

118TH CONGRESS
2D SESSION

H. R. 10151

To amend title 44, United States Code, to modernize data practices to improve government, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2024

Ms. LEE of Pennsylvania (for herself and Ms. MACE) introduced the following bill; which was referred to the Committee on Oversight and Accountability

A BILL

To amend title 44, United States Code, to modernize data practices to improve government, 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 “Modernizing Data
5 Practices to Improve Government Act”.

6 **SEC. 2. MODERNIZING DATA PRACTICES TO IMPROVE GOV-**
7 **ERNMENT.**

8 (a) DEFINITIONS.—Section 3502 of title 44, United
9 States Code, is amended—

1 (1) in paragraph (22), by striking “; and” and
2 inserting a semicolon;

3 (2) in paragraph (23), by striking the period at
4 the end and inserting a semicolon; and

5 (3) by adding at the end the following:

6 “(24) the term ‘artificial intelligence’—

7 “(A) has the meaning given the term ‘arti-
8 ficial intelligence’ in section 5002 of the Na-
9 tional Artificial Intelligence Initiative Act of
10 2020 (15 U.S.C. 9401); and

11 “(B) includes the artificial systems and
12 techniques described in paragraphs (1) through
13 (5) of section 238(g) of the John S. McCain
14 National Defense Authorization Act for Fiscal
15 Year 2019 (Public Law 115–232; 10 U.S.C.
16 4061 note prec.); and

17 “(25) the term ‘data governance’ means the
18 policies and procedures of an agency to manage data
19 throughout the lifecycle of such data, including ac-
20 quisition, collection, analysis, protection, use, dis-
21 semination, disposal, or archival, including—

22 “(A) any data asset; and

23 “(B) any action taken and any technology
24 or process used by an agency to manage such
25 data or data asset.”.

1 (b) CHIEF DATA OFFICER QUALIFICATIONS.—Sub-
2 section (b) of section 3520 of title 44, United States Code,
3 is amended by striking “data management, governance
4 (including creation, application, and maintenance of data
5 standards), collection, analysis, protection, use, and dis-
6 semination, including with respect to” and inserting “data
7 management and data governance, including with respect
8 to creation, application, and maintenance of data stand-
9 ards and”.

10 (c) REVIVAL OF LAW.—In the case of a termination
11 and repeal under subsection (e)(2) of section 3520A of
12 title 44, United States Code, such section 3520A shall be
13 effective as in effect on December 14, 2024, as if such
14 section had not been repealed, and such section shall apply
15 retroactively to any period of repeal.

16 (d) CHIEF DATA OFFICER COUNCIL.—Section
17 3520A of title 44, United States Code, is amended—

18 (1) in subsection (b), by striking paragraph (5)
19 and inserting the following:

20 “(5) identify opportunities and procedures to
21 improve data governance to—

22 “(A) evaluate new technology solutions for
23 improving the collection and use of data;

1 “(B) ensure the public data assets are
2 transparent and of sufficient quality for the in-
3 tended use of the data asset; and

4 “(C) support the head of each agency with
5 the efforts by the agency to reliably and se-
6 curely use emerging technology and artificial in-
7 telligence to improve operational efficiency
8 across agencies.”;

9 (2) in subsection (c), by striking paragraph (4)
10 and inserting the following:

11 “(4) EX OFFICIO MEMBERS.—The Director
12 shall select a representative to serve as an ex-officio
13 member of the Council for each of the following:

14 “(A) Agency Chief Information Officers.

15 “(B) Agency Evaluation Officers.

16 “(C) Senior agency officials for privacy.”;

17 and

18 (3) by striking subsections (d) and (e) and in-
19 serting the following:

20 “(d) REPORTS.—The Council shall submit to the Di-
21 rector, the Committee on Homeland Security and Govern-
22 mental Affairs of the Senate, and the Committee on Over-
23 sight and Accountability of the House of Representatives
24 the following:

1 “(1) Not later than 2 years after the date of
2 the enactment of this subsection, and every two
3 years thereafter, a report on the work of the Council
4 that includes—

5 “(A) a description of any work of the
6 Council to ensure progress on each purpose and
7 function of the Council described under sub-
8 section (b); and

9 “(B) any update to the recommendations
10 provided in the report required under para-
11 graph (2).

12 “(2) Not later than 1 year after the date of the
13 enactment of this subsection, a report that includes
14 the following:

15 “(A) Recommendations and best practices
16 for agencies on developing data assets, data
17 governance policies, and infrastructure to en-
18 able adoption, maintenance, use, and interoper-
19 ability of emerging technology and artificial in-
20 telligence, such as for use in training, testing,
21 and operation of artificial intelligence within
22 agencies, that includes the following:

23 “(i) An assessment of ways to
24 strengthen and clarify the roles and re-

1 responsibilities of senior agency officials with
2 respect to data governance.

3 “(ii) An identification of data avail-
4 able to 1 or more agencies at the time of
5 the submission of the report that would
6 benefit other agencies if the data were
7 shared or made accessible to such other
8 agencies.

9 “(iii) Criteria agencies should consider
10 when using data to train any artificial in-
11 telligence used by agencies, including rec-
12 ommendations for—

13 “(I) ways to make such data
14 more transparent to the public and
15 the employees of the agency using the
16 trained artificial intelligence; and

17 “(II) processes and procedures to
18 analyze and test such data for poten-
19 tial risks.

20 “(iv) Recommendations for defining,
21 generating, using, and ensuring the privacy
22 and security of synthetic data in the Fed-
23 eral Government.

24 “(B) An indication of how agencies can in-
25 corporate such recommendations and best prac-

1 tices into agency processes and statutory re-
2 quirements.

3 “(e) DIRECTOR RESPONSIBILITIES.—

4 “(1) DATA GOVERNANCE GUIDANCE.—The Di-
5 rector, upon receipt of a report required under sub-
6 section (d), may issue or amend, as necessary, guid-
7 ance to agencies with respect to the implementation
8 of any recommendation included in the report in ac-
9 cordance with this chapter.

10 “(2) CHIEF DATA OFFICER INVENTORY.—Not
11 later than 270 days after the date of the enactment
12 of this subsection, the Director, in consultation with
13 the Council, shall make available on a public
14 website, and update not less frequently than annu-
15 ally, an inventory of Chief Data Officers, including,
16 with respect to each agency—

17 “(A) a list of each Chief Data Officer, in-
18 cluding, with respect to each Chief Data Offi-
19 cer—

20 “(i) any additional role or title the
21 Chief Data Officer holds at the agency;
22 and

23 “(ii) each responsibility and statutory
24 authority of the Chief Data Officer relat-

1 ing to data and artificial intelligence that
2 are not described in section 3520(c); and

3 “(B) an identification of resources needed
4 by Chief Data Officers, including to support the
5 adoption of artificial intelligence at agencies.

6 “(f) EVALUATION.—Not later than 2 years after the
7 date of the enactment of this subsection, and not less fre-
8 quently than every 2 years thereafter, the Comptroller
9 General shall submit to Congress a report on—

10 “(1) whether the duties of the Council improved
11 the use of evidence, data, and program evaluation in
12 the Federal Government; and

13 “(2) any barrier or challenge preventing the
14 Council from accomplishing the requirements under
15 this section.

16 “(g) RULE OF CONSTRUCTION.—Nothing in this sec-
17 tion shall be construed to require an agency to implement
18 any recommendation developed pursuant to subsection (d).

19 “(h) SUNSET.—This section shall have no force or
20 effect on and after December 14, 2031.”.

21 **SEC. 3. NO ADDITIONAL FUNDS.**

22 No additional funds are authorized to be appro-
23 priated for the purpose of carrying out this Act.

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