

## E-GOVERNMENT ACT OF 2002

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 439, S. 803.

The PRESIDING OFFICER. The clerk will report the title.

The legislative clerk read as follows:

A bill (S. 803) to enhance the management and promotion of the 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.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Governmental Affairs with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

[Omit the parts in black brackets and insert the parts printed in italic.]

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 513 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 delegation 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, nonprofit, 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 3601".  
of Electronic Government Services.

## **[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, main-

tain, 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—

["(A) by redesignating subparagraph (C) as subparagraph (D); and

["(B) 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 co-

ordination 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 Services, 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.—

[(i) 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 sec-

tion 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;

[(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 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”; and

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

[(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 compliance 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.]

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

(a) *SHORT TITLE.*—This Act may be cited as the “E-Government Act of 2002”.

(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. Management and promotion of Electronic Government services.*

*Sec. 102. Conforming amendments.*

**TITLE II—FEDERAL MANAGEMENT AND PROMOTION OF ELECTRONIC GOVERNMENT SERVICES**

*Sec. 201. Definitions.*

Sec. 202. Federal agency responsibilities.

Sec. 203. Compatibility of Executive agency methods for use and acceptance of electronic signatures.

Sec. 204. Federal Internet portal.

Sec. 205. Federal courts.

Sec. 206. Regulatory agencies.

Sec. 207. Accessibility, usability, and preservation of Government information.

Sec. 208. Privacy provisions.

Sec. 209. Federal Information Technology workforce development.

Sec. 210. Common protocols for geographic information systems.

Sec. 211. Share-in-savings program improvements.

Sec. 212. Integrated reporting study and pilot projects.

Sec. 213. Community technology centers.

Sec. 214. Enhancing crisis management through advanced information technology.

Sec. 215. Disparities in access to the Internet.

Sec. 216. Notification of obsolete or counterproductive provisions.

### TITLE III—GOVERNMENT INFORMATION SECURITY

Sec. 301. Information security.

### TITLE IV—AUTHORIZATION OF APPROPRIATIONS AND EFFECTIVE DATES

Sec. 401. Authorization of appropriations.

Sec. 402. Effective dates.

### 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, 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 sufficient funding mechanisms to support such interagency cooperation.

(5) Electronic Government has its impact through improved Government performance and outcomes within and across agencies.

(6) Electronic Government is a critical element in the management of Government, to be implemented as part of a management framework that also addresses finance, procurement, human capital, and other challenges to improve the performance of Government.

(7) 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 an Administrator of a new Office of Electronic Government within the Office of Management and Budget.

(2) To promote use of the Internet and other information technologies to provide increased 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 functions, and in the use of internal electronic Government processes, where this collaboration would improve the efficiency and effectiveness of the processes.

(4) To improve the ability of the Government to achieve agency missions and program performance goals.

(5) To promote the use of the Internet and emerging technologies within and across Government agencies to provide citizen-centric services.

(6) To reduce costs and burdens for businesses and other Government entities.

(7) To promote better informed decisionmaking by policy makers.

(8) To promote access to high quality information and services across multiple channels, available to customers through the channels which are preferred by the customer.

(9) To make the Federal Government more transparent and accountable.

(10) To transform agency operations by utilizing, where appropriate, best practices from public and private sector organizations.

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

#### SEC. 101. 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. Office of Electronic Government.

“3603. Chief Information Officers Council.

“3604. E-Government Fund.

“3605. E-Government report.

#### “§3601. Definitions

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

“(1) ‘Administrator’ means the Administrator of the Office of Electronic Government established under section 3602;

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

“(3) ‘electronic Government’ means the use by the Government of web-based Internet applications and other digital technologies, combined with processes that implement these technologies, to—

“(A) enhance the access to and delivery of Government information and services to the public, other agencies, and other Government entities; or

“(B) bring about improvements in Government operations that may include effectiveness, efficiency, service quality, or transformation;

“(4) ‘enterprise architecture’ means a framework for incorporating business processes, information flows, applications, and infrastructure to support agency and interagency goals;

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

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

“(7) ‘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. Office of Electronic Government

“(a) There is established in the Office of Management and Budget an Office of Electronic Government.

“(b) 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.

“(c) The Administrator shall assist the Director in carrying out—

“(1) all functions under this chapter;

“(2) all of the functions assigned to the Director under title II of the E-Government Act of 2002; and

“(3) other electronic government initiatives, consistent with other statutes.

“(d) The Administrator shall assist the Director and the Deputy Director for Management and work with the Administrator of the Office of Information and Regulatory Affairs in setting strategic direction for implementing electronic Government, under relevant statutes, including—

“(1) chapter 35;

“(2) division E of the Clinger-Cohen Act of 1996 (division E of Public Law 104–106; 40 U.S.C. 1401 et seq.);

“(3) section 552a of title 5 (commonly referred to as the Privacy Act);

“(4) the Government Paperwork Elimination Act (44 U.S.C. 3504 note);

“(5) the Government Information Security Reform Act; and

“(6) the Computer Security Act of 1987 (40 U.S.C. 759 note).

“(e) The Administrator shall work with the Administrator of the Office of Information and Regulatory Affairs and with other offices within the Office of Management and Budget to oversee implementation of electronic Government under this chapter, chapter 35, the E-Government Act of 2002, and other relevant statutes relating to—

“(1) capital planning and investment control for information technology;

“(2) the development of enterprise architectures;

“(3) information security;

“(4) privacy;

“(5) access to, dissemination of, and preservation of Government information; and

“(6) other areas of electronic Government.

“(f) Subject to requirements of this chapter, the Administrator shall assist the Director by performing electronic Government functions as follows:

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

“(2) Recommend to the Director changes relating to Governmentwide strategies and priorities for electronic Government.

“(3) Provide overall leadership and direction to the executive branch on electronic Government by working with authorized officials to establish information resources management policies and requirements, and by reviewing performance of each agency 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) Oversee the distribution of funds from, and ensure appropriate administration of, the E-Government Fund established under section 3604.

“(6) 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) Lead the activities of the Chief Information Officers Council established under section 3603 on behalf of the Deputy Director for Management, who shall chair the council.

“(8) Assist the Director in establishing policies which shall set the framework for information technology standards for the Federal Government under section 5131 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1441), to be developed by the National Institute of Standards and Technology and promulgated by the Secretary of Commerce, 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, and maximizing the use of commercial standards as appropriate, as follows:

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

“(B) Standards and guidelines for categorizing Federal Government electronic information to enable efficient use of technologies, such as through the use of extensible markup language.

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

“(9) Sponsor ongoing dialogue that—

“(A) shall be conducted among Federal, State, local, and tribal government leaders on electronic Government in the executive, legislative, and judicial branches to encourage collaboration and enhance understanding of best practices and innovative approaches in acquiring, using, and managing information resources;

“(B) is intended to improve the performance of governments in collaborating on the use of information technology to improve the delivery of information and services; and

“(C) may include—

“(i) development of innovative models—

“(I) for electronic Government management and Government information technology contracts; and

“(II) that may be developed through focused discussions or using separately sponsored research;

“(ii) identification of opportunities for public-private collaboration in using Internet-based technology to increase the efficiency of Government-to-business transactions;

“(iii) identification of mechanisms for providing incentives to program managers and other Government employees to develop and implement innovative uses of information technologies; and

“(iv) identification of opportunities for public, private, and intergovernmental collaboration in addressing the disparities in access to the Internet and information technology.

“(10) Oversee the work of the General Services Administration and other agencies in developing the integrated Internet-based system under section 204 of the E-Government Act of 2002.

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

“(12) Assist Federal agencies, including the General Services Administration and the Department of Justice, and the United States Access Board in—

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

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

“(13) Oversee the development of enterprise architectures within and across agencies.

“(14) Administer the Office of Electronic Government established under section 3602.

“(15) Assist the Director in preparing the E-Government report established under section 3605.

“(g) The Director shall ensure that the Office of Management and Budget, including the Office of Electronic Government, the Office of Information and Regulatory Affairs, and other relevant offices, have adequate staff and resources to properly fulfill all functions under the E-Government Act of 2002.

#### “§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 Deputy Director for Management of the Office of Management and Budget, who shall act as chairperson of the Council.

“(2) The Administrator of the Office of Electronic Government.

“(3) The Administrator of the Office of Information and Regulatory Affairs.

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

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

“(6) 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 such departments under section 3506(a)(2)(B).

“(7) Any other officer or employee of the United States designated by the chairperson.

“(c)(1) The Administrator of the Office of Electronic Government shall lead the activities of the Council on behalf of the Deputy Director for Management.

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

“(B) The Vice 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.

“(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.

“(e) The Council shall perform the following functions:

“(1) Develop recommendations for the Director on Government information resources management policies and requirements.

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

“(3) Assist the Administrator in the identification, development, and coordination of multi-agency projects and other innovative initiatives to improve Government performance through the use of information technology.

“(4) Promote the development and use of common performance measures for agency information resources management under this chapter and title II of the E-Government Act of 2002.

“(5) Work as appropriate with the National Institute of Standards and Technology and the Administrator to develop recommendations 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 Federal Government electronic information to enable efficient use of technologies, such as through the use of extensible markup language.

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

“(6) 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)(1) There is established in the General Services Administration the E-Government Fund.

“(2) The Fund shall be administered by the Administrator of the General Services Administration to support projects approved by the Director, assisted by the Administrator of the Office of Electronic Government, that enable the Federal Government to expand its ability, through the development and implementation of

innovative uses of the Internet or other electronic methods, to conduct activities electronically.

“(3) Projects under this subsection may include efforts to—

“(A) make Federal information and services more readily available to members of the public (including individuals, businesses, grantees, and State and local governments);

“(B) make it easier for the public to apply for benefits, receive services, pursue business opportunities, submit information, and otherwise conduct transactions with the Federal Government; and

“(C) enable Federal agencies to take advantage of information technology in sharing information and conducting transactions with each other and with State and local governments.

“(b)(1) The Administrator shall—

“(A) establish procedures for accepting and reviewing proposals for funding; and

“(B) consult with interagency councils, including the Chief Information Officers Council, the Chief Financial Officers Council, and other interagency management councils, in establishing procedures and reviewing proposals.

“(2) When reviewing proposals and managing the Fund, the Administrator shall observe and incorporate the following procedures:

“(A) A project requiring substantial involvement or funding from an agency shall be approved by a senior official with agencywide authority on behalf of the head of the agency, who shall report directly to the head of the agency.

“(B) Projects shall adhere to fundamental capital planning and investment control processes.

“(C) Agencies shall assess the results of funded projects.

“(D) Agencies shall identify in their proposals resource commitments from the agencies involved, and include plans for potential continuation of projects after all funds made available from the Fund are expended.

“(E) After considering the recommendations of the interagency councils, the Director, assisted by the Administrator, shall have final authority to determine which of the candidate projects shall be funded from the Fund.

“(c) In determining which proposals to recommend for funding, the Administrator—

“(1) shall consider criteria that include whether a proposal—

“(A) identifies the customer group to be served, including citizens, businesses, the Federal Government, or other governments;

“(B) indicates what service or information the project will provide that meets needs of customers;

“(C) directly delivers services to the public or provides the infrastructure for delivery;

“(D) ensures proper security and protects privacy;

“(E) is interagency in scope, including projects implemented by a primary or single agency that—

“(i) could confer benefits on multiple agencies; and

“(ii) have the support of other agencies;

“(F) supports integrated service delivery;

“(G) describes how business processes across agencies will reflect appropriate transformation simultaneous to technology implementation;

“(H) has performance objectives that tie to agency missions and strategic goals, and interim results that relate to the objectives; and

“(I) is new or innovative and does not supplant existing funding streams within agencies; and

“(2) may also rank proposals based on criteria that include whether a proposal—

“(A) has Governmentwide application or implications;

“(B) has demonstrated support by the customers to be served;

“(C) integrates Federal with State, local, or tribal approaches to service delivery;

“(D) identifies resource commitments from nongovernmental sectors;

“(E) identifies resource commitments from the agencies involved; and

“(F) uses web-based technologies to achieve objectives.

“(d) The Fund may be used to fund the integrated Internet-based system under section 204 of the E-Government Act of 2002.

“(e) None of the funds provided from the Fund may be transferred to any agency until 15 days after the Administrator of the General Services Administration 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.

“(f)(1) The Director shall report annually to Congress on the operation of the Fund, through the report established under section 3605.

“(2) The report shall describe—

“(A) all projects which the Director has approved for funding from the Fund; and

“(B) the results that have been achieved to date for these funded projects.

“(g)(1) There are authorized to be appropriated to the Fund—

“(A) \$45,000,000 for fiscal year 2003;

“(B) \$50,000,000 for fiscal year 2004;

“(C) \$100,000,000 for fiscal year 2005;

“(D) \$150,000,000 for fiscal year 2006; and

“(E) such sums as are necessary for fiscal year 2007.

“(2) Funds appropriated under this subsection shall remain available until expended.

#### “§3605. E-Government report

“(a) Not later than March 1 of each year, the Director shall submit an E-Government status report to the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives.

“(b) The report shall contain—

“(1) a summary of the information reported by agencies under section 202 (f) of the E-Government Act of 2002;

“(2) the information required to be reported by section 3604(f); and

“(3) a description of compliance by the Federal Government with other goals and provisions of the E-Government Act of 2002.”.

(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”.

#### SEC. 102. CONFORMING AMENDMENTS.

(a) 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 Administrator of the Office of Electronic Government 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.”.

(b) MODIFICATION OF DEPUTY DIRECTOR FOR MANAGEMENT FUNCTIONS.—Section 503(b) of title 31, United States Code, is amended—

(1) by redesignating paragraphs (5), (6), (7), (8), and (9), as paragraphs (6), (7), (8), (9), and (10), respectively; and

(2) by inserting after paragraph (4) the following:

“(5) Chair the Chief Information Officers Council established under section 3603 of title 44.”.

(c) OFFICE OF ELECTRONIC GOVERNMENT.—

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

#### “§507. Office of Electronic Government

“The Office of Electronic Government, established under section 3602 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 Electronic Government.”.

#### TITLE II—FEDERAL MANAGEMENT AND PROMOTION OF ELECTRONIC GOVERNMENT SERVICES

##### SEC. 201. DEFINITIONS.

Except as otherwise provided, in this title the definitions under sections 3502 and 3601 of title 44, United States Code, shall apply.

##### SEC. 202. 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), the related information resource management policies and guidance established by the Director of the Office of Management and Budget, and the related information technology standards promulgated by the Secretary of Commerce;

(2) ensuring that the information resource management policies and guidance established under this Act by the Director, and the information technology standards promulgated under this Act by the Secretary of Commerce are communicated promptly and effectively to all relevant officials within their agency; and

(3) supporting the efforts of the Director and the Administrator of the General Services Administration to develop, maintain, and promote an integrated Internet-based system of delivering Federal Government information and services to the public under section 204.

(b) PERFORMANCE INTEGRATION.—

(1) Agencies shall develop performance measures that demonstrate how electronic government enables progress toward agency objectives and strategic goals.

(2) In measuring performance under this section, agencies shall rely on existing data collections to the extent practicable.

(3) Areas of performance measurement that agencies should consider include—

(A) customer service;

(B) agency productivity; and

(C) adoption of innovative information technology, including the appropriate use of commercial best practices.

(4) Agencies shall link their performance goals to key customer segments, including citizens, businesses, and other governments, and to internal Federal Government operations.

(5) As appropriate, agencies shall work collectively in linking their performance goals to key customer segments and shall use information technology in delivering information and services to common customer groups.

(c) AVOIDING DIMINISHED ACCESS.—When promulgating policies and implementing programs regarding the provision of information and services over the Internet, agency heads shall consider the impact on persons without access to the Internet, and shall, to the extent practicable—

(1) ensure that the availability of Government services and information has not been dimin-

ished for individuals who lack access to the Internet; and

(2) pursue alternate modes of delivery that make Government services and information more accessible to individuals who do not own computers or lack access to the Internet.

(d) ACCESSIBILITY TO PEOPLE WITH DISABILITIES.—All actions taken by Federal departments and agencies under this Act shall be in compliance with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

(e) 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 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 promulgated under this Act by the Secretary of Commerce, including common standards for interconnectivity and interoperability, categorization of Federal Government electronic information, and computer system efficiency and security.

(f) E-GOVERNMENT STATUS REPORT.—

(1) IN GENERAL.—Each agency shall compile and submit to the Director an E-Government Status Report on—

(A) the status of the implementation by the agency of electronic government initiatives;

(B) compliance by the agency with this Act; and

(C) how electronic Government initiatives of the agency improve performance in delivering programs to constituencies.

(2) SUBMISSION.—Each agency shall submit a report under this subsection—

(A) to the Director at such time and in such manner as the Director requires; and

(B) consistent with related reporting requirements.

(g) USE OF TECHNOLOGY.—Nothing in this Act supersedes the responsibility of an agency to use information technology to deliver information and services that fulfill the statutory mission and programs of the agency.

#### SEC. 203. COMPATIBILITY OF EXECUTIVE AGENCY METHODS FOR USE AND ACCEPTANCE OF ELECTRONIC SIGNATURES.

(a) PURPOSE.—The purpose of this section is to achieve interoperable implementation of electronic signatures for secure electronic government.

(b) 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.

(c) AUTHORITY FOR ELECTRONIC SIGNATURES.—The Administrator of General Services shall support the Director by establishing a framework to allow efficient interoperability among Executive agencies when using electronic signatures, including certification of digital signatures.

(d) 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, or for other activities consistent with this section, \$8,000,000 in fiscal year 2003, and such sums as are necessary for each fiscal year thereafter.

#### SEC. 204. FEDERAL INTERNET PORTAL.

(a) IN GENERAL.—

(1) PUBLIC ACCESS.—The Director shall work with the Administrator of the General Services Administration and other agencies to maintain and promote an integrated Internet-based system of providing the public with access to Government information and services.

(2) **CRITERIA.**—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 directed to key customer groups, including citizens, business, and other governments, and integrated according to function rather than separated according to the boundaries of agency jurisdiction.

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

(C) Access to Federal Government information and services consolidated, as appropriate, with Internet-based information and services provided by State, local, and tribal governments.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the General Services Administration \$15,000,000 for the maintenance, improvement, and promotion of the integrated Internet-based system for fiscal year 2003, and such sums as are necessary for fiscal years 2004 through 2007.

#### SEC. 205. FEDERAL COURTS.

(a) **INDIVIDUAL COURT WEBSITES.**—The Chief Justice of the United States, the chief judge of each circuit and district, and the chief bankruptcy judge of each district shall establish with respect to the Supreme Court or the respective court of appeals, district, or bankruptcy court of a 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).

(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.**—Except as provided under paragraph (2), 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.**—

(i) **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.

(3) **PRIVACY AND SECURITY CONCERNS.**—The Judicial Conference of the United States may promulgate rules under this subsection to protect important privacy and security concerns.

(d) **DOCKETS WITH LINKS TO DOCUMENTS.**—The Judicial Conference of the United States 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 303(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 title, 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) **DEFERRAL.**—

(1) **IN GENERAL.**—

(A) **ELECTION.**—

(i) **NOTIFICATION.**—The Chief Justice of the United States, a chief judge, or chief bankruptcy judge may submit a notification to the Administrative Office of the United States Courts to defer compliance with any requirement of this section with respect to the Supreme Court, a court of appeals, district, or the bankruptcy court of a district.

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

(I) the reasons for the deferral; 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, district, or bankruptcy court of a 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 title, and every year thereafter, 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) **PURPOSES.**—The purposes of this section are to—

(1) improve performance in the development and issuance of agency regulations by using information technology to increase access, accountability, and transparency; and

(2) enhance public participation in Government by electronic means, consistent with requirements under subchapter II of chapter 5 of title 5, United States Code, (commonly referred to as the Administrative Procedures Act).

(b) **INFORMATION PROVIDED BY AGENCIES ONLINE.**—To the extent practicable as determined by the agency in consultation with the Director, each agency (as defined under section 551 of title 5, United States Code) shall ensure that a publicly accessible Federal Government website includes all information about that agency required to be published in the Federal Register under section 552(a)(1) of title 5, United States Code.

(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, as determined by the agency in consultation with

the Director, agencies shall ensure that a publicly accessible Federal Government website contains electronic dockets for rulemakings under section 553 of title 5, United States Code.

(2) **INFORMATION AVAILABLE.**—Agency electronic dockets shall make publicly available online to the extent practicable, as determined by the agency in consultation with the Director—

(A) all submissions under section 553(c) of title 5, United States Code; and

(B) other materials that by agency rule or practice are included in the rulemaking docket under section 553(c) of title 5, United States Code, whether or not submitted electronically.

(e) **TIME LIMITATION.**—Agencies shall implement the requirements of this section consistent with a timetable established by the Director and reported to Congress in the first annual report under section 3605 of title 44 (as added by this Act).

#### SEC. 207. ACCESSIBILITY, USABILITY, AND PRESERVATION OF GOVERNMENT INFORMATION.

(a) **PURPOSE.**—The purpose of this section is to improve the methods by which Government information, including information on the Internet, is organized, preserved, and made accessible to the public.

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

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

(2) "Committee" means the Interagency Committee on Government Information established under subsection (c);

(3) "directory" means a taxonomy of subjects linked to websites that—

(A) organizes Government information on the Internet according to subject matter; and

(B) may be created with the participation of human editors;

(4) "Government information" means information created, collected, processed, disseminated, or disposed of by or for the Federal Government; and

(5) "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.

(c) **INTERAGENCY COMMITTEE.**—

(1) **ESTABLISHMENT.**—Not later than 90 days after the date of enactment of this title, the Director shall establish the Interagency Committee on Government Information.

(2) **MEMBERSHIP.**—The Committee shall be chaired by the Director or the designee of the Director and—

(A) shall include representatives from—

(i) the National Archives and Records Administration;

(ii) the offices of the Chief Information Officers from Federal agencies; and

(iii) other relevant officers from the executive branch; and

(B) may include representatives from the Federal legislative and judicial branches.

(3) **FUNCTIONS.**—The Committee shall—

(A) engage in public consultation to the maximum extent feasible, including consultation with interested communities such as public advocacy organizations;

(B) conduct studies and submit recommendations, as provided under this section, to the Director and Congress;

(C) act as a resource to assist agencies in the effective implementation of policies derived from this Act; and

(D) share effective practices for access to, dissemination of, and retention of Federal information.

(4) **TERMINATION.**—The Committee shall terminate on a date determined by the Director, except the Committee may not terminate before the Committee submits all recommendations required under this section.

(d) **CATEGORIZING OF INFORMATION.**—

(1) **COMMITTEE FUNCTIONS.**—Not later than 1 year after the date of enactment of this Act, the



Committee shall submit recommendations to the Director on—

(A) the adoption of standards, which are open to the maximum extent feasible, to enable the organization and categorization of Government information—

(i) in a way that is searchable electronically, including by searchable identifiers; and

(iii) in ways that are interoperable across agencies;

(B) the definition of categories of Government information which should be classified under the standards; and

(C) determining priorities and developing schedules for the initial implementation of the standards by agencies.

(2) **FUNCTIONS OF THE DIRECTOR.**—Not later than 180 days after the submission of recommendations under paragraph (1), the Director shall issue policies—

(A) requiring the adoption of standards, which are open to the maximum extent feasible, to enable the organization and categorization of Government information—

(i) in a way that is searchable electronically, including by searchable identifiers; and

(ii) in ways that are interoperable across agencies;

(B) defining categories of Government information which shall be required to be classified under the standards; and

(C) determining priorities and developing schedules for the initial implementation of the standards by agencies.

(3) **COMPLIANCE REPORT.**—After the submission of agency reports under paragraph (4), the Director shall—

(A) annually report to Congress on compliance with this subsection in the E-Government report under section 3605 of title 44, United States Code (as added by this Act); and

(B) modify the policies, as needed, in consultation with the Committee and interested parties.

(4) **AGENCY FUNCTIONS.**—Each agency shall report annually to the Director, in the report established under section 202(f), on compliance of that agency with the policies issued under paragraph (2)(A).

(e) **PUBLIC ACCESS TO ELECTRONIC INFORMATION.**—

(1) **COMMITTEE FUNCTIONS.**—Not later than 1 year after the date of enactment of this Act, the Committee shall submit recommendations to the Director and the Archivist of the United States on—

(A) the adoption by agencies of policies and procedures to ensure that chapters 21, 25, 27, 29, and 31 of title 44, United States Code, are applied effectively and comprehensively to Government information on the Internet and to other electronic records; and

(B) the imposition of timetables for the implementation of the policies and procedures by agencies.

(2) **FUNCTIONS OF THE ARCHIVIST.**—Not later than 180 days after the submission of recommendations by the Committee under paragraph (1), the Archivist of the United States shall issue policies—

(A) requiring the adoption by agencies of policies and procedures to ensure that chapters 21, 25, 27, 29, and 31 of title 44, United States Code, are applied effectively and comprehensively to Government information on the Internet and to other electronic records; and

(B) imposing timetables for the implementation of the policies, procedures, and technologies by agencies.

(3) **MODIFICATION OF POLICIES.**—After the submission of agency reports under paragraph (4), the Archivist of the United States shall modify the policies, as needed, in consultation with the Committee and interested parties.

(4) **AGENCY FUNCTIONS.**—Each agency shall report annually to the Director, in the report established under section 202(f), on compliance of that agency with the policies issued under paragraph (2)(A).

(5) **FUNCTIONS OF THE DIRECTOR.**—After the submission of agency reports under paragraph (4), the Director shall annually report to Congress on compliance with this subsection in the E-Government report under section 3605 of title 44 (as added by this Act).

(f) **EDUCATIONAL RESOURCE MATERIALS.**—

(1) **COMMITTEE FUNCTIONS.**—

(A) **IDENTIFICATION OF AGENCIES.**—Not later than 90 days after the date of enactment of this Act, the Committee shall identify agencies involved in disseminating educational resources materials.

(B) **RECOMMENDATIONS.**—Not later than 15 months after the date of enactment of this Act, working with the Librarian of Congress, the Archivist of the United States, the Director or the Institute of Museum and Library Services, and the agencies previously identified by the Committee, and after consultation with interested parties, including libraries, historical societies, archival institutions, and other cultural and academic organizations, the Committee shall submit recommendations to the Director on—

(i) policies to promote coordinated access to educational resources materials on the Internet; and

(ii) the imposition of timetables for the implementation of the policies by agencies, where appropriate.

(2) **FUNCTIONS OF THE DIRECTOR.**—

(A) Not later than 180 days after the submission of recommendations by the Committee under paragraph (1)(B), the Director shall issue policies—

(i) promoting coordinated access to educational resources materials on the Internet; and

(ii) imposing timetables for the implementation of the policies by agencies, as appropriate.

(B) After the submission of agency reports under paragraph (3), the Director shall—

(i) annually report to Congress on compliance with this subsection in the E-Government report under section 3605 of title 44 (as added by this Act); and

(ii) refine the policies, as needed, in consultation with the Committee and interested parties.

(3) **AGENCY FUNCTIONS.**—Each agency shall report annually to the Director, in the report established in section 202(f), on compliance of that agency with the policies issued under paragraph (2)(A).

(g) **AVAILABILITY OF GOVERNMENT INFORMATION ON THE INTERNET.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, each agency shall—

(A) consult with the Committee and solicit public comment;

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

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

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

(E) post such final determinations, priorities, and schedules on the Internet; and

(F) submit such final determinations, priorities, and schedules to the Director, in the report established under section 202(f).

(2) **UPDATE.**—Each agency shall update determinations, priorities, and schedules of the agency, as needed, after consulting with the Committee and soliciting public comment, if appropriate.

(h) **ACCESS TO FEDERALLY FUNDED RESEARCH AND DEVELOPMENT.**—

(1) **DEFINITIONS.**—In this subsection, the term—

(A) “essential information” shall include—

(i) the name, mission, and annual budget authority for research and development of all Federal agencies, constituent bureaus of agencies, the constituent programs of such bureaus, and the constituent projects of such programs; and

(ii) details on every separable research and development task performed intramurally within the Federal entities described under clause (i) on every extramural research and development award made by the Federal entities described under clause (i), and on every individual research and development task or award, including field work proposals, made by a federally funded research and development center, including—

(I) the unique identifying number of the task or award;

(II) the dates upon which the research and development task or award is expected to start and end;

(III) an abstract describing the objective and the scientific and technical focus of the research and development task or award;

(IV) the name of the principal person or persons performing the research and development, their contact information and institutional affiliations, and the geographic location of the institution;

(V) the total amount of Federal funds expected to be provided to the research and development task or award over its lifetime and the amount of funds expected to be provided in each fiscal year in which the work of the research and development task or award is ongoing;

(VI) the type of legal instrument under which the research and development funds were transferred to the recipient;

(VII) the name and location of any industrial partner formally involved in the performance of the research and development task or award;

(VIII) any restrictions attached to the task or award that would prevent the sharing with the general public of any or all of the information determined to be essential information, and the reasons for such restrictions; and

(IX) such other information as may be determined to be appropriate; and

(B) “Federal research and development”—

(i) means those activities which constitute basic research, applied research, and development as defined by the Director; and

(ii) shall include all funds spent on Federal research and development that are provided to—

(I) institutions and entities not a part of the Federal Government, including—

(aa) State, local, and foreign governments;

(bb) industrial firms;

(cc) educational institutions;

(dd) not-for-profit organizations;

(ee) federally funded research and development centers; and

(ff) private individuals; and

(II) entities of the Federal Government, including research and development laboratories, centers, and offices.

(2) **DEVELOPMENT AND MAINTENANCE OF GOVERNMENTWIDE DATABASE AND WEBSITE.**—

(A) **DATABASE AND WEBSITE.**—The Director of the National Science Foundation, working with the Director of the Office of Management and Budget and the Director of the Office of Science and Technology Policy, shall develop and maintain—

(i) a database that fully integrates, to the maximum extent feasible, all essential information on Federal research and development that is gathered and maintained by Federal agencies; and

(ii) 1 or more websites upon which all or part of the database of Federal research and development shall be made available to and searchable by Federal agencies and non-Federal entities, including the general public, to facilitate—

(I) the coordination of Federal research and development activities;

(II) collaboration among those conducting Federal research and development;

(III) the transfer of technology among Federal agencies and between Federal agencies and non-Federal entities; and

(IV) access by policymakers and the public to information concerning Federal research and development activities.

(B) OVERSIGHT.—The Director of the Office of Management and Budget shall oversee the development and operation of the database and website and issue any guidance determined necessary to ensure that agencies provide all essential information requested under this subsection.

(3) AGENCY FUNCTIONS.—

(A) IN GENERAL.—Any agency that funds Federal research and development of this subsection shall—

(i) provide the information required to populate the database in the manner prescribed by the Director of the Office of Management and Budget; and

(ii) report annually to the Director, in the report established under section 202(f), on compliance of that agency with the requirements established under this subsection.

(B) REQUIREMENTS.—An agency may impose reporting requirements necessary for the implementation of this section on recipients of Federal research and development funding as a condition of receiving the funding.

(4) COMMITTEE FUNCTIONS.—Not later than 1 year after the date of enactment of this Act, working with the Director of the Office of Science and Technology Policy, and after consultation with interested parties, the Committee shall submit recommendations to the Director on—

(A) policies to improve agency reporting of information for the database established under this subsection; and

(B) policies to improve dissemination of the results of research performed by Federal agencies and federally funded research and development centers.

(5) FUNCTIONS OF THE DIRECTOR.—

(A) RECOMMENDATIONS.—After submission of recommendations by the Committee under paragraph (4), the Director shall report on the recommendations of the Committee and Director to Congress, in the E-Government report under section 3605 of title 44 (as added by this Act).

(B) COMPLIANCE.—The Director shall annually report to Congress on agency compliance with the requirements established under paragraph (3).

(6) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated to the National Science Foundation for the development, maintenance, and operation of the governmentwide database and website under this subsection—

(A) \$2,000,000 in each of the fiscal years 2003 through 2005; and

(B) such sums as are necessary in each of the fiscal years 2006 and 2007.

(i) PUBLIC DOMAIN DIRECTORY OF FEDERAL GOVERNMENT WEBSITES.—

(1) ESTABLISHMENT.—Not later than 2 years after the effective date of this title, the Director and each agency shall—

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

(B) post the directory on the Internet with a link to the integrated Internet-based system established under section 204.

(2) DEVELOPMENT.—With the assistance of each agency, the Director shall—

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

- (i) agency librarians;
- (ii) information technology managers;
- (iii) program managers;
- (iv) records managers;
- (v) Federal depository librarians; and
- (vi) other interested parties; and

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

(3) UPDATE.—With the assistance of each agency, the Administrator of the Office of Electronic Government shall—

(A) update the directory as necessary, but not less than every 6 months; and

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

(j) STANDARDS FOR AGENCY WEBSITES.—Not later than 1 year after the effective date of this title, the Director shall promulgate guidance for agency websites that include—

(1) requirements that websites include direct links to—

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

(B) 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);

(C) information about the organizational structure of the agency, with an outline linked to the agency online staff directory; and

(D) 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. 208. PRIVACY PROVISIONS.

(a) PURPOSE.—The purpose of this section is to ensure sufficient protections for the privacy of personal information as agencies implement citizen-centered electronic Government.

(b) PRIVACY IMPACT ASSESSMENTS.—

(1) RESPONSIBILITIES OF AGENCIES.—

(A) IN GENERAL.—An agency shall take actions described under subparagraph (B) in subsection (b)(1)(B), before—

(i) developing or procuring information technology that collects, maintains, or disseminates information that includes any identifier permitting the physical or online contacting of a specific individual; or

(ii) initiating a new collection of information that—

(I) will be collected, maintained, or disseminated electronically; and

(II) includes any identifier permitting the physical or online contacting of a specific individual, if the information concerns 10 or more persons.

(B) AGENCY ACTIVITIES.—To the extent required under subparagraph (A), each agency shall—

(i) conduct a privacy impact assessment;

(ii) ensure the review of the privacy impact assessment by the Chief Information Officer, or equivalent official, as determined by the head of the agency; and

(iii) if practicable, after completion of the review under clause (ii), make the privacy impact assessment publicly available, through the website of the agency, publication in the Federal Register, or other means.

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

(D) COPY TO DIRECTOR.—Agencies shall provide the Director with a copy of the privacy impact assessment for each system for which funding is requested.

(2) CONTENTS OF A PRIVACY IMPACT ASSESSMENT.—

(A) IN GENERAL.—The Director shall issue guidance to agencies specifying the required contents of a privacy impact assessment.

(B) GUIDANCE.—The guidance shall—

(i) ensure that a privacy impact assessment is commensurate with the size of the information system being assessed, the sensitivity of personally identifiable information in that system, and the risk of harm from unauthorized release of that information; and

(ii) require that a privacy impact assessment address—

(I) what information is to be collected;

(II) why the information is being collected;

(III) the intended use of the agency of the information;

(IV) with whom the information will be shared;

(V) what notice or opportunities for consent would be provided to individuals regarding what information is collected and how that information is shared;

(VI) how the information will be secured; and

(VII) whether a system of records is being created under section 552a of title 5, United States Code, (commonly referred to as the Privacy Act).

(3) RESPONSIBILITIES OF THE DIRECTOR.—The Director shall—

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

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

(C) require agencies to conduct privacy impact assessments of existing information systems or ongoing collections of personally identifiable information as the Director determines appropriate.

(c) PRIVACY PROTECTIONS ON AGENCY WEBSITES.—

(1) PRIVACY POLICIES ON WEBSITES.—

(A) GUIDELINES FOR NOTICES.—The Director shall develop guidance for privacy notices on agency websites.

(B) CONTENTS.—The guidance shall require that a privacy notice address—

(i) what information is to be collected;

(ii) why the information is being collected;

(iii) the intended use of the agency of the information;

(iv) with whom the information will be shared;

(v) what notice or opportunities for consent would be provided to individuals regarding what information is collected and how that information is shared;

(vi) how the information will be secured; and

(vii) a statement of the rights of the individual under section 552a of title 5, United States Code (commonly referred to as the Privacy Act), and other laws relevant to the protection of the privacy of an individual.

(2) PRIVACY POLICIES IN MACHINE-READABLE FORMATS.—The Director shall issue guidance requiring agencies to translate privacy policies into a standardized machine-readable format.

SEC. 209. FEDERAL INFORMATION TECHNOLOGY WORKFORCE DEVELOPMENT.

(a) PURPOSE.—The purpose of this section is to improve the skills of the Federal workforce in using information technology to deliver information and services.

(b) IN GENERAL.—In consultation with the Director, the Chief Information Officers Council, and the Administrator of General Services, the Director of the Office of Personnel Management shall oversee the development and operation of a Federal Information Technology Training Center (in this section referred to as the "Training Center").

(c) 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) oversee the development of 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) oversee the training of Federal employees in information technology disciplines, as necessary, at a rate that ensures that the information resource management needs of the Federal Government are met.

(d) EMPLOYEE PARTICIPATION.—Subject to information resource management needs and the limitations imposed by resource needs in other occupational areas, and consistent with their overall workforce development strategies, agencies shall encourage employees to participate in the occupational information technology curricula of the Training Center.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the

Office of Personnel Management for overseeing the development and operation of the Training Center, \$7,000,000 in fiscal year 2003, and such sums as are necessary for each fiscal year thereafter.

**SEC. 210. COMMON PROTOCOLS FOR GEOGRAPHIC INFORMATION SYSTEMS.**

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

(1) reduce redundant data collection and information; and

(2) promote collaboration and use of standards for government geographic information.

(b) **DEFINITION.**—In this section, the term “geographic information” means information systems that involve locational data, such as maps or other geospatial information resources.

(c) **IN GENERAL.**—

(1) **COMMON PROTOCOLS.**—The Secretary of the Interior, working with the Director and through an interagency group, and working with private sector experts, State, local, and tribal governments, 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. If practicable, the Secretary of the Interior shall incorporate intergovernmental and public private geographic information partnerships into efforts under this subsection.

(2) **INTERAGENCY GROUP.**—The interagency group referred to under paragraph (1) shall include representatives of the National Institute of Standards and Technology and other agencies.

(d) **DIRECTOR.**—The Director shall—

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

(2) oversee the coordination with State, local, and tribal governments, public private partnerships, and other interested persons on effective and efficient ways to align geographic information and develop common protocols; and

(3) oversee the adoption of common standards relating to the protocols.

(e) **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 accessible; and

(2) promote the development of interoperable geographic information systems technologies that shall—

(A) allow widespread, low-cost use and sharing of geographic data by Federal agencies, State, local, and tribal governments, and the public; and

(B) enable the enhancement of services using geographic data.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Department of the Interior such sums as are necessary to carry out this section, for each of the fiscal years 2003 through 2007.

**SEC. 211. 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 5 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”; 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”; and

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

(3) in subsection (c), by inserting before the period “and the Administrator for the Office of Electronic Government”;

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

“(d) **REPORT.**—

“(1) **IN GENERAL.**—After 5 pilot projects have been completed, but no later than 3 years after the effective date of this subsection, the Director shall submit a report on the results of the projects to the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives.

“(2) **CONTENTS.**—The report shall include—

“(A) a description of the reduced costs and other measurable benefits of the pilot projects;

“(B) a description of the ability of agencies to determine the baseline costs of a project against which savings would be measured; and

“(C) recommendations of the Director relating to whether Congress should 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.”.

**SEC. 212. INTEGRATED REPORTING STUDY AND PILOT PROJECTS.**

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

(1) enhance the interoperability of Federal information systems;

(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 Director 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 progress toward integrating Federal information systems across agencies.

(2) **CONTENTS.**—The report under this section shall—

(A) address the integration of 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; and

(ii) allows the integration of 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 Director; 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 Director shall designate a series of no more than 5 pilot projects that integrate data elements. The Director 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. To the extent practicable, the Director shall consult with relevant agencies and State, tribal, and local governments in carrying out the report and pilot projects under this section.

(e) **PRIVACY PROTECTIONS.**—The activities authorized under this section shall afford protections for—

(1) confidential business information consistent with section 552(b)(4) of title 5, United States Code, and other relevant law; and

(2) personal privacy information under section 552a of title 5, United States Code, and other relevant law.

**SEC. 213. COMMUNITY TECHNOLOGY CENTERS.**

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

(1) study and enhance the effectiveness of community technology centers, public libraries, and other institutions that provide computer and Internet access to the public; and

(2) promote awareness of the availability of on-line government information and services, to users of community technology centers, public libraries, and other public facilities that provide access to computer technology and Internet access to the public.

(b) **STUDY AND REPORT.**—Not later than 2 years after the effective date of this title, the Secretary of Education, in consultation with the Secretary of Housing and Urban Development, the Secretary of Commerce, the Director of the National Science Foundation, and the Director of the Office of Management and Budget, 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.

(c) CONTENTS.—The report may consider—

(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.

(d) 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.

(e) ASSISTANCE.—

(1) IN GENERAL.—The Director of the Office of Management and Budget shall work with the Secretary of 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.

(f) ONLINE TUTORIAL.—

(1) IN GENERAL.—The Secretary of Education, in consultation with the Director of the Office of Management and Budget, the Director of the National Science Foundation, other relevant agencies, and the public, shall develop an online tutorial that—

(A) explains how to access Government 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—

(1) \$2,000,000 in fiscal year 2003;

(2) \$2,000,000 in fiscal year 2004; and

(3) such sums as are necessary in fiscal years 2005 through 2007.

#### SEC. 214. ENHANCING CRISIS MANAGEMENT THROUGH ADVANCED INFORMATION TECHNOLOGY.

(a) PURPOSE.—The purpose of this section is to improve how information technology is used in coordinating and facilitating information on disaster preparedness and response while ensuring the availability of such information across multiple access channels.

(b) 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 to conduct a study on using information technology to enhance crisis response and consequence management of natural and manmade disasters.

(2) CONTENTS.—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 into 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 Federal Emergency Management Agency shall submit a report on the study, including findings and recommendations to—

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

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

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

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Federal Emergency Management Agency for research under this subsection, such sums as are necessary for fiscal year 2003.

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

#### SEC. 215. DISPARITIES IN ACCESS TO THE INTERNET.

(a) STUDY AND REPORT.—

(1) STUDY.—Not later than 90 days after the date of enactment of this Act, the Director of the National Science Foundation shall request that the National Academy of Sciences, acting through the National Research Council, enter into a contract to conduct a study on disparities

in Internet access for online Government services.

(2) REPORT.—Not later than 2 years after the date of enactment of this Act, the Director of the National Science Foundation shall submit to the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives a final report of the study under this section, which shall set forth the findings, conclusions, and recommendations of the Council.

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

(1) how disparities in Internet access influence the effectiveness of online Government services, including a review of—

(A) the nature of disparities in Internet access;

(B) the affordability of Internet service;

(C) the incidence of disparities among different groups within the population; and

(D) changes in the nature of personal and public Internet access that may alleviate or aggravate effective access to online Government services;

(2) how the increase in online Government services is influencing the disparities in Internet access and how technology development or diffusion trends may offset such adverse influences; and

(3) 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) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the National Science Foundation \$950,000 in fiscal year 2003 to carry out this section.

#### SEC. 216. NOTIFICATION OF OBSOLETE OR COUNTERPRODUCTIVE PROVISIONS.

If the Director of the Office of Management and Budget 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 Director 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—GOVERNMENT INFORMATION SECURITY

#### SEC. 301. INFORMATION SECURITY.

(a) ADDITION OF SHORT TITLE.—Subtitle G of title X of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-266) is amended by inserting after the heading for the subtitle the following new section:

##### “SEC. 1060. SHORT TITLE.

“This subtitle may be cited as the ‘Government Information Security Reform Act’.”.

(b) CONTINUATION OF AUTHORITY.—

(1) IN GENERAL.—Section 3536 of title 44, United States Code, is repealed.

(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 3536.

### TITLE IV—AUTHORIZATION OF APPROPRIATIONS AND EFFECTIVE DATES

#### SEC. 401. AUTHORIZATION OF APPROPRIATIONS.

Except for those purposes for which an authorization of appropriations is specifically provided in title I or II, including the amendments made by such titles, there are authorized to be appropriated such sums as are necessary to carry out titles I and II for each of fiscal years 2003 through 2007.

**SEC. 402. EFFECTIVE DATES.****(a) TITLES I AND II.—**

(1) *IN GENERAL.*—*Except as provided under paragraph (2), titles I and II and the amendments made by such titles shall take effect 120 days after the date of enactment of this Act.*

(2) *IMMEDIATE ENACTMENT.*—*Sections 207, 214, 215, and 216 shall take effect on the date of enactment of this Act.*

(b) *TITLES III AND IV.*—*Title III and this title shall take effect on the date of enactment of this Act.*

Amend the title so as to read: "A bill to enhance the management and promotion of electronic Government services and processes by establishing an Office of Electronic Government 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."

Mr. MCCAIN. Mr. President, I urge my colleagues to pass S. 803, the E-Government Act of 2002. I believe that this bill will play an important role in making the Federal Government more responsive to our citizens.

The Internet would seem to be an ideal way for our constituents, especially those farthest from Washington, to get information and contact the government. However, many of our constituents complain that it is hard to access information from the government because the various agencies are not all prepared to deal with the advancements of the "digital age." Meanwhile, some agencies are using the Internet in groundbreaking ways to improve their processes. In addition, the public has found that "e-government" programs have made interactions with the Federal Government more friendly and time-efficient. Today, it is easier for American citizens to find out about a government program, look up a regulation, apply for a grant, or download educational materials by using the Internet than by contacting a distant Federal agency.

This legislation has a number of provisions to promote innovative thinking in the field of "e-government," while also assisting Federal departments and agencies in crossing into the 21st Century. The legislation establishes an Office of Electronic Government, headed by a Senate-confirmed administrator, within the Office of Management and Budget. This new administrator will sponsor a dialogue between government agencies, the public, and private and non-profit entities to spur creative new ideas for "e-government." In addition the administrator will direct "e-government" initiatives, and oversee an interagency "e-government" fund to invest in cross-cutting projects with government-wide application. The bill also promotes the use of the Internet and other technologies to provide more information and better services to Americans through Internet strategies, such as the Federal "FirstGov" portal. Finally, the bill includes a number of provisions that should make it easier for the public to access information

about Federal scientific research, the Federal courts, and other areas of interest.

I would like especially to commend my friends, Senators LIEBERMAN and THOMPSON, the chairman and ranking member of the Government Affairs Committee, for their hard work on this legislation. This legislation addresses a complex issue that effects many agencies throughout government and its development required persistence and careful thought. The result of their efforts will improve Federal Government operations, and make the Government more responsive to the citizens we represent.

Mr. REID. Mr. President, it is my understanding Senators LIEBERMAN and THOMPSON have a substitute amendment that is at the desk. I ask unanimous consent that the amendment be considered and agreed to; that the motion to reconsider be laid upon the table; that the committee substitute amendment, as amended, be agreed to; that the bill, as amended, be read a third time and passed; that the motion to reconsider be laid upon the table, without intervening action or debate; that the title amendment be agreed to; that the motion to reconsider be laid upon the table; and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4172) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The committee amendment, in the nature of a substitute, as amended, was agreed to.

The bill (S. 803), as amended, was read the third time and passed.

(The bill will be printed in a future edition of the RECORD.)

The title was amended so as to read: "A bill to enhance the management and promotion of electronic Government services and processes by establishing an Office of Electronic Government 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."

#### ORDER FOR BILL TO BE PRINTED—S. 2514

Mr. REID. Mr. President, I ask unanimous consent that S. 2514, as passed by the Senate, be printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### NATIONAL FRAUD AGAINST SENIOR CITIZENS AWARENESS WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 454, S. Res. 281.

The PRESIDING OFFICER. The clerk will report the title.

The legislative clerk read as follows:

A resolution (S. Res. 281) designating the week beginning August 25, 2002, as "National Fraud Against Senior Citizens Awareness Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to, en bloc; that the motion to reconsider be laid upon the table; and that any statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 281) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 281

Whereas perpetrators of mail, telemarketing, and Internet fraud frequently target their schemes at senior citizens because seniors are often vulnerable and trusting people;

Whereas, as victims of such schemes, many senior citizens have been robbed of their hard-earned life savings and frequently pay an emotional cost, losing not only their money, but also their self-respect and dignity;

Whereas perpetrators of fraudulent schemes against American seniors often operate outside the United States, reaching their victims through the mail, telephone lines, and the Internet;

Whereas the Deceptive Mail Prevention and Enforcement Act increased the power of the United States Postal Service to protect consumers against those who use deceptive mailings featuring games of chance, sweepstakes, skill contests, and facsimile checks;

Whereas the Postal Inspection Service responded to 66,000 mail fraud complaints, arrested 1,691 mail fraud offenders, convicted 1,477 such offenders, and initiated 642 civil or administrative actions in fiscal year 2001;

Whereas mail fraud investigations by the Postal Inspection Service in fiscal year 2001 resulted in over \$1,200,000,000 in court-ordered and voluntary restitution payments;

Whereas the Postal Inspection Service, in an effort to curb cross-border fraud, is involved in 3 major fraud task forces with law enforcement officials in Canada, namely, Project Colt in Montreal, The Strategic Partnership in Toronto, and Project Emptor in Vancouver;

Whereas consumer awareness is the best protection from fraudulent schemes; and

Whereas it is vital to increase public awareness of the enormous impact that fraud has on senior citizens in the United States, and to educate the public, senior citizens, their families, and their caregivers about the signs of fraudulent activities and how to report suspected fraudulent activities to the appropriate authorities: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week beginning August 25, 2002, as "National Fraud Against Senior Citizens Awareness Week"; and

(2) requests the President to issue a proclamation calling on the people of the United States to observe the week with appropriate activities and programs to—

(A) prevent the purveyors of fraud from victimizing senior citizens in the United States; and

(B) educate and inform the public, senior citizens, their families, and their caregivers