

[DISCUSSION DRAFT]

114TH CONGRESS
2D SESSION

H. R. _____

To amend the Technology Assessment Act of 1972 [to reestablish, rename, and expand the Office of Technology Assessment], and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CHAFFETZ introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Technology Assessment Act of 1972 [to reestablish, rename, and expand the Office of Technology Assessment], 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 “_____ Act
5 of 2016”.

6 **SEC. 2. OFFICE OF TECHNOLOGY ASSESSMENT.**

7 (a) NAME CHANGE TO CONGRESSIONAL OFFICE OF
8 [SYSTEMS, TECHNOLOGY, AND INNOVATION / TECH-

1 NOLOGY AND INNOVATION ASSESSMENT】.—Section 3 of
2 the Technology Assessment Act of 1972 (2 U.S.C. 472)
3 is amended—

4 (1) in the heading, by striking “OFFICE OF
5 TECHNOLOGY ASSESSMENT” and inserting “CON-
6 GRESSIONAL OFFICE OF 【SYSTEMS, TECHNOLOGY,
7 AND INNOVATION / TECHNOLOGY AND INNOVATION
8 ASSESSMENT】”; and

9 (2) in subsection (a), by striking “Office of
10 Technology Assessment” and inserting “Congres-
11 sional Office of 【Systems, Technology, and Innova-
12 tion / Technology and Innovation Assessment】”.

13 (b) LEGISLATIVE TECHNOLOGY ASSESSMENT.—Such
14 Act (2 U.S.C. 471 et seq.) is amended by adding at the
15 end the following:

16 “LEGISLATIVE TECHNOLOGY ASSESSMENT
17 “SEC. 13. (a) An additional function of the Office
18 shall be to assess the probable impacts of Federal legisla-
19 tion on technology and technology programs, to include
20 assessing the potential effects on technology research, de-
21 velopment, privacy, security, and innovation. In con-
22 ducting such assessment, the Office shall—

23 “(1) identify the probable impacts of such legis-
24 lation on existing and emerging technologies and
25 technological programs;

1 “(2) ascertain the effect of such legislation on
2 the ability of all types of United States technology
3 **【stakeholders】** **【*such as / including... ?*】** to foster
4 technological innovation, develop new technologies,
5 bring emerging technologies to market, and compete
6 internationally;

7 “(3) assess the feasibility of such legislation in
8 achieving its intended policy goals with respect to
9 existing and emerging technologies and technology
10 programs; and

11 “(4) identify alternate programs or legislative
12 solutions for achieving similar goals with respect to
13 existing and emerging technologies and technology
14 programs.

15 “(b) Activities conducted by the Office pursuant to
16 subsection (a) may be initiated upon the request of the
17 authorities specified in section 3(d).

18 “(c) The results of activities conducted by the Office
19 pursuant to subsection (a), including information, surveys,
20 studies, reports, and findings related thereto, shall be
21 made available to the initiating committee or other appro-
22 priate committees of the Congress, in a timeframe that
23 allows sufficient time for such results to be used in delib-
24 erations related to the consideration of such legislation in
25 subcommittee, committee, the House of Representatives as

1 a whole, or the Senate as a whole. In addition, any such
2 results may be made available to the public except
3 where—

4 “(1) to do so would violate security statutes; or
5 “(2) the Board considers it necessary or advis-
6 able to withhold such information in accordance with
7 one or more of the numbered paragraphs in section
8 552(b) of title 5, United States Code.”.

9 (c) SUPPORT TO COMMITTEES AND MEMBERS.—
10 Such Act (4 U.S.C. 471 et seq.), as amended by subsection
11 (b), is further amended by adding at the end the following:

12 “SUPPORT TO COMMITTEES AND MEMBERS
13 “SEC. 14. (a) An additional function of the Office
14 shall be to assist in the discharge of matters within the
15 jurisdiction of the committees of the Congress related to
16 technology or innovation by providing technology expertise
17 and other related support upon the request of any such
18 committee. In carrying out such function, the Office may
19 assist with committee activities that include hearings, in-
20 vestigations, transcribed interviews, reports, legislative
21 proposals, and consideration of legislation in sub-
22 committee, committee, the House of Representatives as a
23 whole, or the Senate as a whole, and in any other capacity
24 related to technology or innovation, as directed by the
25 Board.

1 “(b) At the request of any committee of the Congress,
2 the Office may assign personnel to any such committee
3 on a temporary basis to support the work of the committee
4 on issues related to technology or innovation.

5 “(c) At the request of any Member of the Congress,
6 the Office may provide technology expertise and other re-
7 lated support to such Member, including information, re-
8 ports, studies, findings, notes, and background papers,
9 compiled in carrying out technology assessment and legis-
10 lative assessment under this Act, as directed by the
11 Board.”.

12 (d) REPORTING.—

13 (1) REPORTING REQUIREMENT.—Section 11 of
14 such Act (2 U.S.C. 480) is amended—

15 (A) in the heading, by striking “ANNUAL
16 REPORT” and inserting “ANNUAL AND QUAR-
17 TERLY REPORTS”;

18 (B) by striking “Such report shall be sub-
19 mitted not later than March 15 of each year.”;
20 and

21 (C) by adding at the end the following:
22 “The Office shall submit to the Congress quar-
23 terly reports on emerging technologies and tech-
24 nological trends. Such quarterly reports shall
25 identify, to the extent feasible, the potential pit-

1 falls and challenges posed by such technologies
2 and trends and their potential impact on Fed-
3 eral legislation, the regulatory environment, and
4 the Congress.”.

5 (2) TECHNICAL AMENDMENT.—The Federal
6 Reports Elimination and Sunset Act of 1995 (Public
7 Law 104–66) shall not apply with respect to reports
8 required under section 11 of the Technology Assess-
9 ment Act of 1972 (as amended by paragraph (1)).

10 **SEC. 3. TECHNOLOGY ASSESSMENT BOARD.**

11 (a) NAME CHANGE TO JOINT **【SYSTEMS, TECH-**
12 **NOLOGY, AND INNOVATION / TECHNOLOGY AND INNOVA-**
13 **TION ASSESSMENT】** BOARD.—The Technology Assess-
14 ment Act of 1972 (2 U.S.C. 471 et seq.) is amended—

15 (1) in section 3(b), by striking “Technology As-
16 sessment Board” and inserting “Joint **【Systems,**
17 **Technology, and Innovation / Technology and Inno-**
18 **vation Assessment】** Board”; and

19 (2) in the heading of section 4, by striking
20 “TECHNOLOGY ASSESSMENT BOARD” and inserting
21 “JOINT **【SYSTEMS, TECHNOLOGY, AND INNOVATION**
22 **/ TECHNOLOGY AND INNOVATION ASSESSMENT】**
23 **BOARD”**.

24 (b) MEMBERSHIP.—Section 4(a) of such Act (2
25 U.S.C. 473(a)) is amended—

1 (1) by striking “thirteen” and inserting “twen-
2 ty-five”; and

3 (2) by striking paragraphs (1) and (2) and in-
4 serting the following:

5 “(1) not more than twelve Members of the Sen-
6 ate, of which an equal number shall be from the ma-
7 jority party and the minority party, **including at**
8 least one Member representing the Senate leader-
9 ship**],** appointed by the President pro tempore of
10 the Senate **[in consultation with / upon rec-**
11 ommendation of**]** the chair and ranking minority
12 member of **[each committee of the Senate with sub-**
13 ject matter jurisdiction over technology and innova-
14 tion, as determined by the President pro tempore**];**

15 “(2) not more than twelve Members of the
16 House of Representatives, of which an equal number
17 shall be from the majority party and the minority
18 party, **including at least one Member representing**
19 the House of Representatives leadership**],** appointed
20 by the Speaker of the House **[in consultation with**
21 / upon recommendation of**]** the chair and ranking
22 minority member of **[each committee with subject**
23 matter jurisdiction over technology and innovation,
24 as determined by the Speaker of the House**]; and”.**

1 **SEC. 4. TECHNOLOGY ASSESSMENT ADVISORY COUNCIL.**

2 (a) NAME CHANGE TO **【SYSTEMS, TECHNOLOGY,**
3 **AND INNOVATION / TECHNOLOGY AND INNOVATION AS-**
4 **SESSMENT】** ADVISORY COUNCIL.—Section 7 of the Tech-
5 nology Assessment Act of 1972 (2 U.S.C. 476) is amend-
6 ed—

7 (1) in the heading, by striking “TECHNOLOGY
8 ASSESSMENT ADVISORY COUNCIL” and inserting
9 “**【SYSTEMS, TECHNOLOGY, AND INNOVATION /**
10 **TECHNOLOGY AND INNOVATION ASSESSMENT】** AD-
11 VISORY COUNCIL”; and

12 (2) in subsection (a), by striking “Technology
13 Assessment Advisory Council” and inserting “**【Sys-**
14 **tems, Technology, and Innovation / Technology and**
15 **Innovation Assessment】** Advisory Council”.

16 (b) MEMBERSHIP.—Section 7(a) of such Act (2
17 U.S.C. 476(a)) is amended—

18 (1) by striking “twelve members” and inserting
19 “twenty-six members”; and

20 (2) in paragraph (1), by striking “ten members
21 from the public” and inserting “twenty-four mem-
22 bers from the public”.

1 **SEC. 5. SUPPORT TO CONGRESSIONAL RESEARCH SERVICE**
2 **AND GOVERNMENT ACCOUNTABILITY OF-**
3 **FICE.**

4 (a) CONGRESSIONAL RESEARCH SERVICE.—Section
5 8 of the Technology Assessment Act of 1972 (2 U.S.C.
6 477) is amended by adding at the end the following:

7 “(e) When possible and appropriate, the Office shall
8 coordinate with the Librarian of Congress to minimize any
9 overlap in responsibilities, coordinate requests, and ensure
10 mutual support related to technology and innovation, be-
11 tween the Office and the Congressional Research Service,
12 as agreed upon by the Board and the Librarian of Con-
13 gress.”.

14 (b) GOVERNMENT ACCOUNTABILITY OFFICE.—Sec-
15 tion 9 of such Act (2 U.S.C. 478) is amended by adding
16 at the end the following:

17 “(e) When possible and appropriate, the Office shall
18 coordinate with the Comptroller General to minimize any
19 overlap in responsibilities, coordinate requests, and ensure
20 mutual support related to technology and innovation, be-
21 tween the Office and the Government Accountability Of-
22 fice, as agreed upon by the Board and the Comptroller
23 General.”.

1 **SEC. 6. CONGRESSIONAL [SYSTEMS, TECHNOLOGY, AND IN-**
2 **NOVATION / TECHNOLOGY AND INNOVATION**
3 **ASSESSMENT] FELLOWSHIP.**

4 (a) **ESTABLISHMENT.**—The Joint **[Systems, Tech-**
5 **nology, and Innovation / Technology and Innovation As-**
6 **essment]** Board (in this section, known as the “Board”)
7 shall establish a Congressional **[Systems, Technology, and**
8 **Innovation / Technology and Innovation Assessment]** Fel-
9 lowship (in this section, known as the “Fellowship”),
10 which shall be administered by the Congressional Office
11 of **[Systems, Technology, and Innovation / Technology**
12 **and Innovation Assessment]** (in this section, known as the
13 “Office”), as directed by the Board, for the purpose of
14 integrating technology stakeholders into the technology as-
15 sessment functions of the Office, reducing costs associated
16 with the Office, and refreshing the technology talent of
17 the Office to adapt to emerging technology trends and the
18 rapidly evolving technology landscape.

19 (b) **FELLOWSHIP.**—Under the Fellowship, the Board
20 shall select fellows to support the Office in carrying out
21 its duties under the Technology Assessment Act of 1972
22 (2 U.S.C. 471 et seq.) by providing the Office with exper-
23 tise in the areas of applied science, engineering, tech-
24 nology, and innovation. The salaries and expenses of such
25 fellows shall be paid by non-Federal entities, as selected

1 by the Board in accordance with the requirements of this
2 section.

3 (c) APPLICATION.—During each session of the Con-
4 gress, the Board shall—

5 (1) promulgate standards and requirements for
6 fellows participating in the Fellowship, based on the
7 needs of the Office and the Congress for expertise
8 in the areas of applied science, engineering, tech-
9 nology, and innovation;

10 (2) review applications from entities seeking to
11 sponsor such fellows; and

12 (3) select such fellows, in consultation with the
13 Office, using the selection criteria specified in sub-
14 section (d).

15 (d) SELECTION.—The Board shall, in consultation
16 with the Office, select fellows who are eminent in one or
17 more fields of applied sciences, engineering, or technology,
18 or in the administration of technological research, develop-
19 ment, or innovation. When possible, the Board shall select
20 a representative sample of fellows from organizations in
21 various industry sectors in the interest of reflecting the
22 diversity of technology stakeholders. Such organizations
23 may include think tanks, academic institutions, research
24 laboratories, corporations, and other nongovernmental en-
25 tities.

1 (e) FELLOWSHIP TERM.—The Board shall designate
2 the term of each such fellow, which shall be no shorter
3 than 1 year and no longer than 2 years. Such term may
4 be renewed upon the consent of the Board, the fellow, and
5 the sponsor.

6 (f) ANNUAL REPORT.—On an annual basis, the **【Of-**
7 **fice / Board】** shall conduct a review of the Fellowship and
8 shall submit to the Committee on Ethics of the House of
9 Representatives, the Select Committee on Ethics of the
10 Senate, the Speaker of the House of Representatives, and
11 the President pro tempore of the Senate a report con-
12 taining the results of such review, which shall include in-
13 formation on the number of fellows participating in the
14 Fellowship, the sponsors of such fellows, and the primary
15 activities of such fellows. The **【Office / Board】** shall make
16 such report available to the public.

17 (g) ETHICS COMPLIANCE.—All fellows participating
18 in the Fellowship shall be subject to and shall comply with
19 applicable Federal law related to voluntary and uncompen-
20 sated personnel of the Congress, including the rules and
21 requirements of the Committee on Ethics of the House
22 of Representatives and the Select Committee on Ethics of
23 the Senate. Such fellows shall also comply with all laws,
24 rules, and standards of conduct applicable to employees
25 of the Congress.