

**Calendar No. 156**118TH CONGRESS  
1ST SESSION**S. 931****[Report No. 118–73]**

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

---

## IN THE SENATE OF THE UNITED STATES

MARCH 22, 2023

Mr. PETERS (for himself, Mr. CASSIDY, Mr. HAGERTY, Mr. TILLIS, Ms. ERNST, Mr. WYDEN, and Mr. HICKENLOOPER) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

JULY 25, 2023

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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

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

9 (2) **AGENCY.**—The term “agency” has the  
10 meaning given that term in section 3502 of title 44,  
11 United States Code.

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

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

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

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

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

4           (8) **SOFTWARE ENTITLEMENT.**—The term  
5 “software 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 “soft-  
11 ware inventory” means the software inventory of an  
12 agency 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  
3 software inventories of the agency, which shall include—

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

10       (2) a comprehensive, detailed accounting of—

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

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

22                   (i) for which the agency pays;

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

1           (iii) that are billed to the agency  
2           under any contract or business arrange-  
3           ment that creates redundancy in the de-  
4           ployment or use by the agency; and

5           (C) the extent—

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

9                 (ii) of the efforts of the agency to im-  
10                prove interoperability of software assets  
11                throughout the agency enterprise;

12           ~~(3)~~ a categorization of software licenses of the  
13           agency by cost, volume, and type of software;

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

19           ~~(5)~~ an analysis addressing—

20                 (A) the accuracy and completeness of the  
21                 software inventory and software entitlements of  
22                 the agency before and after the comprehensive  
23                 assessment;

24                 (B) management by the agency of and  
25                 compliance by the agency with all contracts or

1 other agreements or arrangements that include  
2 or implicate software licensing or software man-  
3 agement within the agency;

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

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

13 (b) CONTRACT SUPPORT.—

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

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

20 (3) OPERATIONAL INDEPENDENCE.—Over the  
21 course of a comprehensive assessment, contractors  
22 hired pursuant to paragraph (1) shall maintain oper-  
23 ational independence from the integration, manage-  
24 ment, and operations of the software inventory and  
25 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  
7 shall 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  
12 States;

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

15          (6) the Committee on Oversight and Account-  
16 ability of the House of Representatives.

17           (d) CONSULTATION.—In order to ensure the utility  
18 and standardization of the comprehensive assessment of  
19 each agency, including to support the development of each  
20 plan and the Government-wide strategy described in sec-  
21 tion 5, the Director, in consultation with the Adminis-  
22 trator, may share information, best practices, and rec-  
23 ommendations relating to the activities performed in the  
24 course of 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  
 6 the equivalent officials of the agency, shall use the infor-  
 7 mation developed pursuant to the comprehensive assess-  
 8 ment of the agency to develop a plan for the agency—

9 (1) to consolidate software licenses of the agen-  
 10 ey; and

11 (2) to the greatest extent practicable, in order  
 12 to improve the performance of, and reduce unneces-  
 13 sary costs to, the agency, to adopt enterprise license  
 14 agreements across the agency, by type or category of  
 15 software.

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  
 24 remediation; and

25 (C) maximizing the effectiveness of soft-  
 26 ware deployed by the agency, including, to the



1 extent practicable, leveraging technologies  
2 that—

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

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

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

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

12 (v) support interoperable capabilities  
13 between software;

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

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 the  
23 projected cost savings, efficiency measures, and im-  
24 provements to agency performance throughout the  
25 total software lifecycle;

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

7           (5) ensure that the purchase by the agency of  
8 any enterprise license or other software is based on  
9 publicly available criteria that are not unduly struc-  
10 tured to favor any specific vendor;

11           (6) include any estimates for additional re-  
12 sources, services, or support the agency may need to  
13 execute the enterprise licensing position plan;

14           (7) provide information on the prevalence of  
15 software products in use across multiple software  
16 categories; and

17           (8) include any additional information, data, or  
18 analysis determined necessary by the Chief Informa-  
19 tion Officer, or other equivalent official, of the agen-  
20 cy.

21       (c) CONSULTATION AND COORDINATION.—The Di-  
22 rector, in coordination with the Chief Information Officers  
23 Council, the Chief Acquisition Officers Council, the Ad-  
24 ministrators, and other government and industry represent-  
25 atives identified by the Director, may establish processes

1 to identify, define, and harmonize common definitions,  
2 terms and conditions, and other information and criteria  
3 to support agency heads in developing and implementing  
4 the plans required by this section.

5 (d) 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 (e) 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 Accountability  
16 of the 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 Accountability of the  
24 House of Representatives a strategy that includes—

1           (1) proposals to support the adoption of Gov-  
2           ernment-wide enterprise licenses for software entitle-  
3           ments identified through the comprehensive assess-  
4           ments and plans, including, where appropriate, a  
5           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          examine options and relevant criteria for  
17          transitioning to open-source software; 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 Accountability of the House of Rep-  
24       resentatives a report on Government-wide trends, com-  
25       parisons among agencies, and other analyses of plans and

1 the strategy required under section 5(a) by the Comp-  
2 troller General of 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 that term in section 3502 of title 44, United*  
12 *States Code.*

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” has the meaning given the*  
20 *term in section 3607(b) of title 44, United States*  
21 *Code.*

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

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

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

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

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

11                  (B) is subject to use limitations.

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

15                   (A) section 2(b)(2)(A) of the Making Elec-  
16                   tronic Government Accountable By Yielding  
17                   Tangible Efficiencies Act of 2016 (40 U.S.C.  
18                   11302 note; Public Law 114–210); or

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

21 **SEC. 3. SOFTWARE INVENTORY UPDATE AND EXPANSION.**

22           (a) *IN GENERAL*.—As soon as practicable, and not  
23           later than 18 months after the date of enactment of this  
24           Act, the Chief Information Officer of each agency, in con-  
25           sultation with the Chief Financial Officer, the Chief Acqui-

1 *sition Officer, the Chief Data Officer, and General Counsel*  
2 *of the agency, or the equivalent officials of the agency, shall*  
3 *complete a comprehensive assessment of the software paid*  
4 *for by, in use at, or deployed throughout the agency, which*  
5 *shall include—*

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

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

12 *(A) any software used by or deployed with-*  
13 *in the agency, including software developed or*  
14 *built by the agency, or by another agency for use*  
15 *by the agency, including shared services, as of*  
16 *the date of the comprehensive assessment, includ-*  
17 *ing, to the extent identifiable, the contracts and*  
18 *other agreements or arrangements used by the*  
19 *agency to acquire, build, deploy, or use such soft-*  
20 *ware;*

21 *(B) information and data on software enti-*  
22 *tlements, which shall include information on any*  
23 *additional fees or costs, including fees or costs for*  
24 *the use of cloud services, that are not included in*



1           *the initial costs of the contract, agreement, or ar-*  
2           *rangement—*

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

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

6                     *(iii) that are billed to the agency under*  
7           *any contract or business arrangement that*  
8           *creates duplication, or are otherwise deter-*  
9           *mined to be unnecessary by the Chief Infor-*  
10          *mation Officer of the agency, or the equiva-*  
11          *lent official, in the deployment or use by the*  
12          *agency; and*

13          *(C) the extent—*

14                     *(i) to which any software paid for, in*  
15                     *use, or deployed throughout the agency is*  
16                     *interoperable; and*

17                     *(ii) of the efforts of the agency to im-*  
18                     *prove interoperability of software assets*  
19                     *throughout the agency enterprise;*

20                     *(3) a categorization of software entitlements of*  
21           *the agency by cost, volume, and type of software;*

22                     *(4) a list of any provisions in the software enti-*  
23           *tlements of the agency that may restrict how the soft-*  
24           *ware can be deployed, accessed, or used, including*  
25           *any such restrictions on desktop or server hardware,*

1 *through a cloud service provider, or on data owner-*  
2 *ship or access; and*

3 *(5) an analysis addressing—*

4 *(A) the accuracy and completeness of the*  
5 *comprehensive assessment;*

6 *(B) agency management of and compliance*  
7 *with all contracts or other agreements or ar-*  
8 *rangements that include or reference software en-*  
9 *titlements or software management within the*  
10 *agency;*

11 *(C) the extent to which the agency accu-*  
12 *rately captures the total cost of software entitle-*  
13 *ments and related costs, including the total cost*  
14 *of upgrades over the life of a contract, cloud*  
15 *usage costs, and any other cost associated with*  
16 *the maintenance or servicing of contracts; and*

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

19 *(b) CONTRACT SUPPORT.—*

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

23 *(2) NO CONFLICT OF INTEREST.—Contracts*  
24 *under paragraph (1) shall not include contractors*  
25 *with organizational conflicts of interest, within the*

1        *meaning given that term under subpart 9.5 of the*  
2        *Federal Acquisition Regulation.*

3            (3) *OPERATIONAL INDEPENDENCE.*—*Over the*  
4        *course of a comprehensive assessment, contractors*  
5        *hired pursuant to paragraph (1) shall maintain oper-*  
6        *ational independence from the integration, manage-*  
7        *ment, and operations of the software inventory and*  
8        *software entitlements of the agency.*

9            (c) *SUBMISSION.*—*On the date on which the Chief In-*  
10       *formation Officer, Chief Financial Officer, Chief Acquisi-*  
11       *tion Officer, the Chief Data Officer, and General Counsel*  
12       *of an agency, or the equivalent officials of the agency, com-*  
13       *plete the comprehensive assessment, the Chief Information*  
14       *Officer shall submit the comprehensive assessment to the*  
15       *head of the agency.*

16           (d) *SUBSEQUENT SUBMISSION.*—*Not later than 30*  
17       *days after the date on which the head of an agency receives*  
18       *the comprehensive assessment under subsection (c), the head*  
19       *of the agency shall submit the comprehensive assessment*  
20       *to—*

21                (1) *the Director;*

22                (2) *the Administrator;*

23                (3) *the Comptroller General of the United States;*

24                (4) *the Committee on Homeland Security and*  
25        *Governmental Affairs of the Senate; and*



1     *the equivalent officers, develop criteria and procedures*  
2     *for how the agency will adopt cost-effective acquisi-*  
3     *tion strategies, including enterprise licensing, across*  
4     *the agency that reduce costs, eliminate excess licenses,*  
5     *and improve performance; and*

6             (3) *to restrict the ability of a bureau, program,*  
7     *component, or operational entity within the agency to*  
8     *acquire, use, develop, or otherwise leverage any soft-*  
9     *ware entitlement (or portion thereof) without the ap-*  
10    *proval of the Chief Information Officer of the agency,*  
11    *in consultation with the Chief Acquisition Officer of*  
12    *the agency, or the equivalent officers of the agency.*

13    (b) *PLAN REQUIREMENTS.—The plan of an agency*  
14    *shall—*

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

16                     (A) *the remediation of any software asset*  
17                     *management deficiencies found during the com-*  
18                     *prehensive assessment of the agency;*

19                     (B) *the ongoing maintenance of software*  
20                     *asset management upon the completion of the re-*  
21                     *mediation;*

22                     (C) *automation of software license manage-*  
23                     *ment processes and incorporation of discovery*  
24                     *tools across the agency;*

1           (D) ensuring that officers and employees of  
2           the agency are adequately trained in the policies,  
3           procedures, rules, regulations, and guidance re-  
4           lating to the software acquisition and develop-  
5           ment of the agency before entering into any  
6           agreement relating to any software entitlement  
7           (or portion thereof) for the agency, including  
8           training on—

9                   (i) negotiating options within con-  
10                  tracts to address and minimize provisions  
11                  that restrict how the agency may deploy,  
12                  access, or use the software, including restric-  
13                  tions on deployment, access, or use on desk-  
14                  top or server hardware and restrictions on  
15                  data ownership or access;

16                  (ii) the differences between acquiring  
17                  commercial software products and services  
18                  and acquiring or building custom software;  
19                  and

20                  (iii) determining the costs of different  
21                  types of licenses and options for adjusting  
22                  licenses to meet increasing or decreasing de-  
23                  mand; and

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

4                   (i) measure actual software usage via  
5                   analytics that can identify inefficiencies to  
6                   assist in rationalizing software spending;

7                   (ii) allow for segmentation of the user  
8                   base;

9                   (iii) support effective governance and  
10                  compliance in the use of software; and

11                  (iv) support interoperable capabilities  
12                  between software;

13           (2) identify categories of software the agency  
14           could prioritize for conversion to more cost-effective  
15           software licenses, including enterprise licenses, as the  
16           software entitlements, contracts, and other agreements  
17           or arrangements come up for renewal or renegoti-  
18           ation;

19           (3) provide an estimate of the costs to move to-  
20           ward more enterprise, open-source, or other licenses  
21           that do not restrict the use of software by the agency,  
22           and the projected cost savings, efficiency measures,  
23           and improvements to agency performance throughout  
24           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, through a cloud service*  
6           *provider, or on data ownership or access;*

7           (5) *ensure that the purchase by the agency of*  
8           *any software is based on publicly available criteria*  
9           *that are not unduly structured to favor any specific*  
10          *vendor, unless prohibited by law (including regula-*  
11          *tion);*

12          (6) *include any estimates for additional re-*  
13          *sources, services, or support the agency may need to*  
14          *implement the plan;*

15          (7) *provide information on the prevalence of soft-*  
16          *ware products in use across multiple software cat-*  
17          *egories; and*

18          (8) *include any additional information, data, or*  
19          *analysis determined necessary by the Chief Informa-*  
20          *tion Officer, or other equivalent official, of the agency.*

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



1           (d) *AGENCY SUBMISSION.*—Not later than 1 year after  
2 the date on which the head of an agency submits the com-  
3 prehensive assessment pursuant to section 3(d), the head of  
4 the agency shall submit to the Director, the Committee on  
5 Homeland Security and Governmental Affairs of the Sen-  
6 ate, and the Committee on Oversight and Accountability of  
7 the House of Representatives the plan of the agency.

8           (e) *CONSULTATION AND COORDINATION.*—The Direc-  
9 tor—

10           (1) in coordination with the Administrator, the  
11 Chief Information Officers Council, the Chief Acquisi-  
12 tion Officers Council, the Chief Data Officers Council,  
13 the Chief Financial Officers Council, and other gov-  
14 ernment and industry representatives identified by  
15 the Director, shall establish processes, using existing  
16 reporting functions, as appropriate, to identify, de-  
17 fine, and harmonize common definitions, terms and  
18 conditions, standardized requirements, and other in-  
19 formation and criteria to support agency heads in de-  
20 veloping and implementing the plans required by this  
21 section; and

22           (2) in coordination with the Administrator, and  
23 not later than 2 years after the date of enactment of  
24 this Act, submit to the Committee on Homeland Secu-  
25 rity and Governmental Affairs of the Senate and the

1        *Committee on Oversight and Accountability of the*  
2        *House of Representatives a report detailing rec-*  
3        *ommendations to leverage Government procurement*  
4        *policies and practices with respect to software ac-*  
5        *quired by, developed by, deployed within, or in use at*  
6        *1 or more agencies to—*

7                *(A) increase the interoperability of software*  
8                *licenses, including software entitlements and*  
9                *software built by Government agencies;*

10               *(B) consolidate licenses, as appropriate;*

11               *(C) reduce costs;*

12               *(D) improve performance; and*

13               *(E) modernize the management and over-*  
14               *sight of software entitlements and software built*  
15               *by Government agencies, as identified through*  
16               *an analysis of agency plans.*

17        **SEC. 5. GAO REPORT.**

18        *Not later than 3 years after the date of enactment of*  
19        *this Act, the Comptroller General of the United States shall*  
20        *submit to the Committee on Homeland Security and Gov-*  
21        *ernmental Affairs of the Senate and the Committee on Over-*  
22        *sight and Accountability of the House of Representatives*  
23        *a report on—*

24               *(1) Government-wide trends in agency software*  
25               *asset management practices;*

1           (2) *comparisons of software asset management*  
2           *practices among agencies;*

3           (3) *the establishment by the Director of processes*  
4           *to identify, define, and harmonize common defini-*  
5           *tions, terms, and conditions under section 4(e);*

6           (4) *agency compliance with the restrictions on*  
7           *contract support under section 3(b); and*

8           (5) *other analyses of and findings regarding the*  
9           *plans of agencies, as determined by the Comptroller*  
10          *General of the United States.*

11 **SEC. 6. NO ADDITIONAL FUNDS.**

12          *No additional funds are authorized to be appropriated*  
13          *for the purpose of carrying out this Act.*

Calendar No. 156

118<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 931**

[Report No. 118-73]

---

---

## **A BILL**

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

---

---

JULY 25, 2023

Reported with an amendment