Purpose: To require certain agencies to conduct assessments of data centers and develop data center consolidation and optimization plans.

IN THE SENATE OF THE UNITED STATES—113th Cong., 2d Sess.

S. 2262

To promote energy savings in residential buildings and industry, and for other purposes.

Referred to the Committee on ________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by ________

Viz:

1 After section 303, insert the following:

2 SEC. 304. FEDERAL DATA CENTER CONSOLIDATION INITIATIVE.

3 (a) DEFINITIONS.—In this section:

4 (1) ADMINISTRATOR.—The term “Administrator” means the Administrator for the Office of E-Government and Information Technology within the Office of Management and Budget.

5 (2) COVERED AGENCY.—The term “covered agency” means the following (including all associated components of the agency):
2
1  (A) Department of Agriculture;
2  (B) Department of Commerce;
3  (C) Department of Defense;
4  (D) Department of Education;
5  (E) Department of Energy;
6  (F) Department of Health and Human
7  Services;
8  (G) Department of Homeland Security;
9  (H) Department of Housing and Urban
10  Development;
11  (I) Department of the Interior;
12  (J) Department of Justice;
13  (K) Department of Labor;
14  (L) Department of State;
15  (M) Department of Transportation;
16  (N) Department of Treasury;
17  (O) Department of Veterans Affairs;
18  (P) Environmental Protection Agency;
19  (Q) General Services Administration;
20  (R) National Aeronautics and Space Ad-
21  ministration;
22  (S) National Science Foundation;
23  (T) Nuclear Regulatory Commission;
24  (U) Office of Personnel Management;
25  (V) Small Business Administration;
(W) Social Security Administration; and

(X) United States Agency for International Development.

(3) FDCCI.—The term “FDCCI” means the Federal Data Center Consolidation Initiative described in the Office of Management and Budget Memorandum on the Federal Data Center Consolidation Initiative, dated February 26, 2010, or any successor thereto.

(4) Government-wide data center consolidation and optimization metrics.—The term “Government-wide data center consolidation and optimization metrics” means the metrics established by the Administrator under subsection (b)(2)(G).

(b) Federal Data Center Consolidation Inventories and Strategies.—

(1) In general.—

(A) Annual reporting.—Each year, beginning in the first fiscal year after the date of enactment of this Act and each fiscal year thereafter, the head of each covered agency, assisted by the Chief Information Officer of the agency, shall submit to the Administrator—
(i) a comprehensive inventory of the
data centers owned, operated, or main-
tained by or on behalf of the agency; and

(ii) a multi-year strategy to achieve
the consolidation and optimization of the
data centers inventoried under clause (i),
that includes—

(I) performance metrics—

(aa) that are consistent with
the Government-wide data center
consolidation and optimization
metrics; and

(bb) by which the quan-
titative and qualitative progress
of the agency toward the goals of
the FDCCI can be measured;

(II) a timeline for agency activi-
ties to be completed under the
FDCCI, with an emphasis on bench-
marks the agency can achieve by spe-
cific dates;

(III) year-by-year calculations of
investment and cost savings for the
period beginning on the date of enact-
ment of this Act and ending on the
date described in subsection (e), broken down by each year, including a description of any initial costs for data center consolidation and optimization and life cycle cost savings and other improvements, with an emphasis on—

(aa) meeting the Government-wide data center consolidation and optimization metrics; and

(bb) demonstrating the amount of agency-specific cost savings each fiscal year achieved through the FDCCI; and

(IV) any additional information required by the Administrator.

(B) USE OF OTHER REPORTING STRUCTURES.—The Administrator may require a covered agency to include the information required to be submitted under this subsection through reporting structures determined by the Administrator to be appropriate.

(C) STATEMENT.—Each year, beginning in the first fiscal year after the date of enactment
of this Act and each fiscal year thereafter, the head of each covered agency, acting through the Chief Information Officer of the agency, shall—

(i)(I) submit a statement to the Administrator stating whether the agency has complied with the requirements of this section; and

(II) make the statement submitted under subclause (I) publically available; and

(ii) if the agency has not complied with the requirements of this section, submit a statement to the Administrator explaining the reasons for not complying with such requirements.

(D) AGENCY IMPLEMENTATION OF STRATEGIES.—Each covered agency, under the direction of the Chief Information Officer of the agency, shall—

(i) implement the strategy required under subparagraph (A)(ii); and

(ii) provide updates to the Administrator, on a quarterly basis, of —

(I) the completion of activities by the agency under the FDCCI;
(II) any progress of the agency towards meeting the Government-wide data center consolidation and optimization metrics; and

(III) the actual cost savings and other improvements realized through the implementation of the strategy of the agency.

(E) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the reporting of information by a covered agency to the Administrator, the Director of the Office of Management and Budget, or Congress.

(2) ADMINISTRATOR RESPONSIBILITIES.—The Administrator shall—

(A) establish the deadline, on an annual basis, for covered agencies to submit information under this section;

(B) establish a list of requirements that the covered agencies must meet to be considered in compliance with paragraph (1);

(C) ensure that information relating to agency progress towards meeting the Government-wide data center consolidation and optimi-
(D) review the inventories and strategies submitted under paragraph (1) to determine whether they are comprehensive and complete;

(E) monitor the implementation of the data center strategy of each covered agency that is required under paragraph (1)(A)(ii);

(F) update, on an annual basis, the cumulative cost savings realized through the implementation of the FDCCI; and

(G) establish metrics applicable to the consolidation and optimization of data centers Government-wide, including metrics with respect to—

(i) costs;

(ii) efficiencies, including at least server efficiency; and

(iii) any other metrics the Administrator establishes under this subparagraph.

(3) COST SAVING GOAL AND UPDATES FOR CONGRESS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop, and make publically
available, a goal, broken down by year, for the amount of planned cost savings and optimization improvements achieved through the FDCCI during the period beginning on the date of enactment of this Act and ending on the date described in subsection (e).

(B) ANNUAL UPDATE.—

(i) IN GENERAL.—Not later than 1 year after the date on which the goal described in subparagraph (A) is made publicly available, and each year thereafter, the Administrator shall aggregate the reported cost savings of each covered agency and optimization improvements achieved to date through the FDCCI and compare the savings to the projected cost savings and optimization improvements developed under subparagraph (A).

(ii) UPDATE FOR CONGRESS.—The goal required to be developed under subparagraph (A) shall be submitted to Congress and shall be accompanied by a statement describing—

(I) whether each covered agency has in fact submitted a comprehensive
10 asset inventory, including an assessment broken down by agency, which shall include the specific numbers, utilization, and efficiency level of data centers; and

(II) whether each covered agency has submitted a comprehensive consolidation strategy with the key elements described in paragraph (1)(A)(ii).

(4) GAO REVIEW.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Comptroller General of the United States shall review and verify the quality and completeness of the asset inventory and strategy of each covered agency required under paragraph (1)(A).

(B) REPORT.—The Comptroller General of the United States shall, on an annual basis, publish a report on each review conducted under subparagraph (A).

(e) ENSURING CYBERSECURITY STANDARDS FOR DATA CENTER CONSOLIDATION AND CLOUD COMPUTING.—
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(1) IN GENERAL.—In implementing a data center consolidation and optimization strategy under this section, a covered agency shall do so in a manner that is consistent with Federal guidelines on cloud computing security, including—

(A) applicable provisions found within the Federal Risk and Authorization Management Program (FedRAMP); and

(B) guidance published by the National Institute of Standards and Technology.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the ability of the Director of the Office of Management and Budget to update or modify the Federal guidelines on cloud computing security.

(d) WAIVER OF DISCLOSURE REQUIREMENTS.—The Director of National Intelligence may waive the applicability to any element (or component of an element) of the intelligence community of any provision of this section if the Director of National Intelligence determines that such waiver is in the interest of national security. Not later than 30 days after making a waiver under this subsection, the Director of National Intelligence shall submit to the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Sen-
1 ate and the Committee on Oversight and Government Re-
2 form and the Permanent Select Committee on Intelligence
3 of the House of Representatives a statement describing
4 the waiver and the reasons for the waiver.
5 (e) SUNSET.—This section is repealed effective on
6 October 1, 2018.