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PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 4361) TO  
AMEND SECTION 3554 OF TITLE 44, UNITED STATES CODE,  
TO PROVIDE FOR ENHANCED SECURITY OF FEDERAL  
INFORMATION SYSTEMS, AND FOR OTHER PURPOSES, AND  
PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND  
THE RULES

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July 5, 2016.—Referred to the House Calendar and ordered to be printed.

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MR. WOODALL, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. ]

The Committee on Rules, having had under consideration House Resolution\_\_\_\_, by a record vote of 8 to 1, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 4361, the Federal Information Systems Safeguards Act of 2016, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform. The resolution waives all points of order against consideration of the bill. The resolution makes in order as original text for purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-59 and provides that it shall be considered as read. The resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in this report. The

resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides that it shall be in order at any time on the legislative day of July 7, 2016, or July 8, 2016, for the Speaker to entertain motions that the House suspend the rules relating to a measure addressing the Federal Aviation Administration.

#### EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of the bill includes a waiver of clause 3(e)(1) of rule XIII ("Ramseyer"), requiring a committee report accompanying a bill amending or repealing statutes to show, by typographical device, parts of statute affected. The waiver is provided because the submission provided by the Committee on Oversight and Government Reform was insufficient to meet the standards established by the rule in its current form. The Committee on Rules continues to work with the House Office of Legislative Counsel and committees to determine the steps necessary to comply with the updated rule.

The waiver of all points of order against the amendment in the nature of a substitute made in order as original text includes a waiver of clause 7 of rule XVI, which requires that no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

Although the resolution waives all points of order against the amendments printed in this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Record Vote No. 197

Motion by Mr. Cole to report the rule. Adopted: 8-1

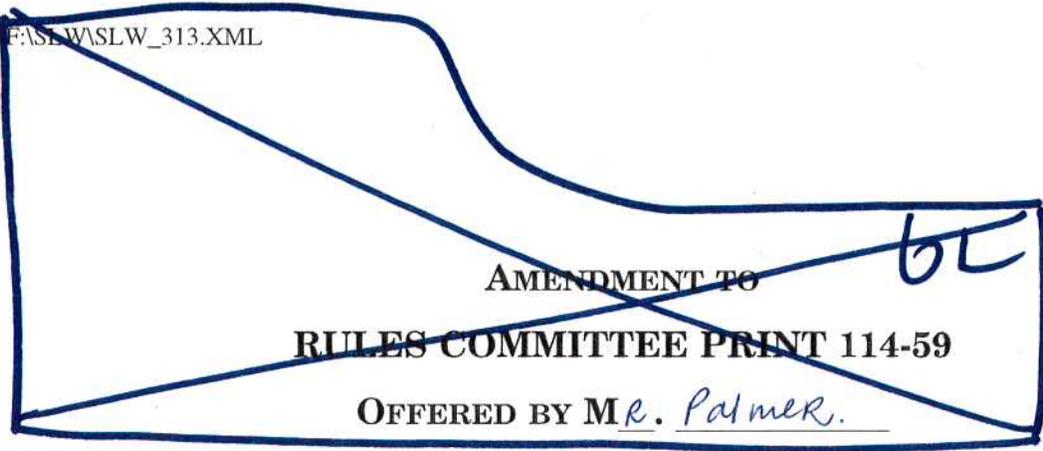
| Majority Members            | Vote | Minority Members             | Vote |
|-----------------------------|------|------------------------------|------|
| Ms. Foxx.....               | Yea  | Ms. Slaughter.....           |      |
| Mr. Cole.....               | Yea  | Mr. McGovern.....            | Nay  |
| Mr. Woodall.....            | Yea  | Mr. Hastings of Florida..... |      |
| Mr. Burgess.....            | Yea  | Mr. Polis.....               |      |
| Mr. Stivers.....            | Yea  |                              |      |
| Mr. Collins.....            | Yea  |                              |      |
| Mr. Byrne.....              |      |                              |      |
| Mr. Newhouse.....           | Yea  |                              |      |
| Mr. Sessions, Chairman..... | Yea  |                              |      |

#### SUMMARY OF THE AMENDMENTS MADE IN ORDER

1. Palmer (AL): MANAGER'S Makes technical and conforming changes to the bill. (10 minutes)
2. Posey (FL): Establishes that no agency employee when actin in their official capacity shall be permitted to establish, operate, maintain, or otherwise permit the use of information technology not certified by the Agency's Chief Information Officer as in compliance with the established information security protocols. (10 minutes)
3. Norton (DC): Strikes sections that extend probationary periods, modifies suspension and termination procedures, forced mandatory leave provisions, and others. (10 minutes)
4. Watson Coleman (NJ): Strikes the requirement that agencies include a description and square footage of rooms used for official time. (10 minutes)
5. Watson Coleman (NJ): Exempts from the midnight rules moratorium any rule that has been included in the Unified Regulatory Agenda for at least one year. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PALMER OF ALABAMA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES



Page 25, line 4, strike “sections 603 and 604” and insert “sections 602 and 603”.

Page 25, line 22, strike “Section 602” and insert “Section 601”.

Page 26, line 9, strike “Section 602” and insert “Section 601”.

Page 26, line 19, strike “Section 602” and insert “Section 601”.



2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POSEY OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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**AMENDMENT TO  
RULES COMMITTEE PRINT 114-59  
OFFERED BY MR. POSEY OF FLORIDA**

Page 2, after line 13, insert the following new sub-section:

1           (b) INFORMATION SECURITY PROTOCOL.—An agency  
2 employee acting in the official capacity of the employee  
3 (other than the head of the agency) may not establish,  
4 operate, maintain, or otherwise permit the use of informa-  
5 tion technology that is not certified by the appropriate  
6 Federal entity responsible for information security within  
7 the agency (either the Director of the Office of Manage-  
8 ment and Budget, the head of the agency, the Secretary  
9 of Homeland Security, or the Chief Information Officer  
10 of the agency, as applicable) as in compliance with the  
11 established information security policies, procedures, and  
12 programs.

Page 2, line 14, strike “(b)” and insert “(c)”.



3. AN AMENDMENT TO BE OFFERED BY DELEGATE NORTON OF DISTRICT OF COLUMBIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO  
RULES COMMITTEE PRINT 114-59  
OFFERED BY Ms. NORTON OF DISTRICT OF  
COLUMBIA**

Strike sections 402, 405(b), 406, 407, and 408.



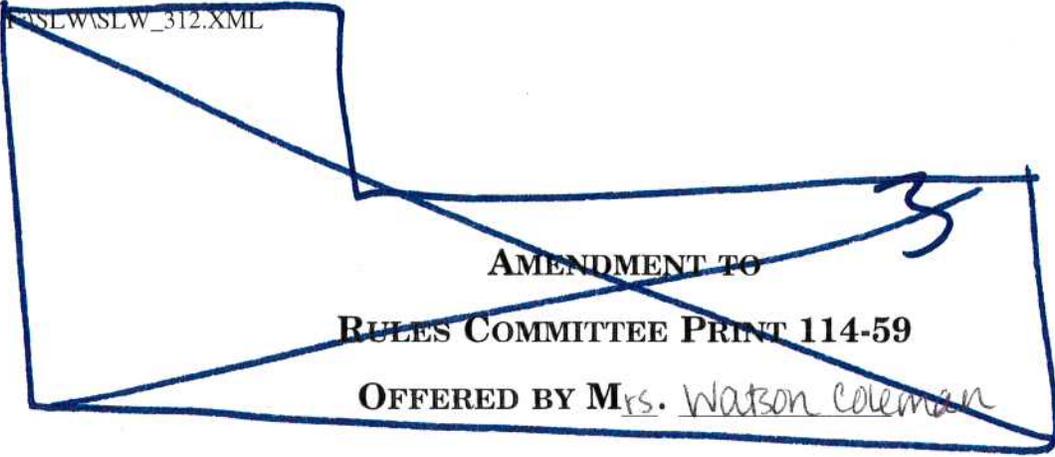
4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WATSON COLEMAN OF NEW JERSEY OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

**AMENDMENT TO  
RULES COMMITTEE PRINT 114-59  
OFFERED BY MRS. WATSON COLEMAN OF NEW  
JERSEY**

Page 23, strike lines 18 through 21.



5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WATSON COLEMAN OF NEW JERSEY OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES



Page 26, after line 23, insert the following new sub-section:

1 (c) REGULATORY FLEXIBILITY AGENDA EXCEP-  
2 TION.—Section 601 shall not apply to a midnight rule that  
3 is published in the regulatory flexibility agenda pursuant  
4 to section 602 of title 5, United States Code, and that  
5 has been included in the Unified Regulatory Agenda sub-  
6 mitted pursuant to Executive Order 12886 (5 U.S.C. 601  
7 note; relating to regulatory planning and review) for at  
8 least one year.

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House Calendar No. \_\_\_\_\_

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. RES.** \_\_\_\_\_

**Report No. 114-**\_\_\_\_\_

Providing for consideration of the bill (H.R. 4361) to amend section 3554 of title 44, United States Code, to provide for enhanced security of Federal information systems, and for other purposes, and providing for consideration of motions to suspend the rules.

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IN THE HOUSE OF REPRESENTATIVES

JULY 5, 2016

Mr. WOODALL, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

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**RESOLUTION**

Providing for consideration of the bill (H.R. 4361) to amend section 3554 of title 44, United States Code, to provide for enhanced security of Federal information systems, and for other purposes, and providing for consideration of motions to suspend the rules.

1       *Resolved*, That at any time after adoption of this reso-  
2 lution the Speaker may, pursuant to clause 2(b) of rule  
3 XVIII, declare the House resolved into the Committee of  
4 the Whole House on the state of the Union for consider-  
5 ation of the bill (H.R. 4361) to amend section 3554 of

1 title 44, United States Code, to provide for enhanced secu-  
2 rity of Federal information systems, and for other pur-  
3 poses. The first reading of the bill shall be dispensed with.  
4 All points of order against consideration of the bill are  
5 waived. General debate shall be confined to the bill and  
6 amendments specified in this section and shall not exceed  
7 one hour equally divided and controlled by the chair and  
8 ranking minority member of the Committee on Oversight  
9 and Government Reform. After general debate the bill  
10 shall be considered for amendment under the five-minute  
11 rule. In lieu of the amendment in the nature of a sub-  
12 stitute recommended by the Committee on Oversight and  
13 Government Reform now printed in the bill, it shall be  
14 in order to consider as an original bill for the purpose of  
15 amendment under the five-minute rule an amendment in  
16 the nature of a substitute consisting of the text of Rules  
17 Committee Print 114-59. That amendment in the nature  
18 of a substitute shall be considered as read. All points of  
19 order against that amendment in the nature of a sub-  
20 stitute are waived. No amendment to that amendment in  
21 the nature of a substitute shall be in order except those  
22 printed in the report of the Committee on Rules accom-  
23 panying this resolution. Each such amendment may be of-  
24 fered only in the order printed in the report, may be of-  
25 fered only by a Member designated in the report, shall

1 be considered as read, shall be debatable for the time spec-  
2 ified in the report equally divided and controlled by the  
3 proponent and an opponent, shall not be subject to amend-  
4 ment, and shall not be subject to a demand for division  
5 of the question in the House or in the Committee of the  
6 Whole. All points of order against such amendments are  
7 waived. At the conclusion of consideration of the bill for  
8 amendment the Committee shall rise and report the bill  
9 to the House with such amendments as may have been  
10 adopted. Any Member may demand a separate vote in the  
11 House on any amendment adopted in the Committee of  
12 the Whole to the bill or to the amendment in the nature  
13 of a substitute made in order as original text. The previous  
14 question shall be considered as ordered on the bill and  
15 amendments thereto to final passage without intervening  
16 motion except one motion to recommit with or without in-  
17 structions.

18 SEC. 2. It shall be in order at any time on the legisla-  
19 tive day of July 7, 2016, or July 8, 2016, for the Speaker  
20 to entertain motions that the House suspend the rules as  
21 though under clause 1 of rule XV, relating to a measure  
22 addressing the Federal Aviation Administration.