

Calendar No. 570116TH CONGRESS
2^D SESSION**S. 4200****[Report No. 116-277]**

To establish a program to facilitate the adoption of modern technology by executive agencies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 2, 2020

Mr. PORTMAN (for himself and Ms. HASSAN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

OCTOBER 1, 2020

Reported by Mr. JOHNSON, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]**A BILL**

To establish a program to facilitate the adoption of modern technology by executive agencies, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Information Tech-
3 nology Modernization Centers of Excellence Program
4 Act”.

5 **SEC. 2. GSA MODERNIZATION CENTERS OF EXCELLENCE**
6 **PROGRAM.**

7 (a) **DEFINITIONS.**—In this section:

8 (1) **CLOUD COMPUTING.**—The term “cloud
9 computing” has the meaning given the term in sec-
10 tion 1076 of the National Defense Authorization Act
11 for Fiscal Year 2018 (40 U.S.C. 11301 note).

12 (2) **EXECUTIVE AGENCY.**—The term “executive
13 agency” has the meaning given the term “Executive
14 agency” in section 105 of title 5, United States
15 Code.

16 (3) **PROGRAM.**—The term “Program” means
17 the Information Technology Modernization Centers
18 of Excellence Program established under subsection
19 (b).

20 (b) **ESTABLISHMENT.**—The Administrator of General
21 Services shall establish a program to be known as the In-
22 formation Technology Modernization Centers of Excel-
23 lence Program to facilitate the adoption of modern tech-
24 nology by executive agencies.

25 (c) **RESPONSIBILITIES.**—The Program shall have the
26 following responsibilities:

1 (1) To modernize information technology used
2 by an executive agency and how a customer interacts
3 with an executive agency.

4 (2) To improve cooperation between commercial
5 and executive agency information technology sectors.

6 (3) To the extent practicable, encourage the
7 adoption of commercial items in accordance with
8 section 3307 of title 41, United States Code.

9 (4) On a reimbursable basis, assist executive
10 agencies with planning and adoption of technology in
11 focus areas designated by the Administrator, which
12 may include the following:

13 (A) A commercial cloud computing system
14 that includes—

15 (i) end-to-end migration planning and
16 an assessment of progress towards mod-
17 ernization; and

18 (ii) a security and governance frame-
19 work based on industry and government
20 best practices.

21 (B) Tools to help an individual receive sup-
22 port from and communicate with an executive
23 agency.

24 (C) Contact centers and other related cus-
25 tomer supports.

1 ~~(D)~~ Efficient use of data management,
2 analysis, and reporting.

3 ~~(E)~~ The optimization of infrastructure, in-
4 cluding for data centers, and the reduction of
5 operating costs.

6 ~~(F)~~ Artificial intelligence.

7 ~~(5)~~ To share best practices and expertise with
8 executive agencies.

9 ~~(6)~~ Other responsibilities the Administrator
10 may identify.

11 ~~(d)~~ PROGRAM REPORTING.—For each reimbursable
12 agreement entered into in accordance with subsection
13 ~~(c)~~(4), the Administrator shall make the following infor-
14 mation available on a public website within 30 days of the
15 signing of the agreement and updated upon completion:

16 ~~(1)~~ A description of such reimbursable agree-
17 ment or statement of work, and associated project
18 schedules and deliverables.

19 ~~(2)~~ The total amount of the reimbursable agree-
20 ment.

21 ~~(3)~~ The actual or anticipated costs of any prod-
22 uct or service associated with a deliverable under the
23 agreement.

24 ~~(4)~~ Any additional information the Adminis-
25 trator determines necessary.

1 (e) ~~SUNSET.~~—This Act shall be repealed on the date
2 that is 7 years after the date of enactment of this Act.

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Information Technology*
5 *Modernization Centers of Excellence Program Act”.*

6 **SEC. 2. GSA MODERNIZATION CENTERS OF EXCELLENCE**
7 **PROGRAM.**

8 (a) *DEFINITIONS.*—*In this section:*

9 (1) *CLOUD COMPUTING.*—*The term “cloud com-*
10 *puting” has the meaning given the term in section*
11 *1076 of the National Defense Authorization Act for*
12 *Fiscal Year 2018 (40 U.S.C. 11301 note).*

13 (2) *EXECUTIVE AGENCY.*—*The term “executive*
14 *agency” has the meaning given the term “Executive*
15 *agency” in section 105 of title 5, United States Code.*

16 (3) *PROGRAM.*—*The term “Program” means the*
17 *Information Technology Modernization Centers of Ex-*
18 *cellence Program established under subsection (b).*

19 (b) *ESTABLISHMENT.*—*The Administrator of General*
20 *Services shall establish a program to be known as the Infor-*
21 *mation Technology Modernization Centers of Excellence*
22 *Program to facilitate the adoption of modern technology by*
23 *executive agencies on a reimbursable basis.*

24 (c) *RESPONSIBILITIES.*—*The Program shall have the*
25 *following responsibilities:*

1 (1) *To encourage the modernization of informa-*
2 *tion technology used by an executive agency and how*
3 *a customer interacts with an executive agency.*

4 (2) *To improve cooperation between commercial*
5 *and executive agency information technology sectors.*

6 (3) *To the extent practicable, encourage the*
7 *adoption of commercial items in accordance with sec-*
8 *tion 3307 of title 41, United States Code.*

9 (4) *Upon request by the executive agency, to as-*
10 *ist executive agencies with planning and adoption of*
11 *technology in focus areas designated by the Adminis-*
12 *trator, which may include the following:*

13 (A) *A commercial cloud computing system*
14 *that includes—*

15 (i) *end-to-end migration planning and*
16 *an assessment of progress towards mod-*
17 *ernization; and*

18 (ii) *a cybersecurity and governance*
19 *framework that promotes industry and gov-*
20 *ernment risk management best practice ap-*
21 *proaches, prioritizing efforts based on risk,*
22 *impact, and consequences.*

23 (B) *Tools to help an individual receive sup-*
24 *port from and communicate with an executive*
25 *agency.*

1 (C) *Contact centers and other related cus-*
2 *tomers supports.*

3 (D) *Efficient use of data management,*
4 *analysis, and reporting.*

5 (E) *The optimization of infrastructure, in-*
6 *cluding for data centers, and the reduction of op-*
7 *erating costs.*

8 (F) *Artificial intelligence.*

9 (5) *To share best practices and expertise with ex-*
10 *ecutive agencies.*

11 (6) *Other responsibilities the Administrator may*
12 *identify.*

13 (d) *COORDINATION.—The Administrator shall coordi-*
14 *nate with the Secretary of Homeland Security in estab-*
15 *lishing the Program to ensure that the technology, tools, and*
16 *frameworks facilitated for executive agencies by the Pro-*
17 *gram provide sufficient cybersecurity and maintain the in-*
18 *tegrity, confidentiality, and availability of Federal infor-*
19 *mation.*

20 (e) *PROGRAM REPORTING.—Not later than 1 year*
21 *after the date of enactment of this Act, and every year there-*
22 *after, the Administrator shall submit to the Committee on*
23 *Homeland Security and Governmental Affairs of the Senate*
24 *and the Committee on Oversight and Reform of the House*

1 *of Representatives a report on the Program, which shall in-*
2 *clude the following:*

3 (1) *A description of the reimbursable agreements,*
4 *statements of work, and associated project schedules*
5 *and deliverables for the Program.*

6 (2) *Details on the total amount of the reimburs-*
7 *able agreements.*

8 (3) *Any additional information the Adminis-*
9 *trator determines necessary.*

10 (f) *SUNSET.—This Act shall cease to have effect on the*
11 *date that is 7 years after the date of enactment of this Act.*

12 (g) *RULE OF CONSTRUCTION.—Nothing in this Act*
13 *shall be construed to impair or otherwise affect the author-*
14 *ity delegated by law to an executive agency or the head of*
15 *an executive agency.*

Calendar No. 570

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