

year, double that of the same period last year. Our country cannot afford to degrade its wildland firefighting and emergency response capabilities.

An individual that successfully competes for a vacant permanent position—we are not creating new ones—under the clarified intent of this bill would, upon appointment, become a career-conditional employee—unless the employee had otherwise completed service requirements for career tenure—and acquire competitive status upon appointment.

H.R. 4906 defines land management agencies to include the Forest Service, Bureau of Land Management, National Park Service, Fish and Wildlife Service, Bureau of Reclamation, and Bureau of Indian Affairs.

The legislative fix will finally give temporary seasonal firefighters and other land management temporary seasonal employees the chance to compete for vacant permanent positions, seasonal or full-time, under the same merit promotion procedures available to other Federal employees.

Last year, I stated that our bipartisan bill was consistent with OPM's support for the concept that "long-term temporaries who have demonstrated their abilities on the job should not have to compete with the public for permanent vacancies."

Despite their misinterpretation of H.R. 1531, the original land management bill, I remain confident OPM still supports that sentiment.

In closing, I strongly urge my colleagues to support the bipartisan Land Management Workforce Flexibility Act, ensuring that our Nation's hard-working, temporary, seasonal employees may compete to serve the American people on a permanent basis, if they so choose. That will improve government efficiency and effectiveness and, I believe, provide a safety valve when it comes to the fire season out west. But it is simply the right thing to do, in the final analysis, on behalf of this dedicated workforce.

Mr. Speaker, I yield back the balance of my time.

Mr. RUSSELL. Mr. Speaker, I urge the adoption of the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill, H.R. 4906.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. RUSSELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1700

MAKING ELECTRONIC GOVERNMENT ACCOUNTABLE BY YIELDING TANGIBLE EFFICIENCIES ACT OF 2016

Mr. RUSSELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4904) to require the Director of the Office of Management and Budget to issue a directive on the management of software licenses, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4904

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Making Electronic Government Accountable By Yielding Tangible Efficiencies Act of 2016" or the "MEGABYTE Act of 2016".

SEC. 2. OMB DIRECTIVE ON MANAGEMENT OF SOFTWARE LICENSES.

(a) DEFINITION.—In this section—

(1) the term "Director" means the Director of the Office of Management and Budget; and

(2) the term "executive agency" has the meaning given that term in section 105 of title 5, United States Code.

(b) OMB DIRECTIVE.—The Director shall issue a directive to require the Chief Information Officer of each executive agency to develop a comprehensive software licensing policy, which shall—

(1) identify clear roles, responsibilities, and central oversight authority within the executive agency for managing enterprise software license agreements and commercial software licenses; and

(2) require the Chief Information Officer of each executive agency to—

(A) establish a comprehensive inventory, including 80 percent of software license spending and enterprise licenses in the executive agency, by identifying and collecting information about software license agreements using automated discovery and inventory tools;

(B) regularly track and maintain software licenses to assist the executive agency in implementing decisions throughout the software license management life cycle;

(C) analyze software usage and other data to make cost-effective decisions;

(D) provide training relevant to software license management;

(E) establish goals and objectives of the software license management program of the executive agency; and

(F) consider the software license management life cycle phases, including the requisition, reception, deployment and maintenance, retirement, and disposal phases, to implement effective decisionmaking and incorporate existing standards, processes, and metrics.

(c) REPORT ON SOFTWARE LICENSE MANAGEMENT.—

(1) IN GENERAL.—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each of the following 5 fiscal years, the Chief Information Officer of each executive agency shall submit to the Director a report on the financial savings or avoidance of spending that resulted from improved software license management.

(2) AVAILABILITY.—The Director shall make each report submitted under paragraph (1) publically available.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Oklahoma (Mr. RUSSELL) and the gentleman from Pennsylvania (Mr. CARTWRIGHT) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RUSSELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my friend from Pennsylvania (Mr. CARTWRIGHT) on the Oversight and Government Reform Committee for introducing H.R. 4904, the Making Electronic Government Accountable By Yielding Tangible Efficiencies Act of 2016, or the MEGABYTE Act of 2016, to improve the Federal Government's management of software licenses. I am a proud cosponsor of this straightforward legislation.

Importantly, this bill is the House companion to Senator CASSIDY's own MEGABYTE Act, S. 2340, and I am glad to see this proposal has found bipartisan support in both Chambers and has moved forward.

H.R. 4904 requires the Chief Information Officer for each Federal agency to maintain a software license inventory as well as analyze the use of software to inform decisionmaking.

Mr. Speaker, the Government Accountability Office has expressed repeated concerns on software license management and its costs. In fact, the Government Accountability Office, or GAO, listed IT software license management as a potential cost savings area on its 2015 duplication report. In our never-ending effort to cut waste, I agree with the GAO that it believes implementing sound, comprehensive software management policies has already achieved at least \$250 million in savings to the Federal Government. But there is more work to be done. There are other savings that the government could and should be capturing.

A 2014 GAO report found that only 2 of 24 major agencies had comprehensive software licensing policies in place. In fact, only 2 of the 24 agencies had comprehensive license inventories. Agencies cannot effectively manage the software licenses they have if they don't know what they have in the first place.

Maintaining a thorough inventory is vital to ensure that agencies make cost-effective decisions with respect to software licensing and avoid duplicative measures.

The MEGABYTE Act will force agencies to focus on their software license policies and their inventories, leading to savings to the American taxpayer. These are straightforward steps that should already be happening, and this bill ensures that they will.

This legislation is about responsible stewardship of the tax dollars of hard-working Americans. I thank my friend, Mr. CARTWRIGHT, and also Senator CASSIDY for their collective work on the MEGABYTE Act.

Mr. Speaker, I urge my colleagues to not only support this legislation, but all legislation in our continued quest to cut waste in government.

Mr. Speaker, I reserve the balance of my time.

Mr. CARTWRIGHT. Mr. Speaker, I rise in support of H.R. 4904, and I yield myself such time as I may consume.

Mr. Speaker, let me first begin by thanking our chairman of the Oversight and Government Reform Committee, JASON CHAFFETZ, for bringing this bill forward for a vote. I also want to thank the gentleman from Maryland, ELIJAH CUMMINGS, my friend and the ranking member; as well as the other two lead cosponsors who are here, Congressman WILL HURD of Texas and Congressman STEVE RUSSELL of Oklahoma who just spoke for their support.

Additionally, I also want to join him in thanking Senator BILL CASSIDY—lately our colleague here in the House, but now over in the minor leagues—for his support and his authorship of this bill.

Mr. Speaker, we are always looking for ways to curb waste in the Federal Government, and sometimes it is surprising the places you find it. It is a changing world. Fifty years ago, nobody used the acronym IT, but now they do, and there is waste to be found in the IT procurement mechanism.

Mr. Speaker, the Federal Government spends \$82 billion a year on information technology. Right now, for the second year in a row, our GAO has identified IT software license management as a top priority in its annual duplication report. A duplication report is something that is really good at identifying waste because duplication means what it says: you are duplicating purchases in the Federal Government.

Of the 24 major Federal agencies, as you just heard, only two have implemented policies of comprehensive and clear management of software licenses. It is like this: anybody in the private sector knows that when you go to buy a suite of software from a major vendor, they sell it in blocks with a price point. So you might buy a block of 25 copies of a particular brand of software even though your office only needs 19 copies. That means you have six extra licenses left over.

The Federal Government buys software the same way. What we found is they are not doing a good enough job of keeping track of the unused licenses. This bill codifies current administration efforts to do things like that to save the Federal taxpayers their tax dollars.

Right now none of the 24 agencies have fully implemented all of these industry best practices recommended by

the GAO, and that ends now with this legislation.

The Making Electronic Government Accountable By Yielding Tangible Efficiencies Act, the MEGABYTE Act, is comprised of necessary reforms to the Federal Government's management of IT software licenses. In particular, the MEGABYTE Act achieves cost savings by seven action items:

Number one, it requires the Office of Management and Budget to issue directives requiring agencies to identify clear roles, responsibilities, and central oversight authority for managing IT software licenses;

Number two, it requires having agencies establish comprehensive records of software license spending and inventories of enterprise licenses in the agency, as I just mentioned;

Number three, regularly track and efficiently and effectively utilize software licenses to assist the executive agency in implementing decisions throughout the software license management life cycle;

Number four, analyze software usage and other data to make cost-effective decisions in the purchase of software;

Number five, provide relevant training for software license management;

Number six, establish broad objectives and targeted implementation strategies of the software license management program of the agency;

And, finally, number seven, consider the software license management life cycle phases, including the requisition, reception, deployment and maintenance, retirement, and disposal phases in order to implement effective decisionmaking, again, in the purchase and handling of software.

The GAO found that when implementing these oversight and management practices reflected in the MEGABYTE Act, a Federal agency—one Federal agency—saved 181 million tax dollars in a single year. Enacting MEGABYTE across the entire executive branch promises potentially yielding billions of savings to the American taxpayer footing the bill for all of this.

Mr. Speaker, improving the management of agency contracts and licensing for commercial software is critical to ensuring the procurement process works effectively for both the Federal Government and industry that provides the software.

An obvious example of how effective software management could save not only dollars and cents, but improve the lives of Americans is in the health records of our servicemembers.

Mr. Speaker, the Oversight and Government Reform Committee has held hearings on the failure by the Department of Defense and the Department of Veterans Affairs to implement a fully integrated electronic health record system for our Active Duty soldiers and our veterans. As early as 1998, DOD and VA began an effort to create health records that could work together, with an initiative to create a joint system—an integrated electronic

health record system. But after nearly two decades and spending over \$560 million toward that effort, DOD and VA ditched the plan and continued on with their separate systems.

Now, our soldiers, sailors, airmen, and marines who are making their transition from DOD to VA health care are told to print out hard copies of their medical records and bring them to the VA. That is an enormous sum of money to have spent with absolutely nothing to show for it.

Mr. Speaker, it is my hope that the MEGABYTE Act is the first in a series of steps we can take to minimize wasteful software spending and to promote efficient procurement of technology. Our software and technology must promote interoperability across multiple platforms—and this starts with effective decisionmaking. By encouraging the use of open standards that are technology neutral, we can encourage innovation when we create connected, interoperable components and systems, driving down costs and avoiding unnecessary lock-in to any one particular technology platform.

Mr. Speaker, I am proud of the bipartisan and bicameral effort behind this bill. I thank, again, our chairman, JASON CHAFFETZ, for advancing the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. RUSSELL. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. HURD), my friend and colleague.

Mr. HURD of Texas. Mr. Speaker, the Federal Government spends more than \$80 billion a year on IT procurement, and 80 percent of that is on legacy systems, old and outdated systems that all of us would think should be gone. Every time I hear this stat, I get upset because it is outrageous. This is a waste of Americans' hard-earned tax dollars.

In 2015, the Office of Management and Budget noted that Federal agencies spent about \$9 billion on software licenses alone. But guess what? Many agencies are not managing these software licenses properly. I know—nobody is surprised.

The Government Accountability Office did a report last year that explained agencies could achieve hundreds of millions of dollars in governmentwide savings if they managed their software licenses better. Agencies should already have a comprehensive inventory of what software they use. Agencies should already be utilizing their spending power to get good deals on software licenses. Agencies should already be getting rid of old software they don't use. But this isn't happening, so Congress is acting.

In 2015, Congress passed landmark IT reform legislation called FITARA, which gave agency CIOs greater authority over IT decisions and changed the way that the Federal Government procures technology.

The MEGABYTE Act, H.R. 4904, builds upon the important work that

FITARA started. When enacted, this bill would require CIOs to develop comprehensive inventories on their software license agreements. Additionally, this measure would require agency CIOs to provide OMB with annual reports on any realized savings, which OMB must make publicly available.

It is simple, it is straightforward, and it makes sense. IT procurement is not a sexy topic. Nobody goes to a rally for IT procurement. But getting this right will save money, and when we cut waste, we allow hardworking Americans to keep more of their money in their own pockets.

Mr. Speaker, I thank the gentleman from Pennsylvania for his leadership on this issue, and I look forward to continuing our work together. I urge my colleagues to support H.R. 4904.

Mr. CARTWRIGHT. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY.)

Mr. CONNOLLY. Mr. Speaker, I thank my good friend from Pennsylvania (Mr. CARTWRIGHT) especially for his leadership on this bill, the MEGABYTE Act.

Mr. Speaker, as has been indicated, we spend over \$80 billion a year on IT procurement across the Federal Government, 80 percent of which maybe is used to maintain old and legacy systems, some of those systems going back to the 1960s. We are still funding COBOL, DOS, and many multiple systems that aren't integrated and aren't interoperable.

□ 1715

My friend, Mr. CARTWRIGHT, gave what I think is one of the most glaring examples of how, even when we move to update, because of the stovepipe nature of decisionmaking all too often in the Federal Government, bad decisions get made.

The Pentagon has one system for medical recordkeeping and the Veterans Administration has another. When one individual moves from Active Duty to retired status, they have to take their records with them, physically, because the two systems, upgraded recently, are not compatible. A third procurement contract had to be issued for the private sector to try to see if they could bridge these two systems, and the taxpayer had to pay a third time. Why couldn't we get that right the first time?

Making sure these investments serve the purpose for which they are intended is really critical. This act helps codify that.

My friend, Mr. HURD from Texas, was gracious in bringing up the FITARA, the Federal Information Technology Acquisition Reform Act, which I think sets the construct, the structure, for every Federal agency to modernize itself to improve efficiency, to streamline management, and to make sure that these investments are efficacious.

The MEGABYTE Act is a wonderful complement to that when it comes to software. I think it will help transform

how the Federal Government procures and manages its information technology portfolio. I urge its passage, and I am proud to be an original cosponsor.

Mr. RUSSELL. Mr. Speaker, I reserve the balance of my time.

Mr. CARTWRIGHT. Mr. Speaker, I yield myself such time as I may consume.

I urge my fellow Members of the United States House of Representatives to vote "yes" on H.R. 4904, a common-sense, bipartisan, bicameral effort to save the American taxpayers money in the purchase of software. It is our chance to nip this problem in the bud before it gets bigger and bigger and bigger. It is an opportunity to save a whopping amount of money for the American taxpayer.

I yield back the balance of my time. Mr. RUSSELL. Mr. Speaker, I yield myself such time as I may consume.

I also urge not only support and adoption of this bill, but I think it is crucial, as we continue to fight and combat waste in government, that we look at measures that are so ripe and so effective, if we pass them, that they will have an immediate impact on tax dollars that are wasted. Here we have a measure that literally will save billions of dollars in the very short term. It is very, very important that we pass it. I urge adoption of the bill.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill, H.R. 4904.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. RUSSELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

EASTERN NEVADA LAND IMPLEMENTATION IMPROVEMENT ACT

Mr. HARDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1815) to facilitate certain pinyon-juniper related projects in Lincoln County, Nevada, to modify the boundaries of certain wilderness areas in the State of Nevada, and to provide for the implementation of a conservation plan for the Virgin River, Nevada, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1815

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Eastern Nevada Land Implementation Improvement Act".

SEC. 2. FACILITATION OF PINYON-JUNIPER RELATED PROJECTS IN LINCOLN COUNTY, NEVADA.

(a) FACILITATION OF PINYON-JUNIPER RELATED PROJECTS.—

(1) AVAILABILITY OF SPECIAL ACCOUNT UNDER LINCOLN COUNTY LAND ACT OF 2000.—Section 5(b) of the Lincoln County Land Act of 2000 (Public Law 106-298; 114 Stat. 1048) is amended—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting "and implementation" after "development"; and

(ii) in subparagraph (C)—

(I) in clause (i), by striking "and" at the end and inserting a semicolon; and

(II) by adding at the end the following:

"(iii) development and implementation of comprehensive, cost-effective, and multijurisdictional hazardous fuels reduction projects and wildfire prevention planning activities (particularly for pinyon-juniper dominated landscapes) and other rangeland and woodland restoration projects within the County, consistent with the Ely Resource Management Plan or a subsequent amendment to the plan; and"; and

(B) by adding at the end the following:

"(3) COOPERATIVE AGREEMENTS.—Establishment of cooperative agreements between the Bureau of Land Management and the County shall be required for any County-provided law enforcement and planning related activities approved by the Secretary regarding—

"(A) wilderness in the County designated by the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108-424; 118 Stat. 2403);

"(B) cultural resources identified, protected, and managed pursuant to that Act;

"(C) planning, management, and law enforcement associated with the Silver State OHV Trail designated by that Act; and

"(D) planning associated with land disposal and related land use authorizations required for utility corridors and rights-of-way to serve land that has been, or is to be, disposed of pursuant to that Act (other than rights-of-way granted pursuant to that Act) and this Act.".

(2) AVAILABILITY OF SPECIAL ACCOUNT UNDER LINCOLN COUNTY CONSERVATION, RECREATION, AND DEVELOPMENT ACT OF 2004.—Section 103 of the Lincoln County Conservation, Recreation, and Development Act of 2004 (Public Law 108-424; 118 Stat. 2406) is amended—

(A) in subsection (b)(3)—

(i) in subparagraph (E), by striking "and" at the end and inserting a semicolon;

(ii) in subparagraph (F), by striking the period at the end and inserting "and"; and

(iii) by adding at the end the following:

"(G) development and implementation of comprehensive, cost-effective, and multijurisdictional hazardous fuels reduction and wildfire prevention planning activities (particularly for pinyon-juniper dominated landscapes) and other rangeland and woodland restoration projects within the County, consistent with the Ely Resource Management Plan or a subsequent amendment to the plan."; and

(B) by adding at the end the following:

"(d) COOPERATIVE AGREEMENTS.—Establishment of cooperative agreements between the Bureau of Land Management and the County shall be required for any County-provided law enforcement and planning related activities approved by the Secretary regarding—

"(1) wilderness in the County designated by this Act;

"(2) cultural resources identified, protected, and managed pursuant to this Act;

"(3) planning, management, and law enforcement associated with the Silver State OHV Trail designated by this Act; and

"(4) planning associated with land disposal and related land use authorizations required for utility corridors and rights-of-way to serve land that has been, or is to be, disposed of pursuant to this Act (other than rights-of-way granted pursuant to this Act) and the Lincoln County Land Act of 2000 (Public Law 106-298; 114 Stat. 1046).".

(b) DISPOSITION OF PROCEEDS.—

(1) DISPOSITION OF PROCEEDS UNDER LINCOLN COUNTY LAND ACT OF 2000.—Section 5(a)(2) of the