

Union Calendar No. 182

108TH CONGRESS
1ST SESSION

H. R. 3159

[Report No. 108-305]

To require Federal agencies to develop and implement plans to protect the security and privacy of government computer systems from the risks posed by peer-to-peer file sharing.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 2003

Mr. WAXMAN (for himself, Mr. TOM DAVIS of Virginia, Mr. SHAYS, Mr. McHUGH, Mr. CLAY, Mr. TOWNS, Mr. CARTER, Mr. VAN HOLLEN, Ms. ROS-LEHTINEN, Mr. BELL, Mr. SOUDER, Mrs. MILLER of Michigan, Mr. BURTON of Indiana, Mr. SCHROCK, Mr. LYNCH, Mr. RUPPERSBERGER, Mr. PUTNAM, Mr. CUMMINGS, Ms. LINDA T. SÁNCHEZ of California, Mr. LANTOS, Mrs. MALONEY, Mr. OWENS, Ms. WATSON, Mr. OSE, Mr. COOPER, Ms. NORTON, Mr. DAVIS of Illinois, Mrs. JO ANN DAVIS of Virginia, and Mr. TURNER of Ohio) introduced the following bill; which was referred to the Committee on Government Reform

OCTOBER 7, 2003

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To require Federal agencies to develop and implement plans to protect the security and privacy of government computer systems from the risks posed by peer-to-peer file sharing.

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 “Government Network
5 Security Act of 2003”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Peer-to-peer file sharing can pose security
9 and privacy threats to computers and networks by—

10 (A) exposing classified and sensitive infor-
11 mation that are stored on computers or net-
12 works;

13 (B) acting as a point of entry for viruses
14 and other malicious programs;

15 (C) consuming network resources, which
16 may result in a degradation of network per-
17 formance; and

18 (D) exposing identifying information about
19 host computers that can be used by hackers to
20 select potential targets.

21 (2) The computers and networks of the Federal
22 Government use and store a wide variety of classi-
23 fied and sensitive information, including—

1 (A) information vital to national security,
2 defense, law enforcement, economic markets,
3 public health, and the environment; and

4 (B) personal and financial information of
5 citizens and businesses that has been entrusted
6 to the Federal Government.

7 (3) Use of peer-to-peer file sharing on govern-
8 ment computers and networks can threaten the secu-
9 rity and privacy of the information on those com-
10 puters and networks by exposing the information to
11 others using peer-to-peer file sharing.

12 (4) The House of Representatives and the Sen-
13 ate are using methods to protect the security and
14 privacy of congressional computers and networks
15 from the risks posed by peer-to-peer file sharing.

16 (5) Innovations in peer-to-peer technology for
17 government applications can be pursued on
18 intragovernmental networks that do not pose risks
19 to network security.

20 (6) In light of these considerations, Federal
21 agencies need to take prompt action to address the
22 security and privacy risks posed by peer-to-peer file
23 sharing.

1 **SEC. 3. PROTECTION OF GOVERNMENT COMPUTERS FROM**
2 **RISKS OF PEER-TO-PEER FILE SHARING.**

3 (a) **PLANS REQUIRED.**—As part of the Federal agen-
4 cy responsibilities set forth in sections 3544 and 3545 of
5 title 44, United States Code, the head of each agency shall
6 develop and implement a plan to protect the security and
7 privacy of computers and networks of the Federal Govern-
8 ment from the risks posed by peer-to-peer file sharing.

9 (b) **CONTENTS OF PLANS.**—Such plans shall set forth
10 appropriate methods, including both technological (such as
11 the use of software and hardware) and nontechnological
12 methods (such as employee policies and user training), to
13 achieve the goal of protecting the security and privacy of
14 computers and networks of the Federal Government from
15 the risks posed by peer-to-peer file sharing.

16 (c) **IMPLEMENTATION OF PLANS.**—The head of each
17 agency shall—

18 (1) develop and implement the plan required
19 under this section as expeditiously as possible, but in
20 no event later than six months after the date of the
21 enactment of this Act; and

22 (2) review and revise the plan periodically as
23 necessary.

24 (d) **REVIEW OF PLANS.**—Not later than 18 months
25 after the date of the enactment of this Act, the Comp-
26 troller General shall—

1 (1) review the adequacy of the agency plans re-
2 quired by this section; and

3 (2) submit to the Committee on Government
4 Reform of the House of Representatives and the
5 Committee on Governmental Affairs of the Senate a
6 report on the results of the review, together with any
7 recommendations the Comptroller General considers
8 appropriate.

9 **SEC. 4. DEFINITIONS.**

10 In this Act:

11 (1) PEER-TO-PEER FILE SHARING.—The term
12 “peer-to-peer file sharing” means the use of com-
13 puter software, other than network operating sys-
14 tems, that has as its primary function the capability
15 to allow the computer on which such software is
16 used to designate files available for transmission to
17 another computer using such software, to transmit
18 files to another such computer, and to request the
19 transmission of files from another such computer.
20 The term does not include the use of such software
21 wholly on intragovernmental networks.

22 (2) AGENCY.—The term “agency” has the
23 meaning provided by section 3502 of title 44, United
24 States Code.

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