

103D CONGRESS  
1ST SESSION

# H. R. 1091

To establish the Commission on Information Technology and Paperwork Reduction.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 1993

Mr. CLINGER (for himself, Mr. FAWELL, and Mr. ZIMMER) introduced the following bill; which was referred to the Committee on Government Operations

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## A BILL

To establish the Commission on Information Technology and Paperwork Reduction.

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. FINDINGS AND PURPOSE.**

4       (a) FINDINGS.—The Congress finds the following:

5           (1) Federal information reporting requirements  
6       continue to place an unprecedented paperwork bur-  
7       den upon private citizens, recipients of Federal as-  
8       sistance, businesses, government contractors and  
9       grantees, and State and local governments.

13 (b) PURPOSE.—It is the policy of the Federal Govern-  
14 ment to minimize the information reporting burden, con-  
15 sistent with agency missions and the needs for information  
16 to set policy, implement laws, and operate programs.

## 17 SEC. 2. ESTABLISHMENT.

18 To accomplish the purpose set forth in section 1(b),  
19 there is hereby established the Commission on Information  
20 Technology and Paperwork Reduction (hereinafter in this  
21 Act referred to as the “Commission”).

## 22 SEC. 3. FUNCTIONS.

23 (a) REVIEW OF FORMER COMMISSION.—The Com-  
24 mission shall study and review the principal findings and  
25 recommendations of the Commission on Paperwork estab-

1 lished by the Act of December 27, 1974 (Public Law 93-  
2 556) to determine which of those recommendations have  
3 been implemented and why any other of those rec-  
4 ommendations have not been implemented.

5 (b) INVESTIGATE FEDERAL INFORMATION LAWS,  
6 ETC.—The Commission shall study and investigate stat-  
7 utes, policies, rules, regulations, procedures, and practices  
8 of the Federal Government relating to information gather-  
9 ing and processing, and the management and control of  
10 these information activities. The Commission shall con-  
11 sider—

12 (1) the nature and extent of current Federal  
13 collections of information from other public and pri-  
14 vate profit and not-for-profit entities;

15 (2) the effect of existing statutes on the infor-  
16 mation requirements of the Federal Government and  
17 authorities of existing Federal agencies to collect in-  
18 formation on a timely basis;

19 (3) the nature and extent of management and  
20 control over the determination of Federal informa-  
21 tion needs and the choice of information gathering  
22 and processing methods;

23 (4) the nature and extent to which Federal  
24 agencies cooperate with State and local governments

1 and private entities in collecting and processing in-  
2 formation;

3 (5) the procedures used and the extent to which  
4 considerations of economy and efficiency impact  
5 Federal information activities, particularly as these  
6 matters relate to costs burdening the Federal Gov-  
7 ernment and providers of information;

8 (6) the nature and extent of advances in infor-  
9 mation technology and its use in minimizing burden  
10 and maximizing utility in the collection, processing,  
11 and maintenance of information by the Government;

12 (7) the nature and extent to which information  
13 resources management responsibilities and the Presi-  
14 dent's responsibility to review agency paperwork  
15 rulemaking should continue to be integrated in the  
16 Executive Office of the President;

17 (8) the nature and extent to which the Paper-  
18 work Reduction Act has been appropriately and ef-  
19 fectively implemented by the Office of Management  
20 and Budget; and

21 (9) such other matters as the Commission de-  
22 termines affect Federal information resources man-  
23 agement.

24 (c) ASCERTAIN CHANGES.—The Commission shall  
25 ascertain and describe what changes are possible and de-

1 sirable in existing statutes, policies, rules, regulations,  
2 procedures, and practices relating to Federal information  
3 activities in order to—

4 (1) assure that necessary information is made  
5 available to Federal officials and those acting on be-  
6 half of Federal officials;

7 (2) minimize the burden imposed by Federal re-  
8 porting requirements on private citizens, recipients  
9 of Federal assistance, businesses, government con-  
10 tractors and grantees, and State and local govern-  
11 ments;

12 (3) provide that information held by the Fed-  
13 eral Government is processed and maintained to  
14 maximize its usefulness to all Federal agencies and  
15 the public;

16 (4) reduce the duplication of information col-  
17 lected by the Federal Government and by State and  
18 local governments and other collectors of informa-  
19 tion; and

20 (5) reduce the costs of Federal paperwork.

21 (d) FINAL REPORT.—The Commission shall submit  
22 a final report to the Congress and the President within  
23 2 years after the date of the first meeting of the Commis-  
24 sion. The final report shall contain a review of its findings  
25 and its recommendations for changes in statutes, policies,

1 rules, regulations, procedures, and practices. The Commis-  
2 sion may make such interim reports and recommendations  
3 as it deems advisable.

4 (e) ACTION BY OMB.—

5 (1) IN GENERAL.—Upon submission of the  
6 Commission's final report, the Director of the Office  
7 of Management and Budget, in coordination with  
8 the executive agencies, shall take action to—

9 (A) formulate the views of the executive  
10 agencies on the recommendations of the Com-  
11 mission;

12 (B) to the extent practicable within the  
13 limits of their authority and resources, carry  
14 out recommendations of the Commission in  
15 which the executive agencies concur; and

16 (C) propose legislation needed to carry out  
17 or to provide authority to carry out other rec-  
18 ommendations of the Commission in which the  
19 executive agencies concur.

20 (2) REPORTS.—At least once every 6 months,  
21 the Director of the Office of Management and Budg-  
22 et shall report to the Congress and the President on  
23 the status of action taken or to be taken as provided  
24 in this subsection. The Director shall submit a final  
25 report to the Congress and the President not later

1 than 1 year following the submission of the Commis-  
2 sion's final report under subsection (d).

3 **SEC. 4. MEMBERSHIP.**

4 The Commission shall be composed of 15 members,  
5 as follows:

6 (1) 2 Members of the Senate, who shall not be  
7 members of the same political party, appointed by  
8 the President of the Senate.

9 (2) 2 Members of the House of Representatives,  
10 who shall not be members of the same political  
11 party, appointed by the Speaker of the House of  
12 Representatives.

13 (3) The Comptroller General of the United  
14 States.

15 (4) The Director of the Office of Management  
16 and Budget and 2 other officials or employees of the  
17 executive branch of the Federal Government ap-  
18 pointed by the President.

19 (5) 2 members appointed by the President from  
20 among officials of State and local governments, who  
21 shall not be members of the same political party.

22 (6) 5 members appointed by the President from  
23 among persons in the private sector representing  
24 such interests as small business, labor, health care,  
25 education, environment, Federal Government pro-

1       curement, and information technology, no more than  
2       3 of whom shall be of the same political party.

3 **SEC. 5. COMPENSATION.**

4       (a) IN GENERAL.—Except as provided in subsection  
5       (b), members of the Commission shall each receive as com-  
6       pensation the daily equivalent of the annual rate of basic  
7       pay in effect for level 4 of the Executive Schedule for each  
8       day (including travel time) during which they are engaged  
9       in the actual performance of duties vested in the Commis-  
10      sion.

11      (b) FEDERAL OFFICIALS.—Members of the Commis-  
12      sion who are Members of Congress or who are full-time  
13      officers or employees of the United States shall receive no  
14      additional compensation for their service on the Commis-  
15      sion.

16      (c) TRAVEL EXPENSE.—While away from their  
17      homes or regular places of business in the performance  
18      of service for the Commission, members of the Commis-  
19      sion shall be allowed travel expenses, including per diem  
20      in lieu of subsistence, in the same manner as a person  
21      employed intermittently in the Government service is al-  
22      lowed such expenses under section 5703 of title 5, United  
23      States Code.

1 **SEC. 6. POWERS.**

2 (a) MEETINGS.—The Commission, or at its direction,  
3 any subcommittee or member thereof, may, for the pur-  
4 pose of carrying out the provisions of this Act, hold such  
5 hearings, sit and act at such times and places, take such  
6 testimony, receive such evidence and administer such  
7 oaths, as the Commission or such subcommittee or mem-  
8 ber may consider advisable. Such attendance of witnesses  
9 and the production of such evidence may be required from  
10 any place within the United States at any designated place  
11 of hearing within the United States. Any member of the  
12 Commission may administer oaths or affirmations to wit-  
13 nesses appearing before the Commission or before such  
14 subcommittee or member.

15 (b) PERSONNEL.—Members of the Commission shall  
16 elect a Chairman and Vice-Chairman from among its  
17 members. The Commission shall appoint an Executive Di-  
18 rector who shall receive as compensation the equivalent  
19 of the basic pay in effect for Level 5 of the Executive  
20 Schedule. The Commission may appoint and fix the com-  
21 pensation of such other personnel as it deems advisable  
22 without regard to the provisions of title 5, United States  
23 Code, governing appointments in the competitive service,  
24 and such personnel may be paid without regard to the pro-  
25 visions of chapter 51 and subchapter III of chapter 53  
26 of such title relating to classification and General Schedule

1 pay rates, at a rate not to exceed the rates provided in  
2 section 5376 of title 5, United States Code. In addition,  
3 the Commission may procure the services of experts and  
4 consultants in accordance with section 3109 of title 5,  
5 United States Code, at rates for individuals not to exceed  
6 the daily equivalent of the annual rate of basic pay in sec-  
7 tion 5376 of title 5, United States Code.

8 (c) CONTRACTS FOR STUDIES AND REPORTS.—The  
9 Commission may, subject to the availability of appropria-  
10 tions, negotiate and enter into contracts with private orga-  
11 nizations and educational institutions to carry out such  
12 studies and prepare such reports as the Commission deter-  
13 mines are necessary in order to carry out its duties.

14 **SEC. 7. COOPERATION WITH FEDERAL AGENCIES.**

15 (a) FURNISHING INFORMATION.—Each department,  
16 agency, and instrumentality of the Federal Government  
17 shall furnish to the Commission, upon request made by  
18 the Chairman, such data, reports, and other  
19 nonconfidential information not otherwise prohibited by  
20 law as the Commission considers necessary to carry out  
21 its functions under this Act.

22 (b) SERVICES.—The head of each department or  
23 agency of the Federal Government may, upon request  
24 made by the Chairman or Vice Chairman of the Commis-  
25 sion, provide to the Commission such services as the Com-

1 mission requests on such basis, reimbursable or otherwise,  
2 as may be agreed between the department or agency and  
3 the Chairman or Vice Chairman of the Commission.

4 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

5 There are authorized to be appropriated to carry out  
6 this Act \$8,000,000.

7 **SEC. 9. TERMINATION.**

8 The Commission shall cease to exist 120 days after  
9 the submission of its final report under section 3.

10 **SEC. 10. EFFECTIVE DATE.**

11 This Act shall take effect on the date which is 45  
12 days after the date of its enactment.

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