

frastructure, taking into account any recommendations of the relevant agency CIO; and

(c) increase use of industry best practices, such as the shared use of IT solutions within agencies and across the executive branch.

SEC. 6. *Strengthening Cybersecurity.* Consistent with the purposes of Executive Order 13800 of May 11, 2017 (Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure) [6 U.S.C. note prec. 1500], the head of each covered agency shall take all necessary and appropriate action to ensure that:

(a) the CIO, as the principal advisor to the agency head for the management of IT resources, works closely with an integrated team of senior executives with expertise in IT, security, budgeting, acquisition, law, privacy, and human resources to implement appropriate risk management measures; and

(b) the agency prioritizes procurement of shared IT services, including modern email and other cloud-based services, where possible and to the extent permitted by law.

SEC. 7. *Knowledge and Skill Standards for IT Personnel.* The head of each covered agency shall take all necessary and appropriate action to ensure that:

(a) consistent with 40 U.S.C. 11315(c)(3), the CIO assesses and advises the agency head regarding knowledge and skill standards established for agency IT personnel;

(b) the established knowledge and skill standards are included in the performance standards and reflected in the performance evaluations of all component CIOs, and that the CIO is responsible for that portion of the evaluation; and

(c) all component CIOs apply those standards within their own components.

SEC. 8. *Chief Information Officer Role on IT Governance Boards.* Wherever appropriate and consistent with applicable law, the head of each covered agency shall ensure that the CIO shall be a member of any investment or related board of the agency with purview over IT, or any board responsible for setting agency-wide IT standards. The head of each covered agency shall also, as appropriate and consistent with applicable law, direct the CIO to chair any such board. To the extent any such board operates through member votes, the head of each covered agency shall also, as appropriate and consistent with applicable law, direct the CIO to fulfill the role of voting member.

SEC. 9. *Chief Information Officer Hiring Authorities.* The Director of OPM (Director) shall publish a proposed rule delegating to the head of each covered agency authority to determine whether there is a severe shortage of candidates (or, with respect to the Department of Veterans Affairs, that there exists a severe shortage of highly qualified candidates), or that a critical hiring need exists, for IT positions at the covered agency pursuant to 5 U.S.C. 3304(a)(3) [now 3304(b)(3)], under criteria established by OPM.

(a) Such proposed rule shall provide that, upon an affirmative determination by the head of a covered agency that there is a severe shortage of candidates (or, with respect to the Department of Veterans Affairs, that there exists a severe shortage of highly qualified candidates), or that a critical hiring need exists for IT positions, under the criteria established by OPM, the Director shall, within 30 days, grant that agency direct hiring authority for IT positions.

(b) Such proposed rule shall further provide that employees hired using this authority may not be transferred to positions that are not IT positions; that the employees shall initially be given term appointments not to exceed 4 years; and that the terms of such employees may be extended up to 4 additional years at the discretion of the hiring agency.

(c) The Director shall submit the proposed rule for publication within 30 days of the date of this order [May 15, 2018].

SEC. 10. *Guidance.* The Director of the Office of Management and Budget shall amend or replace relevant guidance, as appropriate, to agencies to reflect the requirements of this order.

SEC. 11. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP.

§ 11316. **Accountability**

The head of each executive agency, in consultation with the Chief Information Officer and the Chief Financial Officer of that executive agency (or, in the case of an executive agency without a chief financial officer, any comparable official), shall establish policies and procedures to ensure that—

(1) the accounting, financial, asset management, and other information systems of the executive agency are designed, developed, maintained, and used effectively to provide financial or program performance data for financial statements of the executive agency;

(2) financial and related program performance data are provided on a reliable, consistent, and timely basis to executive agency financial management systems; and

(3) financial statements support—

(A) assessments and revisions of mission-related processes and administrative processes of the executive agency; and

(B) measurement of the performance of investments made by the agency in information systems.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1242.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
11316 .....	40:1426.	Pub. L. 104-106, div. E, title LI, § 5126, Feb. 10, 1996, 110 Stat. 686.

§ 11317. **Significant deviations**

The head of each executive agency shall identify in the strategic information resources management plan required under section 3506(b)(2) of title 44 any major information technology acquisition program, or any phase or increment of that program, that has significantly deviated from the cost, performance, or schedule goals established for the program.

(Pub. L. 107-217, Aug. 21, 2002, 116 Stat. 1242.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
11317 .....	40:1427.	Pub. L. 104-106, div. E, title LI, § 5127, Feb. 10, 1996, 110 Stat. 687.

§ 11318. **Interagency support**

The head of an executive agency may use amounts available to the agency for oversight,