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(Original Signature of Member)

118TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

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

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IN THE HOUSE OF REPRESENTATIVES

M. \_\_\_\_\_ introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_  
**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.