

that other people could have rights that they were fighting for in that summer of 1964.

On behalf of the Republicans on the committee, I know I join in thanking, again, Mr. THOMPSON, Ms. NORTON, and our ranking member, Mr. DIAZ-BALART, for bringing this bill forward and for honoring those who haven't been honored before in this manner. What a great day for this Congress. What a great day for their memory. What a great day for the United States of America.

Mr. PERRIELLO. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. TOWNS).

Mr. TOWNS. I'd like to thank the gentleman for yielding. Of course, I also would like to join those who have indicated, in terms of Mr. THOMPSON from Mississippi, in recognizing Schwerner, Goodman, and Chaney. I know that this is not bringing them back, but I think it says to the families of those that are left behind that the good that they did changed America, and to move America in the right direction. When you stop and you think about it, they gave of their lives in order to help to change America.

I want to say to the gentleman from Mississippi, I think it's very honorable for him to come to the floor of the House and to offer this naming and this resolution of this Federal building, because when we look back and we see in terms of the things that they went through—not to do anything for themselves; they were trying to help others. And that's the reason why I think that this is so honorable, because they gave of their lives to be able to make America better. They made it possible for people like me to be able to come and be a part of the United States Congress. If it were not for their actions, we probably wouldn't even be here.

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Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, in closing, I want to thank the gentleman from Mississippi. He mentioned a little while ago that there are some individuals that we name buildings after who are very meritorious. But this is a little bit different. These are three individuals who, frankly, changed our country for the better, and they gave it all. They gave their lives to change our country, to make our country a better place. So this is one of those that, frankly, is of great historic significance. I know it's important to the family members, but it is also equally important for our Nation for all to see, for all to remember, for all to know the sacrifices that so many, including these three individuals, made. This is the country that it is because people have been willing over the years to sacrifice, to even give their lives. And this was a tragic moment. Again, what a fitting tribute and reminder it is to name this building. So I want to thank the gentleman from Mississippi. I also need to thank Chair-

woman NORTON. She is now at this moment actually chairing her subcommittee, and I want to thank her also for her involvement, for her leadership, for moving this forward so quickly.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. PERRIELLO. Mr. Speaker, let me just thank, again, the gentleman from Mississippi for his comments and his work in this effort. I may be one of the few Members of this body that was born after the events that we discussed here today. I had the great joy of growing up in a generation that knew the freedoms that these men fought and died for.

But their legacy continues, and their lives continue through the inspiration they have spread. I remember working with kids in New Haven when I was in college, and we told the story of these three gentlemen. We told of their bravery and their courage to make sure that those who grow up today in a more free and equal society understand the blood and the tears that went into making that effort possible. Many in this body were part of that struggle to call this Nation to its greatest self and its truest ideals. In making them immortal in the naming of this office, I think we do a great honor to history and a great honor to this country at its best. We thank not only the people involved in bringing this resolution today but the families of these three gentlemen who sacrificed, that they may know that this Nation continues to honor their tremendous courage and their gift to this country.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 3562, introduced by the gentleman from Mississippi (Mr. THOMPSON). H.R. 3562, as amended, designates the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the "James Chaney, Andrew Goodman, and Michael Schwerner Federal Building".

James Chaney, Andrew Goodman, and Michael Schwerner were civil rights activists who were lynched in the summer of 1964 while attempting to organize African Americans to vote and pursue other civil rights in Mississippi. On June 21, 1964, the three men drove to Longdale, Mississippi, to investigate the site of a burned church in Neshoba County. They were arrested by the Neshoba County police as they were leaving the site and held by the police for several hours. They were later released only to be rearrested shortly thereafter. After the second arrest, the Neshoba County police officer turned the three civil rights activists over to local Klansmen. On August 4, 1964, 44 days later, their bodies were found buried in an earthen dam near Philadelphia, Mississippi.

I was a young staffer working on Capitol Hill during this time period and can easily remember how the tragic plight of these three young men gripped this nation during that summer. Their deaths remain fixed in my mind and I am deeply moved as I remember how this incident helped strengthen the momentum for the Civil Rights Act of 1964.

The great public uproar also led President Lyndon B. Johnson to direct Federal Bureau

of Investigation (FBI) Director J. Edgar Hoover to open the Jackson Division of the FBI. The FBI flooded the State with agents in an attempt to solve the crime and eventually arrested 18 suspects on Federal conspiracy charges in the murder of these civil rights activists.

These young men were courageous in the face of blistering adversity during the sustained march for civil rights in Mississippi during the summer of 1964. It is fitting we offer this permanent honor of their sacrifices with the designation of the Jackson, Mississippi FBI field office as the "James Chaney, Andrew Goodman, and Michael Schwerner Federal Building".

I urge my colleagues to join me in supporting H.R. 3562.

Mr. PERRIELLO. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. PERRIELLO) that the House suspend the rules and pass the bill, H.R. 3562, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PERRIELLO. Mr. Speaker, I object to the vote on the grounds that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

SECURE FEDERAL FILE SHARING ACT

Mr. TOWNS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4098) to require the Director of the Office of Management and Budget to issue guidance on the use of peer-to-peer file sharing software to prohibit the personal use of such software by government employees, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4098

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 "Secure Federal File Sharing Act".

SEC. 2. REQUIREMENTS.

(a) UPDATED GUIDANCE ON USE OF CERTAIN SOFTWARE PROGRAMS.—Not later than 90 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, after consultation with the Federal Chief Information Officers Council, shall issue guidance on the use of peer-to-peer file sharing software—

(1) to prohibit the download, installation, or use by Government employees and contractors of open-network peer-to-peer file sharing software on all Federal computers, computer systems, and networks, including those operated by contractors on the Government's behalf, unless such software is approved in accordance with procedures under subsection (b); and

(2) to address the download, installation, or use by Government employees and contractors of such software on home or personal computers as it relates to telework and remotely accessing Federal computers, computer systems, and networks, including those operated by contractors on the Government's behalf.

(b) **APPROVAL PROCESS FOR CERTAIN SOFTWARE PROGRAMS.**—Not later than 90 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall develop a procedure by which the Director, in consultation with the Chief Information Officer, may receive requests from heads of agencies or chief information officers of agencies for approval for use by Government employees and contractors of specific open-network peer-to-peer file sharing software programs that are—

(1) necessary for the day-to-day business operations of the agency;

(2) instrumental in completing a particular task or project that directly supports the agency's overall mission;

(3) necessary for use between, among, or within Federal, State, or local government agencies in order to perform official agency business; or

(4) necessary for use during the course of a law enforcement investigation.

(c) **AGENCY RESPONSIBILITIES.**—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall—

(1) direct agencies to establish or update personal use policies of the agency to be consistent with the guidance issued pursuant to subsection (a);

(2) direct agencies to require any contract awarded by the agency to include a requirement that the contractor comply with the guidance issued pursuant to subsection (a) in the performance of the contract;

(3) direct agencies to update their information technology security or ethics training policies to ensure that all employees, including those working for contractors on the Government's behalf, are aware of the requirements of the guidance required by subsection (a) and the consequences of engaging in prohibited conduct; and

(4) direct agencies to ensure that proper security controls are in place to prevent, detect, and remove file sharing software that is prohibited by the guidance issued pursuant to subsection (a) from all Federal computers, computer systems, and networks, including those operated by contractors on the Government's behalf.

SEC. 3. ANNUAL REPORT.

Not later than one year after the date of the enactment of this Act, and annually thereafter, the Director of the Office of Management and Budget shall submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the implementation of this Act, including—

(1) a justification for each open-network peer-to-peer file sharing software program that is approved pursuant to subsection (b); and

(2) an inventory of the agencies where such programs are being used.

SEC. 4. DEFINITIONS.

In this Act:

(1) **AGENCY.**—The term “agency” has the meaning provided the term “Executive agency” by section 105 of title 5, United States Code.

(2) **OPEN-NETWORK.**—The term “open-network”, with respect to software, means a network in which—

(A) access is granted freely, without limitation or restriction; or

(B) there are little or no security measures in place.

(3) **PEER-TO-PEER FILE SHARING SOFTWARE.**—The term “peer-to-peer file sharing software”—

(A) means a program, application, or software that is commercially marketed or distributed to the public and that enables—

(i) a file or files on the computer on which such program is installed to be designated as available for searching and copying to one or more other computers;

(ii) the searching of files on the computer on which such program is installed and the copying of any such file to another computer—

(I) at the initiative of such other computer and without requiring any action by an owner or authorized user of the computer on which such program is installed; and

(II) without requiring an owner or authorized user of the computer on which such program is installed to have selected or designated another computer as the recipient of any such file; and

(iii) an owner or authorized user of the computer on which such program is installed to search files on one or more other computers using the same or a compatible program, application, or software, and copy such files to such owner or user's computer; and

(B) does not include a program, application, or software designed primarily—

(i) to operate as a server that is accessible over the Internet using the Internet Domain Name system;

(ii) to transmit or receive email messages, instant messaging, real-time audio or video communications, or real-time voice communications; or

(iii) to provide network or computer security (including the detection or prevention of fraudulent activities), network management, maintenance, diagnostics, or technical support or repair.

(4) **CONTRACTOR.**—The term “contractor” means a prime contractor or a subcontractor, as defined by the Federal Acquisition Regulation.

SEC. 5. BUDGETARY EFFECTS OF PAYGO LEGISLATION FOR THIS ACT.

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 gentleman from New York (Mr. TOWNS) and the gentleman from California (Mr. ISSA) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TOWNS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and to extend their remarks.

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

There was no objection.

Mr. TOWNS. Mr. Speaker, I yield myself as much time as I may consume.

The bill we are now considering, H.R. 4098, the Secure Federal File Sharing Act, is intended to improve the cybersecurity of Federal systems in response

to a series of troubling breaches of confidential information. It requires the director of the Office of Management and Budget to issue new guidance prohibiting the use of open network peer-to-peer file sharing software on all Federal computers and networks, including those of contractors working on the government's behalf.

Peer-to-peer file sharing software allows users to instantly connect with each other to search and copy electronic files, most commonly music and movies. The committee has been investigating the dangers of peer-to-peer file sharing software for 9 years. During that time, we discovered a frightening amount of child pornography, thousands of personal tax filings, medical records, and highly sensitive government information, including the location of a Secret Service safe house for the first family and an electronic schematic for Marine One, all available on open peer-to-peer networks to millions of users around the world.

What's clear is that as the popularity of file sharing has grown, so have the privacy and security risks. For the Federal Government, those risks are simply too great to ignore. H.R. 4098 would codify an existing OMB memorandum prohibiting Federal employees from using certain peer-to-peer file sharing programs and strengthen that policy by extending it to include Federal contractors working on the government's behalf. This is a good bill, and I strongly encourage my colleagues to join me in supporting this good bill.

Mr. Speaker, I reserve the balance of my time.

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

I join with the chairman on a bipartisan basis to support this important legislation. As the chairman said—who, quite frankly, has done an inordinate amount of work on this, including multiple hearings over a period of time—although we have succeeded in some limited way in addressing this problem, when we revisited it after more than a year, we discovered some of the examples the chairman gave us, including the First Family's safe house being made vulnerable.

Mr. Speaker, as you can imagine, everything we do in government, everything we order in government has a cost. The CBO has scored this one at \$10 million over its life, about \$2 million to \$3 million a year. What is the cost of the loss of the President? What is the cost of a soldier's orders to deploy being made public? What is the cost of your tax returns being made public? What is the cost to sensitive national defense information or, in fact, the leaking of people who are in the clandestine service? All of that has been shown to be at risk as long as peer-to-peer continues to operate on the Federal system.

Mr. Speaker, directing the Office of Management and Budget to create the guidance for prohibiting download or installation by government employees

of these pieces of software, which are essentially spy software, spy software on behalf of those who sell this information and sell access to this information is, in fact, essential. File sharing within the Federal workforce and within Congress is closely monitored. We do have the ability to do file transfer protocol in a secure way. Clearly, though, as our hearings have shown, those who market this software to the public, usually for free, do so with backdoors deliberately there that make it enticing to those who want access, and that's how their revenue comes.

Our hearings have shown that the very players who will provide you peer-to-peer for free so that you can get thousands of videos, plenty of music, and exchange pictures often do so specifically so that you unwittingly open up all of your information.

Mr. Speaker, the American people deserve to have the information entrusted to us, their private information, kept private. Without this important legislation, that private information is consistently being made public through backdoor software installed by well-meaning individuals who only intended to share their summer pictures and not release the information on soldiers in harm's way. I urge strongly support for this legislation.

I reserve the balance of my time.

Mr. TOWNS. Mr. Speaker, I want to commend the staff of the committee. I want to commend the ranking member of the full committee, Congressman ISSA, who has worked very closely with us to get us to this point. I also want to point out how important it is when you work together that you can pull things together and get them to the floor. I want to salute him for his work on this as well, and again, to all the staff members who have participated in helping us to get here today.

I reserve the balance of my time.

Mr. ISSA. I yield myself such time as I may consume.

Mr. Chairman, it is you that we owe a great debt of thanks to. You've championed this. You've made sure both at the subcommittee and the full committee that we've had a thorough evaluation. We've given the companies who claim that they are well-meaning opportunity repeatedly to show that they could fix or would fix their software, only to discover they did not fix their software. So I join with you in commending our staff on both sides of the aisle for the hard work they did, for the individual research, and for some of the other organizations who were concerned about the safety of the American people's vital information for helping us shed light on this. I know this is a good piece of legislation. I know we're going to have to work to get it through the Senate. I look forward to doing that with you, Mr. Chairman.

I yield back the balance of my time.

Mr. TOWNS. I thank the gentleman from California, the ranking member, for his kind words.

Ms. CLARKE. Mr. Speaker, I rise today in support of House Resolution 4098, the Secure Federal File Sharing Act. As Chairwoman of the Committee on Homeland Security Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, I regularly deal with cybersecurity issues related to Federal civilian agencies and am happy to see this effort moving forward.

The Secure Federal File sharing Act directs the Office of Management and Budget to issue guidance that would prohibit the use of peer-to-peer software on Federal computer systems, on home computers of government employees who telecommute, and by Federal contractors. This bill will help improve our government's cyber-security in a number of ways.

First, and most importantly, this bill reduces the risk to our government computer systems of downloading malicious software that could infect other systems within the government. It is well documented that peer-to-peer applications are regularly used by hackers to incorporate spyware, viruses, Trojan horses, or worms onto the downloader's computer. Not only does this expose a person's personal information to exploitation, but could put sensitive information about our government resources into unfriendly hands.

Secondly, peer-to-peer software is frequently used to illegally download software or documents that are otherwise protected by intellectual property laws. Allowing Federal employees to use this software to download pirated materials not only puts them at risk of prosecution, but puts the Federal government in a precarious position of having passively supported illegal acts.

Finally, peer-to-peer software is costly to the U.S. taxpayer. Because of the high risk nature of the software, its use only increases the amount we must spend to secure our computer systems from the cyber attacks it inevitably leads to.

This legislation helps close a security hole among Federal civilian agencies, and I urge my colleagues to join me in passing House Resolution 4098.

Mr. TOWNS. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and agree to the resolution, H.R. 4098, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BROUN of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Resolution 1186, by the yeas and nays;

H.R. 3976, de novo;

H.R. 4592, de novo.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

NATIONAL DISTRACTED DRIVING AWARENESS MONTH

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1186, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Colorado (Ms. MARKEY) that the House suspend the rules and agree to the resolution, H. Res. 1186.

The vote was taken by electronic device, and there were—yeas 410, nays 2, not voting 17, as follows:

[Roll No. 175]

YEAS—410

Ackerman	Capito	Eshoo
Aderholt	Capps	Etheridge
Adler (NJ)	Capuano	Fallin
Akin	Cardoza	Farr
Alexander	Carnahan	Fattah
Altmire	Carney	Finer
Andrews	Carson (IN)	Flake
Arcuri	Carter	Fleming
Austria	Cassidy	Forbes
Baca	Castle	Fortenberry
Bachmann	Castor (FL)	Foster
Bachus	Chaffetz	Fox
Baird	Chandler	Frank (MA)
Baldwin	Childers	Franks (AZ)
Barrett (SC)	Chu	Frelinghuysen
Barrow	Clarke	Fudge
Bartlett	Clay	Galleghy
Barton (TX)	Cleaver	Garrett (NJ)
Bean	Clyburn	Gerlach
Becerra	Coble	Gingrey (GA)
Berkley	Coffman (CO)	Gonzalez
Berman	Cohen	Goodlatte
Berry	Cole	Gordon (TN)
Biggert	Conaway	Granger
Bilbray	Connolly (VA)	Graves
Billirakis	Conyers	Grayson
Bishop (GA)	Cooper	Green, Al
Bishop (NY)	Costello	Green, Gene
Blackburn	Courtney	Griffith
Blumenauer	Crenshaw	Grijalva
Blunt	Crowley	Guthrie
Boclieri	Cuellar	Gutierrez
Boehner	Culberson	Hall (NY)
Bonner	Cummings	Hall (TX)
Bono Mack	Dahlkemper	Halvorson
Boozman	Davis (CA)	Hare
Boren	Davis (IL)	Harman
Boswell	Davis (KY)	Harper
Boucher	DeFazio	Hastings (FL)
Boustany	DeGette	Hastings (WA)
Boyd	Delahunt	Heinrich
Brady (PA)	DeLauro	Heller
Brady (TX)	Dent	Hensarling
Braley (IA)	Diaz-Balart, L.	Hergert
Bright	Diaz-Balart, M.	Herseth Sandlin
Broun (GA)	Dicks	Higgins
Brown (SC)	Dingell	Hill
Brown, Corrine	Doggett	Himes
Brown-Waite,	Donnelly (IN)	Hinchey
Ginny	Doyle	Hinojosa
Buchanan	Dreier	Hirono
Burgess	Driebeaus	Hodes
Burton (IN)	Duncan	Holden
Butterfield	Edwards (MD)	Holt
Buyer	Edwards (TX)	Honda
Calvert	Ehlers	Hoyer
Camp	Ellison	Hunter
Campbell	Ellsworth	Inglis
Cantor	Emerson	Inslee
Cao	Engel	Israel