

Calendar No. 580

117TH CONGRESS
2D SESSION**S. 4908****[Report No. 117-223]**

To improve the visibility, accountability, and oversight of agency software
asset management practices, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21, 2022

Mr. PETERS (for himself, Mr. CASSIDY, Mr. HAGERTY, and Mr. TILLIS) intro-
duced the following bill; which was read twice and referred to the Com-
mittee on Homeland Security and Governmental Affairs

DECEMBER 5, 2022

Reported by Mr. PETERS, with an amendment

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

A BILL

To improve the visibility, accountability, and oversight of
agency software asset management practices, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthening Agency
5 Management and Oversight of Software Assets Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ADMINISTRATOR.—The term “Adminis-
4 trator” means the Administrator of General Serv-
5 ices.

6 (2) AGENCY.—The term “agency” has the
7 meaning given the term “establishment” in section
8 12 of the Inspector General Act of 1978 (5 U.S.C.
9 App.).

10 (3) CLOUD COMPUTING.—The term “cloud
11 computing” has the meaning given the term in Spe-
12 cial Publication 800–145 of the National Institute of
13 Standards and Technology, or any successor docu-
14 ment.

15 (4) CLOUD SERVICE PROVIDER.—The term
16 “cloud service provider” means an entity offering
17 cloud computing products or services to agencies.

18 (5) COMPREHENSIVE ASSESSMENT.—The term
19 “comprehensive assessment” means a comprehensive
20 assessment conducted pursuant to section 3(a).

21 (6) DIRECTOR.—The term “Director” means
22 the Director of the Office of Management and Budg-
23 et.

24 (7) PLAN.—The term “plan” means the plan
25 developed by a Chief Information Officer, or equiva-
26 lent official, pursuant to section 4(a).

1 (8) SOFTWARE ENTITLEMENT.—The term
2 “software entitlement” means any software that—

3 (A) has been purchased, leased, or licensed
4 by or billed to an agency under any contract or
5 other business arrangement; and

6 (B) is subject to use limitations.

7 (9) SOFTWARE INVENTORY.—The term “soft-
8 ware inventory” means the software inventory of an
9 agency required pursuant to—

10 (A) section 2(b)(2)(A) of the Making Elec-
11 tronic Government Accountable By Yielding
12 Tangible Efficiencies Act of 2016 (40 U.S.C.
13 11302 note; Public Law 114–210); or

14 (B) subsequent guidance issued by the Di-
15 rector of the Office of Management and Budget
16 pursuant to that Act.

17 **SEC. 3. SOFTWARE ENTITLEMENT AND INVENTORY INTEG-**
18 **RITY.**

19 (a) IN GENERAL.—As soon as practicable, and not
20 later than 1 year after the date of enactment of this Act,
21 the Chief Information Officer of each agency, in consulta-
22 tion with the Chief Financial Officer, the Chief Procure-
23 ment Officer, and General Counsel of the agency, or the
24 equivalent officials of the agency, shall complete a com-

1 prehensive assessment of the software entitlements and
2 software inventories of the agency, which shall include—

3 ~~(1) the current software inventory of the agen-~~
4 ~~cy, including software entitlements, contracts and~~
5 ~~other agreements or arrangements of the agency,~~
6 ~~and a list of the largest software entitlements of the~~
7 ~~agency separated by vendor;~~

8 ~~(2) a comprehensive, detailed accounting of—~~

9 ~~(A) any software deployed for the agency~~
10 ~~as of the date of the comprehensive assessment,~~
11 ~~including, to the extent identifiable, the con-~~
12 ~~tracts and other agreements or arrangements~~
13 ~~that the agency uses to acquire, deploy, or use~~
14 ~~such software;~~

15 ~~(B) information and data on software enti-~~
16 ~~tlements—~~

17 ~~(i) for which the agency pays;~~

18 ~~(ii) that are not deployed or in use by~~
19 ~~the agency; and~~

20 ~~(iii) that are billed to the agency~~
21 ~~under any contract or business arrange-~~
22 ~~ment that creates redundancy in the de-~~
23 ~~ployment or use by the agency; and~~

24 ~~(C) the extent—~~

1 (i) to which any software paid for, in
2 use, or deployed throughout the agency is
3 interoperable; and

4 (ii) of the efforts of the agency to im-
5 prove interoperability of software assets
6 throughout the agency enterprise;

7 ~~(3)~~ a categorization of software licenses of the
8 agency by costs and volume;

9 ~~(4)~~ a list of any provisions in the software li-
10 censes of the agency that may restrict how the soft-
11 ware can be deployed or accessed, either on desktop
12 or server hardware or through a cloud service pro-
13 vider; and

14 ~~(5)~~ an analysis addressing—

15 ~~(A)~~ the accuracy and completeness of the
16 software inventory and software entitlements of
17 the agency before and after the comprehensive
18 assessment;

19 ~~(B)~~ management by the agency of and
20 compliance by the agency with all contracts or
21 other agreements or arrangements that include
22 or implicate software licensing or software man-
23 agement within the agency;

1 (C) the extent to which the agency accu-
 2 rately captures the total costs of enterprise li-
 3 censes agreements and related costs; and

4 (D) compliance with software license man-
 5 agement policies of the agency.

6 (b) CONTRACT SUPPORT.—

7 (1) AUTHORITY.—The head of an agency may
 8 enter into 1 or more contracts to support the re-
 9 quirements of subsection (a).

10 (2) NO CONFLICT OF INTEREST.—Contracts
 11 under paragraph (1) shall not include contractors
 12 with organization conflicts of interest.

13 (3) OPERATIONAL INDEPENDENCE.—Over the
 14 course of a comprehensive assessment, contractors
 15 hired pursuant to paragraph (1) shall maintain oper-
 16 ational independence from the integration, manage-
 17 ment, and operations of the software inventory and
 18 software entitlements of the agency.

19 (c) SUBMISSION.—On the date on which the Chief In-
 20 formation Officer, Chief Financial Officer, Chief Procure-
 21 ment Officer, and General Counsel of an agency, or the
 22 equivalent officials of the agency, complete the comprehen-
 23 sive assessment, and not later than 1 year after the date
 24 of enactment of this Act, the Chief Information Officer
 25 shall submit the comprehensive assessment to—

- 1 (1) the head of the agency;
- 2 (2) the Director;
- 3 (3) the Administrator;
- 4 (4) the Comptroller General of the United
- 5 States;
- 6 (5) the Committee on Homeland Security and
- 7 Governmental Affairs of the Senate; and
- 8 (6) the Committee on Oversight and Reform of
- 9 the House of Representatives.

10 (d) CONSULTATION.—In order to ensure the utility
 11 and standardization of the comprehensive assessment of
 12 each agency, including to support the development of each
 13 plan and the Government-wide strategy described in sec-
 14 tion 5, the Director, in consultation with the Adminis-
 15 trator, may share information, best practices, and rec-
 16 ommendations relating to the activities performed in the
 17 course of a comprehensive assessment of an agency.

18 **SEC. 4. ENTERPRISE LICENSING POSITIONING AT AGEN-**
 19 **CIES.**

20 (a) IN GENERAL.—The Chief Information Officer of
 21 each agency, in consultation with the Chief Financial Offi-
 22 cer and the Chief Procurement Officer of the agency, or
 23 the equivalent officials of the agency, shall use the infor-
 24 mation developed pursuant to the comprehensive assess-

1 ment of the agency under section 3(a) to develop a plan
 2 for the agency to—

3 (1) consolidate software licenses of the agency;

4 and

5 (2) to the greatest extent practicable, in order
 6 to improve the performance of, or reduce unneces-
 7 sary costs to, the agency, adopt enterprise license
 8 agreements across the agency.

9 (b) ~~PLAN REQUIREMENTS.~~—The plan of an agency
 10 shall—

11 (1) include a detailed strategy for—

12 (A) the remediation of any software asset
 13 management deficiencies found during the com-
 14 prehensive assessment of the agency;

15 (B) the ongoing maintenance of software
 16 asset management upon the completion of the
 17 remediation; and

18 (C) maximizing the effectiveness of soft-
 19 ware deployed by the agency, including, to the
 20 extent practicable, leveraging technologies
 21 that—

22 (i) provide in-depth analysis of user
 23 behaviors and collect user feedback;

- 1 (ii) measure actual software usage via
- 2 analytics that can identify inefficiencies to
- 3 assist in rationalizing software spending;
- 4 (iii) allow for segmentation of the user
- 5 base; and
- 6 (iv) support effective governance and
- 7 compliance in the use of software;
- 8 (2) identify not fewer than 5 categories of soft-
- 9 ware the agency will prioritize for conversion to en-
- 10 terprise licenses as the software entitlements, con-
- 11 tracts, and other agreements or arrangements for
- 12 those categories come up for renewal or renegoti-
- 13 ation;
- 14 (3) provide an estimate of the costs to move to
- 15 enterprise, open-source, or other licenses that do not
- 16 restrict the use of software by the agency; and any
- 17 projected cost savings or efficiency measures;
- 18 (4) identify potential mitigations to minimize
- 19 software license restrictions on how such software
- 20 can be deployed or accessed, either on desktop or
- 21 server hardware or through a cloud service provider;
- 22 (5) include any estimates for additional re-
- 23 sources, services, or support the agency may need to
- 24 execute the enterprise licensing position plan; and

1 (6) include any additional information, data, or
 2 analysis determined necessary by the Chief Informa-
 3 tion Officer, or other equivalent official, of the agen-
 4 cy.

5 (c) SUPPORT.—The Chief Information Officer, or
 6 other equivalent official, of an agency may request support
 7 from the Director and the Administrator for any analysis
 8 or developmental needs to create the plan of the agency.

9 (d) SUBMISSION.—Not later than 120 days after the
 10 date on which the Chief Information Officer, or other
 11 equivalent official, of an agency submits the comprehen-
 12 sive assessment pursuant to section 3(e), the head of the
 13 agency shall submit to the Director, the Committee on
 14 Homeland Security and Governmental Affairs of the Sen-
 15 ate, and the Committee on Oversight and Reform of the
 16 House of Representatives the plan of the agency.

17 **SEC. 5. GOVERNMENT-WIDE STRATEGY.**

18 (a) IN GENERAL.—Not later than 2 years after the
 19 date of enactment of this Act, the Director, in consultation
 20 with the Administrator and the Federal Chief Information
 21 Officers Council, shall submit to the Committee on Home-
 22 land Security and Governmental Affairs of the Senate and
 23 the Committee on Oversight and Reform of the House of
 24 Representatives a strategy that includes—

1 (1) proposals to support the adoption of Gov-
 2 ernment-wide enterprise licenses on the most widely
 3 used and most costly software entitlements identified
 4 through the comprehensive assessment and plans;
 5 including, where appropriate, a cost-benefit analysis;

6 (2) opportunities to leverage Government pro-
 7 curement policies and practices to increase inter-
 8 operability of software entitlements acquired and de-
 9 ployed to reduce costs and improve performance;

10 (3) the incorporation of data on spending by
 11 agencies on, the performance of, and management
 12 by agencies of software entitlements as part of the
 13 information required under section 11302(c)(3)(B)
 14 of title 40, United States Code;

15 (4) where applicable, directions to agencies to
 16 transition to open-source software to obtain cost sav-
 17 ings and performance improvement; and

18 (5) any other information or data collected or
 19 analyzed by the Director.

20 (b) BUDGET SUBMISSION.—

21 (1) FIRST BUDGET.—With respect to the first
 22 budget of the President submitted under section
 23 1105(a) of title 31, United States Code, on or after
 24 the date that is 2 years after the date of enactment
 25 of this Act, the Director shall ensure that the strat-

1 egy required under subsection (a) of this section and
2 the plan of each agency are included in the budget
3 justification materials of each agency submitted in
4 conjunction with that budget.

5 (2) SUBSEQUENT 5 BUDGETS.—With respect to
6 the first 5 budgets of the President submitted under
7 section 1105(a) of title 31, United States Code,
8 after the budget described in paragraph (1), the Di-
9 rector shall—

10 (A) designate performance metrics for
11 agencies for common software licensing, man-
12 agement, and cost criteria; and

13 (B) ensure that the progress of each agen-
14 cy toward the performance metrics is included
15 in the budget justification materials of the
16 agency submitted in conjunction with that
17 budget.

18 **SEC. 6. GAO REPORT.**

19 Not later than 3 years after the date of enactment
20 of this Act, the Comptroller General of the United States
21 shall submit to the Committee on Homeland Security and
22 Governmental Affairs of the Senate and the Committee
23 on Oversight and Reform of the House of Representatives
24 a report on Government-wide trends, comparisons among
25 agencies, and other analyses of plans and the strategy re-

1 quired under section 5(a) by the Comptroller General of
 2 the United States.

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Strengthening Agency*
 5 *Management and Oversight of Software Assets Act”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *ADMINISTRATOR.*—The term “Adminis-
 9 *trator” means the Administrator of General Services.*

10 (2) *AGENCY.*—The term “agency” has the mean-
 11 *ing given the term “establishment” in section 12 of*
 12 *the Inspector General Act of 1978 (5 U.S.C. App.).*

13 (3) *CLOUD COMPUTING.*—The term “cloud com-
 14 *puting” has the meaning given the term in Special*
 15 *Publication 800–145 of the National Institute of*
 16 *Standards and Technology, or any successor docu-*
 17 *ment.*

18 (4) *CLOUD SERVICE PROVIDER.*—The term
 19 *“cloud service provider” means an entity offering*
 20 *cloud computing products or services to agencies.*

21 (5) *COMPREHENSIVE ASSESSMENT.*—The term
 22 *“comprehensive assessment” means a comprehensive*
 23 *assessment conducted pursuant to section 3(a).*

24 (6) *DIRECTOR.*—The term “Director” means the
 25 *Director of the Office of Management and Budget.*

1 (7) *PLAN*.—The term “plan” means the plan de-
 2 veloped by a Chief Information Officer, or equivalent
 3 official, pursuant to section 4(a).

4 (8) *SOFTWARE ENTITLEMENT*.—The term “soft-
 5 ware entitlement” means any software that—

6 (A) has been purchased, leased, or licensed
 7 by or billed to an agency under any contract or
 8 other business arrangement; and

9 (B) is subject to use limitations.

10 (9) *SOFTWARE INVENTORY*.—The term “software
 11 inventory” means the software inventory of an agency
 12 required pursuant to—

13 (A) section 2(b)(2)(A) of the Making Elec-
 14 tronic Government Accountable By Yielding
 15 Tangible Efficiencies Act of 2016 (40 U.S.C.
 16 11302 note; Public Law 114–210); or

17 (B) subsequent guidance issued by the Di-
 18 rector pursuant to that Act.

19 **SEC. 3. SOFTWARE ENTITLEMENT AND INVENTORY INTEG-**
 20 **RITY.**

21 (a) *IN GENERAL*.—As soon as practicable, and not
 22 later than 1 year after the date of enactment of this Act,
 23 the Chief Information Officer of each agency, in consulta-
 24 tion with the Chief Financial Officer, the Chief Procure-
 25 ment Officer, and General Counsel of the agency, or the

1 *equivalent officials of the agency, shall complete a com-*
2 *prehensive assessment of the software entitlements and soft-*
3 *ware inventories of the agency, which shall include—*

4 (1) *the current software inventory of the agency,*
5 *including software entitlements, contracts and other*
6 *agreements or arrangements of the agency, and a list*
7 *of the largest software entitlements of the agency sepa-*
8 *rated by vendor and category of software;*

9 (2) *a comprehensive, detailed accounting of—*

10 (A) *any software deployed for the agency as*
11 *of the date of the comprehensive assessment, in-*
12 *cluding, to the extent identifiable, the contracts*
13 *and other agreements or arrangements that the*
14 *agency uses to acquire, deploy, or use such soft-*
15 *ware;*

16 (B) *information and data on software enti-*
17 *tlements, which shall include information on any*
18 *additional fees or costs for the use of cloud serv-*
19 *ices that is not included in the initial costs of the*
20 *contract, agreement, or arrangement—*

21 (i) *for which the agency pays;*

22 (ii) *that are not deployed or in use by*
23 *the agency; and*

24 (iii) *that are billed to the agency under*
25 *any contract or business arrangement that*

1 *creates redundancy in the deployment or*
2 *use by the agency; and*

3 *(C) the extent—*

4 *(i) to which any software paid for, in*
5 *use, or deployed throughout the agency is*
6 *interoperable; and*

7 *(ii) of the efforts of the agency to im-*
8 *prove interoperability of software assets*
9 *throughout the agency enterprise;*

10 *(3) a categorization of software licenses of the*
11 *agency by cost, volume, and type of software;*

12 *(4) a list of any provisions in the software li-*
13 *censes of the agency that may restrict how the soft-*
14 *ware can be deployed, accessed, or used, including*
15 *any such restrictions on desktop or server hardware*
16 *or through a cloud service provider; and*

17 *(5) an analysis addressing—*

18 *(A) the accuracy and completeness of the*
19 *software inventory and software entitlements of*
20 *the agency before and after the comprehensive as-*
21 *essment;*

22 *(B) management by the agency of and com-*
23 *pliance by the agency with all contracts or other*
24 *agreements or arrangements that include or im-*

1 *plicate software licensing or software manage-*
 2 *ment within the agency;*

3 *(C) the extent to which the agency accu-*
 4 *rately captures the total cost of enterprise li-*
 5 *censes agreements and related costs, including*
 6 *the total cost of upgrades over the life of a con-*
 7 *tract, cloud usage cost per user, and any other*
 8 *cost associated with the maintenance or servicing*
 9 *of contracts; and*

10 *(D) compliance with software license man-*
 11 *agement policies of the agency.*

12 *(b) CONTRACT SUPPORT.—*

13 *(1) AUTHORITY.—The head of an agency may*
 14 *enter into 1 or more contracts to support the require-*
 15 *ments of subsection (a).*

16 *(2) NO CONFLICT OF INTEREST.—Contracts*
 17 *under paragraph (1) shall not include contractors*
 18 *with organization conflicts of interest.*

19 *(3) OPERATIONAL INDEPENDENCE.—Over the*
 20 *course of a comprehensive assessment, contractors*
 21 *hired pursuant to paragraph (1) shall maintain oper-*
 22 *ational independence from the integration, manage-*
 23 *ment, and operations of the software inventory and*
 24 *software entitlements of the agency.*

1 (c) *SUBMISSION.*—On the date on which the Chief In-
 2 formation Officer, Chief Financial Officer, Chief Procure-
 3 ment Officer, and General Counsel of an agency, or the
 4 equivalent officials of the agency, complete the comprehen-
 5 sive assessment, and not later than 1 year after the date
 6 of enactment of this Act, the Chief Information Officer shall
 7 submit the comprehensive assessment to—

8 (1) *the head of the agency;*

9 (2) *the Director;*

10 (3) *the Administrator;*

11 (4) *the Comptroller General of the United States;*

12 (5) *the Committee on Homeland Security and*
 13 *Governmental Affairs of the Senate; and*

14 (6) *the Committee on Oversight and Reform of*
 15 *the House of Representatives.*

16 (d) *CONSULTATION.*—In order to ensure the utility
 17 and standardization of the comprehensive assessment of
 18 each agency, including to support the development of each
 19 plan and the Government-wide strategy described in section
 20 5, the Director, in consultation with the Administrator,
 21 may share information, best practices, and recommenda-
 22 tions relating to the activities performed in the course of
 23 a comprehensive assessment of an agency.

1 **SEC. 4. ENTERPRISE LICENSING POSITIONING AT AGEN-**
2 **CIES.**

3 (a) *IN GENERAL.*—*The Chief Information Officer of*
4 *each agency, in consultation with the Chief Financial Offi-*
5 *cer and the Chief Procurement Officer of the agency, or the*
6 *equivalent officials of the agency, shall use the information*
7 *developed pursuant to the comprehensive assessment of the*
8 *agency to develop a plan for the agency—*

9 (1) *to consolidate software licenses of the agency;*
10 *and*

11 (2) *to the greatest extent practicable, in order to*
12 *improve the performance of, or reduce unnecessary*
13 *costs to, the agency, to adopt enterprise license agree-*
14 *ments across the agency, by type or category of soft-*
15 *ware.*

16 (b) *PLAN REQUIREMENTS.*—*The plan of an agency*
17 *shall—*

18 (1) *include a detailed strategy for—*

19 (A) *the remediation of any software asset*
20 *management deficiencies found during the com-*
21 *prehensive assessment of the agency;*

22 (B) *the ongoing maintenance of software*
23 *asset management upon the completion of the re-*
24 *mediation; and*

1 (C) maximizing the effectiveness of software
 2 deployed by the agency, including, to the extent
 3 practicable, leveraging technologies that—

4 (i) provide in-depth analysis of user
 5 behaviors and collect user feedback;

6 (ii) measure actual software usage via
 7 analytics that can identify inefficiencies to
 8 assist in rationalizing software spending;

9 (iii) allow for segmentation of the user
 10 base;

11 (iv) support effective governance and
 12 compliance in the use of software; and

13 (v) support interoperable capabilities
 14 between software;

15 (2) identify not fewer than 5 categories of soft-
 16 ware the agency will prioritize for conversion to en-
 17 terprise licenses as the software entitlements, con-
 18 tracts, and other agreements or arrangements for
 19 those categories come up for renewal or renegotiation;

20 (3) provide an estimate of the costs to move to
 21 enterprise, open-source, or other licenses that do not
 22 restrict the use of software by the agency, and any
 23 projected cost savings or efficiency measures through-
 24 out the total software lifecycle;

1 (4) *identify potential mitigations to minimize*
2 *software license restrictions on how such software can*
3 *be deployed, accessed, or used, including any mitiga-*
4 *tions that would minimize any such restrictions on*
5 *desktop or server hardware or through a cloud service*
6 *provider;*

7 (5) *include any estimates for additional re-*
8 *sources, services, or support the agency may need to*
9 *execute the enterprise licensing position plan;*

10 (6) *provide information on the prevalence of soft-*
11 *ware products in use across multiple software cat-*
12 *egories; and*

13 (7) *include any additional information, data, or*
14 *analysis determined necessary by the Chief Informa-*
15 *tion Officer, or other equivalent official, of the agency.*

16 (c) *SUPPORT.—The Chief Information Officer, or other*
17 *equivalent official, of an agency may request support from*
18 *the Director and the Administrator for any analysis or de-*
19 *velopmental needs to create the plan of the agency.*

20 (d) *SUBMISSION.—Not later than 120 days after the*
21 *date on which the Chief Information Officer, or other equiv-*
22 *alent official, of an agency submits the comprehensive as-*
23 *essment pursuant to section 3(c), the head of the agency*
24 *shall submit to the Director, the Committee on Homeland*
25 *Security and Governmental Affairs of the Senate, and the*

1 *Committee on Oversight and Reform of the House of Rep-*
 2 *resentatives the plan of the agency.*

3 ***SEC. 5. GOVERNMENT-WIDE STRATEGY.***

4 *(a) IN GENERAL.—Not later than 2 years after the*
 5 *date of enactment of this Act, the Director, in consultation*
 6 *with the Administrator and the Federal Chief Information*
 7 *Officers Council, shall submit to the Committee on Home-*
 8 *land Security and Governmental Affairs of the Senate and*
 9 *the Committee on Oversight and Reform of the House of*
 10 *Representatives a strategy that includes—*

11 *(1) proposals to support the adoption of Govern-*
 12 *ment-wide enterprise licenses on the most widely used*
 13 *and most costly software entitlements identified*
 14 *through the comprehensive assessments and plans, in-*
 15 *cluding, where appropriate, a cost-benefit analysis;*

16 *(2) opportunities to leverage Government pro-*
 17 *curement policies and practices to increase interoper-*
 18 *ability of software entitlements acquired and deployed*
 19 *to reduce costs and improve performance;*

20 *(3) the incorporation of data on spending by*
 21 *agencies on, the performance of, and management by*
 22 *agencies of software entitlements as part of the infor-*
 23 *mation required under section 11302(c)(3)(B) of title*
 24 *40, United States Code;*

1 (4) *where applicable, directions to agencies to ex-*
 2 *amine options and relevant criteria for transitioning*
 3 *to open-source software; and*

4 (5) *any other information or data collected or*
 5 *analyzed by the Director.*

6 (b) *BUDGET SUBMISSION.—*

7 (1) *FIRST BUDGET.—With respect to the first*
 8 *budget of the President submitted under section*
 9 *1105(a) of title 31, United States Code, on or after*
 10 *the date that is 2 years after the date of enactment*
 11 *of this Act, the Director shall ensure that the strategy*
 12 *required under subsection (a) of this section and the*
 13 *plan of each agency are included in the budget jus-*
 14 *tification materials of each agency submitted in con-*
 15 *junction with that budget.*

16 (2) *SUBSEQUENT 5 BUDGETS.—With respect to*
 17 *the first 5 budgets of the President submitted under*
 18 *section 1105(a) of title 31, United States Code, after*
 19 *the budget described in paragraph (1), the Director*
 20 *shall—*

21 (A) *designate performance metrics for agen-*
 22 *cies for common software licensing, management,*
 23 *and cost criteria; and*

24 (B) *ensure that the progress of each agency*
 25 *toward the performance metrics is included in*

1 *the budget justification materials of the agency*
2 *submitted in conjunction with that budget.*

3 **SEC. 6. GAO REPORT.**

4 *Not later than 3 years after the date of enactment of*
5 *this Act, the Comptroller General of the United States shall*
6 *submit to the Committee on Homeland Security and Gov-*
7 *ernmental Affairs of the Senate and the Committee on Over-*
8 *sight and Reform of the House of Representatives a report*
9 *on Government-wide trends, comparisons among agencies,*
10 *and other analyses of plans and the strategy required under*
11 *section 5(a) by the Comptroller General of the United*
12 *States.*

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