

111TH CONGRESS
1ST SESSION

H. R. 1910

To create the Office of the Chief Technology Officer within the Executive Office of the President.

IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2009

Mr. CONNOLLY of Virginia introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To create the Office of the Chief Technology Officer within the Executive Office of the President.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Chief Technology Offi-
5 cer Act of 2009”.

6 **SEC. 2. OFFICE OF THE CHIEF TECHNOLOGY OFFICER.**

7 (a) ESTABLISHMENT AND STAFF.—

8 (1) ESTABLISHMENT.—

9 (A) IN GENERAL.—There is established in
10 the Executive Office of the President an Office

1 of the Federal Chief Technology Officer (in this
2 Act referred to as the “Office”).

3 (B) HEAD OF THE OFFICE.—

4 (i) FEDERAL CHIEF TECHNOLOGY OF-
5 FICER.—The President shall appoint a
6 Federal Chief Technology Officer (in this
7 Act referred to as the “Federal CTO”)
8 who shall be the head of the Office.

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

12 “Federal Chief Technology Officer.”.

13 (2) STAFF OF THE OFFICE.—The President
14 may appoint additional staff members to the Office.

15 (b) DUTIES OF THE OFFICE.—The functions of the
16 Federal CTO are the following:

17 (1) Undertake fact-gathering, analysis, and as-
18 sessment of the Federal Government’s information
19 technology infrastructures, information technology
20 strategy, and use of information technology, and
21 provide advice on such matters to the President,
22 heads of Federal departments and agencies, and
23 government chief information officers and chief tech-
24 nology officers.

1 (2) Work to ensure the security and privacy of
2 the Federal information technology infrastructure
3 and networks, coordinating closely with other Fed-
4 eral departments and agencies having responsibilities
5 regarding security and privacy of the infrastructure
6 and networks.

7 (3) Lead an interagency effort, working with
8 the chief technology and chief information officers of
9 each of the Federal departments and agencies, to de-
10 velop and implement a planning process to ensure
11 that they use best-in-class technologies, share best
12 practices, and improve the use of technology in sup-
13 port of Federal Government requirements.

14 (4) Provide, within the Executive Office of the
15 President, advice on the engineering, technical and
16 implementation aspects of information technology
17 and information technology infrastructure issues
18 that require attention at the highest levels of govern-
19 ment.

20 (5) Evaluate the scale, quality, and effective-
21 ness of the Federal effort in the use of information
22 technology, and advise on appropriate actions.

23 (6) Advise the President on information tech-
24 nology considerations with regard to Federal budg-
25 ets.

1 (7) Assist the President in providing general
2 leadership and coordination of the research and de-
3 velopment programs of the Federal Government for
4 information technology-related matters.

5 (8) Promote technological innovation in the
6 Federal Government, and encourage and oversee the
7 adoption of robust cross-governmental architectures
8 and standards-based information technologies, in
9 support of effective operational and management
10 policies, practices, and services across Federal de-
11 partments and agencies and with the public and ex-
12 ternal entities.

13 (9) Establish cooperative public-private sector
14 partnership initiatives to gain knowledge of tech-
15 nologies available in the marketplace that can be
16 used to improve governmental operations, citizen
17 services, and the safety, security, and privacy of in-
18 formation collected, maintained, processed, and com-
19 municated by the Federal Government.

20 (10) Establish public-private sector partnership
21 initiatives to gain knowledge of information tech-
22 nology research activities underway and planned by
23 Federal departments and agencies and in the private
24 sector that can improve the use of information tech-
25 nologies by the Federal Government.

1 (11) Sponsor, initiate, and support research
2 and demonstration projects in partnership with pri-
3 vate sector industry and academic institutions to le-
4 verage private sector expertise and innovation in
5 order to enhance existing technologies or identify
6 breakthrough innovations that can improve the Fed-
7 eral Government’s use of technology.

8 (12) Lead an interagency effort, working with
9 the chief technology and chief information officers of
10 each of the Federal departments and agencies, to
11 promote the use of best-in-class technologies, share
12 best practices, and establish an information tech-
13 nology plan for the Federal Government that im-
14 proves the effectiveness, efficiency, security, and pri-
15 vacy of the Federal Government’s information infra-
16 structure and information technology-based services.

17 (13) Any other functions and activities that the
18 President may assign to the Federal CTO.

19 (c) POLICY PLANNING; ANALYSIS AND ADVICE.—The
20 Office shall serve as a source of analysis and advice for
21 the President and heads of Federal departments and agen-
22 cies with respect to major policies, plans, and programs
23 of the Federal Government associated with information
24 technology. In carrying out this section, the Federal CTO
25 shall—

1 (1) define coherent and systematic approaches
2 for applying the use of information technology to
3 critical and emerging Federal Government informa-
4 tion management problems, and promote coordina-
5 tion of the responsibilities and programs of Federal
6 departments and agencies in the resolution of the
7 problems;

8 (2) gather timely and authoritative information
9 concerning significant developments and trends in
10 information technology, and in national priorities,
11 both current and prospective, and analyze and inter-
12 pret the information for the purpose of determining
13 whether the developments and trends are likely to
14 affect achievement of the priority goals of the Fed-
15 eral Government;

16 (3) encourage the development and mainte-
17 nance of an adequate knowledge base for human re-
18 sources in information technology, including the de-
19 velopment of appropriate models to forecast future
20 workforce requirements, and assess the effects of
21 major governmental and public programs on human
22 resources and their utilization;

23 (4) initiate studies and analyses, including sys-
24 tems analyses and technology assessments, of alter-
25 natives available for the resolution of critical and

1 emerging information technology infrastructure
2 problems and, insofar as possible, determine and
3 compare probable costs, benefits, and impacts of the
4 alternatives;

5 (5) assess the impact of information technology
6 and networked information technology systems and
7 applications on cybersecurity and personal privacy,
8 utilizing Presidential and departmental advisory
9 committees and agencies, such as the Privacy and
10 Civil Liberties Oversight Board, the Information Se-
11 curity and Privacy Advisory Board managed under
12 the National Institute of Standards and Technology,
13 the Department of Homeland Security Data Privacy
14 and Integrity Advisory Board, and the National In-
15 frastructure Advisory Committee, and advise the
16 President on steps necessary to mitigate and man-
17 age security and privacy risks;

18 (6) advise the President on the extent to which
19 the information technology programs, policies, and
20 operations activities of the Federal Government are
21 likely to affect the achievement of the priority goals
22 of the Government;

23 (7) provide the President with periodic reviews
24 of Federal statutes and administrative regulations of
25 the various Federal departments and agencies which

1 affect research and development activities, internally
2 and in relation to the private sector, or which may
3 interfere with desirable technological innovation, to-
4 gether with recommendations for elimination, re-
5 form, or updating, as appropriate of the statutes
6 and regulations;

7 (8) establish public-private partnerships to co-
8 ordinate Federal Government's information tech-
9 nology research agenda with private sector research
10 and development initiatives and provide guidance to
11 research-funding agencies;

12 (9) develop, review, revise, and recommend cri-
13 teria for determining information technology activi-
14 ties warranting Federal support, and recommend
15 Federal policies designed to advance the develop-
16 ment and maintenance of effective and efficient in-
17 formation technology capabilities, including human
18 resources, at all levels of government, academia, and
19 industry, and the effective application of the capa-
20 bilities to national needs;

21 (10) assess, and advise, on policies for inter-
22 national cooperation in information technology which
23 will advance the national and international objectives
24 of the United States;

1 (11) identify and assess areas in which informa-
2 tion technology can be used effectively in addressing
3 national and international problems; and

4 (12) perform such other duties and functions
5 and make and furnish such studies, reports, and rec-
6 ommendations as the President may request.

7 (d) OPERATIONS.—

8 (1) POWERS.—To carry out the duties de-
9 scribed in subsections (b) and (c), the Federal CTO
10 may do the following:

11 (A) HEARINGS.—Hold public hearings on
12 any relevant topic.

13 (B) CONDUCT STUDIES.—Conduct a study
14 on any relevant topic.

15 (C) ADVISORY PANELS.—Establish advi-
16 sory panels composed of individuals appointed
17 by the Federal CTO for such terms as the Fed-
18 eral CTO determines appropriate.

19 (D) GRANTS AND FELLOWSHIPS.—Award
20 grants and fellowships.

21 (E) MAILS.—Use the United States mails
22 in the same manner and under the same condi-
23 tions as departments and agencies of the
24 United States.

1 (F) CONTRACT AUTHORITY.—To the ex-
2 tent or in the amounts provided in advance in
3 appropriations Acts, enter into contracts with
4 and compensate a government or private agency
5 or person for the conduct of activities under
6 this section.

7 (G) AUTHORITY TO ACCEPT VOLUNTARY
8 SERVICES.—

9 (i) Notwithstanding section 1342 of
10 title 31, United States Code, accept the
11 service of a volunteer.

12 (ii) Reimburse a volunteer for ex-
13 penses or office supplies and local travel,
14 and for travel expenses, including per diem
15 in lieu of subsistence, incurred in per-
16 forming services for the Office.

17 (H) TEMPORARY AND INTERMITTENT
18 SERVICES.—Obtain temporary and intermittent
19 services in the same manner as an agency
20 under section 3109(b) of title 5, United States
21 Code.

22 (2) VOLUNTEER DEEMED A FEDERAL EM-
23 PLOYEE.—While performing services for the Office,
24 a volunteer is deemed an employee of the Federal
25 Government for the purposes of the following:

1 (A) Chapter 81 of title 5, United States
2 Code, relating to compensation for work-related
3 injuries.

4 (B) Chapter 11 of title 18, United States
5 Code, relating to conflicts of interest.

6 (C) Chapter 171 of title 28, United States
7 Code, relating to tort claims.

8 (3) TRAVEL EXPENSES.—The Federal CTO
9 may receive travel expenses, including per diem in
10 lieu of subsistence, in accordance with applicable
11 provisions under subchapter I of chapter 57 of title
12 5, United States Code.

13 (e) COORDINATION OF THE OFFICE WITH OTHER
14 ENTITIES.—

15 (1) FEDERAL CTO TO BE ON DOMESTIC POLICY
16 COUNCIL.—The Federal CTO shall be a member of
17 the Domestic Policy Council.

18 (2) OBTAIN INFORMATION FROM AGENCIES.—
19 The Office may secure, directly from any depart-
20 ment or agency of the United States, information
21 necessary to enable the Federal CTO to carry out
22 this Act. On request of the Federal CTO, the head
23 of the department or agency shall furnish the infor-
24 mation to the Office, subject to any applicable limi-
25 tations of Federal law.

1 (3) STAFF OF FEDERAL AGENCIES.—On re-
2 quest of the Federal CTO, to assist the Office in
3 carrying out the duties of the Office, the head of any
4 Federal department or agency may detail personnel,
5 services, or facilities of the department or agency to
6 the Office.

7 (4) COLLABORATION WITH BUREAU OF LABOR
8 STATISTICS.—The Federal CTO shall work with the
9 Bureau of Labor Statistics to develop mechanisms
10 for tracking the effect of technological innovations
11 on job creation.

12 (5) COLLABORATION WITH OFFICE OF MANAGE-
13 MENT AND BUDGET.—The Federal CTO shall—

14 (A) assist the Office of Management and
15 Budget with an annual review and analysis of
16 funding proposed for research and development
17 in the budgets of all Federal departments and
18 agencies; and

19 (B) on a reimbursable basis, assist the Of-
20 fice of Management and Budget and Federal
21 departments and agencies throughout the budg-
22 et development process.

23 (f) ANNUAL REPORT.—

24 (1) PUBLICATION AND CONTENTS.—The Fed-
25 eral CTO shall publish, in the Federal Register and

1 on a public Internet website of the Federal CTO, an
2 annual report that includes the following:

3 (A) Information on programs to promote
4 the development of technological innovations.

5 (B) Recommendations for the adoption of
6 policies to encourage the generation of techno-
7 logical innovations.

8 (C) Information on the activities and ac-
9 complishments of the Office in the year covered
10 by the report.

11 (2) SUBMISSION.—The Federal CTO shall sub-
12 mit each report under paragraph (1) to—

13 (A) the President;

14 (B) the Committee on Oversight and Gov-
15 ernment Reform of the House of Representa-
16 tives;

17 (C) the Committee on Science and Tech-
18 nology of the House of Representatives; and

19 (D) the Committee on Commerce, Science,
20 and Transportation of the Senate.

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