

118TH CONGRESS
1ST SESSION

S. _____

To require the reduction of the reliance and expenditures of the Federal Government on legacy information technology systems, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. HASSAN (for herself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require the reduction of the reliance and expenditures of the Federal Government on legacy information technology systems, 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 “Legacy IT Reduction
5 Act of 2023”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

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

1 (2) AGENCY.—The term “agency” means an
2 agency described in paragraph (1) or (2) of section
3 901(b) of title 31, United States Code.

4 (3) CHIEF INFORMATION OFFICER.—The term
5 “Chief Information Officer” means a Chief Informa-
6 tion Officer designated under section 3506(a)(2) of
7 title 44, United States Code.

8 (4) COMPTROLLER GENERAL.—The term
9 “Comptroller General” means the Comptroller Gen-
10 eral of the United States.

11 (5) CONGRESSIONAL OVERSIGHT COMMITTEE.—
12 The term “congressional oversight committee”
13 means, with respect to a particular agency, a com-
14 mittee or subcommittee of the Senate and the House
15 of Representatives that provides oversight of the
16 agency.

17 (6) DIRECTOR.—The term “Director” means
18 the Director of the Office of Management and Budg-
19 et.

20 (7) INFORMATION TECHNOLOGY.—The term
21 “information technology” has the meaning given the
22 term in section 11101 of title 40, United States
23 Code.

24 (8) IT WORKING CAPITAL FUND; LEGACY IN-
25 FORMATION TECHNOLOGY SYSTEM.—The terms “IT

1 working capital fund” and “legacy information tech-
2 nology system” have the meaning given the terms in
3 section 1076 of the National Defense Authorization
4 Act for Fiscal Year 2018 (40 U.S.C. 11301 note;
5 Public Law 115–91).

6 (9) NATIONAL SECURITY SYSTEM.—The term
7 “national security system” has the meaning given
8 the term in section 11103 of title 40, United States
9 Code.

10 (10) TECHNOLOGY MODERNIZATION FUND.—
11 The term “Technology Modernization Fund” means
12 the fund established under section 1078(b)(1) of the
13 National Defense Authorization Act for Fiscal Year
14 2018 (40 U.S.C. 11301 note; Public Law 115–91).

15 **SEC. 3. LEGACY INFORMATION TECHNOLOGY SYSTEM IN-**
16 **VENTORY.**

17 (a) INVENTORY OF LEGACY INFORMATION TECH-
18 NOLOGY SYSTEMS.—

19 (1) IN GENERAL.—Not later than 1 year after
20 the date of enactment of this Act, and not later than
21 5 years thereafter, the Chief Information Officer of
22 each agency shall compile an inventory that lists
23 each legacy information technology system used, op-
24 erated, or maintained by the agency.

1 (2) CONTENTS.—The Director shall issue guid-
2 ance prescribing the information that the Chief In-
3 formation Officer of each agency shall include for
4 each legacy technology information system listed in
5 the inventory required under paragraph (1). In
6 issuing such guidance, the Director shall consider in-
7 cluding for each legacy technology information sys-
8 tem listed in the inventory—

9 (A) the name or an identification of the
10 legacy information technology system;

11 (B) the office or mission of the agency that
12 the legacy information technology system sup-
13 ports and how the office or mission uses the
14 legacy information technology system;

15 (C) to the extent that information is avail-
16 able—

17 (i) the date of the last update or re-
18 fresh of the legacy information technology
19 system;

20 (ii) the annual price, including recur-
21 ring subscription costs and any costs to
22 contract labor, to operate or maintain the
23 legacy information technology system; and

24 (iii) the name and contact information
25 of the vendor; and

1 (D) the date of the next expected update
2 or modernization, retirement, or disposal of the
3 legacy information technology system.

4 (b) **TRANSPARENCY AND ACCOUNTABILITY.**—

5 (1) **IN GENERAL.**—Upon request by a House of
6 Congress, a congressional oversight committee of an
7 agency, the Comptroller General of the United
8 States, or an inspector general of an agency, the
9 head of the agency shall make available the inven-
10 tory compiled under subsection (a)(1) or the relevant
11 portion of that inventory.

12 (2) **REPORTING.**—The Director may require an
13 agency to include the inventory compiled under sub-
14 section (a)(1) in a reporting structure determined by
15 the Director.

16 **SEC. 4. AGENCY LEGACY INFORMATION TECHNOLOGY SYS-**
17 **TEMS MODERNIZATION PLANS.**

18 (a) **IN GENERAL.**—Not later than 2 years after the
19 date of enactment of this Act, and every 5 years there-
20 after, the head of an agency shall develop and include as
21 part of the information resource management strategic
22 plan of the agency submitted under section 3506(b)(2) of
23 title 44, United States Code, a plan to modernize the leg-
24 acy information technology systems of the agency.

1 (b) CONTENTS.—A modernization plan of an agency
2 developed under subsection (a) shall include—

3 (1) an inventory of the legacy information tech-
4 nology systems of the agency;

5 (2) an identification of legacy information tech-
6 nology systems that the agency has prioritized for
7 updates, modernization, retirement, or disposal;

8 (3) steps the agency intends to make toward
9 updating, modernizing, retiring, or disposing of the
10 legacy information technology systems of the agency
11 prioritized under paragraph (2) during the 5-year
12 period beginning on the date of submission of the
13 plan; and

14 (4) any additional information that the Director
15 determines necessary or useful for the agency to
16 consider or include to effectively and efficiently exe-
17 cute the modernization plan, which may include—

18 (A) the capacity of the agency to operate
19 and maintain an updated or modernized legacy
20 information technology system;

21 (B) the estimated cost and sources of
22 funding required to execute the modernization
23 plan; and

24 (C) the ability of the agency to adapt an
25 updated or modernized legacy information tech-

1 nology system to changes in policy, technology,
2 or other user needs, as necessary.

3 (c) PUBLICATION AND SUBMISSION TO CONGRESS.—

4 Not later than 30 days after the date on which the head
5 of an agency submits the modernization plan developed
6 under subsection (a) as part of the information resource
7 management strategic plan of the agency submitted under
8 section 3506(b)(2) of title 44, United States Code, the
9 head of the agency shall submit the modernization plan
10 to the Committee on Homeland Security and Govern-
11 mental Affairs of the Senate, the Committee on Oversight
12 and Accountability of the House of Representatives, and
13 each congressional oversight committee of the agency.

14 **SEC. 5. ROLE OF THE OFFICE OF MANAGEMENT AND BUDG-**
15 **ET.**

16 Not later than 180 days after the date of enactment
17 of this Act, the Director, in coordination with the Adminis-
18 trator of the Office of Electronic Government, shall issue
19 guidance on the implementation of this Act and the
20 amendments made by this Act, which shall include—

21 (1) criteria to determine whether information
22 technology qualifies as a “legacy information tech-
23 nology system” for the purposes of compiling the in-
24 ventory required under section 3(a)(1);

1 (2) instructions and templates to inform the
2 compilation of the inventory required under section
3 3(a)(1), as necessary;

4 (3) instructions and templates to inform the
5 compilation and publication of, and any subsequent
6 updates to, the modernization plans required under
7 section 4(a), as necessary; and

8 (4) any other guidance determined necessary
9 for the implementation of this Act or the amend-
10 ments made by this Act, including how the imple-
11 mentation of this Act or those amendments com-
12 plements laws, regulations, and guidance relating to
13 information technology modernization.

14 **SEC. 6. COMPTROLLER GENERAL REVIEW.**

15 (a) IN GENERAL.—Not later than 3 years after the
16 date of enactment of this Act, the Comptroller General
17 shall submit to the Committee on Homeland Security and
18 Governmental Affairs of the Senate and the Committee
19 on Oversight and Accountability of the House of Rep-
20 resentatives a report on—

21 (1) the implementation of this Act and the
22 amendments made by this Act; and

23 (2) how this Act and the amendments made by
24 this Act function alongside other information tech-

1 nology modernization offices, policies, and programs,
2 such as—

3 (A) the Technology Modernization Fund
4 and the IT working capital fund;

5 (B) the Federal Risk and Authorization
6 Management Program, the 18F program, and
7 the 10X program of the General Services Ad-
8 ministration;

9 (C) programs and policies of the Office of
10 Management and Budget, including the Office
11 of Electronic Government and the United
12 States Digital Service; and

13 (D) any other office, policy, or program of
14 the Federal Government determined relevant by
15 the Comptroller General.

16 **SEC. 7. PROTECTION OF SENSITIVE INFORMATION; EXEMP-**
17 **TION OF NATIONAL SECURITY SYSTEMS.**

18 (a) IN GENERAL.—Nothing in this Act or the amend-
19 ments made by this Act shall be construed to require the
20 head of an agency to disclose sensitive information that—

21 (1) is protected from disclosure under any other
22 law; or

23 (2) would compromise the security of any infor-
24 mation technology system of the Federal Govern-
25 ment.

1 (b) EXEMPTION.—Nothing in this Act or the amend-
2 ments made by this Act shall be construed to authorize
3 or require the head of an agency to inventory, develop a
4 report relating to, or transfer, a national security system.