review the types of Government information not covered by cataloguing or indexing requirements; and

(B) not later than 18 months after receipt of agency inventories—

(i) consult interested persons;

(ii) review agency inventories; and

(iii) make recommendations on—

(I) which Government information should be catalogued and indexed; and

(II) the priorities for the cataloguing and indexing of that Government information, including priorities required by statute or regulation.

(3) FEDERAL CHIEF INFORMATION OFFICER 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 completion of the agency inventory referred to under subsection (e)(1)(B), each agency shall—

(1) consult with the Board and interested persons;

(2) determine which Government information the agency intends to make available and accessible to the public on the Internet and by other means;

(3) develop priorities and schedules for making that Government information available and accessible;

(4) make such final determinations, priorities, and schedules available for public comment; and

(5) post such final determinations, priorities, and schedules on an agency website 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.

## SEC. 216. PUBLIC DOMAIN DIRECTORY OF FEDERAL GOVERNMENT WEBSITES.

(a) DEFINITIONS.—In this section, the term—

(1) “agency” has the meaning given under section 3502(1) of title 44, United States Code; and

(2) “directory” means a taxonomy of subjects linked to websites that is created with the participation of human editors.

(b) ESTABLISHMENT.—Not later than 2 years after the effective date of this Act, the Federal Chief Information Officer and each agency shall—

(1) develop and establish a public domain directory of Federal Government websites; and

(2) post the directory on the Internet 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.

(c) DEVELOPMENT.—With the assistance of each agency, the Federal Chief Information Officer shall—

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

(A) agency librarians;

(B) Federal depository librarians; and

(C) other interested parties; and

(2) develop a public domain taxonomy of subjects used to review and categorize Federal Government websites.

(d) UPDATE.—With the assistance of each agency, the Federal Chief Information Officer shall—

(1) update the directory; and

(2) solicit interested persons for improvements to the directory.

## SEC. 217. STANDARDS FOR AGENCY WEBSITES.

Not later than 1 year after the effective date of this Act, the Federal Chief Information Officer shall promulgate standards and criteria for agency websites that include—

(1) requirements that websites include direct links to—

(A) privacy statements;

(B) descriptions of the mission and statutory authority of the agency;

(C) the electronic reading rooms of the agency relating to the disclosure of information under section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act);

(D) agency regulations, rules, and rulemakings;

(E) information about the organizational structure of the agency, with an outline linked to the agency on-line staff directory; and

(F) the strategic plan of the agency developed under section 306 of title 5, United States Code; and

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

(A) speed of retrieval of search results;

(B) the relevance of the results; and

(C) tools to aggregate and disaggregate data.

## SEC. 218. PRIVACY PROVISIONS.

(a) DEFINITIONS.—In this section, the term—

(1) “agency” has the meaning given under section 551(1) of title 5, United States Code;

(2) “information system” means a discrete set of information resources organized for

the collection, processing, maintenance, transmission, and dissemination of information, in accordance with defined procedures that—

(A) electronically collects or maintains personally identifiable information on 10 or more individuals; or

(B) makes personally identifiable information available to the public; and

(3) “personally identifiable information” means individually identifiable information about an individual, including—

(A) a first and last name;

(B) a home or other physical address including street name and name of a city or town;

(C) an e-mail address;

(D) a telephone number;

(E) a social security number;

(F) a credit card number;

(G) a birth date, birth certificate number, or a place of birth; and

(H) any other identifier that the Federal Chief Information Officer determines permits the identification or physical or online contacting of a specific individual.

(b) **PRIVACY IMPACT ASSESSMENTS.**—

(1) **RESPONSIBILITIES OF AGENCIES.**—

(A) **IN GENERAL.**—Before developing or procuring an information system, or initiating a new collection of personally identifiable information that will be collected, processed, maintained, or disseminated electronically, an agency shall—

(i) conduct a privacy impact assessment;

(ii) submit the assessment to the Federal Chief Information Officer; and

(iii) after completion of any review conducted by the Federal Chief Information Officer, where practicable—

(I) publish the assessment in the Federal Register; or

(II) disseminate the assessment electronically.

(B) **SENSITIVE INFORMATION.**—Subparagraph (A)(iii) may be modified or waived to protect classified, sensitive, or private information contained in an assessment.

(2) **CONTENTS OF A PRIVACY IMPACT ASSESSMENT.**—A privacy impact assessment shall include—

(A) a description of—

(i) the information to be collected;

(ii) the purpose for the collection of the information and the reason each item of information is necessary and relevant;

(iii)(I) any notice that will be provided to persons from whom information is collected; and

(II) any choice that an individual who is the subject of the collection of information shall have to decline to provide information;

(iv) the intended uses of the information and proposed limits on other uses of the information;

(v) the intended recipients or users of the information and any limitations on access 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—

(A)(i) develop policies and guidelines for agencies on the conduct of privacy impact assessments; and

(ii) oversee the implementation of the privacy impact assessment process throughout the Government;

(B) require agencies to conduct privacy impact assessments in—

(i) developing or procuring an information system; or

(ii) planning for the initiation of a new collection of personally identifiable information;

(C) require agencies to conduct privacy impact assessments of existing information systems or ongoing collections of personally identifiable information as the Federal Chief Information Officer determines appropriate;

(D) assist agencies in developing privacy impact assessment policies; and

(E) encourage officers and employees of an agency to consult with privacy officers of that agency in completing privacy impact assessments.

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

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

(A) **GUIDELINES FOR NOTICES.**—The Federal Chief Information Officer shall develop guidelines for privacy notices on agency websites.

(B) **CONTENTS.**—The guidelines shall require that a privacy notice include a description of—

(i) information collected about visitors to the agency's website;

(ii) the intended uses of the information collected;

(iii) the choices that an individual may have in controlling collection or disclosure of information relating to that individual;

(iv) the means by which an individual may be able to—

(I) access personally identifiable information relating to that individual that is held by the agency; and

(II) correct any inaccuracy in that information;

(v) security procedures to protect information collected online;

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

(vii) the rights of an individual under statutes and regulations relating to the protection of individual privacy, including section 552a of title 5, United States Code (commonly referred to as the Privacy Act of 1974) and section 552 of that title (commonly referred to as the Freedom of Information Act).

(2) **PRIVACY POLICIES IN MACHINE-READABLE FORMATS.**—

(A) **IN GENERAL.**—The Federal Chief Information Officer shall promulgate guidelines and standards requiring agencies to translate privacy policies into a standardized machine-readable format.

(B) **WAIVER OR MODIFICATION.**—The Federal Chief Information Officer may waive or modify the application of subparagraph (A), if the Federal Chief Information Officer determines that—

(i) such application is impracticable; or

(ii) a more practicable alternative shall be implemented.

(C) **NOTIFICATION.**—Not later than 30 days after granting a waiver or modification under subparagraph (B), the Federal Chief Information Officer shall notify the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives of the reasons for the waiver or modification.

**SEC. 219. ACCESSIBILITY TO PEOPLE WITH DISABILITIES.**

All actions taken by Federal departments and agencies under this Act shall be in com-

pliance with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

**SEC. 220. NOTIFICATION OF OBSOLETE OR COUNTERPRODUCTIVE PROVISIONS.**

If the Federal Chief Information Officer makes a determination that any provision of this Act (including any amendment made by this Act) is obsolete or counterproductive to the purposes of this Act, as a result of changes in technology or any other reason, the Federal Chief Information Officer shall submit notification of that determination to—

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

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

### **TITLE III—AUTHORIZATION OF APPROPRIATIONS AND EFFECTIVE DATE**

**SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

Except for those purposes for which an authorization of appropriations is specifically provided in this Act, including the amendments made by this Act, there are authorized to be appropriated such sums as may be necessary to carry out this Act for each of fiscal years 2002 through 2006.

**SEC. 302. EFFECTIVE DATE.**

This Act and the amendments made by this Act shall take effect 120 days after the date of enactment of this Act.

#### **E-GOVERNMENT ACT OF 2001—SECTION-BY-SECTION DESCRIPTION**

##### **TITLE I: OFFICE OF MANAGEMENT AND BUDGET E-GOVERNMENT SERVICES**

###### *Sec. 101: Federal Chief Information Officer (CIO)*

Establishes a Federal CIO, reporting directly to the Director of OMB, with responsibility for the development, application, and management of information resources for the federal government. The Federal CIO is appointed by the President and confirmed by the Senate. Delegates to the Federal CIO responsibility for implementation of the Privacy Act, oversight of information technology (IT) capital planning and performance pursuant to the Clinger Cohen Act, oversight of implementation of the Government Paperwork Elimination Act, promulgation of federal computer systems standards and guidelines, consultation on expenditures from GSA's IT fund, and government-wide statistical policy.

###### *Sec. 102: Office of Information Policy and Office of Information and Regulatory Affairs*

Establishes the new Office of Information Policy, headed by the Federal CIO. The existing Office of Information and Regulatory Affairs retains responsibility for information collection review functions. Other functions prescribed by the Paperwork Reduction Act, such as information dissemination functions, are the responsibility of the Federal CIO and the Office of Information Policy. Specifies that the offices will coordinate their efforts.

###### *Sec. 103: Management and Promotion of Electronic Government Services*

Creates a new Chapter 36 in Title 44 of the United States Code.

Section 3602 specifies some of the Federal CIO's information resource management (IRM) functions, which include: Reviewing agency budget requests related to IT capital planning and investment; evaluating those investments with respect to performance and results; reviewing legislative proposals related to IT capital planning and investment; advising the OMB Director on the resources required to effectively operate information systems; recommending to the Director changes in government-wide strategies and priorities for IRM; establishing IRM policies

and requirements for executive branch agencies; promoting innovative uses of IT, especially initiatives involving multi-agency collaboration; administering the distribution of funds from an "E-Government Fund"; consulting with the GSA Administrator on the use of the GSA's IT fund; chairing the CIO Council; establishing and promulgating IT standards and guidelines for interconnectivity and interoperability, categorizing and labeling government electronic information to enhance search capabilities, and computer system efficiency and security; establishing several forums for communicating with IRM leaders in the regulatory executive branch agencies, legislative and judicial branches, and in state, local, and tribal governments; establishing a cross-sector forum on IRM with representatives from federal agencies and the private, nonprofit, and academic sectors to encourage collaboration; developing and promoting an integrated, standardized, Internet-based system (a portal) for providing government information and services to the public by function and from a single point; coordinating with the Office of Federal Procurement Policy in implementing electronic procurement initiatives; assisting federal entities in implementing accessibility standards, and ensuring compliance with those standards; and administering the Office of Information Policy.

This section also requires the Director of OMB to ensure that the Office of Information Policy has adequate employees and resources to fulfill its statutory functions, and it authorizes \$15 million for fiscal year 2002, and such sums as are necessary for fiscal years 2003 through 2006, for maintaining the Internet portal described in the section.

Section 3603 establishes a CIO Council, chaired by the federal CIO, and consisting of representation from CIO's of all major federal agencies. The Council will receive administrative and other support, including funding, from GSA. The Council is designated the principal interagency forum for improving agency practices related to all aspects of federal government information resources. Its responsibilities include: Developing recommendations for the Federal CIO on information resources management (IRM) policies, and assisting the CIO in developing a government-wide strategic plan; sharing experiences and best practices related to IRM; providing recommendations to the Federal CIO regarding the use of E-Government Fund; coordinating the development of common performance measures for agency IRM; working with NIST to develop recommendations on IT standards; and working with the OPM to address the hiring, training and professional development needs of the government with respect to IRM.

Section 3604 establishes an E-Government Fund within the Dept of the Treasury to fund interagency IT projects and other innovative uses of IT. It authorizes \$200,000,000 in fiscal years 2002 through 2004 for the Fund and such sums as are necessary for fiscal years 2005 through 2006. Proposed projects are reviewed by a committee of the CIO council according to specified criteria; after receiving the committee's recommendation, the Federal CIO determines which of the projects should be funded. Appropriators and authorizing committee are notified in advance of the intended uses of the funds, and the Federal CIO reports annually to the President and Congress on the operation of the fund.

## TITLE II: FEDERAL MANAGEMENT AND PROMOTION OF E-GOVERNMENT SERVICES

### Sec. 201: Federal Agency Responsibilities

Specifies that federal agencies are responsible for complying with the Act and policies and standards established by the Federal

CIO, and for supporting the efforts of the Federal CIO to maintain the Government's online portal. It also specifies that agency CIO's will participate in the CIO Council and monitor the implementation within their agencies of common IT standards. Each agency will submit to the Federal CIO an annual E-Government Status Report on the current status of agency information and services available online.

### Sec. 202: Compatibility of Methods for Use and Acceptance of Electronic Signatures

Requires each executive agency to ensure that its methods for use and acceptance of electronic signatures are compatible with OMB procedures and standards. The GSA Administrator will support OMB by establishing the federal bridge certification authority to allow efficient interoperability among executive agencies when certifying digital signatures. GSA will be authorized \$7,000,000 for FY2002 appropriations, and such sums as may be necessary each fiscal year thereafter for development and operation of a federal bridge certification authority.

### Sec. 203: Online Federal Telephone Directory

Requires GSA, in coordination with the CIO Council, to develop and issue an online federal telephone directory organized and retrievable by function and by agency. The telephone directory will be provided to local telephone book publishers to encourage publication of functionally arranged directories. Executive agencies are required to publish an online agency directory, accessible by electronic links to the federal telephone directory, including contact information for principal departments and employees.

### Sec. 204: Online National Library

Requires the establishment of an online national library as a collaboration between several federal agencies, including the National Science Foundation, Smithsonian, and the Library of Congress, to provide public access to educational resource materials. The materials will be functionally integrated without regard to the boundaries of the contributing institutions. For the development, expansion and maintenance of the national library, NSF and the Library of Congress are each authorized \$5,000,000 for FY 2002, and such sums as may be necessary each fiscal year thereafter.

### Sec. 205: Federal Courts

Requires each federal court to establish a website that would include public information such as location and contact information for courthouses, local rules, docket information for each case, and access to written opinions issued by the court, in a text searchable format. Documents filed electronically, and those converted to electronic form, shall also be made available. The Judicial Conference may promulgate rules to protect privacy concerns. The existing PACER electronic docketing system will no longer be required to charge fees to users. Court websites are required to be established no later than 2 years after the Act's effective date, with access to documents filed electronically no later than 4 years. Any court may elect not to comply with any requirement of this section, but Congress is notified of all such decisions and the reasons for the decisions.

### Sec. 206: Regulatory Agencies

Requires that agencies post on their websites all information about the agencies' regulatory proceedings that is required to be published in the Federal Register. Agencies must accept submissions in regulatory proceedings by electronic means (including e-mail and fax). Agencies shall also establish electronic dockets for online rulemaking. Electronic dockets shall make available all

agency notices, publications, or statements related to each rulemaking, and all submissions made pursuant to the rulemaking. Agencies can opt out of the section's electronic docket requirement. Websites are required to be established no later than 2 years after the Act's effective date, with submission by electronic means no later than 4 years.

### Sec. 207: Integrated Reporting Feasibility Study and Pilot Projects

Requires the Federal CIO to conduct a study on the feasibility of integrating federal information systems across agencies by addressing the feasibility of (1) integrating data elements used in the electronic collection of information, (2) developing software for assembling, documenting, and validating the accuracy of electronically submitted data, (3) developing a distributed information system, involving at least 2 agencies, that provides public access to the information holdings of an agency, and (4) incorporating other data elements related to the purposes of this section. To collect information for the study, the Federal CIO will implement no more than 5 pilot projects that integrate data elements with the goals of reducing information collection burdens by eliminating duplicative data elements, and establishing interoperability between public databases. The resulting report, which shall be submitted to Congress within three years of the date of enactment, will include recommendations that Congress or the executive branch can implement to reduce the burden on reporting and strengthening public access.

### Sec. 208: Online Access to Federally Funded Research and Development

Provides for the formation of an inter-agency task force to review current databases of federally funded research and development, then develop recommendations on standards for the collection and dissemination of essential information about such data that addresses both public availability and agency coordination and collaboration. No later than 1 year after enactment of this Act, the Federal CIO will promulgate standards and regulations based on the recommendations, and determine which agencies should maintain databases and a website providing online access to the information. The respective agencies will then develop any required databases and a centralized, searchable website. The website will be operational within 2 years after the date of enactment. \$1,000,000 is authorized for FY 2002, \$5,000,000 for FY 2003, and such sums as may be necessary for fiscal years 2004 through 2006.

### Sec. 209: Common Protocols for Geographic Information Systems (GIS)

Requires the Department of the Interior, in consultation with the National Institute of Standards and Technology, private sector experts, and other interested parties, to facilitate the development of common protocols for geographic information to maximize the electronic compatibility of geographic information from various sources and promote the development of interoperable GIS technologies for low-cost use and sharing of geographic data by government entities and the public. The Federal CIO will oversee the agency initiative and promulgate the resulting standards.

### Sec. 210: Share-In-Savings Program Improvements

Encourages the use of the share-in-savings contracting approach (in which the contractor is paid from the savings realized) for IT projects, and allows the agency conducting a project to retain a portion of the savings realized, and use those funds to acquire additional information technology. If

the share-in-savings pilot projects are successful, the GSA Administrator may provide general authority to executive agencies to use the contracting approach.

*Sec. 211: Enhancing Crisis Management Through Advanced Information Technology*

Provides for a 2-year study, conducted by the National Academy of Sciences, to develop a research and implementation strategy for effective use of IT in crisis response and consequence management of natural and manmade disasters. The study will identify opportunities for research and development on enhanced technologies for improving communications with citizens at risk, enhancing the use of remote sensor data for planning, advance warning, and response, building more trustworthy systems for communications in crises, and facilitating coordinated actions among responders. \$800,000 for FY 2002 would be authorized for the research.

*Sec. 212: Federal Information Technology Training Center*

Requires the establishment of an IT training center to (1) analyze the personnel needs related to IT on an ongoing basis, (2) design curricula, training methods and training schedules, and (3) recruit and train federal employees in IT disciplines at a rate that ensures that government's needs are met. The curricula will cover a broad range of IT disciplines, will be adaptable to varying levels of expertise, and will include the use of self-paced courses, online courses, on-the-job training, and remote instructors. \$7,000,000 is authorized for the Office of Personnel Management for FY 2002, and such sums as may be necessary each fiscal year thereafter for developing and operating the training center.

*Sec. 213: Community Technology Centers*

Provides for a study by the Department of Education to evaluate the best practices being used by Community Technology Centers (CTC's) that receive federal funds; the resulting report will include an evaluation of CTC's best practices, a strategy for establishing a network to share information and resources as CTC's evolve, an analysis of whether CTC's have been deployed effectively throughout the country, a database of all CTC's receiving federal funds, and recommendations for enhancing the development of CTC's. The Federal CIO will work with relevant agencies and the private and non-profit sectors to provide assistance to CTC's, public libraries, and other institutions that provide computer and Internet access to the public. OPM will provide IT training curricula, and the Department of Education will develop an online tutorial. The Department of Education will be authorized \$2,000,000 for FY2002, \$2,000,000 for FY2003, and such sums as are necessary in fiscal years 2004 through 2006.

*Sec. 214: Disparities in Access to the Internet*

Provides for a non-profit, non-partisan organization selected by the Federal CIO to conduct a study of how disparities in Internet access influence the effectiveness of online government services. The study will include recommendations on how to ensure that online government initiatives will not have the unintended result of increasing any deficiency in public access to government services. The section also provides that when promulgating policies and implementing programs that provide services over the Internet, the Federal CIO and agency heads shall ensure that the availability of government services has not been diminished for individuals who lack access to the Internet. The Federal CIO and agency heads are also directed to pursue technologies that make government services and information more ac-

cessible to individuals who do not have access to the Internet. \$950,000 is authorized in FY2002 to carry out this section.

*Sec. 215: Accessibility, Usability and Preservation of Government Information*

The section establishes an Advisory Board on Government Information comprised of members from federal agencies, and from the public, private and nonprofit sectors. Based on information provided by each agency, the Board will recommend standards for (1) establishing permanent public access to government information disseminated on the Internet, (2) developing inventories of government information, and (3) cataloguing and indexing government information. Based on these recommendations, and after public notice and opportunity for comment, the federal CIO will promulgate standards and issue regulations, which agencies will then implement. Specifically, this section requires that the following steps be taken:

*Permanent Public Access:* The Board will make recommendations on standards for permanent public access to government information disseminated on the Internet, including a definition of the types of information to which the standards apply, and the process for implementing permanent public access (due 30 months after enactment). The Federal CIO will issue regulations requiring standards for permanent public access, and agencies will implement the standards. Agencies are also required to report annually on their efforts in this area.

*Inventories of Government Information:* The Board will identify all classes of government information, and recommend which classes of information should be inventoried and how the inventories should be conducted. The Federal CIO will then issue regulations describing the scope and timetables for the inventories. Completed agency inventories will be posted online and linked to the federal government portal. Agencies are also required to inventory their websites, and electronically post the inventories, within 180 days of the Act's effective date.

*Cataloguing and Indexing of Government Information:* The Board will review cataloguing and indexing standards currently used by federal agencies, and determine whether they are in the public domain and interoperable (due 18 months after the Act's effective date). The Federal CIO will issue regulations requiring interoperable standards that are in the public domain. The Board will also review completed agency inventories and existing statutory and regulatory requirements, and recommend which government information should be catalogued and indexed, and the priorities for completing that work. The Federal CIO will then issue regulations specifying which government information shall be catalogued and indexed, and setting timetables. Indexes and catalogues completed by agencies will be posted on a centralized searchable database, which will be linked to the Federal Government portal.

Agencies will also determine, after public comment, which information to make available on the Internet, and shall develop priorities and schedules for doing so (due 1 year after the completion of agency inventories).

*Sec. 216: Public Domain Directory of Federal Government Websites*

Requires the development, through inter-agency collaboration, of a public domain directory of federal government websites on the Internet. The directory will be based on a taxonomy of subjects used to categorize Federal Government websites, and will be linked to the Federal Government portal.

*Sec. 217: Standards for Agency Websites*

Requires the federal CIO to promulgate standards and criteria for agency websites no

later than 1 year after the Act's effective date. These standards include requiring links to (1) privacy statements, (2) descriptions of an agency's mission and statutory authority, (3) electronic reading rooms, (4) agency regulations, rules and rulemaking materials, (5) information about the organizational structure of the agency, and (6) an agency's strategic plans. The standards will also include minimum requirements to aid in navigating websites, such as speed of retrieval of search results, the relevance of the results, and tools to aggregate and disaggregate data.

*Sec. 218: Privacy Provisions*

Specifies that an agency will conduct a privacy impact assessment before developing or procuring an information system, or initiating a new collection of personally identifiable information that will be processed electronically. The assessment will be submitted to the federal CIO and include a description of: the information to be collected, the purpose for the collection and reason each item is necessary, any notice that will be provided to persons from whom the information is collected, and any choice that an individual who is the subject of the collected information has to decline to provide the information, the intended uses of the information and proposed limits on other uses, the intended users or recipients of the information and any limitations on reuse or redisclosure, the retention period, whether and by what means the individual who is the subject of collected information has access to that information, and security measures to protect the information.

The section also requires the Federal CIO to establish guidelines mandating the posting of privacy notices on agency websites, and lists information that must be included in privacy policies. The Federal CIO will also promulgate guidelines requiring agencies to translate privacy policies into a standardized machine readable format.

*Sec. 219: Accessibility to People with Disabilities*

Specifies that all actions taken by the federal government under this Act will comply with section 508 of the Rehabilitation Act of 1973.

*Sec. 220: Notification of Obsolete or Counterproductive Provisions*

Specifies that if the Federal CIO determines that any provisions of this Act is obsolete or counterproductive, as a result of changes in technology or any other reason, the Federal CIO will notify the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives.

TITLE III: AUTHORIZATION OF APPROPRIATIONS AND EFFECTIVE DATE

*Sec 301: Authorization of Appropriations*

Except for those purposes for which the Act specifically provides an authorization, authorizes to be appropriated such sums as may be necessary to carry out the Act for fiscal years 2002 through 2006.

*Sec 302: Effective Date*

Specifies that the Act shall take effect 120 days after the date of enactment.

Mr. MCCAIN. Mr. President, I would like to join my colleagues, Senator LIEBERMAN, Senator BURNS, Senator BINGAMAN, Senator FITZGERALD, Senator DASCHLE, Senator CARPER, Senator DURBIN, Senator JOHNSON, Senator KERRY, Senator LEAHY, and Senator LEVIN today in introducing the E-Government Act of 2001. I believe that this bill will play an important role in making the federal government more responsive to our citizens.



Currently, it can be very challenging for most Americans to find the information they need about their government. For example, if someone was looking for information on an issue pertaining to international trade, he or she would have to look at the web sites of the Department of Commerce, United States Trade Representative, International Trade Commission, possibly the Department of State or Agriculture, and a myriad of House and Senate Committees to find the information they seek. This process will undoubtedly frustrate the average American, and reinforce feelings of a remote, confusing government. Today, less than one percent of current interactions between government and citizens are online. There is clearly need for improvement.

This legislation will help create a coordinated government electronic policy. By establishing a Federal Chief Information Officer to operate within the Office of Management and Budget, the federal government will use staff and resources more effectively to promote e-government and address the nation's other pressing information policy issues. In addition, the bill establishes an Interagency Information Technology Fund to break down existing bureaucratic barriers, and set up a "one-stop shopping" portal that will make it easier for the public to access information. Finally, the bill will task the Office of Personnel Management to respond to the shortage of skilled Information Technology professionals in the federal government.

This bill is not simple, and I realize that some issues it raises must still be resolved. I believe that the Administration and relevant Congressional oversight committees must be involved in this process. I know that my colleague, the Chairman of the Government Affairs Committee, Senator THOMPSON, will examine this issue, and I would like to work with him to resolve any issues that he, or any other Member, may have with this legislation.

In conclusion, I urge my colleagues to support this legislation. It is important that we seriously examine how to use the Internet and other electronic commerce processes to make the federal government more open to public scrutiny.

By Mrs. FEINSTEIN (for herself, Ms. SNOWE, Mr. SCHUMER, Ms. COLLINS, and Mr. REED):

S. 804. A bill to amend title 49, United States Code, to require phased increases in the fuel efficiency standards applicable to light trucks; to require fuel economy standards for automobiles up to 10,000 pounds gross vehicle weight; to raise the fuel economy of the Federal fleet of vehicles, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mrs. FEINSTEIN. Mr. President, I am very pleased today to be joined by Senator OLYMPIA SNOWE to introduce

this important legislation to gradually phase-in the fuel efficiency standards for SUVs and light duty trucks by 2007.

I would also like to thank the other cosponsors: Senators CHARLES SCHUMER, SUSAN COLLINS and JACK REED.

Put simply, this is the single most effective action we can take to limit our reliance on foreign oil, save consumers at the pump, and reduce global warming.

Today, the U.S. has 4 percent of the world's population, yet we use 25 percent of the planet's energy.

So as the world's largest energy consumer, I believe it is our responsibility to make every effort to be the world's leader in conservation.

Specifically, the results of this bill would be substantial. It would: Save America one million barrels of oil a day; reduce oil imports by 10 percent; and prevent 240 million tons of carbon dioxide emissions from entering the atmosphere—this is the single biggest cause of Global Warming.

Today, the fuel economy standard for passenger vehicles is 27.5 miles per gallon, while the standard for SUVs and light duty trucks is 20.7 miles per gallon due to a loophole in the 1975 law.

The result: SUVs and light trucks now comprise nearly half of new car sales, bringing the average fuel economy of all the nation's new vehicles to its lowest point since 1980.

The Feinstein-Snowe legislation would: Phase in fuel economy standards for SUVs and all other light duty trucks on the following schedule: By 2002, SUVs and light duty vehicles must average 22.5 miles per gallon; by 2005, SUVs and light duty vehicles must average 25 miles per gallon; and by 2007, SUVs and light duty vehicles must average 27.5 miles per gallon; require that vehicles up to a weight of 10,000 pounds must qualify for fuel efficiency standards by 2007. The current limit is 8,500 pounds; increase the fuel economy of new vehicles comprising the federal government fleet by 6 miles per gallon by 2005.

Last year, former Senators Slade Gorton, Richard Bryan and I fought an uphill battle to try and find a way to increase these fuel economy standards.

But, we were stymied by the auto industry and their supporters in Congress.

Ultimately, at the end of the session, we reached an agreement that directed the National Academy of Sciences to study whether, in fact, we could raise fuel efficiency with sacrificing safety or competitiveness.

Recently, the automakers have said that they will not actively oppose increases in fuel efficiency standards.

The Big Three manufacturers have promised a voluntary increase in efficiency for SUVs by 25 percent by 2005.

This is an important step forward, but we need to do more. I believe this bill is the best way to do that.

By Mr. WELLSTONE (for himself, Mr. COCHRAN, Ms. COLLINS,

Mr. BENNETT, Mr. BREAUX, Mr. BUNNING, Mrs. CLINTON, Mr. CORZINE, Mr. DASCHLE, Mr. DAYTON, Mr. DORGAN, Mr. HUTCHINSON, Mr. JOHNSON, Mr. KERRY, Mr. KOHL, Ms. MIKULSKI, Mr. SARBANES, Mr. SCHUMER, Ms. SNOWE, Ms. STABENOW, and Mr. VOINOVICH):

S. 805. A bill to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Duchenne, Becker, limb girdle, congenital, facioscapulohumeral, myotonic, oculopharyngeal, distal, and emery-dreifuss muscular dystrophies; to the Committee on Health, Education, Labor, and Pensions.

Mr. WELLSTONE. Mr. President, this is the Muscular Dystrophy Community Assistance, Research And Education Act of 2001. It really is the MD CARE Act. I thank Senators COCHRAN and COLLINS, especially, for their assistance. There are 20 colleagues who support this legislation. It is about equally divided between Democrats and Republicans, thank God, because of what this piece of legislation is about.

To look at the record of research on these debilitating and deadly diseases is to realize that despite our country's enormous resources, sometimes people are left behind. Today, despite all the advances in medical science, victims of muscular dystrophy—which afflicts tens of thousands of individuals every year in America—have no cure and no effective treatments available to them.

I became engaged with the muscular dystrophy community when I was approached by several families in my home state of Minnesota with children suffering from Duchenne's muscular dystrophy (DMD). DMD is the most prevalent form of muscular dystrophy affecting children and it is the most deadly.

Children with DMD are most often not diagnosed before the age of two or three years. Because it is sex-linked, the disease only strikes boys but in reality, it strikes the entire family.

DMD children don't begin to walk until late, and then in an unusual manner. They frequently fall and have difficulty getting up. Climbing stairs is a major ordeal.

By age 9 these children start to rely on a wheelchair and by their teen years reliance becomes total.

Most tragically, the disease is characterized by a continued rapidly progressive muscle weakness that almost always results in death by 20 years of age.

I have three children, ages 36, 31, and 28. I cannot imagine this.

Children afflicted with Duchenne Muscular Dystrophy have no ability to produce the protein dystrophin, the protein that binds the muscle cells together. It is an exceptionally cruel disease that slowly robs boys of their independence and ultimately immobilizes them, leading invariably to an early loss of life.

Sadly, the federal response to this disease has been inadequate. This year, in an NIH budget of more than \$18 billion, research into Duchenne and Becker Muscular Dystrophies totals just \$9.2 million. Only \$17 million was devoted last year to all of the muscular dystrophies combined. If you want to understand why there is nothing available to treat DMD children, you need look no further than the weak federal response to this disease. The gene that is flawed in this disease is readily identifiable, and has been so for 14 years. Astonishingly, however, the pace of research on DMD actually slowed down after the gene was discovered.

One DMD child back in Minnesota that I have become especially fond of is Jacob Gunvalsen. Jacob is an adorable 10-year-old. He loves to play with his siblings out on his parents' farm, draw pictures for his family's refrigerator and play video games. Jacob and his mother Cheri Gunvalsen have made quite an impression on several members of Congress, and Jacob's picture adorns the desks of numerous health care legislative staff throughout Washington. This is because like so many other parents facing the day-to-day experience of living with a child suffering from this debilitating disease, Cheri is focused on leaving no stone unturned in her quest to help improve her son's chance of survival. One day, Jacob drew a picture of himself, and in a cloud above his figure he wrote the words, "What I want most in the world is a cure for Duchenne Muscular Dystrophy". I say to my colleagues, that's what I want, too. Today, we are getting one step closer to making Jacob's wish come true.

David Mesick, also of Minnesota, is the Chairman of the Parent Project Muscular Dystrophy, a national voluntary health organization committed to promoting medical research efforts specific to Duchenne and Becker muscular dystrophies. Through David's leadership and the organization's efforts, the muscular dystrophy community has successfully increased Congress' awareness of this devastating disease. Today, their voices are being heard here on the floor of the Senate. I have been moved by the number of families in Minnesota and elsewhere who have been affected by this disease, and I have been moved even more by their tenacious response. We can support this community by improving federal research efforts and public programs to address the needs of individuals with muscular dystrophy.

Mr. President, passage of this legislation will improve coordination of research not only into Duchenne's, but into all the various forms of Muscular Dystrophy. It authorizes the National Institutes of Health (NIH) and the Centers for Disease Control and Prevention (CDC) to establish separate Centers of Excellence to promote basic and clinical research, epidemiology, data collection and assessment on the various forms of muscular dystrophy. These

steps are needed to ensure a long-term commitment by the federal government to the treatment and cure of muscular dystrophy.

I am neither a scientist nor a physician. But I am told that it is highly probable that sooner or later gene therapy will be able to cure diseases of this nature. For diseases like Duchenne's muscular dystrophy, involving flaws on a single, identifiable gene, the outlook is even more positive. Yet the words 'sooner' and 'later' have profound consequences in the lives of tens of thousands of Americans and their families. With the introduction of the MD CARE Act, we move a step closer to giving those families hope. I encourage my colleagues on the Senate HELP Committee to work steadfastly to move this crucial legislation through the Senate, and I urge all colleagues to support it.

I also think of Eric Anderson who is such a good friend of my son. David and Eric came to Washington. So many of the families who came, and many came with their children, were so young and their children were so young. Time is not neutral for them. There is an excellent chance we can make a real breakthrough in finding a cure. It is not too much that these families ask for and it is not too much to pass this legislation and try and push forward a commitment to the funding, a commitment to this research.

This is one of those diseases. I hate to label, so few are affected, but for these children and these families, they are not too few in number. These are their lives. These are their hopes. These are their dreams. This is their pain. This is their agony. I want to turn this into hope. I ask all of my colleagues to support this legislation.

I am very pleased this has strong bipartisan support.

By Mr. HUTCHINSON:

S. 806. A bill to guarantee the right of individuals to receive full social security benefits under title II of the Social Security Act with an accurate annual cost-of-living adjustment; to the Committee on Finance.

Mr. HUTCHINSON. Mr. President, I ask unanimous consent that the text of Full Social Security Benefits Guarantee Act be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 806

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Full Social Security Benefits Guarantee Act".

#### SEC. 2. GUARANTEE OF FULL SOCIAL SECURITY BENEFITS WITH ACCURATE ANNUAL COST-OF-LIVING ADJUSTMENT.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of the Treasury shall issue to each individual who, as of such date, is receiving benefits under title II of the Social Security

Act (42 U.S.C. 401 et seq.) and, thereafter, to each individual who applies for such benefits, a certificate representing a legally enforceable guarantee—

(1) of the monthly amount of benefits that the individual will receive under that title, as determined on the date of the issuance of the certificate; and

(2) that the benefits will be adjusted—

(A) not less frequently than annually on the basis of an accurate determination of the increase in the cost-of-living of the individual; and

(B) as a result in a change in the eligibility status of the individual under that title.

(b) ENTITLEMENT.—Any certificate issued under the authority of this section constitutes budget authority in advance of appropriations Acts and represents the obligation of the Federal Government to provide for the payment to the individual to whom the certificate is issued benefits under title II of the Social Security Act (42 U.S.C. 401 et seq.) in the amounts set forth in the certificate and adjusted thereafter as described in subsection (a)(2).

By Mr. CORZINE:

S. 807. A bill to promote youth financial education; to the Committee on Health, Education, Labor, and Pensions.

Mr. CORZINE, Mr. President, today I am introducing the Youth Financial Literacy Act to address an important issue in education: teaching students the basic principles of financial literacy.

Unfortunately, when it comes to personal finances, young Americans do not have the skills they need. Too few understand the details of managing a checking account, for example, or using a credit card. It is time to make sure that our education system teaches our children all the skills they need, including the fundamental principles involved with earning, spending, saving and investing, so that they can manage their own money and succeed in our society.

We have just finished tax season, and a recent survey by the non-profit JumpStart Coalition reveals that the average high school student knows very little about how taxes will affect her take-home pay. The study also found that, on average, only 36 percent of surveyed high school students could correctly answer basic personal finance questions, and only 33 percent of students believed that financial issues strongly impacted their daily lives.

Young people today face an exceedingly complex financial system that is laced with pitfalls. Credit card companies lure naive college students, encouraging them to spend liberally. Music companies offer extraordinary deals such as "8 CDs for one penny!" and then trap customers into purchasing unwanted music every month. Many of our children are simply unaware of the dangers of these kinds of offers.

We also must make sure that the next generation is prepared to deal with the challenges they will find in the workplace. Rather than providing specific benefits, many companies are now encouraging employees to buy

their own health insurance coverage and arrange their own retirement plans. The onus is now on the worker, who will need to understand the ins and outs of benefits programs in order to best provide for themselves and their families.

This Congress is seeking to change the rules governing bankruptcy. I agree with the proponents of that legislation about the importance of holding Americans accountable for their financial obligations, indeed, our economy depends on the willingness of people to pay their bills and act responsibly, but this legislation will mean that people who have been plunged into debt must negotiate a more complex system and face very serious consequences. It will be all the more critical that the next generation learns how to better manage their money to stay out of debt.

It is time for our schools to take on the challenge of preparing our children to succeed in every way, including their financial decisions. Young people need to learn the skills that will help them stay out of debt, maintain a good credit record, and save money for the future.

In New Jersey, I am happy to say that many have already started the ball rolling on financial literacy education. My state allows local schools the option of offering financial education in high school, and the New Jersey Coalition for Financial Education is working with the New Jersey Department of Education to develop and implement core curriculum standards. Some in the business community have decided to help out as well. In South Orange and Maplewood, the Allegiance Community Bank has partnered with the Saturn Corporation to provide financial education to local schoolchildren. We in Congress ought to recognize and support more effort like these.

I am not alone in advocating the importance of financial literacy. Federal Reserve Chairman Alan Greenspan said recently that "Improving basic financial education at the elementary and secondary school levels is essential to providing a foundation for financial literacy that can help prevent younger people from making poor financial decisions." In Wisconsin, Governor Scott McCallum has introduced a program to help high school teachers integrate financial literacy into their classrooms.

Today, I hope to elevate the discussion of this issue by introducing the Youth Financial Education Act, which would provide grants to states to help them develop and implement financial education programs in elementary and secondary schools, including helping to prepare teachers to provide financial education. It would also establish a national clearinghouse for instructional materials and information regarding model financial education programs.

We must not sit idly by while so many of our children lack financial literacy. So I ask for my colleagues to join me in support of the Youth Finan-

cial Literacy Act, to help ensure that our next generation is prepared to meet the challenges of the new economy.

By Mr. BAUCUS (for himself, Mr. THOMPSON, Mr. CRAIG, and Mr. BURNS):

S. 808. A bill to amend the Internal Revenue Code of 1986 to repeal the occupational taxes relating to distilled spirits, wine, and beer; to the Committee on Finance.

Mr. BAUCUS. Mr. President, it is with great pleasure that I join my good friend and colleague, Senator FRED THOMPSON, today in introducing legislation that will repeal the Special Occupational Tax, SOT, on taxpayers who manufacture, distribute, and sell alcoholic beverages. The special occupational tax is not a tax on alcoholic products but rather operates as a license fee on businesses. The tax is imposed on those engaged in the business of selling alcohol beverages. This is an inequitable tax that has outlived its original purpose and is a clear example of an antiquated approach to federal taxation. Believe it or not, this tax was originally implemented to help finance the Civil War.

The SOT on alcohol was dramatically increased during a budget process in 1988 and has unfairly burdened business owners across the country. From Thompson Falls to Sidney, from Chinook to Billings, small businesses are burdened with yet another tax in the form of the (SOT). According to the AFT, there are 480,427 locations nationwide that pay SOT's every year, including 458,603 retailers. These retail establishments account for \$114 million out of \$126 million in SOT revenues.

In Montana, there are 3,378 locations, including 3,172 retail businesses, which pay more than \$1 million dollars in the SOT every year. Seasonal resorts in Whitefish and Yellowstone, "mom and pop" convenience stores in Butte, and bowling alleys, flower shops, and restaurants across Montana and the United States pay the Federal government almost \$100 million per year for the privilege of running businesses that sell beer, wine, or alcoholic beverages. For example, a small business owner in Helena, Montana runs several convenience stores and a few restaurants. The SOT for each establishment is \$250. As a result, he pays \$1750 a year in SOT payments that are in the nature of business license fees. In fact, a chain of four neighborhood food stores pays the same annual tax as the nation's largest single site brewery or distillery \$1,000. This is not what Congress had in mind 150 years ago, and I don't believe it is a situation we want today.

Repeal of the SOT on alcohol is supported by a broad-based group of business organizations enjoys wide-spread bipartisan support on Capitol Hill. Similar legislation has been introduced in the House this year and bills have been considered in previous Congresses, but for one reason or another, the laws

were not enacted. The GAO has examined the efficacy of the SOT several times and found it fundamental flawed. The staff of the Joint Committee on Taxation recommended in its recently released study on tax simplification that this special occupational tax be eliminated.

It is time for us to move forward and enact legislation to repeal the SOT on alcohol. We urge our colleagues to join us in this endeavor.

By Mr. REID (for himself and Mr. ENSIGN):

S. 809. A bill to direct the Secretary of the Interior to sell certain land to the town of Kingston, Nevada, for use as an emergency medical air evacuation site and for other public uses; to the Committee on Energy and Natural Resources.

Mr. REID. Mr. President, I rise today to introduce the Town of Kingston Emergency Landing Strip Conveyance Act.

The residents of Kingston in southern Lander County, NV, depend on an emergency landing strip owned by the Bureau of Land Management, BLM. Kingston is a small rural town of 780 people located on an island of private land in central Nevada, which is surrounded by public lands owned by the United States Forest Service and the BLM. Lack of private land around Kingston constrains the growth, economic diversity, and public services available to those who live in or visit Kingston. The local Fire and Rescue maintains an agreement with Medic Air of Reno to provide 24-hour emergency medical service to this landing strip. However, BLM cannot re-issue an airport lease to the Kingston Town because the strip does not meet FAA standards.

This bill will convey 144.88 acres to the Town of Kingston. Seventy acres will be conveyed at fair market value and 74.88 acres at no cost. The 70 acres to be conveyed at fair market value includes the main landing strip. The 74.88 acres to be conveyed at no cost includes the balance of the approach; and the disposal of this land for no consideration will benefit the United States because it is an isolated, segregated parcel that would be difficult to manage for public use. I hope that Congress will pass the Town of Kingston Emergency Landing Strip Conveyance Act for the benefit of rural Nevadans, federal managers, and the residents of Kingston.

I ask unanimous consent that the full text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 809

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. CONVEYANCE.

(a) FINDINGS.—Congress finds that—

(1) the lease by the Secretary of the Interior of certain land to the town of Kingston,

Nevada, for use as an emergency airstrip has expired;

(2) rather than renew the airport lease (which would require certification by the Federal Aviation Administration), the Secretary and the Town desire that the parcel on which the main landing strip is situated be sold to the Town for fair market value as determined by the Secretary;

(3) adjacent to that parcel is other land, most of which, if the airstrip parcel is sold to the Town, would be isolated from other land administered by the Secretary and would therefore be difficult for the Secretary to manage;

(4) it would in the best interests of the United States and the Town for the Secretary to convey to the Town both the airstrip parcel and the adjacent parcel, at the fair market value of the airstrip parcel; and

(5) the parcels have been determined to be suitable for disposal in the Shoshone-Eureka Resource Management Plan and Environmental Impact Statement.

(b) DEFINITIONS.—In this section:

(1) ADJACENT PARCEL.—The term “adjacent parcel” means the parcels of land in the State of Nevada, comprising 74.88 acres, described as Mount Diablo Meridian, T16N, R44E, section 31, lot 4, E1/2NESE, S1/2SWNESE, S1/2S1/2NWSE.

(2) AIRSTRIP PARCEL.—The term “airstrip parcel” means the parcels of land, with a landing strip running on an easterly bearing and a portion of a landing strip running on a southerly bearing, in the State of Nevada, comprising 70.00 acres, described as Mount Diablo Meridian, T16N, R44E, section 31, N1/2SESW, N1/2SWSE, N1/2SESE, SESESE.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(4) TOWN.—The term “Town” means the town of Kingston, Nevada.

(c) CONVEYANCE.—

(1) IN GENERAL.—Subject to valid existing rights and paragraph (2), the Secretary shall convey to the Town all right, title, and interest of the United States in and to the airstrip parcel and the adjacent parcel, totaling 144.8 acres.

(2) CONDITIONS.—

(A) AIRSTRIP PARCEL.—The Secretary shall convey the airstrip parcel under paragraph (1) by direct sale, at fair market value.

(B) ADJACENT PARCEL.—The Secretary shall convey the adjacent parcel under paragraph (1) for no consideration.

(d) NO RESERVATIONS.—The patent by which the conveyance under subsection (c) is made shall contain no reservations.

By Mr. McCONNELL (for himself and Mrs. LINCOLN):

S. 810. A bill to amend the Internal Revenue Code of 1986 to clarify the amount of the charitable deduction allowable for contributions of food inventory, and for other purposes; to the Committee on Finance.

Mr. McCONNELL. Mr. President, I rise today to introduce legislation to remedy the shortage of food donations that plagues food banks and other organizations dedicated to ending hunger in America.

It is a sad truth that hunger continues to persist even as our economy has broken records over the past decade. If we take a look at the dynamics of the restaurant industry, new construction, long lines for tables, oversized portions of food, it is obvious that food supply is not the problem.

The problem is waste. America wastes 96 billion pounds of food each year. And in doing so, we allow 31 million people to go hungry. This is unacceptable in a society that has bountiful food resources and an infrastructure of local and national food banks willing to accept donations of surplus food. Perhaps the most awful statistic is that while many of us wait in line to purchase, or to be served, abundant amounts of food, many hungry American families will wait in line at food banks and never receive a meal. Last year we failed to meet more than 20 percent of the demand for food at area food banks. That means, in effect, one out of every five families is sent home hungry.

Why is there such a shortage of donated food? Well, our Internal Revenue Service makes it more economical to throw food away rather than give it away. While the tax code permits restaurants to deduct half of the difference between the cost of donated food and its market value, the IRS often will tell a restaurant that donated food has no market value for deduction purposes simply because the food was not sold through normal retail distribution channels. For instance, a restaurant may have its own extra-stringent “freshness” standard where they proudly sell food that has been “off the grill” for less than 10 minutes. Well, we all know that this same food, if properly maintained, will remain wholesome for much longer, and that area food banks have a desperate need for such food.

But when the IRS fails to assign an appropriate market value to donated food, the deduction is meaningless. Donating food requires a business to incur additional costs of storage, transportation, and labor. If a business cannot, at the very least, recoup these additional costs, they actually lose money by donating food instead of throwing the food away. What we have then, Mr. President, is an IRS that is effectively administering tax policy that discourages, rather than encourages, private industry from helping to feed needy families. We all learned in church that it's better to give than to receive. Unfortunately, at the IRS, the motto seems to be: it's better to throw away than to give away.

Another reason that excess food fails to reach needy families is that too many businesses are ineligible to deduct food donations because of an outdated restriction in the tax code. Many small restaurants, farms, and franchises are organized as “s” corporations, limited liability corporations, or sole proprietorships. The current law, however, limits the deduction to traditional “c” corporations. If we are serious about feeding needy families through charitable donations, then the Government needs to enlist a new army of small businesses in the fight against hunger.

To eliminate these two major barriers in the fight against hunger, the

Feeding Needy Families Act would define the market value of donated food without penalizing businesses for setting high internal standards. This codifies the decision of the United States Tax Court in *Lucky Stores, Inc. v. Commissioner*, 95 T.C. 420 (1995), where the court held that the market value of donated bread was the full retail price for purposes of calculating the deduction. The bill also expands the deduction to any entity that is kind enough to expend the effort necessary to donate surplus food, whether it be an “s” corporation, a limited liability corporation, or a sole proprietorship. Removing these legal, logistical, and financial roadblocks will go a long way to ensure that excess food flows from table to table rather than from table to trash.

I am pleased to be joined by Senator LINCOLN in introducing this important legislation. I ask unanimous consent to include in the RECORD, following the text of my statement, a copy of the bill. I also would ask unanimous consent that the RECORD include letters of support from the Salvation Army, USA Harvest, Kentucky Harvest, Northern Kentucky Harvest, the National Association of Chain Restaurants, and the National Restaurant Association.

There being no objection, the additional material was ordered to be printed in the RECORD, as follows:

S. 810

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Feeding Needy Families Act”.

#### SEC. 2. CHARITABLE DEDUCTION FOR CONTRIBUTIONS OF FOOD INVENTORY.

(a) IN GENERAL.—Subsection (e) of section 170 of the Internal Revenue Code of 1986 (relating to certain contributions of ordinary income and capital gain property) is amended by adding at the end the following new paragraph:

“(7) SPECIAL RULE FOR CONTRIBUTIONS OF FOOD INVENTORY.—

“(A) CONTRIBUTIONS BY NON-CORPORATE TAXPAYERS.—In the case of a charitable contribution of food, paragraph (3) shall be applied without regard to whether or not the contribution is made by a corporation.

“(B) DETERMINATION OF FAIR MARKET VALUE.—For purposes of this section, in the case of a charitable contribution of food which is a qualified contribution (within the meaning of paragraph (3), as modified by subparagraph (A) of this paragraph) and which, solely by reason of internal standards of the taxpayer, lack of market, or similar circumstances, cannot or will not be sold, the fair market value of such contribution shall be determined—

“(i) without regard to such internal standards, such lack of market, or such circumstances, and

“(ii) if applicable, by taking into account the price at which the same or similar food items are sold by the taxpayer at the time of the contribution (or, if not so sold at such time, in the recent past).”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2001.

May 1, 2001.

Senator MITCH MCCONNELL,  
Washington, DC.

DEAR SENATOR: I am writing in support of your food donation bill. It has been my experience over the last 14 years that there is truly a need in our nation for the effort that is put forth in this bill. Tragically the average age of homelessness today is 9 years old. Your legislation will certainly go a long way in assisting the 120 USA Harvest chapters in helping feed our nation's less fortunate children.

The encouragement that this bill will provide those people and organizations in the food business to partner with USA harvest is going to make a significant difference in the quality of life for many millions of Americans.

Very truly yours,

STAN CURTIS,  
Founder and Chairman USA Harvest.

KENTUCKY HARVEST,  
Lexington, KY, April 26, 2001.

Hon. MITCH MCCONNELL,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR MCCONNELL: On behalf of our hunger relief program, we write to thank you for your plan to introduce the "Good Samaritan Tax Act" in the Senate. By clarifying the charitable deduction allowable for contributions of food and extending the deduction to all business entities willing to donate food, the Good Samaritan Tax Act will help ensure that our program will have access to additional wholesome food. This food will be used to continue our fight against hunger.

It is a shame for good food to go to waste. However, significant costs are associated with the systematic distribution of food by restaurants to those in need. Distribution and transportation systems, quality control assurances, record keeping and compliance systems must be developed and maintained to safely get food to those who are in need.

We believe that the Good Samaritan Tax Act will help the food service industry offset these costs, and therefore encourage the contribution of their excess food to organizations such as ours. This additional food will help to ensure our ability to continue to assist those in need.

Thank you for your support in the fight against hunger.

Sincerely,

ED SCHAUB,  
Chairman.

NORTHERN KENTUCKY HARVEST,  
Covington, KY, May 1, 2001.

Hon. MITCH MCCONNELL,  
U.S. Senate, Washington, DC.

DEAR SENATOR MCCONNELL: I am writing on behalf of the bill you plan to introduce named "The Feeding Needy Families Act." By clarifying the charitable deduction allowable for contributions of food and extending the deduction to all business entities willing to donate, the Feeding Needy Families Act will help ensure that our program will have access to additional wholesome food.

In fact, Northern Kentucky Harvest will benefit greatly by your new bill. In the past, many company-owned restaurants participated in our program where excess food was donated and distributed to feed the homeless and less fortunate in Northern Kentucky. However, when these restaurants were sold to local franchisees, they no longer participated due to the inability to receive "credit" for their food donation to defray costs associated with the donation. As a result, many homeless and less fortunate people went without food. This bill gives us another opportunity to reclaim "wasted" food and give

the less fortunate "hope" for another day. Your bill means a great deal to the success of eradicating hunger.

Please support this bill and allow us to make a difference in our community by trying to overcome hunger.

Sincerely,

WILLIAM E. HENDERSON III.

THE SALVATION ARMY,  
Louisville, Kentucky, April 19, 2001.

Hon. MITCH MCCONNELL,  
U.S. Senate, Washington, DC.

DEAR SENATOR MCCONNELL: On behalf of our hunger relief program, we write today to thank you for your plan to introduce the "Good Samaritan Tax Act" in the Senate. By clarifying the charitable deduction allowable for contributions of food and extending the deduction to all business entities willing to donate food, the Good Samaritan Tax Act will help ensure that our program will have access to additional wholesome food. This food will be used to continue our fight against hunger.

It is a shame for good food to go to waste. However, significant costs are associated with the systematic distribution of food by restaurants to those in need. Distribution and transportation systems, quality control assurances, record keeping and compliance systems must be developed and maintained to safely and efficiently get food to those who are in need.

We believe that the Good Samaritan Tax Act will help the food service industry offset these costs, and therefore encourage the contribution of their excess food to organizations such as ours. This additional food will help to ensure our ability to continue to assist those in need.

Thank you for your support in the fight against hunger.

Sincerely,

HOWARD SPARKS,  
Director, The Salvation Army Service-unit.

NATIONAL COUNCIL OF  
CHAIN RESTAURANTS,  
Washington, DC, May 1, 2001.

Hon. MITCH MCCONNELL,  
U.S. Senate Washington, DC.

DEAR SENATOR MCCONNELL: On behalf of the National Council of Chain Restaurants, we are writing to express our support for the "Feeding Needy Families Act". This bill, which you introduce today, provides tax incentives to encourage business contributions of food items.

The National Council of Chain Restaurants ("NCCR") is a national trade association representing forty of the nation's largest multi-unit, multi-state chain restaurant companies. These forty companies own and operate in excess of 50,000 restaurant facilities. Additionally, through franchise and licensing agreements, another 70,000 facilities are operated under their trademarks. In the aggregate, NCCR's member companies and their franchisees employ in excess of 2.8 million individuals.

Your legislation is necessary to clarify the charitable deduction allowance for contributions for food, helping ensure the nation's food banks and donation centers can continue the fight against hunger. As welfare reform kicks in, many people making the transition between public assistance and independence are turning to charitable food distribution programs for assistance.

Unfortunately, the IRS is exacerbating the problem with its interpretation of the charitable donation sections of the Internal Revenue Code. The code is designed to encourage charitable donations of food by allowing a deduction equal to cost plus one-half the difference between cost and fair market value. However, the IRS maintains that when food

cannot be sold through normal distribution channels (i.e., food left over when a restaurant closes for the night), its retail value is zero and the taxpayer's deduction is limited to cost only.

Distribution and transportation systems, quality control assurances, record keeping and compliance systems must be developed and maintained to safely and efficiently get food to the needy. These processes involve significant costs. The "Good Samaritan Tax Act" will help the food service industry offset these costs, and therefore encourage the contribution of food to the needy, by codifying the fair market value of donated food. It also extends the deduction to any trade or business, not just corporations.

We thank you for introducing this common-sense legislation and offer our assistance to ensure its enactment into law.

Sincerely,

TERRIE M. DORT,  
President.

NATIONAL RESTAURANT ASSOCIATION,  
Washington, DC, April 25, 2001.

Hon. MITCH MCCONNELL,  
U.S. Senate, Washington, DC.

DEAR SENATOR MCCONNELL: On behalf of the 844,000 restaurant locations nationwide, the National Restaurant Association offers its support of the Feeding Needy Families Act, which would provide more equitable tax treatment for food that is donated to charities.

As you know, under the current tax code, businesses do not receive the same tax deduction for charitable donations of food as they do for other inventory. Food that is not sold through normal distribution channels is considered by the Internal Revenue Service to have no market value. In effect, businesses are penalized and charities suffer because it makes more economic sense for businesses to discard the food than to donate it. The Feeding Needy Families Act would correct this discrepancy in the tax code by allowing businesses to take deductions on a fair market value basis rather than just deducting the cost of raw materials.

As I am sure you can imagine, the effort and cost involved in preparing perishable items to be donated can be considerable. The food must be carefully collected, packaged, and transported in a timely manner before it can be distributed to food banks, soup kitchens, homeless shelters and other organizations that serve the hungry. Because of the additional work involved, we are concerned that it creates a disincentive for businesses to donate food. That is why the National Restaurant Association supports this legislation as a means of providing strong incentives for businesses to donate food—a much needed and valuable commodity.

We appreciate your support in moving this issue forward and we hope that you will be successful in enacting the bill without any modifications this year as restaurants are an important resource in helping the millions of Americans that do not get enough food to meet their basic needs.

Thank you for supporting the Feeding Needy Families Act and we look forward to working with you in passing this legislation.

Sincerely,

STEVEN C. ANDERSON,  
President and Chief  
Executive Officer.

LEE CULPEPPER,  
Senior Vice President,  
Government Affairs  
and Public Policy.

By Mr. NELSON of Nebraska (for himself and Mr. CRAPO):

S. 811. A bill to amend title 36, United States Code to designate the

oak tree as the national tree of the United States; to the Committee on the Judiciary.

Mr. NELSON of Nebraska. Mr. President, I rise today to introduce legislation designating the oak tree as an official national emblem. This day bears especially great significance for me as a United States Senator from Nebraska, since Arbor Day was first celebrated in our great state.

The original seed of this day was planted in 1872 by J. Sterling Morton, a newspaper executive and an environmentalist ahead of his time. Mr. Morton moved from Michigan to Nebraska City, where he discovered a tree-less prairie. In effort to bring some shade to the state, he collaborated with Robert Furnas to promote the idea of a statewide holiday dedicated to tree planting.

Mr. Morton authored many articles on the benefits of trees as he garnered support for the idea of an Arbor Day. He also became active in Nebraska Territory politics, where he continued to voice his aspiration for a forested prairie. While Morton is revered as the Father of Arbor Day, it was then-Governor Furnas who made the observance official in 1874 with the first proclamation designating Arbor Day in Nebraska.

Since then, with the exception of one year, Nebraskans have celebrated Arbor Day with pride. The one million trees that were said to have been planted on the very first Arbor Day—not to mention all the ones since—have had a tremendous impact on the landscape and on the lives of Nebraskans. The influence of that first observance has continued as each year, during planting season, people from around the globe observe the Nebraska-born tradition of Arbor Day.

Considering the historical significance of Arbor Day to Nebraska, I am proud to sponsor this legislation to designate the oak tree, selected by Americans in a nationwide vote, as an official emblem of the United States. By formally designating a national tree, we honor the past and plant hope for an even greener future.

After all, an oak tree is an appropriate metaphor for the history of our country. The United States has grown from the acorn of colonialism into a strong, branching entity. Like a maturing oak, our roots are deepening, and with each passing year, our core strengthens.

J. Sterling Morton, as he expounded on the indifference of trees to their worldly surroundings, once wrote, "There is no aristocracy in trees." To his sentiment, I would add that, "Instead, there is only the humble root of democracy." The oak, the symbol of our democracy, will always serve as reminder of the vitality and strength that permeates our national—as well as natural—history.

In closing, I would like to thank Senator MIKE CRAPO for cosponsoring this legislation and for his support of this

effort. I also want to commend each of the voters who participated in the selection process, sponsored by the National Arbor Day Foundation. The involvement of these American citizens has made this legislation possible.

Mr. CRAPO. Mr. President, I rise today to join Senator BEN NELSON in introducing legislation to designate the oak tree as America's National Tree.

I am pleased to support an effort that recognizes the importance of trees in our lives and our nation's heritage. Trees provide a number of societal benefits and, as a renewable resource, can provide these benefits generation after generation when properly managed. From our nation's reliance on wood and wood products to the environmental benefits of cleaner air and water, trees are an integral part of our lives.

Trees produce oxygen, lower ambient air temperature, release moisture into the air, retain particulates, create habitat for wildlife, and store carbon-dioxide. Trees can produce wind breaks, provide shade, and stabilize soils. Trees provide a multitude of products that are used in our daily lives.

In a national effort that culminated in a nationwide vote, the public chose the oak tree as America's National Tree. I appreciate the public's involvement in this effort and recognize that the oak tree is America's most widespread hardwood. As an Idahoan, I am partial to Idaho's state tree, the White Pine, but support the people's choice. The "King of Trees" has long been valued for its shade, beauty, and lumber and is a fitting symbol of America's strength and diversity.

I look forward to working with my colleagues to support the public's choice for a national tree. I appreciate Senator NELSON's efforts to add a national tree to the list of national observances, which includes our national anthem, motto, floral emblem, and march.

#### STATEMENTS ON SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 78—DESIGNATING MAY 2001, AS "OLDER AMERICANS MONTH"

Mr. CRAIG submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 78

Whereas older Americans are the foundation of our Nation;

Whereas the freedom and security our Nation now enjoys can be attributed to the service, hard work, and sacrifices of older Americans;

Whereas older Americans continue making significant contributions to our communities, workplaces, and homes by giving freely of themselves and by sharing their wisdom and experience through civic leadership and mentoring;

Whereas the older Americans of tomorrow will be more socially, ethnically, and eco-

nomically diverse than any past generation, which will impact upon our Nation's ideas of work, retirement and leisure, alter our housing and living arrangements, challenge our health care systems, and reshape our economy;

Whereas the opportunities and challenges that await our Nation require our Nation to continue to commit to the goal of ensuring that older Americans enjoy active, productive, and healthy lives, and do so independently, safely, and with dignity; and

Whereas it is appropriate for our Nation to continue the tradition of designating the month of May as a time to celebrate the contributions of older Americans and to rededicate our efforts to respect and better serve older Americans: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates May 2001, as "Older Americans Month";

(2) requests that the President issue a proclamation calling upon the people of the United States to observe such month with appropriate ceremonies and activities that promote acknowledgment, gratitude, and respect for older Americans.

Mr. CRAIG. Mr. President, I rise today to introduce a resolution honoring May as Older Americans' Month.

I am here today to celebrate May as Older Americans' Month. For 38 years May has been the official month during which we pay tribute to the contributions of our 44 million older Americans. It is during this month that we as a nation recognize older Americans for their service, hard work and sacrifice that helped assure us the freedom and security we now enjoy.

Not only should we take this time to show our appreciation and respect for America's seniors, but also to acknowledge that today's and tomorrow's seniors will continue making significant contributions to our communities through their wisdom and experience; in the workplace, in civic leadership and in our homes.

We must also recognize that 77 million baby boomers will soon be retiring and must begin to address some of the challenges this influx will bring. Social Security and Medicare modernization, including the option for prescription drugs, must be addressed before this generation retires.

As the new Chairman of the Senate Special Committee on Aging, I am looking forward to the opportunities and challenges that await us as we continue our commitment to the goal of ensuring that senior citizens enjoy active, productive and healthy lives, and do so independently, safely and with dignity. This Committee is celebrating its own anniversary this year and I am proud to say that for 40 years, it has played a role in studying problems and opportunities related to older Americans.

In addition, this year I believe we have special reason to celebrate. Last year, Congress was able to pass the reauthorization of the Older Americans' Act. As you all know, this reauthorization was 5 years in the coming. I was an original cosponsor of legislation to update and amend the Act and strongly supported the legislative goal of making the programs and services under