

## 44 USCS § 3505

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## § 3505. Assignment of tasks and deadlines

(a) In carrying out the functions under this subchapter [44 USCS §§ 3501 et seq.], the Director shall--

(1) in consultation with agency heads, set an annual Governmentwide goal for the reduction of information collection burdens by at least 10 percent during each of fiscal years 1996 and 1997 and 5 percent during each of fiscal years 1998, 1999, 2000, and 2001, and set annual agency goals to--

(A) reduce information collection burdens imposed on the public that--

(i) represent the maximum practicable opportunity in each agency; and  
(ii) are consistent with improving agency management of the process for the review of collections of information established under section 3506(c); and

(B) improve information resources management in ways that increase the productivity, efficiency and effectiveness of Federal programs, including service delivery to the public;

(2) with selected agencies and non-Federal entities on a voluntary basis, conduct pilot projects to test alternative policies, practices, regulations, and procedures to fulfill the purposes of this subchapter [44 USCS § 3501 et seq.], particularly with regard to minimizing the Federal information collection burden; and

(3) in consultation with the Administrator of General Services, the Director of the National Institute of Standards and Technology, the Archivist of the United States, and the Director of the Office of Personnel Management, develop and maintain a Governmentwide strategic plan for information resources management, that shall include--

(A) a description of the objectives and the means by which the Federal Government shall apply information resources to improve agency and program performance;

(B) plans for--

(i) reducing information burdens on the public, including reducing such burdens through the elimination of duplication and meeting shared data needs with shared resources;

(ii) enhancing public access to and dissemination of, information, using electronic and other formats; and

(iii) meeting the information technology needs of the Federal Government in accordance with the purposes of this subchapter [44 USCS § 3501 et seq.]; and

(C) a description of progress in applying information resources management to improve agency performance and the accomplishment of missions.

(b) For purposes of any pilot project conducted under subsection (a)(2), the Director may, after consultation with the agency head, waive the application of any administrative directive issued by an agency with which the project is conducted, including any directive requiring a collection of information, after giving timely notice to the public and the Congress regarding the need for such waiver.

(c) Inventory of major information systems.

(1) The head of each agency shall develop and maintain an inventory of major information systems (including major national security systems) operated by or under the control of such agency.

(2) The identification of information systems in an inventory under this subsection shall include an identification of the interfaces between each such system and all other systems or networks, including those not operated by or under the control of the agency.

(3) Such inventory shall be--

(A) updated at least annually;

(B) made available to the Comptroller General; and

(C) used to support information resources management, including--

(i) preparation and maintenance of the inventory of information resources under section 3506(b)(4) [44 USCS § 3506(b)(4)];

(ii) information technology planning, budgeting, acquisition, and management under section 3506(h) [44 USCS § 3506(h)], subtitle III of title 40 [40 USCS § 11101 et seq.], and related laws and guidance;

(iii) monitoring, testing, and evaluation of information security controls under subchapter II [44 USCS §§ 3531 et seq.];

(iv) preparation of the index of major information systems required under *section 552(g) of title 5, United States Code*; and

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(v) preparation of information system inventories required for records management under chapters 21, 29, 31, and 33 [44 USCS § § 2101 et seq., 2901 et seq., 3101 et seq., 3301 et seq.].

(4) The Director shall issue guidance for and oversee the implementation of the requirements of this subsection.

[(d)](c) Inventory of information systems.

(1) The head of each agency shall develop and maintain an inventory of the information systems (including national security systems) operated by or under the control of such agency;

(2) The identification of information systems in an inventory under this subsection shall include an identification of the interfaces between each such system and all other systems or networks, including those not operated by or under the control of the agency;

(3) Such inventory shall be--

(A) updated at least annually;

(B) made available to the Comptroller General; and

(C) used to support information resources management, including--

(i) preparation and maintenance of the inventory of information resources under section 3506(b)(4) [44 USCS § 3506(b)(4)];

(ii) information technology planning, budgeting, acquisition, and management under section 3506(h) [44 USCS § 3506(h)], subtitle III of title 40 [40 USCS § § 11101 et seq.], and related laws and guidance;

(iii) monitoring, testing, and evaluation of information security controls under subchapter II [44 USCS § § 3531 et seq.];

(iv) preparation of the index of major information systems required under *section 552(g) of title 5, United States Code*; and

(v) preparation of information system inventories required for records management under chapters 21, 29, 31, and 33 [44 USCS § § 2101 et seq., 2901 et seq., 3101 et seq., 3301 et seq.].

(4) The Director shall issue guidance for and oversee the implementation of the requirements of this subsection.

#### **HISTORY:**

(Added May 22, 1995, P.L. 104-13, § 2, 109 Stat. 170; Oct. 30, 2000, P.L. 106-398, § 1, 114 Stat. 1654; Nov. 25, 2002, P.L. 107-296, Title X, § 1005(c)(2), 116 Stat. 2272; Dec. 17, 2002, P.L. 107-347, Title III, § 305(c)(2), 116 Stat. 2961.)

#### **HISTORY; ANCILLARY LAWS AND DIRECTIVES**

Explanatory notes:

The subsection designator "(d)" has been inserted in order to maintain alphabetical continuity.

The amendment made by § 1 of Act Oct. 30, 2000, P.L. 106-398, is based on § 1064(b) of Subtitle G of Title X of Division A of H.R. 5408 (114 Stat. 1654A-275), as introduced on Oct. 6, 2000, which was enacted into law by such § 1.

A prior § 3505 (Act Dec. 11, 1980, P.L. 96-511, § 2(a), 94 Stat. 2818; Oct. 18, 1986, P.L. 99-500; Oct. 30, 1986, P.L. 99-591, Title I, § 101(m), 100 Stat. 3341-337) was omitted in the general revision of this chapter by Act May 22, 1995, P.L. 104-13, § 2, 109 Stat. 163, effective as provided by § 4 of such Act, which appears as 44 USCS § 3501 note. The prior section provided for assignment of tasks and deadlines.

Another prior § 3505 (Act Oct. 22, 1968, P.L. 90-620, § 1, 82 Stat. 1303), which provided for the prohibition of independent collection by an agency, was omitted in the general revision of this chapter by Act Dec. 11, 1980, P.L. 96-511, § 2(a), 94 Stat. 2812, effective April 1, 1981, as provided by § 5 of such Act.

Effective date of section:

This section became effective on October 1, 1995, with certain exceptions, as provided by § 4 of Act May 22, 1995, P.L. 104-13, which appears as 44 USCS § 3501 note.

Amendments:

2000. Act Oct. 30, 2000 (effective 30 days after enactment, as provided by § 1065 of H.R. 5408, as enacted into law by such Act, which appears as 44 USCS § 3531 note), substituted "subchapter" for "chapter" wherever occurring.

2002. Act Nov. 25, 2002 (effective 60 days after enactment, as provided by § 4 of such Act, which appears as 6 USCS § 101 note) added subsec. [(d)](c)

Act Dec. 17, 2002 (effective on enactment, as provided by § 402(b) of such Act, which appears as *44 USCS § 3541* note), added subsec. (c).

Other provisions:

**Additional responsibilities for computer systems security and privacy.** Act Jan. 8, 1988, P.L. 100-235, § 6, 101 Stat. 1729, provides:

"(a) Identification of systems that contain sensitive information. Within 6 months after the date of enactment of this Act, each Federal agency shall identify each Federal computer system, and system under development, which is within or under the supervision of that agency and which contains sensitive information.

"(b) Security plan. Within one year after the date of enactment of this Act, each such agency shall, consistent with the standards, guidelines, policies, and regulations prescribed pursuant to section 111(d) of the Federal Property and Administrative Services Act of 1949 [former *40 USCS § 759(d)*], establish a plan for the security and privacy of each Federal computer system identified by that agency pursuant to subsection (a) that is commensurate with the risk and magnitude of the harm resulting from the loss, misuse, or unauthorized access to or modification of the information contained in such system. Copies of each such plan shall be transmitted to the National Bureau of Standards and the National Security Agency for advice and comment. A summary of such plan shall be included in the agency's five-year plan required by *section 3505 of title 44, United States Code*. Such plan shall be subject to disapproval by the Director of the Office of Management and Budget. Such plan shall be revised annually as necessary."

**NOTES:**

Code of Federal Regulations:

Environmental Protection Agency--Cross-media electronic reporting, 40 CFR Part 3.

Related Statutes & Rules:

This section is referred to in *44 USCS § 3514*.

Research Guide:

Federal Procedure:

2 Fed Proc L Ed, Administrative Procedure § 2:66.

Am Jur:

*45B Am Jur 2d, Job Discrimination § 1641*.