

(A) the overall compensation presently received by the employees, having regard not only for wage rates but also for wages for time not worked, including vacations, holidays, and other excused absences;

(B) all benefits received by the employees, including previous bonuses, insurance, and pensions; and

(C) the continuity and stability of employment.

(7) The public welfare.

(b) Compact agency's funding ability

An arbitrator rendering an arbitration award involving the employees of an interstate compact agency operating in the national capital area may not, with respect to a collective bargaining agreement governing conditions of employment, provide for salaries and other benefits that exceed the interstate compact agency's funding ability.

(c) Requirements for final award

In resolving a dispute submitted to arbitration involving the employees of an interstate compact agency operating in the national capital area, the arbitrator shall issue a written award that demonstrates that all the factors set forth in subsections (a) and (b) of this section have been considered and applied. An award may grant an increase in pay rates or benefits (including insurance and pension benefits), or reduce hours of work, only if the arbitrator concludes that any costs to the agency do not adversely affect the public welfare. The arbitrator's conclusion regarding the public welfare must be supported by substantial evidence.

(Pub. L. 104-50, title IV, § 404, Nov. 15, 1995, 109 Stat. 464.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1304 of this title.

§ 1304. Procedures for enforcement of awards

(a) Modifications and finality of award

In the case of an arbitration award to which section 1303 of this title applies, the interstate compact agency and the employees in the bargaining unit, through their representative, may agree in writing upon any modifications to the award within 10 days after the award is received by the parties. After the end of that 10-day period, the award, with any such modifications, shall become binding upon the interstate compact agency, the employees in the bargaining unit, and the employees' representative.

(b) Implementation

Each party to an award that becomes binding under subsection (a) of this section shall take all actions necessary to implement the award.

(c) Judicial review

Within 60 days after an award becomes binding under subsection (a) of this section, the interstate compact agency or the exclusive representative of the employees concerned may file a civil action in a court which has jurisdiction over the interstate compact agency for review of the award. The court shall review the award on the record, and shall vacate the award or any

part of the award, after notice and a hearing, if—

(1) the award is in violation of applicable law;

(2) the arbitrator exceeded the arbitrator's powers;

(3) the decision by the arbitrator is arbitrary or capricious;

(4) the arbitrator conducted the hearing contrary to the provisions of this chapter or other statutes or rules that apply to the arbitration so as to substantially prejudice the rights of a party;

(5) there was partiality or misconduct by the arbitrator prejudicing the rights of a party;

(6) the award was procured by corruption, fraud, or bias on the part of the arbitrator; or

(7) the arbitrator did not comply with the provisions of section 1303 of this title.

(Pub. L. 104-50, title IV, § 405, Nov. 15, 1995, 109 Stat. 465.)

CHAPTER 25—INFORMATION TECHNOLOGY MANAGEMENT

Sec.
1401. Definitions.

SUBCHAPTER I—RESPONSIBILITY FOR ACQUISITIONS OF INFORMATION TECHNOLOGY

PART A—DIRECTOR OF OFFICE OF MANAGEMENT AND BUDGET

- 1411. Responsibility of Director.
- 1412. Capital planning and investment control.
 - (a) Federal information technology.
 - (b) Use of information technology in Federal programs.
 - (c) Use of budget process.
 - (d) Information technology standards.
 - (e) Designation of executive agents for acquisitions.
 - (f) Use of best practices in acquisitions.
 - (g) Assessment of other models for managing information technology.
 - (h) Comparison of agency uses of information technology.
 - (i) Training.
 - (j) Informing Congress.
 - (k) Procurement policy and acquisitions of information technology.
- 1413. Performance-based and results-based management.
 - (a) In general.
 - (b) Evaluation of agency programs and investments.

PART B—EXECUTIVE AGENCIES

- 1421. Responsibilities.
- 1422. Capital planning and investment control.
 - (a) Design of process.
 - (b) Content of process.
- 1423. Performance and results-based management.
- 1424. Acquisitions of information technology.
 - (a) In general.
 - (b) FTS 2000 program.
- 1425. Agency Chief Information Officer.
 - (a) Omitted.
 - (b) General responsibilities.
 - (c) Duties and qualifications.
 - (d) "Information technology architecture" defined.
- 1426. Accountability.
- 1427. Significant deviations.
- 1428. Interagency support.

PART C—OTHER RESPONSIBILITIES

- 1441. Responsibilities regarding efficiency, security, and privacy of Federal computer systems.