

Public Law 116–194  
116th Congress

An Act

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

Dec. 3, 2020  
[H.R. 5901]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

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

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

(a) **DEFINITIONS.**—In this section:

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

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

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

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

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

(1) To encourage the modernization of information technology used by an executive agency and how a customer interacts with an executive agency.

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

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

(4) Upon request by the executive agency, to assist executive agencies with planning and adoption of technology in focus areas designated by the Administrator, which may include the following:

(A) A commercial cloud computing system that includes—

(i) end-to-end migration planning and an assessment of progress towards modernization; and

Information  
Technology  
Modernization  
Centers of  
Excellence  
Program Act.  
40 USC 101 note.  
40 USC 11301  
note.

(ii) a cybersecurity and governance framework that promotes industry and government risk management best practice approaches, prioritizing efforts based on risk, impact, and consequences.

(B) Tools to help an individual receive support from and communicate with an executive agency.

(C) Contact centers and other related customer supports.

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

(E) The optimization of infrastructure, including for data centers, and the reduction of operating costs.

(F) Artificial intelligence.

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

(6) Other responsibilities the Administrator may identify.

(d) **COORDINATION.**—The Administrator shall coordinate with the Secretary of Homeland Security in establishing the Program to ensure that the technology, tools, and frameworks facilitated for executive agencies by the Program provide sufficient cybersecurity and maintain the integrity, confidentiality, and availability of Federal information.

(e) **PROGRAM REPORTING.**—Not later than 1 year after the date of enactment of this Act, and every year thereafter, the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report on the Program, which shall include the following:

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

(2) Details on the total amount of the reimbursable agreements.

(3) Any additional information the Administrator determines necessary.

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

(g) **RULE OF CONSTRUCTION.**—Nothing in this Act shall be construed to impair or otherwise affect the authority delegated by law to an executive agency or the head of an executive agency.

### **SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the

Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

Approved December 3, 2020.

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**LEGISLATIVE HISTORY—H.R. 5901 (S. 4200):**

**SENATE REPORTS:** No. 116–277 (Comm. on Homeland Security and Governmental Affairs) accompanying S. 4200.

**CONGRESSIONAL RECORD, Vol. 166 (2020):**

Sept. 30, considered and passed House.  
Nov. 17, considered and passed Senate.

