

Calendar No. 647

114TH CONGRESS
2D SESSION**S. 2975****[Report No. 114–361]**

To provide agencies with discretion in securing information technology and information systems.

IN THE SENATE OF THE UNITED STATES

MAY 23, 2016

Mrs. ERNST introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

SEPTEMBER 27, 2016

Reported by Mr. JOHNSON, with amendments

[Omit the part struck through and insert the part printed in italic]

A BILL

To provide agencies with discretion in securing information technology and information systems.

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 “Federal Information
5 Systems Safeguards Act of 2016”.

1 **SEC. 2. AGENCY DISCRETION TO SECURE INFORMATION**
 2 **TECHNOLOGY AND INFORMATION SYSTEMS.**

3 (a) *IN GENERAL.*—In carrying out section 3554 of
 4 title 44, United States Code, any action taken by the head
 5 of an agency that is necessary to limit, restrict, or prohibit
 6 access to any website the head of the agency determines
 7 to present a current or future security weakness or risk
 8 to the information technology or information system under
 9 the control of the agency, ~~and any impact or implementa-~~
 10 ~~tion of such action,~~ shall not be subject to chapter 71 of
 11 title 5, United States Code.

12 (b) *CONSIDERATION OF COMMUNICATION NEEDS.*—

13 (1) *IN GENERAL.*—*After taking an action under*
 14 *subsection (a), the head of an agency shall, upon the*
 15 *request of employees of the agency, take into consider-*
 16 *ation and seek guidance on the personal communica-*
 17 *tion needs of the employees of the agency.*

18 (2) *RULE OF CONSTRUCTION.*—*Nothing in this*
 19 *subsection shall be construed to establish a right to*
 20 *collective bargaining.*

21 (b)(c) *DEFINITIONS.*—In this section—

22 (1) the terms “agency” and “information sys-

23 tem” have the meanings given the terms in section

24 3502 of title 44, United States Code; and

1 (2) the term “information technology” has the
2 meaning given the term in section 3552 of title 44,
3 United States Code.

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