SUBTITLE III—INFORMATION TECHNOLOGY MANAGEMENT[5]

CHAPTER		Sec.
111.	GENERAL	11101
113.	RESPONSIBILITY FOR ACQUISITIONS OF INFORMATION TECHNOLOGY	11301
115.	INFORMATION TECHNOLOGY ACQUISITION PILOT PROGRAM	11501
117.	ADDITIONAL INFORMATION RESOURCES MANAGEMENT MATTERS	11701

CHAPTER 111—GENERAL

Sec.
11101. Definitions.
11102. Sense of Congress.
11103. Applicability to national security systems.

§ 11101. Definitions

In this subtitle, the following definitions apply:

(1) COMMERCIAL ITEM.—The term "commercial item" has the meaning given that term in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403).

(2) EXECUTIVE AGENCY.—The term "executive agency" has the meaning given that term in section 4 of the Act (41 U.S.C. 403).

(3) INFORMATION RESOURCES.—The term "information resources" has the meaning given that term in section 3502 of title 44.

(4) INFORMATION RESOURCES MANAGEMENT.—The term "information resources management" has the meaning given that term in section 3502 of title 44.

(5) INFORMATION SYSTEM.—The term "information system" has the meaning given that term in section 3502 of title 44.

(6) INFORMATION TECHNOLOGY.—The term "information technology"—

(A) with respect to an executive agency means any equipment or interconnected system or subsystem of equipment, used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information by the executive agency, if the equipment is used by the executive agency directly or is used by a contractor under a contract with the executive agency that requires the use—

(i) of that equipment; or

[5] Subtitle III was contained in division E of the Clinger-Cohen Act of 1996 (P.L. 104–106) before being revised, codified, and reenacted without substantive change as such subtitle by Public Law 107–217.

(ii) of that equipment to a significant extent in the performance of a service or the furnishing of a product;

(B) includes computers, ancillary equipment, software, firmware and similar procedures, services (including support services), and related resources; but

(C) does not include any equipment acquired by a federal contractor incidental to a federal contract.

§ 11102. Sense of Congress

It is the sense of Congress that, during the five-year period beginning with 1996, executive agencies should achieve each year through improvements in information resources management by the agency—

(1) at least a five percent decrease in the cost (in constant fiscal year 1996 dollars) incurred by the agency in operating and maintaining information technology; and

(2) a five percent increase in the efficiency of the agency operations.

§ 11103. Applicability to national security systems

(a) DEFINITION.—

(1) NATIONAL SECURITY SYSTEM.—In this section, the term "national security system" means a telecommunications or information system operated by the Federal Government, the function, operation, or use of which—

(A) involves intelligence activities;

(B) involves cryptologic activities related to national security;

(C) involves command and control of military forces;

(D) involves equipment that is an integral part of a weapon or weapons system; or

(E) subject to paragraph (2), is critical to the direct fulfillment of military or intelligence missions.

(2) LIMITATION.—Paragraph (1)(E) does not include a system to be used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications).

(b) IN GENERAL.—Except as provided in subsection (c), chapter 113 of this title does not apply to national security systems.

(c) EXCEPTIONS.—

(1) IN GENERAL.—Sections 11313, 11315, and 11316 of this title apply to national security systems.

(2) CAPITAL PLANNING AND INVESTMENT CONTROL.—The heads of executive agencies shall apply sections 11302 and 11312 of this title to national security systems to the extent practicable.

(3) APPLICABILITY OF PERFORMANCE-BASED AND RESULTS-BASED MANAGEMENT TO NATIONAL SECURITY SYSTEMS.—

(A) IN GENERAL.—Subject to subparagraph (B), the heads of executive agencies shall apply section 11303 of this title to national security systems to the extent practicable.