

**AMENDMENT TO RULES COMMITTEE PRINT 117–**

**13**

**OFFERED BY MR. CONNOLLY OF VIRGINIA**

Page 1390, after line 19, add the following new section (and update the table of contents accordingly):

**1 SEC. 6013. CODIFICATION OF THE FEDRAMP PROGRAM.**

2 (a) AMENDMENT.—Chapter 36 of title 44, United  
3 States Code, is amended by adding at the end the fol-  
4 lowing new sections:

**5 “§ 3607. Federal risk and authorization management  
6 program**

7 “There is established within the General Services Ad-  
8 ministration the Federal Risk and Authorization Manage-  
9 ment Program (FedRAMP). The Administrator of Gen-  
10 eral Services, subject to section 3612, shall establish a  
11 governmentwide program that provides a standardized, re-  
12 usable approach to security assessment and authorization  
13 for cloud computing products and services that process  
14 unclassified information used by agencies.

**15 “§ 3608. Roles and responsibilities of the general  
16 services administration**

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

1           “(1) develop, coordinate, and implement a proc-  
2           ess to support agency review, reuse, and standard-  
3           ization, where appropriate, of security assessments  
4           of cloud computing products and services, including  
5           appropriate oversight of continuous monitoring of  
6           cloud computing products and services, pursuant to  
7           guidance issued by the Director pursuant to section  
8           3612;

9           “(2) establish processes and identify criteria,  
10          consistent with guidance issued by the Director in  
11          section 3612, which would make a cloud computing  
12          product or service eligible for a FedRAMP author-  
13          ization and validate whether a cloud computing  
14          product or service has a FedRAMP authorization;

15          “(3) develop and publish templates, best prac-  
16          tices, technical assistance, and other materials to  
17          support the authorization of cloud computing prod-  
18          ucts and services and increase the speed, effective-  
19          ness, and transparency of the authorization process,  
20          consistent with standards defined by the National  
21          Institute of Standards and Technology and relevant  
22          statutes;

23          “(4) grant FedRAMP authorizations to cloud  
24          computing products and services, consistent with the

1 guidance and direction of the FedRAMP board es-  
2 tablished in section 3609;

3 “(5) establish and maintain a public comment  
4 process for proposed guidance and other program di-  
5 rectives that may have a direct impact on cloud serv-  
6 ice providers and agencies before the issuance of  
7 such guidance or other programmatic directives;

8 “(6) coordinate with the FedRAMP board, the  
9 Director of the Cybersecurity and Infrastructure Se-  
10 curity Agency, and other entities identified by the  
11 Administrator, with the concurrence of the Director,  
12 to establish and regularly update a framework for  
13 continuous monitoring under section 3553;

14 “(7) provide a secure mechanism for storing  
15 and sharing necessary data, including FedRAMP  
16 authorization packages, to enable better reuse of  
17 such packages across agencies, including making  
18 available any information and data necessary for  
19 agencies to fulfill the requirements of subsection  
20 3611;

21 “(8) provide regular updates to applicant cloud  
22 service providers on the status of any cloud com-  
23 puting product or service during an assessment  
24 process;

1           “(9) regularly review, in consultation with the  
2           FedRAMP Board, the costs associated with the  
3           independent assessment services of third-party orga-  
4           nizations referenced in section 3610;

5           “(10) support the Federal Secure Cloud Advi-  
6           sory Committee, established pursuant to subsection  
7           3615; and

8           “(11) such other actions as the Administrator  
9           may determine necessary to improve the program.

10          “(b) WEBSITE.—

11           “(1) IN GENERAL.—The Administrator shall  
12           maintain a public website to serve as the authori-  
13           tative repository for the program, including the  
14           timely publication and updates for all relevant infor-  
15           mation, guidance, determinations, and other mate-  
16           rials required under subsection (a).

17           “(2) CRITERIA AND PROCESS FOR FEDRAMP  
18           AUTHORIZATION PRIORITIES.—The Administrator  
19           shall develop and make publicly available on the  
20           website described in paragraph (1) the criteria and  
21           process for prioritizing and selecting cloud com-  
22           puting products and services that will receive a  
23           FedRAMP authorization, in consultation with the  
24           FedRAMP Board and the Chief Information Offi-  
25           cers Council established in section 3603.

1 “(c) EVALUATION OF AUTOMATION PROCEDURES.—

2 “(1) IN GENERAL.—The Administrator shall as-  
3 sess and evaluate available automation capabilities  
4 and procedures to improve the efficiency and effec-  
5 tiveness of the issuance of FedRAMP authorizations,  
6 including continuous monitoring of cloud computing  
7 products and services.

8 “(2) MEANS FOR AUTOMATION.—Not later than  
9 1 year after the date of the enactment of this sec-  
10 tion, and updated regularly thereafter, the Adminis-  
11 trator shall establish a means for the automation of  
12 security assessments and reviews.

13 “(d) METRICS FOR AUTHORIZATION.—The Adminis-  
14 trator shall establish annual metrics regarding the time  
15 and quality of the assessments necessary for completion  
16 of a FedRAMP authorization process in a manner that  
17 can be consistently tracked over time in conjunction with  
18 the periodic testing and evaluation process pursuant to  
19 section 3554 in a manner that minimizes the agency re-  
20 porting burden.

21 **“§ 3609. FedRAMP board**

22 “(a) ESTABLISHMENT.—There is established a  
23 FedRAMP board to provide input and recommendations  
24 to the Administrator regarding the requirements and  
25 guidelines for security assessments of cloud computing

1 products and services developed under subsection (d) of  
2 this section.

3 “(b) MEMBERSHIP.—The board shall consist of not  
4 more than seven senior officials or experts from agencies  
5 , appointed by the Director, in consultation with the Ad-  
6 ministrator, from each of the following:

7 “(1) The Department of Defense.

8 “(2) The Department of Homeland Security.

9 “(3) The General Services Administration.

10 “(4) Such other agencies as determined by the  
11 Director, in consultation with the Administrator.

12 “(c) QUALIFICATIONS.—Members of the FedRAMP  
13 board appointed under subsection (b) shall have technical  
14 expertise in domains relevant to the program, such as—

15 “(1) cloud computing;

16 “(2) cybersecurity;

17 “(3) privacy;

18 “(4) risk management; and

19 “(5) other competencies identified by the Direc-  
20 tor to support the secure authorization of cloud serv-  
21 ices and products.

22 “(d) DUTIES.—The FedRAMP board shall—

23 “(1) in consultation with the Administrator,  
24 serve as a resource for best practices to accelerate  
25 the process for obtaining a FedRAMP authorization;

1           “(2) review and approve requirements and  
2           guidelines for security authorizations of cloud com-  
3           puting products and services, consistent with stand-  
4           ards defined by the National Institute of Standards  
5           and Technology, to be used in the determination of  
6           FedRAMP authorizations;

7           “(3) monitor and oversee, to the greatest extent  
8           practicable, the processes and procedures by which  
9           agencies determine and validate requirements for a  
10          FedRAMP authorization, including periodic review  
11          of the agency determinations described in section  
12          3611(b), and ensure consistency and transparency  
13          between agencies and cloud service providers in a  
14          manner that minimizes confusion and engenders  
15          trust; and

16          “(4) perform such other roles and responsibil-  
17          ities as the Director may assign, with concurrence  
18          from the Administrator.

19          “(e) DETERMINATIONS OF DEMAND FOR CLOUD  
20          COMPUTING PRODUCTS AND SERVICES.—The FedRAMP  
21          Board may consult with the Chief Information Officers  
22          Council established in section 3603 to establish a process,  
23          that may be made available the website referenced in sec-  
24          tion 3608, for prioritizing and accepting the cloud com-

1 putting products and services to be granted a FedRAMP  
2 authorization.

3 **“§ 3610. Independent assessment organizations**

4 “(a) REQUIREMENTS FOR ACCREDITATION.—The  
5 Administrator may, consistent with guidance issued by the  
6 Director, determine the requirements for accreditation of  
7 a third-party organization to perform independent assess-  
8 ments and other activities that will improve the overall  
9 performance of the program and reduce the cost of  
10 FedRAMP authorizations for cloud service providers.  
11 Such requirements may include developing or requiring  
12 certification programs for individuals employed by the  
13 third-party organization seeking accreditation.

14 “(b) CERTIFICATION.—The Administrator or their  
15 designee may accredit any third-party organization that  
16 meets the requirements for accreditation. If accredited  
17 pursuant to the requirements defined pursuant to sub-  
18 section (a), a certified independent assessment organiza-  
19 tion may assess, validate, and attest to the quality and  
20 compliance of security assessment materials provided by  
21 cloud service providers.

22 **“§ 3611. Roles and responsibilities of agencies**

23 “(a) IN GENERAL.—In implementing the require-  
24 ments of the program, the head of each agency shall, con-



1 sistent with guidance issued by the Director pursuant to  
2 section 3612—

3 “(1) promote the use of cloud computing prod-  
4 ucts and services which meet FedRAMP security re-  
5 quirements and other risk-based performance re-  
6 quirements as defined by the Director;

7 “(2) confirm whether there is a FedRAMP au-  
8 thorization in the secure mechanism established  
9 under section 3608(b)(10) before beginning the  
10 process to grant a FedRAMP authorization for a  
11 cloud computing product or service;

12 “(3) to the extent practicable, for any cloud  
13 computing product or service the agency seeks to au-  
14 thorize that has received a FedRAMP authorization,  
15 use the existing assessments of security controls and  
16 materials within the FedRAMP authorization pack-  
17 age; and

18 “(4) provide data and information required to  
19 the Director pursuant to section 3612 to determine  
20 how agencies are meeting metrics as defined by the  
21 Administrator.

22 “(b) ATTESTATION.—To the extent an agency deter-  
23 mines that the information and data they have reviewed  
24 pursuant to subsection (a)(2) is wholly or substantially de-  
25 ficient for the purposes of performing an authorization of

1 cloud computing products or services, the head of the  
2 agency shall document as part of the resulting FedRAMP  
3 authorization package the reasons for this determination  
4 upon completion of any assessment or authorization activi-  
5 ties for that particular cloud computing product or service.

6 “(c) SUBMISSION OF AUTHORIZATIONS TO OPERATE  
7 REQUIRED.—Upon issuance of an agency authorization to  
8 operate based on a FedRAMP authorization, the head of  
9 the agency shall provide a copy of its authorization to op-  
10 erate letter and any supplementary information required  
11 pursuant to section 3608(a) to the Administrator.

12 “(d) SUBMISSION OF POLICIES REQUIRED.—Not  
13 later than 6 months after the date on which the Director  
14 issues guidance in accordance with section 3612, the head  
15 of each agency, acting through the agency Chief Informa-  
16 tion Officer, shall submit to the Director all agency poli-  
17 cies created related to the authorization of cloud com-  
18 puting products and services.

19 “(e) PRESUMPTION OF ADEQUACY.—

20 “(1) IN GENERAL.—The assessment of security  
21 controls and materials within the authorization  
22 package for a FedRAMP authorization shall be pre-  
23 sumed adequate for use in an agency authorization  
24 to operate cloud computing products and services.

1           “(2) INFORMATION SECURITY REQUIRE-  
2           MENTS.—The presumption under paragraph (1)  
3           does not modify or alter the responsibility of any  
4           agency to ensure compliance with subchapter II of  
5           chapter 35 for any cloud computing products or  
6           services used by the agency.

7   **“§ 3612. Roles and responsibilities of the office of**  
8                                   **management and budget**

9           “(a) ROLES AND RESPONSIBILITIES.—The Director  
10          shall:

11           “(1) Issue guidance to specify the categories or  
12           characteristics of cloud computing products and  
13           services, in consultation with the Administrator, for  
14           which agencies must obtain or use a FedRAMP au-  
15           thorization before operating such a product or serv-  
16           ice as a Federal information system. Such guidance  
17           shall encompass, to the greatest extent practicable,  
18           all necessary and appropriate cloud computing prod-  
19           ucts and services.

20           “(2) Issue guidance describing additional re-  
21           sponsibilities of the FedRAMP program and board  
22           to accelerate the adoption of secure cloud computing  
23           services in the Federal Government.

24           “(3) Oversee the effectiveness of the FedRAMP  
25           program and board, including compliance by the

1 FedRAMP board with its duties as described in sec-  
2 tion 3609.

3 “(4) To the greatest extent practicable, encour-  
4 age and promote consistency of guidance on the  
5 adoption, security, and use of cloud computing prod-  
6 ucts and services used within agencies.

7 **“§ 3613. Authorization of appropriations for**  
8 **FedRAMP**

9 “There is authorized to be appropriated \$20,000,000  
10 each year for the FedRAMP Program and Board.

11 **“§ 3614. Reports to congress; GAO report**

12 “(a) REPORTS TO CONGRESS.—Not later than 12  
13 months after the date of the enactment of this section,  
14 and annually thereafter, the Director shall submit to the  
15 Committee on Oversight and Reform of the House of Rep-  
16 resentatives and the Committee on Homeland Security  
17 and Governmental Affairs of the Senate a report that in-  
18 cludes the following:

19 “(1) The status, efficiency, and effectiveness of  
20 the General Services Administration, pursuant to  
21 section 3608, and agencies, pursuant to section  
22 3611, during the preceding year in supporting the  
23 speed, effectiveness, sharing, reuse, and security of  
24 authorizations to operate for cloud computing prod-  
25 ucts and services.

1           “(2) Progress towards meeting the metrics re-  
2           quired pursuant to section 3608(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 previous 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 as described in 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 in section 3612.

16          “(b) GAO REPORT.—Not later than 6 months after  
17          the date of the enactment of this section, the Comptroller  
18          General of the United States shall publish a report that  
19          includes an assessment of the cost incurred by agencies  
20          and cloud service providers related to the issuance of  
21          FedRAMP authorizations.

22          **“§ 3615. Federal secure cloud advisory committee**

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

24                  “(1) ESTABLISHMENT.—There is established a  
25          Federal Secure Cloud Advisory Committee (referred

1 to in this section as the ‘Committee’) to ensure ef-  
2 fective and ongoing coordination of agency adoption,  
3 use, authorization, monitoring, acquisition, and secu-  
4 rity of cloud computing products and services to en-  
5 able agency mission and administrative priorities.

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

8 “(A) To examine the operations of  
9 FedRAMP and determine ways that authoriza-  
10 tion processes can continuously be improved, in-  
11 cluding the following:

12 “(i) Measures to increase agency re-  
13 use of FedRAMP authorizations.

14 “(ii) Proposed actions that can be  
15 adopted to reduce the burden, confusion,  
16 and cost associated with FedRAMP au-  
17 thORIZATIONS for cloud service providers.

18 “(iii) Measures to increase the num-  
19 ber of FedRAMP authorizations for cloud  
20 computing services offered by small busi-  
21 nesses (as defined by section 3(a) of the  
22 Small Business Act (15 U.S.C. 632(a)).

23 “(iv) Proposed actions that can be  
24 adopted to reduce the burden and cost of  
25 FedRAMP authorizations for agencies.

1           “(B) Collect information and feedback on  
2           agency compliance with and implementation of  
3           FedRAMP requirements.

4           “(C) Serve as a forum that facilitates com-  
5           munication and collaboration among the  
6           FedRAMP stakeholder community.

7           “(3) DUTIES.—The duties of the Committee  
8           are, at a minimum, to provide advice and rec-  
9           ommendations to the Administrator, the FedRAMP  
10          Board, and to agencies on technical, financial, pro-  
11          grammatic, and operational matters regarding se-  
12          cure adoption of cloud computing products and serv-  
13          ices.

14          “(b) MEMBERS.—

15                 “(1) COMPOSITION.—The Committee shall be  
16                 comprised of not more than 15 members who are  
17                 qualified representatives from the public and private  
18                 sectors, appointed by the Administrator, in consulta-  
19                 tion with the Director, as follows:

20                         “(A) The Administrator or the Administra-  
21                         tor’s designee, who shall be the Chair of the  
22                         Committee.

23                         “(B) At least one representative each from  
24                         the Cybersecurity and Infrastructure Security

1 Agency and the National Institute of Standards  
2 and Technology.

3 “(C) At least two officials who serve as the  
4 Chief Information Security Officer within an  
5 agency, who shall be required to maintain such  
6 a position throughout the duration of their serv-  
7 ice on the Committee.

8 “(D) At least one official serving as Chief  
9 Procurement Officer (or equivalent) in an agen-  
10 cy, who shall be required to maintain such a po-  
11 sition throughout the duration of their service  
12 on the Committee.

13 “(E) At least one individual representing  
14 an independent assessment organization.

15 “(F) No fewer than five representatives  
16 from unique businesses that primarily provide  
17 cloud computing services or products, including  
18 at least two representatives from a small busi-  
19 ness (as defined by section 3(a) of the Small  
20 Business Act (15 U.S.C. 632(a))).

21 “(G) At least two other Government rep-  
22 resentatives as the Administrator determines to  
23 be necessary to provide sufficient balance, in-  
24 sights, or expertise to the Committee.



1           “(2) DEADLINE FOR APPOINTMENT.—Each  
2 member of the Committee shall be appointed not  
3 later than 90 days after the date of the enactment  
4 of this section.

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

6           “(A) IN GENERAL.—Each non-Federal  
7 member of the Committee shall be appointed  
8 for a term of 3 years, except that the initial  
9 terms for members may be staggered 1-, 2-, or  
10 3-year terms to establish a rotation in which  
11 one-third of the members are selected each  
12 year. Any such member may be appointed for  
13 not more than 2 consecutive terms.

14           “(B) VACANCIES.—Any vacancy in the  
15 Committee shall not affect its powers, but shall  
16 be filled in the same manner in which the origi-  
17 nal appointment was made. Any member ap-  
18 pointed to fill a vacancy occurring before the  
19 expiration of the term for which the member’s  
20 predecessor was appointed shall be appointed  
21 only for the remainder of that term. A member  
22 may serve after the expiration of that member’s  
23 term until a successor has taken office.

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

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

4           “(2) INITIAL MEETING.—Not later than 120  
5           days after the date of the enactment of this section,  
6           the Committee shall meet and begin the operations  
7           of the Committee.

8           “(3) RULES OF PROCEDURE.—The Committee  
9           may establish rules for the conduct of the business  
10          of the Committee, if such rules are not inconsistent  
11          with this section or other applicable law.

12          “(d) EMPLOYEE STATUS.—

13                 “(1) IN GENERAL.—A member of the Com-  
14                 mittee (other than a member who is appointed to the  
15                 Committee in connection with another Federal ap-  
16                 pointment) shall not be considered an employee of  
17                 the Federal Government by reason of any service as  
18                 such a member, except for the purposes of section  
19                 5703 of title 5, relating to travel expenses.

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

23          “(e) APPLICABILITY TO THE FEDERAL ADVISORY  
24          COMMITTEE ACT.—Section 14 of the Federal Advisory

1 Committee Act (5 U.S.C. App.) shall not apply to the  
2 Committee.

3 “(f) **DETAIL OF EMPLOYEES.**—Any Federal Govern-  
4 ment employee may be detailed to the Committee without  
5 reimbursement from the Committee, and such detailee  
6 shall retain the rights, status, and privileges of his or her  
7 regular employment without interruption.

8 “(g) **POSTAL SERVICES.**—The Committee may use  
9 the United States mails in the same manner and under  
10 the same conditions as agencies.

11 “(h) **REPORTS.**—

12 “(1) **INTERIM REPORTS.**—The Committee may  
13 submit to the Administrator and Congress interim  
14 reports containing such findings, conclusions, and  
15 recommendations as have been agreed to by the  
16 Committee.

17 “(2) **ANNUAL REPORTS.**—Not later than 18  
18 months after the date of the enactment of this sec-  
19 tion, and annually thereafter, the Committee shall  
20 submit to the Administrator and Congress a final re-  
21 port containing such findings, conclusions, and rec-  
22 ommendations as have been agreed to by the Com-  
23 mittee.

1 **“§ 3616. Definitions**

2 “(a) IN GENERAL.—Except as provided under sub-  
3 section (b), the definitions under sections 3502 and 3552  
4 apply to sections 3607 through this section.

5 “(b) ADDITIONAL DEFINITIONS.—In sections 3607  
6 through this section:

7 “(1) ADMINISTRATOR.—The term ‘Adminis-  
8 trator’ means the Administrator of General Services.

9 “(2) CLOUD COMPUTING.—The term ‘cloud  
10 computing’ shall have the meaning given by the Na-  
11 tional Institutes of Standards and Technology Spe-  
12 cial Publication 800–145.

13 “(3) CLOUD SERVICE PROVIDER.—The term  
14 ‘cloud service provider’ means an entity offering  
15 cloud computing products or services to agencies.

16 “(4) DIRECTOR.—The term ‘Director’ means  
17 the Director of the Office of Management and Budg-  
18 et.

19 “(5) FEDRAMP.—The term ‘FedRAMP’ means  
20 the Federal Risk and Authorization Management  
21 Program established under section 3607(a).

22 “(6) FEDRAMP AUTHORIZATION.—The term  
23 ‘FedRAMP authorization’ means a certification that  
24 a cloud computing product or service has completed  
25 a FedRAMP authorization process, as determined by  
26 the Administrator or received a FedRAMP provi-

1 sional authorization to operate as determined by the  
2 FedRAMP Board.

3 “(7) FEDRAMP AUTHORIZATION PACKAGE.—  
4 The term ‘FedRAMP authorization package’ means  
5 the essential information that can be used by an  
6 agency to determine whether to authorize the oper-  
7 ation of an information system or the use of a des-  
8 ignated set of common controls for all cloud com-  
9 puting products and services authorized by the  
10 FedRAMP program.

11 “(8) INDEPENDENT ASSESSMENT ORGANIZA-  
12 TION.—The term ‘independent assessment organiza-  
13 tion’ means a third-party organization accredited by  
14 the Administrator to undertake conformity assess-  
15 ments of cloud service providers and their products  
16 or services.

17 “(9) FEDRAMP BOARD.—The term ‘FedRAMP  
18 board’ means the board established under section  
19 3609.”.

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

- “3607. Federal Risk and Authorization Management Program
- “3608. Roles and Responsibilities of the General Services Administration
- “3609. FedRAMP board
- “3610. Independent assessment organizations
- “3611. Roles and responsibilities of agencies

“3612. Roles and responsibilities of the Office of Management and Budget  
“3613. Authorization of appropriations for FedRAMP  
“3614. Reports to Congress  
“3615. Federal Secure Cloud Advisory Committee  
“3616. Definitions”.

1           (c) SUNSET.—This section and any amendment made  
2 by this section shall be repealed on the date that is 10  
3 years after the date of the enactment of this section.

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

