

(9) support the Evaluation Officer of the agency in obtaining data to carry out the functions described in section 313(d) of title 5;

(10) review the impact of the infrastructure of the agency on data asset accessibility and coordinate with the Chief Information Officer of the agency to improve such infrastructure to reduce barriers that inhibit data asset accessibility;

(11) ensure that, to the extent practicable, the agency maximizes the use of data in the agency, including for the production of evidence (as defined in section 3561), cybersecurity, and the improvement of agency operations;

(12) identify points of contact for roles and responsibilities related to open data use and implementation (as required by the Director);

(13) serve as the agency liaison to other agencies and the Office of Management and Budget on the best way to use existing agency data for statistical purposes (as defined in section 3561); and

(14) comply with any regulation and guidance issued under subchapter III, including the acquisition and maintenance of any required certification and training.

(d) *Delegation of Responsibilities.*—

(1) *In general.*—To the extent necessary to comply with statistical laws, the Chief Data Officer of an agency shall delegate any responsibility under subsection (c) to the head of a statistical agency or unit (as defined in section 3561) within the agency.

(2) *Consultation.*—To the extent permissible under law, the individual to whom a responsibility has been delegated under paragraph (1) shall consult with the Chief Data Officer of the agency in carrying out such responsibility.

(3) *Deference.*—The Chief Data Officer of the agency shall defer to the individual to whom a responsibility has been delegated under paragraph (1) regarding the necessary delegation of such responsibility with respect to any data acquired, maintained, or disseminated by the agency under applicable statistical law.

(e) *Reports.*—The Chief Data Officer of an agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives an annual report on the compliance of the agency with the requirements of this subchapter, including information on each requirement that the agency could not carry out and, if applicable, what the agency needs to carry out such requirement.

See 2019 Amendment note below.

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.

AMENDMENTS

2019—Pub. L. 115-435 amended section generally. Prior to amendment, section related to establishment of task force on information collection and dissemination.

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.

EFFECTIVE DATE OF 2019 AMENDMENT

Amendment by Pub. L. 115-435 effective 180 days after Jan. 14, 2019, see section 403 of Pub. L. 115-435, set out as a note under section 306 of Title 5, Government Organization and Employees.

§ 3520A. Chief Data Officer Council

(a) **ESTABLISHMENT.**—There is established in the Office of Management and Budget a Chief Data Officer Council (in this section referred to as the “Council”).

(b) **PURPOSE AND FUNCTIONS.**—The Council shall—

(1) establish Governmentwide best practices for the use, protection, dissemination, and generation of data;

(2) promote and encourage data sharing agreements between agencies;

(3) identify ways in which agencies can improve upon the production of evidence for use in policymaking;

(4) consult with the public and engage with private users of Government data and other stakeholders on how to improve access to data assets of the Federal Government; and

(5) identify and evaluate new technology solutions for improving the collection and use of data.

(c) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Chief Data Officer of each agency shall serve as a member of the Council.

(2) **CHAIR.**—The Director shall select the Chair of the Council from among the members of the Council.

(3) **ADDITIONAL MEMBERS.**—The Administrator of the Office of Electronic Government shall serve as a member of the Council.

(4) **EX OFFICIO MEMBER.**—The Director shall appoint a representative for all Chief Information Officers and Evaluation Officers, and such representative shall serve as an ex officio member of the Council.

(d) **REPORTS.**—The Council shall submit to the Director, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives a biennial report on the work of the Council.

(e) **EVALUATION AND TERMINATION.**—

(1) **GAO EVALUATION OF COUNCIL.**—Not later than 4 years after date¹ of the enactment of

¹ So in original. Probably should be preceded by “the”.

this section, the Comptroller General shall submit to Congress a report on whether the additional duties of the Council improved the use of evidence and program evaluation in the Federal Government.

(2) **TERMINATION OF COUNCIL.**—The Council shall terminate and this section shall be repealed upon the expiration of the 2-year period that begins on the date the Comptroller General submits the report under paragraph (1) to Congress.

(Added Pub. L. 115–435, title II, § 202(f)(1), Jan. 14, 2019, 132 Stat. 5542.)

REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsec. (e)(1), is the date of enactment of Pub. L. 115–435, which was approved Jan. 14, 2019.

EFFECTIVE DATE

Section effective 180 days after Jan. 14, 2019, see section 403 of Pub. L. 115–435, set out as an Effective Date of 2019 Amendment note under section 306 of Title 5, Government Organization and Employees.

§ 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, Oct. 30, 2000, 114 Stat. 1654, formerly set out as an Effective Date note under former 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.

[[§ 3531 to 3549. Repealed. Pub. L. 113–283, § 2(a), Dec. 18, 2014, 128 Stat. 3073]

Sections 3531 to 3538 comprised subchapter II of this chapter “INFORMATION SECURITY”.

Section 3531, added Pub. L. 107–296, title X, § 1001(b)(1), Nov. 25, 2002, 116 Stat. 2259, set forth purposes of subchapter II. See section 3551 of this title.

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 subchapter II prior to the general amendment of subchapter II by Pub. L. 107–296.

Section 3532, added Pub. L. 107–296, title X, § 1001(b)(1), Nov. 25, 2002, 116 Stat. 2260, related to definitions applicable to subchapter II. See section 3552 of this title.

A prior section 3532, added Pub. L. 106–398, § 1 [[div. A], title X, § 1061], Oct. 30, 2000, 114 Stat. 1654, 1654A–266, related to definitions applicable to subchapter II prior to the general amendment of subchapter II by Pub. L. 107–296.

Section 3533, added Pub. L. 107–296, title X, § 1001(b)(1), Nov. 25, 2002, 116 Stat. 2261, set forth authority and functions of the Director. See section 3553 of this title.

A prior section 3533, added Pub. L. 106–398, § 1 [[div. A], title X, § 1061], Oct. 30, 2000, 114 Stat. 1654, 1654A–266, set forth authority and functions of the Director prior to the general amendment of subchapter II by Pub. L. 107–296.

Section 3534, added Pub. L. 107–296, title X, § 1001(b)(1), Nov. 25, 2002, 116 Stat. 2262, related to Federal agency responsibilities. See section 3554 of this title.

A prior section 3534, added Pub. L. 106–398, § 1 [[div. A], title X, § 1061], Oct. 30, 2000, 114 Stat. 1654, 1654A–268, related to Federal agency responsibilities prior to the general amendment of subchapter II by Pub. L. 107–296.

Section 3535, added Pub. L. 107–296, title X, § 1001(b)(1), Nov. 25, 2002, 116 Stat. 2265; amended Pub. L. 108–177, title III, § 377(e), Dec. 13, 2003, 117 Stat. 2631, related to annual independent evaluation. See section 3555 of this title.

A prior section 3535, added Pub. L. 106–398, § 1 [[div. A], title X, § 1061], Oct. 30, 2000, 114 Stat. 1654, 1654A–271, related to annual independent evaluation prior to the general amendment of subchapter II by Pub. L. 107–296.

Section 3536, added Pub. L. 107–296, title X, § 1001(b)(1), Nov. 25, 2002, 116 Stat. 2266, described responsibilities for the head of each agency operating or exercising control of a national security system. See section 3557 of this title.

A prior section 3536, added Pub. L. 106–398, § 1 [[div. A], title X, § 1061], Oct. 30, 2000, 114 Stat. 1654, 1654A–272; amended Pub. L. 107–314, div. A, title X, § 1052(a), Dec. 2, 2002, 116 Stat. 2648, set forth expiration date of subchapter II prior to the general amendment of subchapter II by Pub. L. 107–296.

Section 3537, added Pub. L. 107–296, title X, § 1001(b)(1), Nov. 25, 2002, 116 Stat. 2267, authorized appropriations for fiscal years 2003 through 2007.

Section 3538, added Pub. L. 107–296, title X, § 1001(b)(1), Nov. 25, 2002, 116 Stat. 2267, related to effect on existing law. See section 3558 of this title.

Sections 3541 to 3549 comprised subchapter III of this chapter “INFORMATION SECURITY”.

Section 3541, added Pub. L. 107–347, title III, § 301(b)(1), Dec. 17, 2002, 116 Stat. 2946, set forth purposes of subchapter III. See section 3551 of this title.

Section 3542, added Pub. L. 107–347, title III, § 301(b)(1), Dec. 17, 2002, 116 Stat. 2947, related to definitions applicable to subchapter III. See section 3552 of this title.

Section 3543, added Pub. L. 107–347, title III, § 301(b)(1), Dec. 17, 2002, 116 Stat. 2947, set forth authority and functions of the Director. See section 3553 of this title.

Section 3544, added Pub. L. 107–347, title III, § 301(b)(1), Dec. 17, 2002, 116 Stat. 2949, related to Federal agency responsibilities. See section 3554 of this title.

Section 3545, added Pub. L. 107–347, title III, § 301(b)(1), Dec. 17, 2002, 116 Stat. 2952; amended Pub. L. 108–177, title III, § 377(e), Dec. 13, 2003, 117 Stat. 2631, related to annual independent evaluation. See section 3555 of this title.

Section 3546, added Pub. L. 107–347, title III, § 301(b)(1), Dec. 17, 2002, 116 Stat. 2954, related to Federal information security incident center. See section 3556 of this title.

Section 3547, added Pub. L. 107–347, title III, § 301(b)(1), Dec. 17, 2002, 116 Stat. 2954, described responsibilities for the head of each agency operating or exercising control of a national security system. See section 3557 of this title.

Section 3548, added Pub. L. 107–347, title III, § 301(b)(1), Dec. 17, 2002, 116 Stat. 2954, authorized appropriations for fiscal years 2003 through 2007.

Section 3549, added Pub. L. 107–347, title III, § 301(b)(1), Dec. 17, 2002, 116 Stat. 2955, related to effect on existing law and provided that subchapter II was not to apply while subchapter III was in effect. See section 3558 of this title.

SUBCHAPTER II—INFORMATION SECURITY

§ 3551. Purposes

The purposes of this subchapter are to—