

Act of 2002 is title X of Pub. L. 107-296, Nov. 25, 116 Stat. 2259. For complete classification of this Act to the Code, see Short Title note set out under section 101 of Title 6, Domestic Security.

§ 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) In performing its duties, the Council shall consult regularly with representatives of State, local, and tribal governments.

(f) The Council shall perform functions that include the following:

(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 multiagency 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 11331 of title 40, and maximize the use of commercial standards as appropriate, including the following:

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

(B) Consistent with the process under section 207(d) of the E-Government Act of 2002, 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.

(7) Work with the Archivist of the United States to assess how the Federal Records Act can be addressed effectively by Federal information resources management activities.

(Added Pub. L. 107-347, title I, §101(a), Dec. 17, 2002, 116 Stat. 2905.)

REFERENCES IN TEXT

The E-Government Act of 2002, referred to in subsec. (f)(4), is Pub. L. 107-347, Dec. 17, 2002, 116 Stat. 2899. Title II of the Act, including section 207(d) of the Act, is set out as a note under section 3501 of this title. For complete classification of this Act to the Code, see Tables.

No act with the name the "Federal Records Act", referred to in subsec. (f)(7), has been enacted. The Federal Records Act of 1950, which has a similar name, was title V of act June 30, 1949, ch. 288, as added Sept. 5, 1950, ch. 849, §6(d), 64 Stat. 583, which was classified generally to sections 392 to 396 and 397 to 401 of former Title 44, Public Printing and Documents. Section 6(d) of act Sept. 5, 1950, was repealed by Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1238, the first section of which enacted this title. For disposition of sections of former Title 44, see Table at the beginning of this title. Title V of act June 30, 1949, was repealed by Pub. L. 107-217, §4, Aug. 21, 2002, 116 Stat. 1303.

§ 3604. E-Government Fund

(a)(1) There is established in the Treasury of the United States 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 Government 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;

(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; and

(C) assist the Director in coordinating resources that agencies receive from the Fund with other resources available to agencies for similar purposes.

(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 identify in their proposals resource commitments from the agencies involved and how these resources would be coordinated with support from the Fund, and include plans for potential continuation of projects after all funds made available from the Fund are expended.

(D) 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.

(E) Agencies shall assess the results of funded projects.

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

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

(A) identifies the 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 groups identified under subparagraph (A);

(C) ensures proper security and protects privacy;

(D) 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; and

(E) has performance objectives that tie to agency missions and strategic goals, and in-

terim results that relate to the objectives; 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 public 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;

(F) uses web-based technologies to achieve objectives;

(G) identifies records management and records access strategies;

(H) supports more effective citizen participation in and interaction with agency activities that further progress toward a more citizen-centered Government;

(I) directly delivers Government information and services to the public or provides the infrastructure for delivery;

(J) supports integrated service delivery;

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

(L) is new or innovative and does not supplant existing funding streams within agencies.

(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 3606.

(2) The report under paragraph (1) 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.

(Added Pub. L. 107-347, title I, §101(a), Dec. 17, 2002, 116 Stat. 2906.)

REFERENCES IN TEXT

Section 204 of the E-Government Act of 2002, referred to in subsec. (d), is section 204 of Pub. L. 107-347, which is set out in a note under section 3501 of this title.

CHANGE OF NAME

Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004.

Committee on Government Reform of House of Representatives changed to Committee on Oversight and Government Reform of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 3605. Program to encourage innovative solutions to enhance electronic Government services and processes

(a) ESTABLISHMENT OF PROGRAM.—The Administrator shall establish and promote a Governmentwide program to encourage contractor innovation and excellence in facilitating the development and enhancement of electronic Government services and processes.

(b) ISSUANCE OF ANNOUNCEMENTS SEEKING INNOVATIVE SOLUTIONS.—Under the program, the Administrator, in consultation with the Council and the Administrator for Federal Procurement Policy, shall issue announcements seeking unique and innovative solutions to facilitate the development and enhancement of electronic Government services and processes.

(c) MULTIAGENCY TECHNICAL ASSISTANCE TEAM.—(1) The Administrator, in consultation with the Council and the Administrator for Federal Procurement Policy, shall convene a multi-agency technical assistance team to assist in screening proposals submitted to the Administrator to provide unique and innovative solutions to facilitate the development and enhancement of electronic Government services and processes. The team shall be composed of employees of the agencies represented on the Council who have expertise in scientific and technical disciplines that would facilitate the assessment of the feasibility of the proposals.

(2) The technical assistance team shall—

(A) assess the feasibility, scientific and technical merits, and estimated cost of each proposal; and

(B) submit each proposal, and the assessment of the proposal, to the Administrator.

(3) The technical assistance team shall not consider or evaluate proposals submitted in response to a solicitation for offers for a pending procurement or for a specific agency requirement.

(4) After receiving proposals and assessments from the technical assistance team, the Administrator shall consider recommending appropriate proposals for funding under the E-Government Fund established under section 3604 or, if appropriate, forward the proposal and the assessment of it to the executive agency whose mission most coincides with the subject matter of the proposal.

(Added Pub. L. 107-347, title I, §101(a), Dec. 17, 2002, 116 Stat. 2909.)

§ 3606. 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 under subsection (a) 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.

(Added Pub. L. 107-347, title I, §101(a), Dec. 17, 2002, 116 Stat. 2909.)

REFERENCES IN TEXT

The E-Government Act of 2002, referred to in subsec. (b)(3), is Pub. L. 107-347, Dec. 17, 2002, 116 Stat. 2899. Section 202(f) of the Act is set out in a note under section 3501 of this title. For complete classification of this Act to the Code, see Tables.

CHANGE OF NAME

Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004.

Committee on Government Reform of House of Representatives changed to Committee on Oversight and Government Reform of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

CHAPTER 37—ADVERTISEMENTS BY GOVERNMENT AGENCIES

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| 3701. | Advertisements for contracts in District of Columbia. |
| 3702. | Advertisements not to be published without written authority. |
| 3703. | Rate of payment for advertisements, notices, and proposals. |

§ 3701. Advertisements for contracts in District of Columbia

Advertisements for contracts for the public service may not be published in any newspaper published and printed in the District of Columbia unless the supplies or labor covered by the advertisement are to be furnished or performed in the District of Columbia or in the adjoining counties of Maryland or Virginia.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1305.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §321 (R.S. §79; June 20, 1874, ch. 328, 18 Stat. 90; Feb. 18, 1875, ch. 80, §1, 18 Stat. 317; July 31, 1876, ch. 246, 19 Stat. 105; Aug. 2, 1946, ch. 744, §17(b), 60 Stat. 811; 1950 Reorg. Plan No. 20, §2(b), eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1272).

§ 3702. Advertisements not to be published without written authority

Advertisements, notices, or proposals for an executive department of the Government, or for