

117TH CONGRESS  
1ST SESSION

# S. 3099

To amend title 44, United States Code, to establish the Federal Risk and Authorization Management Program within the General Services Administration, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 28, 2021

Mr. PETERS (for himself, Ms. HASSAN, Mr. HAWLEY, and Mr. DAINES) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To amend title 44, United States Code, to establish the Federal Risk and Authorization Management Program within the General Services Administration, 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 “Federal Secure Cloud  
5 Improvement and Jobs Act of 2021”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) Ensuring that the Federal Government can  
2           securely leverage cloud computing products and serv-  
3           ices is key to expediting the modernization of legacy  
4           information technology systems, increasing cyberse-  
5           curity within and across departments and agencies,  
6           and supporting the continued leadership of the  
7           United States in technology innovation and job cre-  
8           ation.

9           (2) According to independent analysis, as of  
10          calendar year 2019, the size of the cloud computing  
11          market had tripled since 2004, enabling more than  
12          2,000,000 jobs and adding more than  
13          \$200,000,000,000 to the gross domestic product of  
14          the United States.

15          (3) The Federal Government, across multiple  
16          presidential administrations and Congresses, has  
17          continued to support the ability of agencies to move  
18          to the cloud, including through—

19                 (A) President Barack Obama’s “Cloud  
20                 First Strategy”;

21                 (B) President Donald Trump’s “Cloud  
22                 Smart Strategy”;

23                 (C) the prioritization of cloud security in  
24                 Executive Order 14208 (86 Fed. Reg. 26633;  
25                 relating to improving the Nation’s cybersecu-

1           rity), which was issued by President Joe Biden;  
2           and

3           (D) more than a decade of appropriations  
4           and authorization legislation that provides  
5           agencies with relevant authorities and appro-  
6           priations to modernize on-premises information  
7           technology systems and more readily adopt  
8           cloud computing products and services.

9           (4) Since it was created in 2011, the Federal  
10          Risk and Authorization Management Program (re-  
11          ferred to in this section as “FedRAMP”) at the  
12          General Services Administration has made steady  
13          and sustained improvements in supporting the se-  
14          cure authorization and reuse of cloud computing  
15          products and services within the Federal Govern-  
16          ment, including by reducing the costs and burdens  
17          on both agencies and cloud companies to quickly and  
18          securely enter the Federal market.

19          (5) According to data from the General Services  
20          Administration, as of the end of fiscal year 2021,  
21          there were 239 cloud providers with FedRAMP au-  
22          thorizations, and those authorizations had been re-  
23          used more than 2,700 times across various agencies.

24          (6) Providing a legislative framework for  
25          FedRAMP and new authorities to the General Serv-

1 ices Administration, the Office of Management and  
2 Budget, and Federal agencies will—

3 (A) improve the speed at which new cloud  
4 computing products and services can be se-  
5 curely authorized;

6 (B) enhance the ability of agencies to ef-  
7 fectively evaluate FedRAMP authorized pro-  
8 viders for reuse;

9 (C) reduce the costs and burdens to cloud  
10 providers seeking a FedRAMP authorization;  
11 and

12 (D) provide for more robust transparency  
13 and dialogue between industry and the Federal  
14 Government to drive stronger adoption of se-  
15 cure cloud capabilities, create jobs, and reduce  
16 wasteful legacy information technology.

17 **SEC. 3. TITLE 44 AMENDMENTS.**

18 (a) AMENDMENT.—Chapter 36 of title 44, United  
19 States Code, is amended by adding at the end the fol-  
20 lowing:

21 **“§ 3607. Definitions**

22 “(a) IN GENERAL.—Except as provided under sub-  
23 section (b), the definitions under sections 3502 and 3552  
24 apply to this section through section 3616.

1       “(b) ADDITIONAL DEFINITIONS.—In this section  
2 through section 3616:

3           “(1) CLOUD COMPUTING.—The term ‘cloud  
4 computing’ has the meaning given the term in Spe-  
5 cial Publication 800–145 of the National Institute of  
6 Standards and Technology.

7           “(2) CLOUD SERVICE PROVIDER.—The term  
8 ‘cloud service provider’ means an entity offering  
9 cloud computing products or services to agencies.

10          “(3) FEDRAMP.—The term ‘FedRAMP’  
11 means the Federal Risk and Authorization Manage-  
12 ment Program established under section 3608.

13          “(4) FEDRAMP AUTHORIZATION.—The term  
14 ‘FedRAMP authorization’ means a certification that  
15 a cloud computing product or service has—

16           “(A) completed a FedRAMP authorization  
17 process, as determined by the Administrator of  
18 General Services; or

19           “(B) received a FedRAMP provisional au-  
20 thorization to operate, as determined by the  
21 FedRAMP Board.

22          “(5) FEDRAMP AUTHORIZATION PACKAGE.—  
23 The term ‘FedRAMP authorization package’ means  
24 the essential information that can be used by an  
25 agency to determine whether to authorize the oper-

1 ation of an information system or the use of a des-  
 2 igned set of common controls for all cloud com-  
 3 puting products and services authorized by  
 4 FedRAMP.

5 “(6) FEDRAMP BOARD.—The term ‘FedRAMP  
 6 Board’ means the board established under section  
 7 3610.

8 “(7) INDEPENDENT ASSESSMENT ORGANIZA-  
 9 TION.—The term ‘independent assessment organiza-  
 10 tion’ means a third-party organization accredited by  
 11 the Administrator of General Services to undertake  
 12 conformity assessments of cloud service providers  
 13 and their products or services.

14 “(8) SECRETARY.—The term ‘Secretary’ means  
 15 the Secretary of Homeland Security.

16 **“§ 3608. Federal Risk and Authorization Management**  
 17 **Program**

18 “There is established within the General Services Ad-  
 19 ministration the Federal Risk and Authorization Manage-  
 20 ment Program. The Administrator of General Services,  
 21 subject to section 3613, shall establish a Government-wide  
 22 program that provides a standardized, reusable approach  
 23 to security assessment and authorization for cloud com-  
 24 puting products and services that process unclassified in-  
 25 formation used by agencies.

1 **“§ 3609. Roles and responsibilities of the General**  
2 **Services Administration**

3 “(a) ROLES AND RESPONSIBILITIES.—The Adminis-  
4 trator of General Services shall—

5 “(1) in consultation with the Secretary, develop,  
6 coordinate, and implement a process to support  
7 agency review, reuse, and standardization, where ap-  
8 propriate, of security assessments of cloud com-  
9 puting products and services, including, as appro-  
10 priate, oversight of continuous monitoring of cloud  
11 computing products and services, pursuant to guid-  
12 ance issued by the Director pursuant to section  
13 3613;

14 “(2) establish processes and identify criteria  
15 consistent with guidance issued by the Director  
16 under section 3613 to make a cloud computing prod-  
17 uct or service eligible for a FedRAMP authorization  
18 and validate whether a cloud computing product or  
19 service has a FedRAMP authorization;

20 “(3) develop and publish templates, best prac-  
21 tices, technical assistance, and other materials to  
22 support the authorization of cloud computing prod-  
23 ucts and services and increase the speed, effective-  
24 ness, and transparency of the authorization process,  
25 consistent with standards established by the Director

1 of the National Institute of Standards and Tech-  
2 nology and relevant statutes;

3 “(4) grant FedRAMP authorizations to cloud  
4 computing products and services consistent with the  
5 guidance and direction of the FedRAMP Board;

6 “(5) establish and maintain a public comment  
7 process for proposed guidance and other FedRAMP  
8 directives that may have a direct impact on cloud  
9 service providers and agencies before the issuance of  
10 such guidance or other FedRAMP directives;

11 “(6) coordinate with the FedRAMP Board, the  
12 Director of the Cybersecurity and Infrastructure Se-  
13 curity Agency, and other entities identified by the  
14 Administrator of General Services, with the concur-  
15 rence of the Director and the Secretary, to establish  
16 and regularly update a framework for continuous  
17 monitoring under section 3553;

18 “(7) provide a secure mechanism for storing  
19 and sharing necessary data, including FedRAMP  
20 authorization packages, to enable better reuse of  
21 such packages across agencies, including making  
22 available any information and data necessary for  
23 agencies to fulfill the requirements of section 3612;

24 “(8) provide regular updates to applicant cloud  
25 service providers on the status of any cloud com-



1       puting product or service during an assessment  
2       process;

3               “(9) regularly review, in consultation with the  
4       FedRAMP Board, the costs associated with the  
5       independent assessment services of the third-party  
6       organizations described in section 3611;

7               “(10) support the Federal Secure Cloud Advi-  
8       sory Committee established pursuant to section  
9       3616; and

10              “(11) take such other actions as the Adminis-  
11       trator of General Services may determine necessary  
12       to carry out FedRAMP.

13       “(b) WEBSITE.—

14              “(1) IN GENERAL.—The Administrator of Gen-  
15       eral Services shall maintain a public website to serve  
16       as the authoritative repository for FedRAMP, in-  
17       cluding the timely publication and updates for all  
18       relevant information, guidance, determinations, and  
19       other materials required under subsection (a).

20              “(2) CRITERIA AND PROCESS FOR FEDRAMP  
21       AUTHORIZATION PRIORITIES.—The Administrator of  
22       General Services shall develop and make publicly  
23       available on the website described in paragraph (1)  
24       the criteria and process for prioritizing and selecting  
25       cloud computing products and services that will re-

1       ceive a FedRAMP authorization, in consultation  
2       with the FedRAMP Board and the Chief Informa-  
3       tion Officers Council.

4       “(c) EVALUATION OF AUTOMATION PROCEDURES.—

5             “(1) IN GENERAL.—The Administrator of Gen-  
6       eral Services, in coordination with the Secretary,  
7       shall assess and evaluate available automation capa-  
8       bilities and procedures to improve the efficiency and  
9       effectiveness of the issuance of FedRAMP authoriza-  
10      tions, including continuous monitoring of cloud com-  
11      puting products and services.

12            “(2) MEANS FOR AUTOMATION.—Not later than  
13      1 year after the date of enactment of this section,  
14      and updated regularly thereafter, the Administrator  
15      of General Services shall establish a means for the  
16      automation of security assessments and reviews.

17            “(d) METRICS FOR AUTHORIZATION.—The Adminis-  
18      trator of General Services shall establish annual metrics  
19      regarding the time and quality of the assessments nec-  
20      essary for completion of a FedRAMP authorization proc-  
21      ess in a manner that can be consistently tracked over time  
22      in conjunction with the periodic testing and evaluation  
23      process pursuant to section 3554 in a manner that mini-  
24      mizes the agency reporting burden.

1 **“§ 3610. FedRAMP Board**

2       “(a) ESTABLISHMENT.—There is established a  
3 FedRAMP Board to provide input and recommendations  
4 to the Administrator of General Services regarding the re-  
5 quirements and guidelines for, and the prioritization of,  
6 security assessments of cloud computing products and  
7 services.

8       “(b) MEMBERSHIP.—The FedRAMP Board shall  
9 consist of not more than 7 senior officials or experts from  
10 agencies appointed by the Director, in consultation with  
11 the Administrator of General Services, from each of the  
12 following:

13               “(1) The Department of Defense.

14               “(2) The Department of Homeland Security.

15               “(3) The General Services Administration.

16               “(4) Such other agencies as determined by the  
17 Director, in consultation with the Administrator of  
18 General Services.

19       “(c) QUALIFICATIONS.—Members of the FedRAMP  
20 Board appointed under subsection (b) shall have technical  
21 expertise in domains relevant to FedRAMP, such as—

22               “(1) cloud computing;

23               “(2) cybersecurity;

24               “(3) privacy;

25               “(4) risk management; and

1           “(5) other competencies identified by the Direc-  
2           tor to support the secure authorization of cloud serv-  
3           ices and products.

4           “(d) DUTIES.—The FedRAMP Board shall—

5           “(1) in consultation with the Administrator of  
6           General Services, serve as a resource for best prac-  
7           tices to accelerate the process for obtaining a  
8           FedRAMP authorization;

9           “(2) establish and regularly update require-  
10          ments and guidelines for security authorizations of  
11          cloud computing products and services, consistent  
12          with standards established by the Director of the  
13          National Institute of Standards and Technology, to  
14          be used in the determination of FedRAMP author-  
15          izations;

16          “(3) monitor and oversee, to the greatest extent  
17          practicable, the processes and procedures by which  
18          agencies determine and validate requirements for a  
19          FedRAMP authorization, including periodic review  
20          of the agency determinations described in section  
21          3612(b);

22          “(4) ensure consistency and transparency be-  
23          tween agencies and cloud service providers in a man-  
24          ner that minimizes confusion and engenders trust;  
25          and

1           “(5) perform such other roles and responsibil-  
2           ities as the Director may assign, with concurrence  
3           from the Administrator of General Services.

4           “(e) DETERMINATIONS OF DEMAND FOR CLOUD  
5 COMPUTING PRODUCTS AND SERVICES.—The FedRAMP  
6 Board may consult with the Chief Information Officers  
7 Council to establish a process, which may be made avail-  
8 able on the website maintained under section 3609(b), for  
9 prioritizing and accepting the cloud computing products  
10 and services to be granted a FedRAMP authorization.

11 **“§ 3611. Independent assessment organizations**

12           “(a) REQUIREMENTS FOR ACCREDITATION.—The  
13 Administrator of General Services may, consistent with  
14 guidance issued by the Director, determine the require-  
15 ments for accreditation of a third-party organization to  
16 perform independent assessments and other activities that  
17 will improve the overall performance of FedRAMP and re-  
18 duce the cost of FedRAMP authorizations for cloud serv-  
19 ice providers. Such requirements may include developing  
20 or requiring certification programs for individuals em-  
21 ployed by the third-party organization seeking accredita-  
22 tion.

23           “(b) CERTIFICATION.—The Administrator of General  
24 Services may accredit any third-party organization that  
25 meets the requirements for accreditation determined

1 under subsection (a). If accredited pursuant to the re-  
2 quirements determined under subsection (a), a certified  
3 independent assessment organization may assess, validate,  
4 and attest to the quality and compliance of security assess-  
5 ment materials provided by cloud service providers.

6 **“§ 3612. Roles and responsibilities of agencies**

7 “(a) IN GENERAL.—In implementing the require-  
8 ments of FedRAMP, the head of each agency shall, con-  
9 sistent with guidance issued by the Director pursuant to  
10 section 3613—

11 “(1) promote the use of cloud computing prod-  
12 ucts and services that meet FedRAMP security re-  
13 quirements and other risk-based performance re-  
14 quirements as determined by the Director, in con-  
15 sultation with the Secretary;

16 “(2) confirm whether there is a FedRAMP au-  
17 thorization in the secure mechanism provided under  
18 section 3609(a)(7) before beginning the process of  
19 granting a FedRAMP authorization for a cloud com-  
20 puting product or service;

21 “(3) to the extent practicable, for any cloud  
22 computing product or service the agency seeks to au-  
23 thorize that has received a FedRAMP authorization,  
24 use the existing assessments of security controls and

1 materials within the FedRAMP authorization pack-  
2 age; and

3 “(4) provide data and information required to  
4 the Director pursuant to section 3613 to determine  
5 how agencies are meeting metrics established by the  
6 Administrator of General Services.

7 “(b) ATTESTATION.—Upon completing an assess-  
8 ment or authorization activity with respect to a particular  
9 cloud computing product or service, if an agency deter-  
10 mines that the information and data the agency has re-  
11 viewed under paragraph (2) or (3) of subsection (a) is  
12 wholly or substantially deficient for the purposes of per-  
13 forming an authorization of the cloud computing product  
14 or service, the head of the agency shall document as part  
15 of the resulting FedRAMP authorization package the rea-  
16 sons for this determination.

17 “(c) SUBMISSION OF AUTHORIZATIONS TO OPERATE  
18 REQUIRED.—Upon issuance of an agency authorization to  
19 operate based on a FedRAMP authorization, the head of  
20 the agency shall provide a copy of its authorization to op-  
21 erate letter and any supplementary information required  
22 pursuant to section 3609(a) to the Administrator of Gen-  
23 eral Services.

24 “(d) SUBMISSION OF POLICIES REQUIRED.—Not  
25 later than 180 days after the date on which the Director

1 issues guidance in accordance with section 3613, the head  
2 of each agency, acting through the agency chief informa-  
3 tion officer of the agency, shall submit to the Director all  
4 agency policies relating to the authorization of cloud com-  
5 puting products and services.

6 “(e) PRESUMPTION OF ADEQUACY.—

7 “(1) IN GENERAL.—The assessment of security  
8 controls and materials within the authorization  
9 package for a FedRAMP authorization shall be pre-  
10 sumed adequate for use in an agency authorization  
11 to operate cloud computing products and services.

12 “(2) INFORMATION SECURITY REQUIRE-  
13 MENTS.—The presumption under paragraph (1)  
14 does not modify or alter—

15 “(A) the responsibility of any agency to en-  
16 sure compliance with subchapter II of chapter  
17 35 for any cloud computing products or services  
18 used by the agency; or

19 “(B) the authority of the head of any  
20 agency to make a determination that there is a  
21 demonstrable need for additional security re-  
22 quirements beyond the security requirements  
23 included in a FedRAMP authorization for a  
24 particular control implementation.



1 **“§ 3613. Roles and responsibilities of the Office of**  
2 **Management and Budget**

3 “(a) ROLES AND RESPONSIBILITIES.—The Director  
4 shall—

5 “(1) in consultation with the Administrator of  
6 General Services and the Secretary, issue guidance  
7 that—

8 “(A) specifies the categories or characteris-  
9 tics of cloud computing products and services  
10 that are within the scope of FedRAMP;

11 “(B) includes requirements for agencies to  
12 obtain a FedRAMP authorization when oper-  
13 ating a cloud computing product or service de-  
14 scribed in subparagraph (A) as a Federal infor-  
15 mation system; and

16 “(C) encompasses, to the greatest extent  
17 practicable, all necessary and appropriate cloud  
18 computing products and services;

19 “(2) issue guidance describing additional re-  
20 sponsibilities of FedRAMP and the FedRAMP  
21 Board to accelerate the adoption of secure cloud  
22 computing services by the Federal Government;

23 “(3) oversee the effectiveness of FedRAMP and  
24 the FedRAMP Board, including the compliance by  
25 the FedRAMP Board with the duties described in  
26 section 3610(d); and

1           “(4) to the greatest extent practicable, encour-  
2           age and promote consistency of the assessment, au-  
3           thorization, adoption, and use of cloud computing  
4           products and services within and across agencies.

5   **“§ 3614. Authorization of appropriations for**  
6           **FedRAMP**

7           “There is authorized to be appropriated to the Ad-  
8           ministrators of General Services \$20,000,000 for each fis-  
9           cal year for FedRAMP and the FedRAMP Board.

10   **“§ 3615. Reports to congress; GAO report**

11           “(a) REPORTS TO CONGRESS.—Not later than 1 year  
12           after the date of enactment of this section, and annually  
13           thereafter, the Director shall submit to the Committee on  
14           Oversight and Reform of the House of Representatives  
15           and the Committee on Homeland Security and Govern-  
16           mental Affairs of the Senate a report that includes the  
17           following:

18           “(1) During the preceding year, the status, effi-  
19           ciency, and effectiveness of the General Services Ad-  
20           ministration under section 3609 and agencies under  
21           section 3612 and in supporting the speed, effective-  
22           ness, sharing, reuse, and security of authorizations  
23           to operate for cloud computing products and serv-  
24           ices.

1           “(2) Progress towards meeting the metrics re-  
2           quired under section 3609(d).

3           “(3) Data on FedRAMP authorizations.

4           “(4) The average length of time to issue  
5           FedRAMP authorizations.

6           “(5) The number of FedRAMP authorizations  
7           submitted, issued, and denied for the preceding year.

8           “(6) A review of progress made during the pre-  
9           ceding year in advancing automation techniques to  
10          securely automate FedRAMP processes and to accel-  
11          erate reporting under this section.

12          “(7) The number and characteristics of author-  
13          ized cloud computing products and services in use at  
14          each agency consistent with guidance provided by  
15          the Director under section 3613.

16          “(b) GAO REPORT.—Not later than 180 days after  
17          the date of enactment of this section, the Comptroller  
18          General of the United States shall publish a report that  
19          includes an assessment of the following:

20                 “(1) The costs incurred by agencies and cloud  
21                 service providers relating to the issuance of  
22                 FedRAMP authorizations.

23                 “(2) The extent to which agencies have proc-  
24                 esses in place to continuously monitor cloud com-

1       puting products and services operating as Federal  
2       information systems.

3               “(3) How often and for which categories of  
4       products agencies use FedRAMP authorizations.

5               “(4) The unique costs and potential burdens in-  
6       curred by cloud computing companies that are small  
7       business concerns (as defined in section 3(a) of the  
8       Small Business Act (15 U.S.C. 632(a))) as a part  
9       of the FedRAMP authorization process.

10   **“§ 3616. Federal Secure Cloud Advisory Committee**

11       “(a) ESTABLISHMENT, PURPOSES, AND DUTIES.—

12               “(1) ESTABLISHMENT.—There is established a  
13       Federal Secure Cloud Advisory Committee (referred  
14       to in this section as the ‘Committee’) to ensure ef-  
15       fective and ongoing coordination of agency adoption,  
16       use, authorization, monitoring, acquisition, and secu-  
17       rity of cloud computing products and services to en-  
18       able agency mission and administrative priorities.

19               “(2) PURPOSES.—The purposes of the Com-  
20       mittee are the following:

21               “(A) To examine the operations of  
22       FedRAMP and determine ways that authoriza-  
23       tion processes can continuously be improved, in-  
24       cluding the following:

1           “(i) Measures to increase agency  
2 reuse of FedRAMP authorizations.

3           “(ii) Proposed actions that can be  
4 adopted to reduce the burden, confusion,  
5 and cost associated with FedRAMP au-  
6 thorizations for cloud service providers.

7           “(iii) Measures to increase the num-  
8 ber of FedRAMP authorizations for cloud  
9 computing services offered by small busi-  
10 nesses concerns (as defined by section 3(a)  
11 of the Small Business Act (15 U.S.C.  
12 632(a))).

13           “(iv) Proposed actions that can be  
14 adopted to reduce the burden and cost of  
15 FedRAMP authorizations for agencies.

16           “(B) Collect information and feedback on  
17 agency compliance with and implementation of  
18 FedRAMP requirements.

19           “(C) Serve as a forum that facilitates com-  
20 munication and collaboration among the  
21 FedRAMP stakeholder community.

22           “(3) DUTIES.—The duties of the Committee in-  
23 clude providing advice and recommendations to the  
24 Administrator of General Services, the FedRAMP  
25 Board, and agencies on technical, financial, pro-

1 grammatic, and operational matters regarding se-  
2 cure adoption of cloud computing products and serv-  
3 ices.

4 “(b) MEMBERS.—

5 “(1) COMPOSITION.—The Committee shall be  
6 comprised of not more than 15 members who are  
7 qualified representatives from the public and private  
8 sectors, appointed by the Administrator of General  
9 Services, in consultation with the Director, as fol-  
10 lows:

11 “(A) The Administrator of General Serv-  
12 ices or the Administrator of General Services’s  
13 designee, who shall be the Chair of the Com-  
14 mittee.

15 “(B) At least 1 representative each from  
16 the Cybersecurity and Infrastructure Security  
17 Agency and the National Institute of Standards  
18 and Technology.

19 “(C) At least 2 officials who serve as the  
20 Chief Information Security Officer within an  
21 agency, who shall be required to maintain such  
22 a position throughout the duration of their serv-  
23 ice on the Committee.

24 “(D) At least 1 official serving as Chief  
25 Procurement Officer (or equivalent) in an agen-

1 cy, who shall be required to maintain such a po-  
2 sition throughout the duration of their service  
3 on the Committee.

4 “(E) At least 1 individual representing an  
5 independent assessment organization.

6 “(F) No fewer than 5 representatives from  
7 unique businesses that primarily provide cloud  
8 computing services or products, including at  
9 least two representatives from a small business  
10 concern (as defined by section 3(a) of the Small  
11 Business Act (15 U.S.C. 632(a))).

12 “(G) At least 2 other representatives of the  
13 Federal Government as the Administrator of  
14 General Services determines necessary to pro-  
15 vide sufficient balance, insights, or expertise to  
16 the Committee.

17 “(2) DEADLINE FOR APPOINTMENT.—Each  
18 member of the Committee shall be appointed not  
19 later than 90 days after the date of enactment of  
20 this section.

21 “(3) PERIOD OF APPOINTMENT; VACANCIES.—

22 “(A) IN GENERAL.—Each non-Federal  
23 member of the Committee shall be appointed  
24 for a term of 3 years, except that the initial  
25 terms for members may be staggered 1-, 2-, or

1           3-year terms to establish a rotation in which  
2           one-third of the members are selected each  
3           year. Any such member may be appointed for  
4           not more than 2 consecutive terms.

5           “(B) VACANCIES.—Any vacancy in the  
6           Committee shall not affect its powers, but shall  
7           be filled in the same manner in which the origi-  
8           nal appointment was made. Any member ap-  
9           pointed to fill a vacancy occurring before the  
10          expiration of the term for which the member’s  
11          predecessor was appointed shall be appointed  
12          only for the remainder of that term. A member  
13          may serve after the expiration of that member’s  
14          term until a successor has taken office.

15          “(c) MEETINGS AND RULES OF PROCEDURES.—

16               “(1) MEETINGS.—The Committee shall hold  
17               not fewer than 3 meetings in a calendar year, at  
18               such time and place as determined by the Chair.

19               “(2) INITIAL MEETING.—Not later than 120  
20               days after the date of enactment of this section, the  
21               Committee shall meet and begin the operations of  
22               the Committee.

23               “(3) RULES OF PROCEDURE.—The Committee  
24               may establish rules for the conduct of the business



1 of the Committee if such rules are not inconsistent  
2 with this section or other applicable law.

3 “(d) EMPLOYEE STATUS.—

4 “(1) IN GENERAL.—A member of the Com-  
5 mittee (other than a member who is appointed to the  
6 Committee in connection with another Federal ap-  
7 pointment) shall not be considered an employee of  
8 the Federal Government by reason of any service as  
9 such a member, except for the purposes of section  
10 5703 of title 5, relating to travel expenses.

11 “(2) PAY NOT PERMITTED.—A member of the  
12 Committee covered by paragraph (1) may not receive  
13 pay by reason of service on the Committee.

14 “(e) APPLICABILITY TO THE FEDERAL ADVISORY  
15 COMMITTEE ACT.—Section 14 of the Federal Advisory  
16 Committee Act (5 U.S.C. App.) shall not apply to the  
17 Committee.

18 “(f) DETAIL OF EMPLOYEES.—Any Federal Govern-  
19 ment employee may be detailed to the Committee without  
20 reimbursement from the Committee, and such detailee  
21 shall retain the rights, status, and privileges of his or her  
22 regular employment without interruption.

23 “(g) POSTAL SERVICES.—The Committee may use  
24 the United States mails in the same manner and under  
25 the same conditions as agencies.

1 “(h) REPORTS.—

2 “(1) INTERIM REPORTS.—The Committee may  
3 submit to the Administrator of General Services and  
4 Congress interim reports containing such findings,  
5 conclusions, and recommendations as have been  
6 agreed to by the Committee.

7 “(2) ANNUAL REPORTS.—Not later than 540  
8 days after the date of enactment of this section, and  
9 annually thereafter, the Committee shall submit to  
10 the Administrator of General Services and Congress  
11 a final report containing such findings, conclusions,  
12 and recommendations as have been agreed to by the  
13 Committee.”.

14 (b) TECHNICAL AND CONFORMING AMENDMENT.—  
15 The table of sections for chapter 36 of title 44, United  
16 States Code, is amended by adding at the end the fol-  
17 lowing new items:

- “3607. Definitions.
- “3608. Federal Risk and Authorization Management Program.
- “3609. Roles and responsibilities of the General Services Administration.
- “3610. FedRAMP Board.
- “3611. Independent assessment organizations.
- “3612. Roles and responsibilities of agencies.
- “3613. Roles and responsibilities of the Office of Management and Budget.
- “3614. Authorization of appropriations for FedRAMP.
- “3615. Reports to congress; GAO report.
- “3616. Federal Secure Cloud Advisory Committee.”.

18 (c) SUNSET.—

19 (1) IN GENERAL.—Effective on the date that is  
20 5 years after the date of enactment of this Act,

1 chapter 36 of title 44, United States Code, is  
2 amended by striking sections 3607 through 3616.

3 (2) CONFORMING AMENDMENT.—Effective on  
4 the date that is 5 years after the date of enactment  
5 of this Act, the table of sections for chapter 36 of  
6 title 44, United States Code, is amended by striking  
7 the items relating to sections 3607 through 3616.

8 (d) RULE OF CONSTRUCTION.—Nothing in this sec-  
9 tion or any amendment made by this section shall be con-  
10 strued as altering or impairing the authorities of the Di-  
11 rector of the Office of Management and Budget or the  
12 Secretary of Homeland Security under subchapter II of  
13 chapter 35 of title 44, United States Code.

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