

ment Fund established under section 3604 or, if appropriate, forward the proposal and the assessment of it to the executive agency whose mission most coincides with the subject matter of the proposal.

(Added Pub. L. 107-347, title I, §101(a), Dec. 17, 2002, 116 Stat. 2909.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective 120 days after Dec. 17, 2002, see section 402(a) of Pub. L. 107-347, set out as a note under section 3601 of this title.

§ 3606. E-Government report

(a) Not later than March 1 of each year, the Director shall submit an E-Government status report to the Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives.

(b) The report under subsection (a) shall contain—

(1) a summary of the information reported by agencies under section 202(f)¹ of the E-Government Act of 2002;

(2) the information required to be reported by section 3604(f); and

(3) a description of compliance by the Federal Government with other goals and provisions of the E-Government Act of 2002.

(Added Pub. L. 107-347, title I, §101(a), Dec. 17, 2002, 116 Stat. 2909.)

Editorial Notes

REFERENCES IN TEXT

The E-Government Act of 2002, referred to in subsection (b)(3), is Pub. L. 107-347, Dec. 17, 2002, 116 Stat. 2899. Section 202 of the Act is set out in a note under section 3501 of this title. For complete classification of this Act to the Code, see Tables.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Government Reform of House of Representatives changed to Committee on Oversight and Government Reform of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007. Committee on Oversight and Government Reform of House of Representatives changed to Committee on Oversight and Reform of House of Representatives by House Resolution No. 6, One Hundred Sixteenth Congress, Jan. 9, 2019. Committee on Oversight and Reform of House of Representatives changed to Committee on Oversight and Accountability of House of Representatives by House Resolution No. 5, One Hundred Eighteenth Congress, Jan. 9, 2023.

Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004.

EFFECTIVE DATE

Section effective 120 days after Dec. 17, 2002, see section 402(a) of Pub. L. 107-347, set out as a note under section 3601 of this title.

¹ So in original. Probably should be “section 202(g)”.

§ 3607. Definitions

(a) IN GENERAL.—Except as provided under subsection (b), the definitions under sections 3502 and 3552 apply to this section through section 3616.

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

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

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives.

(3) AUTHORIZATION TO OPERATE; FEDERAL INFORMATION.—The terms “authorization to operate” and “Federal information” have the meaning given those term¹ in Circular A-130 of the Office of Management and Budget entitled “Managing Information as a Strategic Resource”, or any successor document.

(4) CLOUD COMPUTING.—The term “cloud computing” has the meaning given the term in Special Publication 800-145 of the National Institute of Standards and Technology, or any successor document.

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

(6) FEDRAMP.—The term “FedRAMP” means the Federal Risk and Authorization Management Program established under section 3608.

(7) FEDRAMP AUTHORIZATION.—The term “FedRAMP authorization” means a certification that a cloud computing product or service has—

(A) completed a FedRAMP authorization process, as determined by the Administrator; or

(B) received a FedRAMP provisional authorization to operate, as determined by the FedRAMP Board.

(8) FEDRAMP AUTHORIZATION PACKAGE.—The term “FedRAMP authorization package” means the essential information that can be used by an agency to determine whether to authorize the operation of an information system or the use of a designated set of common controls for all cloud computing products and services authorized by FedRAMP.

(9) FEDRAMP BOARD.—The term “FedRAMP Board” means the board established under section 3610.

(10) INDEPENDENT ASSESSMENT SERVICE.—The term “independent assessment service” means a third-party organization accredited by the Administrator to undertake conformity assessments of cloud service providers and the products or services of cloud service providers.

(11) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

(Added Pub. L. 117-263, div. E, title LIX, §5921(b), Dec. 23, 2022, 136 Stat. 3449.)

¹ So in original. Probably should be “terms”.

REPEAL OF SECTION

For repeal of section by section 5921(d)(1) of Pub. L. 117–263, see Effective Date of Repeal note below.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Oversight and Reform of House of Representatives changed to Committee on Oversight and Accountability of House of Representatives by House Resolution No. 5, One Hundred Eighteenth Congress, Jan. 9, 2023.

EFFECTIVE DATE OF REPEAL

Pub. L. 117–263, div. E, title LIX, § 5921(d)(1), Dec. 23, 2022, 136 Stat. 3458, provided that the repeal of this section is effective on the date that is 5 years after Dec. 23, 2022.

CONSTRUCTION

Pub. L. 117–263, div. E, title LIX, § 5921(e), Dec. 23, 2022, 136 Stat. 3458, provided that: “Nothing in this section [see Short Title of 2022 Amendment note set out under section 101 of this title] or any amendment made by this section 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.”

§ 3608. Federal risk and authorization management program

There is established within the General Services Administration the Federal Risk and Authorization Management Program. The Administrator, subject to section 3614, shall establish a Government-wide program that provides a standardized, reusable approach to security assessment and authorization for cloud computing products and services that process unclassified information used by agencies.

(Added Pub. L. 117–263, div. E, title LIX, § 5921(b), Dec. 23, 2022, 136 Stat. 3450.)

REPEAL OF SECTION

For repeal of section by section 5921(d)(1) of Pub. L. 117–263, see Effective Date of Repeal note below.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Pub. L. 117–263, div. E, title LIX, § 5921(d)(1), Dec. 23, 2022, 136 Stat. 3458, provided that the repeal of this section is effective on the date that is 5 years after Dec. 23, 2022.

CONSTRUCTION

For rule of construction regarding section 5921 of Pub. L. 117–263, see section 5921(e) of Pub. L. 117–263, set out as a note under section 3607 of this title.

§ 3609. Roles and responsibilities of the General Services Administration

(a) ROLES AND RESPONSIBILITIES.—The Administrator shall—

(1) in consultation with the Secretary, develop, coordinate, and implement a process to support agency review, reuse, and standardization, where appropriate, of security assessments of cloud computing products and serv-

ices, including, as appropriate, oversight of continuous monitoring of cloud computing products and services, pursuant to guidance issued by the Director pursuant to section 3614;

(2) establish processes and identify criteria consistent with guidance issued by the Director under section 3614 to make a cloud computing product or service eligible for a FedRAMP authorization and validate whether a cloud computing product or service has a FedRAMP authorization;

(3) develop and publish templates, best practices, technical assistance, and other materials to support the authorization of cloud computing products and services and increase the speed, effectiveness, and transparency of the authorization process, consistent with standards and guidelines established by the Director of the National Institute of Standards and Technology and relevant statutes;

(4) establish and update guidance on the boundaries of FedRAMP authorization packages to enhance the security and protection of Federal information and promote transparency for agencies and users as to which services are included in the scope of a FedRAMP authorization;

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

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

(7) coordinate with the FedRAMP Board, the Director of the Cybersecurity and Infrastructure Security Agency, and other entities identified by the Administrator, with the concurrence of the Director and the Secretary, to establish and regularly update a framework for continuous monitoring under section 3553;

(8) provide a secure mechanism for storing and sharing necessary data, including FedRAMP authorization packages, to enable better reuse of such packages across agencies, including making available any information and data necessary for agencies to fulfill the requirements of section 3613;

(9) provide regular updates to applicant cloud service providers on the status of any cloud computing product or service during an assessment process;

(10) regularly review, in consultation with the FedRAMP Board—

(A) the costs associated with the independent assessment services described in section 3611; and

(B) the information relating to foreign interests submitted pursuant to section 3612;

(11) in coordination with the Director, the Secretary, and other stakeholders, as appropriate, determine the sufficiency of underlying requirements to identify and assess the provenance of the software in cloud services and products;

(12) support the Federal Secure Cloud Advisory Committee established pursuant to section 3616; and