

Presidential Statement

December 17, 2002



President George W. Bush signs H.R. 2458, The E-Government Act of 2002, in the Roosevelt Room Dec. 17, 2002. White House photo by Paul Morse

Today I have signed into law H.R. 2458, the "E-Government Act of 2002." This legislation builds upon my Administration's expanding E-Government initiative by ensuring strong leadership of the information technology activities of Federal agencies, a comprehensive framework for information security standards and programs, and uniform safeguards to protect the confidentiality of information provided by the public for statistical purposes. The Act will also assist in expanding the use of the Internet and computer resources in order to deliver Government services, consistent with the reform principles I outlined on July 10, 2002, for a citizen-centered, results-oriented, and market-based Government.

Title II of this Act authorizes agencies to award "share-in-savings" contracts under which contractors share in the savings achieved by agencies through the provision of technologies that improve or accelerate their work. The executive branch shall ensure, consistent with applicable law, that these contracts are operated according to sound fiscal policy and limit authorized waivers for funding of potential termination costs to appropriate circumstances, so as to minimize the financial risk to the Government.

Title III of this Act is the Federal Information Security Management Act of 2002. It is very similar to title X of the Homeland Security Act of 2002, which also bears the name Federal Information Security Management Act of 2002 and which I signed into law on November 25, 2002. I am signing into law the E-Government Act after the enactment of the Homeland Security Act, and there is no indication that the Congress intended the E-Government Act to provide interim provisions that would apply only until the Homeland Security Act took effect. Thus, notwithstanding the delayed effective dates applicable to the Homeland Security Act, the executive branch will construe the E-Government Act as permanently superseding the Homeland Security Act in those instances where both Acts prescribe different amendments to the same provisions of the United States Code.

Finally, the executive branch shall construe and implement the Act in a manner consistent with the President's constitutional authorities to supervise the unitary

executive branch and to protect sensitive national security, law enforcement, and foreign relations information. In particular, consistent with my constitutional authorities and section 301(c) of this Act, the executive branch shall construe the Act in a manner that preserves the authorities of the Secretary of Defense, the Director of Central Intelligence, and other agency heads with regard to the operation, control, and management of national security systems.

– GEORGE W. BUSH