

an antitrust investigation to the extent provided in subparagraph (C) of paragraph (1) undertaken with reference to a category of individuals or entities such as a class of licensees or an entire industry.

(d) Nothing in this subchapter shall be interpreted as increasing or decreasing the authority conferred by sections 11331 and 11332<sup>1</sup> of title 40 on the Secretary of Commerce or the Director of the Office of Management and Budget.

(e) Nothing in this subchapter shall be interpreted as increasing or decreasing the authority of the President, the Office of Management and Budget or the Director thereof, under the laws of the United States, with respect to the substantive policies and programs of departments, agencies and offices, including the substantive authority of any Federal agency to enforce the civil rights laws.

(Added Pub. L. 104-13, § 2, May 22, 1995, 109 Stat. 183; amended Pub. L. 104-106, div. E, title LI, § 5131(e)(2), Feb. 10, 1996, 110 Stat. 688; Pub. L. 105-85, div. A, title X, § 1073(h)(5)(C), Nov. 18, 1997, 111 Stat. 1907; Pub. L. 106-398, § 1 [[div. A], title X, § 1064(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-275; Pub. L. 107-217, § 3(l)(7), Aug. 21, 2002, 116 Stat. 1302.)

#### REFERENCES IN TEXT

Reorganization Plan No. 1 of 1977, referred to in subsec. (b), is set out in the Appendix to Title 5, Government Organization and Employees.

Executive order, referred to in subsec. (b), probably means Ex. Ord. No. 12046, Mar. 27, 1978, 43 F.R. 13349, which is set out as a note under section 305 of Title 47, Telecommunications.

The Antitrust Civil Process Act, referred to in subsec. (c)(1)(C), is Pub. L. 87-664, Sept. 19, 1962, 76 Stat. 548, as amended, which is classified generally to chapter 34 (§ 1311 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 1311 of Title 15 and Tables.

Section 13 of the Federal Trade Commission Improvements Act of 1980, referred to in subsec. (c)(1)(C), is classified to section 57b-1 of Title 15.

Executive Order No. 12333, referred to in subsec. (c)(1)(D), is Ex. Ord. No. 12333, Dec. 4, 1981, 46 F.R. 59941, which is set out as a note under section 3001 of Title 50, War and National Defense.

Section 11332 of title 40, referred to in subsec. (d), was repealed by Pub. L. 107-296, title X, § 1005(a)(1), Nov. 25, 2002, 116 Stat. 2272, and Pub. L. 107-347, title III, § 305(a), Dec. 17, 2002, 116 Stat. 2960.

#### PRIOR PROVISIONS

A prior section 3518, added Pub. L. 96-511, § 2(a), Dec. 11, 1980, 94 Stat. 2824, related to the effect on existing laws and regulations prior to the general amendment of this chapter by Pub. L. 104-13.

#### AMENDMENTS

2002—Subsec. (d). Pub. L. 107-217 substituted “sections 11331 and 11332 of title 40” for “section 5131 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1441) and the Computer Security Act of 1987 (40 U.S.C. 759 note)”.

2000—Pub. L. 106-398 substituted “subchapter” for “chapter” wherever appearing.

1997—Subsec. (d). Pub. L. 105-85 substituted “Clinger-Cohen Act of 1996 (40 U.S.C. 1441)” for “Information Technology Management Reform Act of 1996”.

1996—Subsec. (d). Pub. L. 104-106 substituted “section 5131 of the Information Technology Management Re-

form Act of 1996 and the Computer Security Act of 1987 (40 U.S.C. 759 note) on the Secretary of Commerce or” for “Public Law 89-306 on the Administrator of the General Services Administration, the Secretary of Commerce, or”.

#### EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-398 effective 30 days after Oct. 30, 2000, see section 1 [[div. A], title X, § 1065] of Pub. L. 106-398, set out as an Effective Date note under section 3531 of this title.

#### EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-106 effective 180 days after Feb. 10, 1996, see section 5701 of Pub. L. 104-106, Feb. 10, 1996, 110 Stat. 702.

### § 3519. Access to information

Under the conditions and procedures prescribed in section 716 of title 31, the Director and personnel in the Office of Information and Regulatory Affairs shall furnish such information as the Comptroller General may require for the discharge of the responsibilities of the Comptroller General. For the purpose of obtaining such information, the Comptroller General or representatives thereof shall have access to all books, documents, papers and records, regardless of form or format, of the Office.

(Added Pub. L. 104-13, § 2, May 22, 1995, 109 Stat. 183.)

#### PRIOR PROVISIONS

A prior section 3519, added Pub. L. 96-511, § 2(a), Dec. 11, 1980, 94 Stat. 2825; amended Pub. L. 97-258, § 3(m)(3), Sept. 13, 1982, 96 Stat. 1066, related to access to information prior to the general amendment of this chapter by Pub. L. 104-13.

### § 3520. Establishment of task force on information collection and dissemination

(a) There is established a task force to study the feasibility of streamlining requirements with respect to small business concerns regarding collection of information and strengthening dissemination of information (in this section referred to as the “task force”).

(b)(1) The Director shall determine—

(A) subject to the minimum requirements under paragraph (2), the number of representatives to be designated under each subparagraph of that paragraph; and

(B) the agencies to be represented under paragraph (2)(K).

(2) After all determinations are made under paragraph (1), the members of the task force shall be designated by the head of each applicable department or agency, and include—

(A) 1 representative of the Director, who shall convene and chair the task force;

(B) not less than 2 representatives of the Department of Labor, including 1 representative of the Bureau of Labor Statistics and 1 representative of the Occupational Safety and Health Administration;

(C) not less than 1 representative of the Environmental Protection Agency;

(D) not less than 1 representative of the Department of Transportation;

(E) not less than 1 representative of the Office of Advocacy of the Small Business Administration;

<sup>1</sup> See References in Text note below.

(F) not less than 1 representative of the Internal Revenue Service;

(G) not less than 2 representatives of the Department of Health and Human Services, including 1 representative of the Centers for Medicare and Medicaid Services;

(H) not less than 1 representative of the Department of Agriculture;

(I) not less than 1 representative of the Department of the Interior;

(J) not less than 1 representative of the General Services Administration; and

(K) not less than 1 representative of each of 2 agencies not represented by representatives described under subparagraphs (A) through (J).

(c) The task force shall—

(1) identify ways to integrate the collection of information across Federal agencies and programs and examine the feasibility and desirability of requiring each agency to consolidate requirements regarding collections of information with respect to small business concerns within and across agencies, without negatively impacting the effectiveness of underlying laws and regulations regarding such collections of information, in order that each small business concern may submit all information required by the agency—

(A) to 1 point of contact in the agency;

(B) in a single format, such as a single electronic reporting system, with respect to the agency; and

(C) with synchronized reporting for information submissions having the same frequency, such as synchronized quarterly, semiannual, and annual reporting dates;

(2) examine the feasibility and benefits to small businesses of publishing a list by the Director of the collections of information applicable to small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)), organized—

(A) by North American Industry Classification System code;

(B) by industrial sector description; or

(C) in another manner by which small business concerns can more easily identify requirements with which those small business concerns are expected to comply;

(3) examine the savings, including cost savings, and develop recommendations for implementing—

(A) systems for electronic submissions of information to the Federal Government; and

(B) interactive reporting systems, including components that provide immediate feedback to assure that data being submitted—

(i) meet requirements of format; and

(ii) are within the range of acceptable options for each data field;

(4) make recommendations to improve the electronic dissemination of information collected under Federal requirements;

(5) recommend a plan for the development of an interactive Governmentwide system, available through the Internet, to allow each small business to—

(A) better understand which Federal requirements regarding collection of informa-

tion (and, when possible, which other Federal regulatory requirements) apply to that particular business; and

(B) more easily comply with those Federal requirements; and

(6) in carrying out this section, consider opportunities for the coordination—

(A) of Federal and State reporting requirements; and

(B) among the points of contact described under section 3506(i), such as to enable agencies to provide small business concerns with contacts for information collection requirements for other agencies.

(d) The task force shall—

(1) by publication in the Federal Register, provide notice and an opportunity for public comment on each report in draft form; and

(2) make provision in each report for the inclusion of—

(A) any additional or dissenting views of task force members; and

(B) a summary of significant public comments.

(e) Not later than 1 year after the date of enactment of the Small Business Paperwork Relief Act of 2002, the task force shall submit a report of its findings under subsection (c) (1), (2), and (3) to—

(1) the Director;

(2) the chairpersons and ranking minority members of—

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

(B) the Committee on Government Reform and the Committee on Small Business of the House of Representatives; and

(3) the Small Business and Agriculture Regulatory Enforcement Ombudsman designated under section 30(b) of the Small Business Act (15 U.S.C. 657(b)).

(f) Not later than 2 years after the date of enactment of the Small Business Paperwork Relief Act of 2002, the task force shall submit a report of its findings under subsection (c) (4) and (5) to—

(1) the Director;

(2) the chairpersons and ranking minority members of—

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

(B) the Committee on Government Reform and the Committee on Small Business of the House of Representatives; and

(3) the Small Business and Agriculture Regulatory Enforcement Ombudsman designated under section 30(b) of the Small Business Act (15 U.S.C. 657(b)).

(g) The task force shall terminate after completion of its work.

(h) In this section, the term “small business concern” has the meaning given under section 3 of the Small Business Act (15 U.S.C. 632).

(Added Pub. L. 107–198, §3(a)(2), June 28, 2002, 116 Stat. 730.)

## REFERENCES IN TEXT

The date of enactment of the Small Business Paperwork Relief Act of 2002, referred to in subsecs. (e) and (f), is the date of enactment of Pub. L. 107-198, which was approved June 28, 2002.

## PRIOR PROVISIONS

A prior section 3520 was renumbered section 3521 of this title.

Another prior section 3520, added Pub. L. 96-511, §2(a), Dec. 11, 1980, 94 Stat. 2825; amended Pub. L. 99-500, §101(m) [title VIII, §820], Oct. 18, 1986, 100 Stat. 1783-308, 1783-340, and Pub. L. 99-591, §101(m) [title VIII, §820], Oct. 30, 1986, 100 Stat. 3341-308, 3341-340, related to authorization of appropriations prior to the general amendment of this chapter by Pub. L. 104-13.

## 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.

**§ 3521. Authorization of appropriations**

There are authorized to be appropriated to the Office of Information and Regulatory Affairs to carry out the provisions of this subchapter, and for no other purpose, \$8,000,000 for each of the fiscal years 1996, 1997, 1998, 1999, 2000, and 2001.

(Added Pub. L. 104-13, §2, May 22, 1995, 109 Stat. 184, §3520; amended Pub. L. 106-398, §1 [[div. A], title X, §1064(b)], Oct. 30, 2000, 114 Stat. 1654, 1654A-275; renumbered §3521, Pub. L. 107-198, §3(a)(1), June 28, 2002, 116 Stat. 730.)

## AMENDMENTS

2002—Pub. L. 107-198 renumbered section 3520 of this title as this section.

2000—Pub. L. 106-398 substituted “subchapter” for “chapter”.

## EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-398 effective 30 days after Oct. 30, 2000, see section 1 [[div. A], title X, §1065] of Pub. L. 106-398, set out as an Effective Date note under section 3531 of this title.

## EFFECTIVE DATE

Section effective May 22, 1995, see section 4 of Pub. L. 104-13, set out as a note under section 3501 of this title.

## SUBCHAPTER II—INFORMATION SECURITY

## APPLICABILITY OF SUBCHAPTER

*This subchapter not to apply while subchapter III of this chapter is in effect, see section 3549 of this title.*

## AMENDMENTS

2002—Pub. L. 107-296, title X, §1001(b)(1), Nov. 25, 2002, 116 Stat. 2259, reenacted subchapter heading without change.

**§ 3531. Purposes**

The purposes of this subchapter are to—

(1) provide a comprehensive framework for ensuring the effectiveness of information security controls over information resources that support Federal operations and assets;

(2) recognize the highly networked nature of the current Federal computing environment and provide effective governmentwide management and oversight of the related information security risks, including coordination of information security efforts throughout the civilian, national security, and law enforcement communities;

(3) provide for development and maintenance of minimum controls required to protect Federal information and information systems;

(4) provide a mechanism for improved oversight of Federal agency information security programs;

(5) acknowledge that commercially developed information security products offer advanced, dynamic, robust, and effective information security solutions, reflecting market solutions for the protection of critical information infrastructures important to the national defense and economic security of the nation that are designed, built, and operated by the private sector; and

(6) recognize that the selection of specific technical hardware and software information security solutions should be left to individual agencies from among commercially developed products.

(Added Pub. L. 107-296, title X, §1001(b)(1), Nov. 25, 2002, 116 Stat. 2259.)

## APPLICABILITY OF SECTION

*This section not to apply while subchapter III of this chapter is in effect, see section 3549 of this title.*

## PRIOR PROVISIONS

A prior section 3531, added Pub. L. 106-398, §1 [[div. A], title X, §1061], Oct. 30, 2000, 114 Stat. 1654, 1654A-266, set forth purposes of this subchapter prior to the general amendment of this subchapter by Pub. L. 107-296.

## EFFECTIVE DATE

Subchapter effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107-296, set out as a note under section 101 of Title 6, Domestic Security.

Pub. L. 106-398, §1 [[div. A], title X, §1065], Oct. 30, 2000, 114 Stat. 1654, 1654A-275, which provided that subtitle G (§§1061-1065) of title X of [div. A] of H.R. 5408, as enacted by section 1 of Pub. L. 106-398, enacting this subchapter, amending sections 3501 to 3507, 3509, 3512, 3514 to 3518, and 3520 of this title, and section 2224 of Title 10, Armed Forces, and enacting provisions formerly set out as a note below, would take effect 30 days after Oct. 30, 2000, was repealed by Pub. L. 107-296, title X, §1005(b), Nov. 25, 2002, 116 Stat. 2272.

## RESPONSIBILITIES OF CERTAIN AGENCIES

Pub. L. 106-398, §1 [[div. A], title X, §1062], Oct. 30, 2000, 114 Stat. 1654, 1654A-272, which set forth responsibilities of Department of Commerce, Department of Defense, Intelligence Community, Department of Justice, General Services Administration, and Office of Personnel Management relating to development, issuance, review, and updating of information security policies, principles, standards, and guidelines, including assessment of training and personnel needs, was repealed by Pub. L. 107-296, title X, §1005(b), Nov. 25, 2002, 116 Stat. 2272, and Pub. L. 107-347, title III, §305(b), Dec. 17, 2002, 116 Stat. 2960.

**§ 3532. Definitions**

(a) IN GENERAL.—Except as provided under subsection (b), the definitions under section 3502 shall apply to this subchapter.