

The House will resume proceedings on postponed questions at a later time.

FEDERAL RISK AND AUTHORIZATION MANAGEMENT PROGRAM AUTHORIZATION ACT OF 2021

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 21) to enhance the innovation, security, and availability of cloud computing products and services used in the Federal Government by establishing the Federal Risk and Authorization Management Program within the General Services Administration and by establishing a risk management, authorization, and continuous monitoring process to enable the Federal Government to leverage cloud computing products and services using a risk-based approach consistent with the Federal Information Security Modernization Act of 2014 and cloud-based operations, and for other purposes.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 21

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Risk and Authorization Management Program Authorization Act of 2021” or the “FedRAMP Authorization Act”.

SEC. 2. CODIFICATION OF THE FEDRAMP PROGRAM.

(a) AMENDMENT.—Chapter 36 of title 44, United States Code, is amended by adding at the end the following new sections:

“§ 3607. Federal Risk and Authorization Management Program

“(a) ESTABLISHMENT.—There is established within the General Services Administration the Federal Risk and Authorization Management Program. The Administrator of General Services, in accordance with section 3612, shall establish a governmentwide program that provides the authoritative standardized approach to security assessment and authorization for cloud computing products and services that process unclassified information used by agencies.

“(b) COMPONENTS OF FEDRAMP.—The Joint Authorization Board and the FedRAMP Program Management Office are established as components of FedRAMP.

“§ 3608. FedRAMP Program Management Office

“(a) GSA DUTIES.—

“(1) ROLES AND RESPONSIBILITIES.—The Administrator of General Services shall—

“(A) determine the categories and characteristics of cloud computing products and services that are within the jurisdiction of FedRAMP and that require a FedRAMP authorization or a FedRAMP provisional authorization;

“(B) develop, coordinate, and implement a process for the FedRAMP Program Management Office, the Joint Authorization Board, and agencies to review security assessments of cloud computing products and services pursuant to subsections (b) and (c) of section 3611, and appropriate oversight of continuous monitoring of cloud computing products and services; and

“(C) ensure the continuous improvement of FedRAMP.

“(2) IMPLEMENTATION.—The Administrator shall oversee the implementation of FedRAMP, including—

“(A) appointing a Program Director to oversee the FedRAMP Program Management Office;

“(B) hiring professional staff as may be necessary for the effective operation of the FedRAMP Program Management Office, and such other activities as are essential to properly perform critical functions;

“(C) entering into interagency agreements to detail personnel on a reimbursable or non-reimbursable basis to assist the FedRAMP Program Management Office and the Joint Authorization Board in discharging the responsibilities of the Office under this section; and

“(D) such other actions as the Administrator may determine necessary to carry out this section.

“(b) DUTIES.—The FedRAMP Program Management Office shall have the following duties:

“(1) Provide guidance to independent assessment organizations, validate the independent assessments, and apply the requirements and guidelines adopted in section 3609(c)(5).

“(2) Oversee and issue guidelines regarding the necessary requirements for accreditation of third-party organizations seeking to be awarded accreditation as independent assessment organizations, including qualifications, roles, and responsibilities of independent assessment organizations.

“(3) Develop templates and other materials to support the Joint Authorization Board and agencies in the authorization of cloud computing products and services to increase the speed, effectiveness, and transparency of the authorization process, consistent with standards defined by the National Institute of Standards and Technology.

“(4) Establish and maintain a public comment process for proposed guidance before the issuance of such guidance by FedRAMP.

“(5) Review any authorization to operate issued by an agency to determine if the authorization meets the requirements and guidelines adopted in section 3609(c)(5).

“(6) Establish frameworks for agencies to use authorization packages processed by the FedRAMP Program Management Office and Joint Authorization Board.

“(7) Coordinate with the Secretary of Defense and the Secretary of Homeland Security to establish a framework for continuous monitoring under section 3553 and agency reports required under section 3554.

“(8) Establish a centralized and secure repository to collect and share necessary data, including security authorization packages, from the Joint Authorization Board and agencies to enable better sharing and reuse of such packages across agencies.

“(c) EVALUATION OF AUTOMATION PROCEDURES.—

“(1) IN GENERAL.—The FedRAMP Program Management Office shall assess and evaluate available automation capabilities and procedures to improve the efficiency and effectiveness of the issuance of FedRAMP authorizations and FedRAMP provisional authorizations, including continuous monitoring of cloud computing products and services.

“(2) MEANS FOR AUTOMATION.—Not later than 1 year after the date of the enactment of this section, and updated annually thereafter, the FedRAMP Program Management Office shall establish a means for the automation of security assessments and reviews.

“(d) METRICS FOR AUTHORIZATION.—The FedRAMP Program Management Office shall establish annual metrics regarding the time and quality of the assessments necessary for completion of a FedRAMP authorization process in a manner that can be consistently tracked over time in conjunction with the periodic testing and evaluation process pur-

suant to section 3554 in a manner that minimizes the agency reporting burden.

“§ 3609. Joint Authorization Board

“(a) ESTABLISHMENT.—The Joint Authorization Board shall consist of cloud computing experts, appointed by the Director in consultation with the Administrator, from each of the following:

“(1) The Department of Defense.

“(2) The Department of Homeland Security.

“(3) The General Services Administration.

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

“(b) ISSUANCE OF FEDRAMP PROVISIONAL AUTHORIZATIONS.—The Joint Authorization Board shall conduct security assessments of cloud computing products and services and issue FedRAMP provisional authorizations to cloud service providers that meet the requirements and guidelines established in subsection (c)(5).

“(c) DUTIES.—The Joint Authorization Board shall—

“(1) develop and make publicly available on a website, determined by the Administrator, criteria for prioritizing and selecting cloud computing products and services to be assessed by the Joint Authorization Board;

“(2) provide regular updates to applicant cloud service providers on the status of any cloud computing product or service during the assessment and authorization process of the Joint Authorization Board;

“(3) review and validate cloud computing products and services and materials submitted by independent assessment organizations or any documentation determined to be necessary by the Joint Authorization Board to evaluate the system security of a cloud computing product or service;

“(4) in consultation with the FedRAMP Program Management Office, serve as a resource for best practices to accelerate the process for obtaining a FedRAMP authorization or FedRAMP provisional authorization;

“(5) establish requirements and guidelines for security assessments of cloud computing products and services, consistent with standards defined by the National Institute of Standards and Technology, to be used by the Joint Authorization Board and agencies;

“(6) perform such other roles and responsibilities as the Administrator may assign, in consultation with the FedRAMP Program Management Office and members of the Joint Authorization Board; and

“(7) establish metrics and goals for reviews and activities associated with issuing FedRAMP provisional authorizations and provide to the FedRAMP Program Management Office.

“(d) DETERMINATIONS OF DEMAND FOR CLOUD COMPUTING PRODUCTS AND SERVICES.—The Joint Authorization Board shall consult with the Chief Information Officers Council established in section 3603 to establish a process, that shall be made available on a public website, for prioritizing and accepting the cloud computing products and services to be granted a FedRAMP provisional authorization.

“(e) DETAIL OF PERSONNEL.—To assist the Joint Authorization Board in discharging the responsibilities under this section, personnel of agencies may be detailed to the Joint Authorization Board for the performance of duties described under subsection (c).

“§ 3610. Independent assessment organizations

“(a) REQUIREMENTS FOR ACCREDITATION.—The Joint Authorization Board shall determine the requirements for the accreditation of a third-party organization seeking to be accredited as an independent assessment organization, ensuring adequate implementation of section 3609. Such requirements may

include developing or requiring certification programs for individuals employed by the third-party organization seeking accreditation. The Program Director of the FedRAMP Program Management Office shall accredit any third-party organization that meets the requirements for accreditation.

“(b) ASSESSMENT.—An independent assessment organization may assess, validate, and attest to the quality and compliance of security assessment materials provided by cloud service providers as part of the FedRAMP authorization or the FedRAMP provisional authorization process.

“§ 3611. Roles and responsibilities of agencies

“(a) IN GENERAL.—In implementing the requirements of FedRAMP, the head of each agency shall, consistent with guidance issued by the Director pursuant to section 3612—

“(1) create policies to ensure cloud computing products and services used by the agency meet FedRAMP security requirements and other risk-based performance requirements as defined by the Director;

“(2) issue agency-specific authorizations to operate for cloud computing services in compliance with section 3554;

“(3) confirm whether there is a FedRAMP authorization or FedRAMP provisional authorization in the cloud security repository established under section 3608(b)(8) before beginning the process to award a FedRAMP authorization or a FedRAMP provisional authorization for a cloud computing product or service;

“(4) to the extent practicable, for any cloud computing product or service the agency seeks to authorize that has received a FedRAMP authorization or FedRAMP provisional authorization, use the existing assessments of security controls and materials within the authorization package; and

“(5) provide data and information required to the Director pursuant to section 3612 to determine how agencies are meeting metrics as defined by the FedRAMP Program Management Office.

“(b) SUBMISSION OF POLICIES REQUIRED.—Not later than 6 months after the date of the enactment of this section, the head of each agency shall submit to the Director the policies created pursuant to subsection (a)(1) for review and approval.

“(c) SUBMISSION OF AUTHORIZATIONS TO OPERATE REQUIRED.—Upon issuance of an agency authorization to operate, the head of the agency shall provide a copy of the authorization to operate letter and any supplementary information required pursuant to section 3608(b) to the FedRAMP Program Management Office.

“(d) PRESUMPTION OF ADEQUACY.—

“(1) IN GENERAL.—The assessment of security controls and materials within the authorization package for a FedRAMP authorization or FedRAMP provisional authorization shall be presumed adequate for use in an agency authorization to operate cloud computing products and services.

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

“§ 3612. Roles and responsibilities of the Office of Management and Budget

“The Director shall have the following duties:

“(1) Issue guidance to ensure that an agency does not operate a Federal Government cloud computing product or service using Government data without an authorization to operate issued by the agency that meets the requirements of subchapter II of chapter

35 and the FedRAMP authorization or FedRAMP provisional authorization.

“(2) Ensure agencies are in compliance with any guidance or other requirements issued related to FedRAMP.

“(3) Review, analyze, and update guidance on the adoption, security, and use of cloud computing services used by agencies.

“(4) Ensure the Joint Authorization Board is in compliance with section 3609(c).

“(5) Adjudicate disagreements between the Joint Authorization Board and cloud service providers seeking a FedRAMP provisional authorization.

“(6) Promulgate regulations on the role of FedRAMP authorizations and FedRAMP provisional authorizations in agency acquisition of cloud computing products and services that process unclassified information.

“§ 3613. Authorization of appropriations for FEDRAMP

“There is authorized to be appropriated \$20,000,000 each year for the FedRAMP Program Management Office and the Joint Authorization Board.

“§ 3614. Reports to Congress; GAO Report

“(a) REPORTS TO CONGRESS.—Not later than 12 months after the date of the enactment of this section, and annually thereafter, the Director shall submit to the Committee on Oversight and Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that includes the following:

“(1) The status, efficiency, and effectiveness of FedRAMP Program Management Office and agencies during the preceding year in supporting the speed, effectiveness, sharing, reuse, and security of authorizations to operate for cloud computing products and services, including progress towards meeting the metrics adopted by the FedRAMP Program Management Office pursuant to section 3608(d) and the Joint Authorization Board pursuant to section 3609(c)(5).

“(2) Data on FedRAMP authorizations and FedRAMP provisional authorizations.

“(3) The average length of time for the Joint Authorization Board to review applications for and issue FedRAMP provisional authorizations.

“(4) The average length of time for the FedRAMP Program Management Office to review authorizations to operate.

“(5) The number of FedRAMP authorizations and FedRAMP provisional authorizations issued for the previous year.

“(6) A review of progress made during the preceding year in advancing automation techniques to securely automate FedRAMP processes and to accelerate reporting as described in this section.

“(7) The number and characteristics of authorized cloud computing products and services in use at each agency consistent with guidance provided by the Director in section 3612.

“(8) The cost incurred by agencies and cloud service providers related to the issuance of FedRAMP authorizations and FedRAMP provisional authorizations, including information responsive to the report required in subsection (b).

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

“§ 3615. Federal Secure Cloud Advisory Committee

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

“(1) ESTABLISHMENT.—There is established a Federal Secure Cloud Advisory Committee (referred to in this section as the ‘Committee’) to ensure effective and ongoing coordination of agency adoption, use, authorization, monitoring, acquisition, and security of cloud computing products and services to enable agency mission and administrative priorities.

“(2) PURPOSES.—The purposes of the Committee are the following:

“(A) To examine the operations of FedRAMP and determine ways that authorization processes can continuously be improved, including the following:

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

“(ii) Proposed actions that can be adopted to reduce the cost of FedRAMP authorizations and FedRAMP provisional authorizations for cloud service providers.

“(iii) Measures to increase the number of FedRAMP authorizations and FedRAMP provisional authorizations for cloud computing services offered by small businesses (as defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a))).

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

“(C) Serve as a forum that facilitates communication and collaboration among the FedRAMP stakeholder community.

“(3) DUTIES.—The duties of the Committee are, at a minimum, to provide advice and recommendations to the Administrator, the Joint Authorization Board, and to agencies on technical, financial, programmatic, and operational matters regarding secure adoption of cloud computing products and services.

“(b) MEMBERS.—

“(1) COMPOSITION.—The Committee shall be comprised of not more than 15 members who are qualified representatives from the public and private sectors, appointed by the Administrator, in consultation with the Administrator of the Office of Electronic Government, as follows:

“(A) The Administrator or the Administrator's designee, who shall be the Chair of the Committee.

“(B) At least one representative each from the Cybersecurity and Infrastructure Security Agency and the National Institute of Standards and Technology.

“(C) At least two officials who serve as the Chief Information Security Officer within an agency, who shall be required to maintain such a position throughout the duration of their service on the Committee.

“(D) At least one official serving as Chief Procurement Officer (or equivalent) in an agency, who shall be required to maintain such a position throughout the duration of their service on the Committee.

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

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

“(G) At least two other Government representatives as the Administrator determines to be necessary to provide sufficient balance, insights, or expertise to the Committee.

“(2) DEADLINE FOR APPOINTMENT.—Each member of the Committee shall be appointed not later than 30 days after the date of the enactment of this section.

“(3) PERIOD OF APPOINTMENT; VACANCIES.—

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

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

“(B) VACANCIES.—Any vacancy in the Committee shall not affect its powers, but shall be filled in the same manner in which the original appointment was made. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member’s predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member’s term until a successor has taken office.

“(c) MEETINGS AND RULES OF PROCEDURE.—

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

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

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

“(d) EMPLOYEE STATUS.—

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

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

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

“(f) HEARINGS AND EVIDENCE.—The Committee, or on the authority of the Committee, any subcommittee, may, for the purposes of carrying out this section, hold hearings, sit and act at such times and places, take testimony, receive evidence, and administer oaths.

“(g) CONTRACTING.—The Committee, may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Committee to discharge its duties under this section.

“(h) INFORMATION FROM FEDERAL AGENCIES.—

“(1) IN GENERAL.—The Committee is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of the Committee. Each department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Committee, upon request made by the Chair, the Chair of any subcommittee created by a majority of the Committee, or any member designated by a majority of the Committee.

“(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information may only be received, handled, stored, and disseminated by members of the Committee and its staff consistent with all applicable statutes, regulations, and Executive orders.

“(i) DETAIL OF EMPLOYEES.—Any Federal Government employee may be detailed to the Committee without reimbursement from

the Committee, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

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

“(k) EXPERT AND CONSULTANT SERVICES.—The Committee is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, but at rates not to exceed the daily rate paid a person occupying a position at Level IV of the Executive Schedule under section 5315 of title 5.

“(1) REPORTS.—

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

“(2) ANNUAL REPORTS.—Not later than 18 months after the date of the enactment of this section, and annually thereafter, the Committee shall submit to the Administrator and Congress a final report containing such findings, conclusions, and recommendations as have been agreed to by the Committee.

“§ 3616. Definitions

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

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

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of General Services.

“(2) AUTHORIZATION PACKAGE.—The term ‘authorization package’—

“(A) means the essential information used to determine whether to authorize the operation of an information system or the use of a designated set of common controls; and

“(B) at a minimum, includes the information system security plan, privacy plan, security control assessment, privacy control assessment, and any relevant plans of action and milestones.

“(3) CLOUD COMPUTING.—The term ‘cloud computing’ has the meaning given that term by the National Institutes of Standards and Technology in NIST Special Publication 800-145 and any amendatory or superseding document thereto.

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

“(5) DIRECTOR.—The term ‘Director’ means the Director of the Office of Management and Budget.

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

“(7) FEDRAMP AUTHORIZATION.—The term ‘FedRAMP authorization’ means a certification that a cloud computing product or service received from an agency that provides an authorization to operate and the FedRAMP Program Management Office has determined the product or service has completed the FedRAMP authorization process.

“(8) FEDRAMP PROGRAM MANAGEMENT OFFICE.—The term ‘FedRAMP Program Management Office’ means the office that administers FedRAMP established under section 3607(b).

“(9) FEDRAMP PROVISIONAL AUTHORIZATION.—The term ‘FedRAMP provisional authorization’ means a certification that a cloud computing product or service has received from the Joint Authorization Board that approves a provisional authorization to operate.

“(10) INDEPENDENT ASSESSMENT ORGANIZATION.—The term ‘independent assessment organization’ means a third-party organization accredited by the Program Director of the FedRAMP Program Management Office to undertake conformity assessments of cloud service providers and their products or services.

“(11) JOINT AUTHORIZATION BOARD.—The term ‘Joint Authorization Board’ means the Joint Authorization Board established under section 3607(b).”.

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

“3607. Federal Risk and Authorization Management Program.

“3608. FedRAMP Program Management Office.

“3609. Joint Authorization 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.”.

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

(d) RULE OF CONSTRUCTION.—Nothing in this Act or any amendment made by this Act shall be construed as altering or impairing the authorities of the Director of the Office of Management and Budget or the Secretary of Homeland Security under subchapter II of chapter 35 of title 44, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from Alabama (Mr. PALMER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure before us.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

I thank Representatives CONNOLLY and COMER for working on this important bipartisan issue.

A version of this bill passed the House in the last Congress, and it has been improved after receiving technical assistance from the General Services Administration. The Federal Risk and Authorization Management Program Authorization Act would codify and improve the existing FedRAMP in the General Services Administration.

First established in 2011, FedRAMP is an important program that certifies cloud service providers who wish to offer services and products to the Federal Government.

The FedRAMP certification process outlined in this bill is comprehensive,

facilitates easier agency adoption, promotes agency reuse, and encourages savings. The FedRAMP process uses a risk-based approach to ensure the reliability of any cloud platform that hosts unclassified government data.

A significant provision of this bill is the Federal Secure Cloud Advisory Committee. This committee would be tasked with key responsibilities, including providing technical expertise on cloud products and services and identifying ways to reduce costs associated with FedRAMP certification.

The Director of the Office of Management and Budget would be required to issue regulations pertaining to FedRAMP and would ensure that agencies are not using cloud service providers without authorizations. This bill supports a critical effort to keep our Nation's information secure in cloud environments.

Mr. Speaker, I urge all Members to support this bill, and I reserve the balance of my time.

Mr. PALMER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 21, the FedRAMP Authorization Act, introduced by my distinguished colleague and friend, Representative GERRY CONNOLLY.

Cybersecurity and technology modernization are both vital issues to ensure this government runs efficiently and effectively. This is even clearer in light of the unprecedented recent cyberattack that compromised both the private and public sectors' critical information systems. Congress must work to further the Federal Government's cybersecurity while moving Federal agencies to more modern solutions, which will help keep our public data safe and provide improved services to our Nation's citizens.

The Federal Risk and Authorization Program, or FedRAMP, is the main Federal program focused on helping agencies procure secure cloud computing services. The FedRAMP provides a consistent process for agencies to procure modern cloud systems in accordance with established Federal cybersecurity standards. Recent Federal policies make the focus on securing cloud services especially important.

With both the Cloud First initiative in 2011 and the Cloud Smart initiative from President Trump's administration, the government continues to focus on adopting modern, cost-effective cloud technology solutions.

The Federal Government is plagued by reoccurring problems in information technology, such as low asset utilization, duplicative systems, and fragmented resources. Shifting to the cloud provides for improved asset utilization, increased innovation, and more agile and responsive technology capabilities. These improved efficiencies have led to significant cost savings.

In fiscal year 2018, the government spent roughly \$6.5 billion on cloud computing, with 84 percent coming from FedRAMP authorized cloud computing providers.

The centralized security authorization process offered by the FedRAMP program has saved agencies over \$250 million in cost avoidance, according to the General Services Administration.

Recognizing these cost benefits, this legislation aims to increase the Federal Government's use of the consistent, centrally managed cloud computing security authorizations provided by the FedRAMP program. Codifying this successful program into law is an important step towards encouraging Federal agencies to take full advantage of this program and all the security benefits that it offers.

Mr. Speaker, again, I thank my colleague, Representative CONNOLLY, for introducing this bill. I urge my colleagues to support the bill, and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank the distinguished chairwoman of our committee for her graciousness in not only bringing this bill back to the floor, but making it the first legislative bill we are going to consider in the new Congress. I thank my good friend from New York. I also thank my friend from Alabama for his gracious words and his partnership on so many issues on our committee on a bipartisan basis.

I want to thank the majority leader for bringing this bill to the floor. I also want to thank the ranking member of the full committee, Mr. COMER; and the ranking member of our subcommittee, Mr. HICE, for cosponsoring this bill, making it as bipartisan as we get.

H.R. 21, the FedRAMP Authorization Act, would finally provide a statutory framework—which we currently lack—for the Federal Risk and Authorization Management Program, FedRAMP.

FedRAMP is a standardized approach to certifying and assessing in an ongoing manner the security of cloud computing technologies used across the Federal Government. FedRAMP seeks to reduce the redundancies of Federal cloud migration by creating a “certify once, reuse many times” model for cloud products and services that provide cost-effective, risk-based approach to cloud adoption. Enabling the efficient and secure procurement of cloud computing technology is an important part of Federal IT modernization efforts and essential to the Federal Government's transition to a more virtual posture amid the pandemic.

In the first 4 years of FedRAMP, the program authorized only 20 cloud products. Today, there are 211 FedRAMP authorized cloud products that Federal agencies can use and more than 240 cloud service providers participating in FedRAMP, 30 percent of which are small businesses—female-owned, minority-owned, and veteran-owned businesses. In fiscal year 2020, FedRAMP saw a 50 percent increase in agencies reusing authorized cloud products.

This bill already passed the House in the last Congress with bipartisan support not once, but twice; once under suspension by voice vote and once as an amendment to the House version of the National Defense Authorization Act.

After incorporating technical assistance that the chairwoman mentioned from the General Services Administration and other key stakeholders, I rise again to offer the FedRAMP Authorization Act.

For nearly 4 years, we have worked with the Office of Management and Budget, GSA, industry stakeholders, and our friends on both sides of the aisle to make the needed improvements so FedRAMP can be codified in law.

This bill is essential, and it will demonstrate a universal commitment to FedRAMP and the accelerated adoption of secure cloud computing technologies, a vital component of the broader Federal IT modernization effort. And we know it is needed after the cyber hack, probably led by the Russians, in the last few weeks.

The FedRAMP Authorization Act would codify the program and address many of the concerns raised by industry and government stakeholders.

First, the bill reduces duplication of security assessments and other obstacles to agency adoption of cloud products by establishing a presumption of adequacy for cloud technologies that have received FedRAMP certification. This is important so that companies are not spending millions of dollars simply to get the same certification over and over again.

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The bill would also facilitate agency reuse of cloud technologies that have already received an authorization-to-operate by requiring agencies to check a centralized and secure repository.

It requires that GSA work toward automating their processes, which will lead to more standard security. It will establish a Federal secure cloud advisory committee to ensure dialogue among GSA, agency cybersecurity and procurement officials, and industry representatives for effective and ongoing coordination.

Finally, it authorizes \$20 million in annual appropriations for the program, providing sufficient resources to increase the number of secure cloud technologies available and to allow free and fair competition, especially for our small and minority-owned businesses.

Mr. Speaker, I urge that the House act on this first bill on the first day of our legislative activity. Again, I thank our distinguished chairwoman for being so generous in bringing this bill up again.

Mr. PALMER. Mr. Speaker, I have no further speakers. I am prepared to close, and I yield myself the balance of my time.

Mr. Speaker, protecting our public's valuable information by improving the

Federal Government's cybersecurity and adopting modern technology should be a top priority of Congress.

I look forward to working together on issues like this that are in the best interest of the Nation. I strongly urge my colleagues to support this legislation, and I yield back the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of H.R. 21, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, H.R. 21.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONGRESSIONAL BUDGET JUSTIFICATION TRANSPARENCY ACT OF 2021

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 22) to amend the Federal Funding Accountability and Transparency Act of 2006, to require the budget justifications and appropriation requests of agencies be made publicly available.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 22

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Congressional Budget Justification Transparency Act of 2021".

SEC. 2. PUBLIC AVAILABILITY OF BUDGET JUSTIFICATIONS AND APPROPRIATION REQUESTS.

(a) IN GENERAL.—Section 3 of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282; 31 U.S.C. 6101 note) is amended to read as follows:

"SEC. 3. FULL DISCLOSURE OF FEDERAL FUNDS.

"(a) IN GENERAL.—Not less frequently than monthly when practicable, and in any event not less frequently than quarterly, the Secretary (in consultation with the Director and, with respect to information described in subsection (b)(2), the head of the applicable agency) shall ensure that updated information with respect to the information described in subsection (b) is posted on the website established under section 2.

"(b) INFORMATION TO BE POSTED.—

"(1) FUNDS.—For any funds made available to or expended by a Federal agency or component of a Federal agency, the information to be posted shall include—

"(A) for each appropriations account, including an expired or unexpired appropriations account, the amount—

"(i) of budget authority appropriated;

"(ii) that is obligated;

"(iii) of unobligated balances; and

"(iv) of any other budgetary resources;

"(B) from which accounts and in what amount—

"(i) appropriations are obligated for each program activity; and

"(ii) outlays are made for each program activity;

"(C) from which accounts and in what amount—

"(i) appropriations are obligated for each object class; and

"(ii) outlays are made for each object class; and

"(D) for each program activity, the amount—

"(i) obligated for each object class; and

"(ii) of outlays made for each object class.

"(2) BUDGET JUSTIFICATIONS.—

"(A) DEFINITION.—In this paragraph, the term 'budget justification materials' means the annual budget justification materials of an agency that are submitted, in conjunction with the budget of the United States Government submitted under section 1105(a) of title 31, United States Code, but does not include budget justification materials that are classified.

"(B) INFORMATION.—The information to be posted shall include any budget justification materials—

"(i) for the second fiscal year beginning after the date of enactment of this paragraph, and each fiscal year thereafter; and

"(ii) to the extent practicable, that were released for any fiscal year before the date of enactment of this paragraph.

"(C) FORMAT.—Budget justification materials shall be posted under subparagraph (B)—

"(i) as an open Government data asset (as defined under section 3502 of title 44, United States Code);

"(ii) in a manner that enables users to download individual reports, download all reports in bulk, and download in bulk the results of a search, to the extent practicable; and

"(iii) in a structured data format, to the extent practicable.

"(D) DEADLINE.—The budget justification materials required to be posted under subparagraph (B)(i) shall be posted not later than 2 weeks after the date on which the budget justification materials are first submitted to Congress.

"(E) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to authorize an agency to destroy any budget justification materials relating to a fiscal year before the fiscal year described in subparagraph (B)(i)."

(b) INFORMATION REGARDING AGENCY BUDGET JUSTIFICATIONS.—Section 1105 of title 31, United States Code, is amended by adding at the end the following:

"(1)(I) The Director of the Office of Management and Budget shall make publicly available on a website, and continuously update, a tabular list for each fiscal year of each agency that submits budget justification materials, which shall include—

"(A) the name of the agency;

"(B) a unique identifier that identifies the agency;

"(C) to the extent practicable, the date on which the budget justification materials of the agency are first submitted to Congress;

"(D) the date on which the budget justification materials of the agency are posted online under section 3 of the Federal Funding Accountability and Transparency Act of 2006;

"(E) the uniform resource locator where the budget justification materials are published on the website of the agency; and

"(F) a single data set that contains the information described in subparagraphs (A) through (E) with respect to the agency for all fiscal years for which budget justifications of the agency are made available under section 3 of the Federal Funding Accountability and Transparency Act of 2006 in a structured data format.

"(2)(A) Each agency that submits budget justification materials shall make the materials available on the website of the agency, in accordance with the policies established by the Director of the Office of Management and Budget under subparagraph (B).

"(B) The Director of the Office of Management and Budget, in consultation with the Secretary of the Treasury, shall establish policies for agencies relating to making available materials under subparagraph (A), which shall include guidelines for making budget justification materials available in a format aligned with the requirements of section 3(b)(2)(C) of the Federal Funding Accountability and Transparency Act of 2006 and using a uniform resource locator that is in a consistent format across agencies and is descriptive, memorable, and pronounceable, such as the format of 'agencyname.gov/budget'.

"(C) If the Director of the Office of Management and Budget maintains a public website that contains the budget of the United States Government submitted under subsection (a) and any related materials, such website shall also contain a link to the tabular list required under paragraph (1).

"(3) In this subsection, the term 'budget justification materials' has the meaning given that term in section 3 of the Federal Funding Accountability and Transparency Act of 2006."

SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from Alabama (Mr. PALMER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure before us.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill before us, the Congressional Budget Justification Transparency Act, is a commonsense, good-government measure every Member should support.

It would require the congressional budget justification documents that agencies prepare for congressional committees to be posted online in a centralized, searchable database. This would make these detailed, plain-language explanations of how agencies plan to spend taxpayer dollars more accessible to the public.

I thank Representative MIKE QUIGLEY for his work on this bill. He has a long