

108TH CONGRESS
1ST SESSION

H. R. 3159

IN THE SENATE OF THE UNITED STATES

OCTOBER 14, 2003

Received; read twice and referred to the Committee on Governmental Affairs

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Government Network
3 Security Act of 2003”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

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

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

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

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

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

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

22 (A) information vital to national security,
23 defense, law enforcement, economic markets,
24 public health, and the environment; and

1 (B) personal and financial information of
2 citizens and businesses that has been entrusted
3 to the Federal Government.

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

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

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

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

21 **SEC. 3. PROTECTION OF GOVERNMENT COMPUTERS FROM**
22 **RISKS OF PEER-TO-PEER FILE SHARING.**

23 (a) PLANS REQUIRED.—As part of the Federal agen-
24 cy responsibilities set forth in sections 3544 and 3545 of
25 title 44, United States Code, the head of each agency shall

1 develop and implement a plan to protect the security and
2 privacy of computers and networks of the Federal Govern-
3 ment from the risks posed by peer-to-peer file sharing.

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

11 (c) IMPLEMENTATION OF PLANS.—The head of each
12 agency shall—

13 (1) develop and implement the plan required
14 under this section as expeditiously as possible, but in
15 no event later than six months after the date of the
16 enactment of this Act; and

17 (2) review and revise the plan periodically as
18 necessary.

19 (d) REVIEW OF PLANS.—Not later than 18 months
20 after the date of the enactment of this Act, the Comp-
21 troller General shall—

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

24 (2) submit to the Committee on Government
25 Reform of the House of Representatives and the

1 Committee on Governmental Affairs of the Senate a
2 report on the results of the review, together with any
3 recommendations the Comptroller General considers
4 appropriate.

5 **SEC. 4. DEFINITIONS.**

6 In this Act:

7 (1) PEER-TO-PEER FILE SHARING.—The term
8 “peer-to-peer file sharing” means the use of com-
9 puter software, other than computer and network
10 operating systems, that has as its primary function
11 the capability to allow the computer on which such
12 software is used to designate files available for
13 transmission to another computer using such soft-
14 ware, to transmit files directly to another such com-
15 puter, and to request the transmission of files from
16 another such computer. The term does not include
17 the use of such software for file sharing between,
18 among, or within Federal, State, or local government
19 agencies.

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

 Passed the House of Representatives October 8,
2003.

Attest:

JEFF TRANDAHL,
Clerk.