

118TH CONGRESS  
1ST SESSION

# S. 2032

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

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IN THE SENATE OF THE UNITED STATES

JUNE 15, 2023

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

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## 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:

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

4           (2) AGENCY.—The term “agency” means an  
5           agency described in paragraph (1) or (2) of section  
6           901(b) of title 31, United States Code.

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

11          (4) COMPTROLLER GENERAL.—The term  
12          “Comptroller General” means the Comptroller Gen-  
13          eral of the United States.

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

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

23          (7) INFORMATION TECHNOLOGY.—The term  
24          “information technology” has the meaning given the

1 term in section 11101 of title 40, United States  
2 Code.

3 (8) IT WORKING CAPITAL FUND; LEGACY IN-  
4 FORMATION TECHNOLOGY SYSTEM.—The terms “IT  
5 working capital fund” and “legacy information tech-  
6 nology system” have the meaning given the terms in  
7 section 1076 of the National Defense Authorization  
8 Act for Fiscal Year 2018 (40 U.S.C. 11301 note;  
9 Public Law 115–91).

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

14 (10) TECHNOLOGY MODERNIZATION FUND.—  
15 The term “Technology Modernization Fund” means  
16 the fund established under section 1078(b)(1) of the  
17 National Defense Authorization Act for Fiscal Year  
18 2018 (40 U.S.C. 11301 note; Public Law 115–91).

19 **SEC. 3. LEGACY INFORMATION TECHNOLOGY SYSTEM IN-**  
20 **VENTORY.**

21 (a) INVENTORY OF LEGACY INFORMATION TECH-  
22 NOLOGY SYSTEMS.—

23 (1) IN GENERAL.—Not later than 1 year after  
24 the date of enactment of this Act, and not later than  
25 5 years thereafter, the Chief Information Officer of

1 each agency shall compile an inventory that lists  
2 each legacy information technology system used, op-  
3 erated, or maintained by the agency.

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

12 (A) the name or an identification of the  
13 legacy information technology system;

14 (B) the office or mission of the agency that  
15 the legacy information technology system sup-  
16 ports and how the office or mission uses the  
17 legacy information technology system;

18 (C) to the extent that information is avail-  
19 able—

20 (i) the date of the last update or re-  
21 fresh of the legacy information technology  
22 system;

23 (ii) the annual price, including recur-  
24 ring subscription costs and any costs to

1 contract labor, to operate or maintain the  
2 legacy information technology system; and

3 (iii) the name and contact information  
4 of the vendor; and

5 (D) the date of the next expected update  
6 or modernization, retirement, or disposal of the  
7 legacy information technology system.

8 (b) TRANSPARENCY AND ACCOUNTABILITY.—

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

16 (2) REPORTING.—The Director may require an  
17 agency to include the inventory compiled under sub-  
18 section (a)(1) in a reporting structure determined by  
19 the Director.

20 **SEC. 4. AGENCY LEGACY INFORMATION TECHNOLOGY SYS-**  
21 **TEMS MODERNIZATION PLANS.**

22 (a) IN GENERAL.—Not later than 2 years after the  
23 date of enactment of this Act, and every 5 years there-  
24 after, the head of an agency shall develop and include as  
25 part of the information resource management strategic

1 plan of the agency submitted under section 3506(b)(2) of  
2 title 44, United States Code, a plan to modernize the leg-  
3 acy information technology systems of the agency.

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

6 (1) an inventory of the legacy information tech-  
7 nology systems of the agency;

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

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

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

21 (A) the capacity of the agency to operate  
22 and maintain an updated or modernized legacy  
23 information technology system;

1 (B) the estimated cost and sources of  
2 funding required to execute the modernization  
3 plan; and

4 (C) the ability of the agency to adapt an  
5 updated or modernized legacy information tech-  
6 nology system to changes in policy, technology,  
7 or other user needs, as necessary.

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

19 **SEC. 5. ROLE OF THE OFFICE OF MANAGEMENT AND BUDG-**  
20 **ET.**

21 Not later than 180 days after the date of enactment  
22 of this Act, the Director, in coordination with the Adminis-  
23 trator of the Office of Electronic Government, shall issue  
24 guidance on the implementation of this Act and the  
25 amendments made by this Act, which shall include—

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

5           (2) instructions and templates to inform the  
6           compilation of the inventory required under section  
7           3(a)(1), as necessary;

8           (3) instructions and templates to inform the  
9           compilation and publication of, and any subsequent  
10          updates to, the modernization plans required under  
11          section 4(a), as necessary; and

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

18 **SEC. 6. COMPTROLLER GENERAL REVIEW.**

19          (a) IN GENERAL.—Not later than 3 years after the  
20          date of enactment of this Act, the Comptroller General  
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—



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

3           (2) how this Act and the amendments made by  
4           this Act function alongside other information tech-  
5           nology modernization offices, policies, and programs,  
6           such as—

7                   (A) the Technology Modernization Fund  
8                   and the IT working capital fund;

9                   (B) the Federal Risk and Authorization  
10                  Management Program, the 18F program, and  
11                  the 10X program of the General Services Ad-  
12                  ministration;

13                  (C) programs and policies of the Office of  
14                  Management and Budget, including the Office  
15                  of Electronic Government and the United  
16                  States Digital Service; and

17                  (D) any other office, policy, or program of  
18                  the Federal Government determined relevant by  
19                  the Comptroller General.

20 **SEC. 7. PROTECTION OF SENSITIVE INFORMATION; EXEMP-**  
21 **TION OF NATIONAL SECURITY SYSTEMS.**

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

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

3           (2) would compromise the security of any infor-  
4       mation technology system of the Federal Govern-  
5       ment.

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

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