

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.

§ 3615. Reports to Congress; GAO report

(a) REPORTS TO CONGRESS.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Director shall submit to the appropriate congressional committees a report that includes the following:

(1) During the preceding year, the status, efficiency, and effectiveness of the General Services Administration under section 3609 and agencies under section 3613 and in supporting the speed, effectiveness, sharing, reuse, and security of authorizations to operate for secure cloud computing products and services.

(2) Progress towards meeting the metrics required under section 3609(d).

(3) Data on FedRAMP authorizations.

(4) The average length of time to issue FedRAMP authorizations.

(5) The number of FedRAMP authorizations submitted, issued, and denied for the preceding year.

(6) A review of progress made during the preceding year in advancing automation techniques to securely automate FedRAMP processes and to accelerate reporting under 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 under section 3614.

(8) A review of FedRAMP measures to ensure the security of data stored or processed by cloud service providers, which may include—

(A) geolocation restrictions for provided products or services;

(B) disclosures of foreign elements of supply chains of acquired products or services;

(C) continued disclosures of ownership of cloud service providers by foreign entities; and

(D) encryption for data processed, stored, or transmitted by cloud service providers.

(b) GAO REPORT.—Not later than 180 days after the date of enactment of this section, the Comptroller General of the United States shall report to the appropriate congressional committees an assessment of the following:

(1) The costs incurred by agencies and cloud service providers relating to the issuance of FedRAMP authorizations.

(2) The extent to which agencies have processes in place to continuously monitor the implementation of cloud computing products and services operating as Federal information systems.

(3) How often and for which categories of products and services agencies use FedRAMP authorizations.

(4) The unique costs and potential burdens incurred by cloud computing companies that are small business concerns (as defined in section 3(a) of the Small Business Act (15 U.S.C. 632(a)) as a part of the FedRAMP authorization process.

(Added Pub. L. 117-263, div. E, title LIX, §5921(b), Dec. 23, 2022, 136 Stat. 3455.)

REPEAL OF SECTION

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

Editorial Notes

REFERENCES IN TEXT

The date of enactment of this section, referred to in text, is the date of enactment of Pub. L. 117-263, which was approved Dec. 23, 2022.

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EFFECTIVE DATE OF REPEAL

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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.

§ 3616. 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 reuse of FedRAMP authorizations.

(ii) Proposed actions that can be adopted to reduce the burden, confusion, and cost associated with FedRAMP authorizations for cloud service providers.

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

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

(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 include providing advice and recommendations to the Administrator, the FedRAMP Board, and 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 Director, as follows:

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

(B) At least 1 representative each from the Cybersecurity and Infrastructure Security Agency and the National Institute of Standards and Technology.

(C) At least 2 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 1 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 1 individual representing an independent assessment service.

(F) At least 5 representatives from unique businesses that primarily provide cloud computing services or products, including at least 2 representatives from a small business concern (as defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a))).

(G) At least 2 other representatives of the Federal Government as the Administrator determines 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 90 days after the date of 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 PROCEDURES.—

(1) MEETINGS.—The Committee shall hold not fewer than 3 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 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.)¹ shall not apply to the Committee.

(f) 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.

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

(h) 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 540 days after the date of enactment of this section, and annually thereafter, the Committee shall submit to the Administrator and Congress a report containing such findings, conclusions, and recommendations as have been agreed to by the Committee.

(Added Pub. L. 117-263, div. E, title LIX, § 5921(b), Dec. 23, 2022, 136 Stat. 3456.)

REPEAL OF SECTION

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

Editorial Notes

REFERENCES IN TEXT

The date of enactment of this section, referred to in subsecs. (b)(2), (c)(2), and (h)(2), is the date of enactment of Pub. L. 117-263, which was approved Dec. 23, 2022.

Section 14 of the Federal Advisory Committee Act, referred to in subsec. (e), is section 14 of Pub. L. 92-463,

¹ See References in Text note below.

which was set out in the Appendix to Title 5, Government Organization and Employees, and was repealed and restated as section 1013 of Title 5 by Pub. L. 117-286, §§3(a), 7, Dec. 27, 2022, 136 Stat. 4204, 4361.

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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.

CHAPTER 37—ADVERTISEMENTS BY GOVERNMENT AGENCIES

Sec.	
3701.	Advertisements for contracts in District of Columbia.
3702.	Advertisements not to be published without written authority.
3703.	Rate of payment for advertisements, notices, and proposals.

§ 3701. Advertisements for contracts in District of Columbia

Advertisements for contracts for the public service may not be published in any newspaper published and printed in the District of Columbia unless the supplies or labor covered by the advertisement are to be furnished or performed in the District of Columbia or in the adjoining counties of Maryland or Virginia.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1305.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §321 (R.S. §79; June 20, 1874, ch. 328, 18 Stat. 90; Feb. 18, 1875, ch. 80, §1, 18 Stat. 317; July 31, 1876, ch. 246, 19 Stat. 105; Aug. 2, 1946, ch. 744, §17(b), 60 Stat. 811; 1950 Reorg. Plan No. 20, §2(b), eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1272).

§ 3702. Advertisements not to be published without written authority

Advertisements, notices, or proposals for an executive department of the Government, or for a bureau or office connected with it, may not be published in a newspaper except under written authority from the head of the department; and a bill for advertising or publication may not be paid unless there is presented with the bill a copy of the written authority.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1305.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §324 (R.S. §3828).

§ 3703. Rate of payment for advertisements, notices, and proposals

Advertisements, notices, proposals for contracts, and all forms of advertising required by law for the several departments of the Government may be paid for at a price not to exceed the commercial rates charged to private individuals, with the usual discounts. But the heads of the several departments may secure lower terms at special rates when the public interest re-

quires it. The rates shall include the furnishing of lawful evidence, under oath, of publication, to be made and furnished by the printer or publisher making publication.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1305.)

HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §§322, 325 (R.S. §853; June 20, 1878, ch. 359, §1, 20 Stat. 216; Sept. 23, 1950, ch. 1010, §5, 64 Stat. 986).

The second sentence of former section 325 was added. The balance was superseded by former section 322 which will be found in section 3703 of the revision.

CHAPTER 39—GOVERNMENT PUBLISHING OFFICE: OFFICE OF INSPECTOR GENERAL

Sec.	
3901.	Purpose and establishment of the Office of Inspector General.
3902.	Appointment of Inspector General; supervision; removal; pay; limits on bonuses; counsel.
3903.	Duties, responsibilities, authority, and reports.

Editorial Notes

AMENDMENTS

2019—Pub. L. 116-94, div. P, title XVI, §1602(c)(2), Dec. 20, 2019, 133 Stat. 3212, substituted “Appointment of Inspector General; supervision; removal; pay; limits on bonuses; counsel” for “Appointment of Inspector General; supervision; removal” in item 3902.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

“Government Publishing Office” substituted for “Government Printing Office” in chapter heading on authority of section 1301(b) of Pub. L. 113-235, div. H, title I, Dec. 16, 2014, 128 Stat. 2537, set out as a note preceding section 301 of this title.

§ 3901. Purpose and establishment of the Office of Inspector General

In order to create an independent and objective office—

(1) to conduct and supervise audits and investigations relating to the Government Publishing Office;

(2) to provide leadership and coordination and recommend policies to promote economy, efficiency, and effectiveness; and

(3) to provide a means of keeping the Director of the Government Publishing Office and the Congress fully and currently informed about problems and deficiencies relating to the administration and operations of the Government Publishing Office;

there is hereby established an Office of Inspector General in the Government Publishing Office.

(Added Pub. L. 100-504, title II, §202, Oct. 18, 1988, 102 Stat. 2530; amended Pub. L. 113-235, div. H, title I, §1301(b), (c)(1), Dec. 16, 2014, 128 Stat. 2537.)

Editorial Notes

AMENDMENTS

2014—Par. (3). Pub. L. 113-235, §1301(c)(1), substituted “Director of the Government Publishing Office” for “Public Printer”.