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(Original Signature of Member)

113TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To ensure the functionality and security of new Federal websites that collect personally identifiable information, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. BENTIVOLIO introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To ensure the functionality and security of new Federal websites that collect personally identifiable information, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Safe and Secure Fed-  
5       eral Websites Act of 2013”.

1 **SEC. 2. ENSURING FUNCTIONALITY AND SECURITY OF NEW**  
2 **FEDERAL WEBSITES THAT COLLECT PERSON-**  
3 **ALLY IDENTIFIABLE INFORMATION.**

4 (a) CERTIFICATION REQUIREMENT.—

5 (1) IN GENERAL.—Except as otherwise pro-  
6 vided under this subsection, an agency may not de-  
7 ploy or make available to the public a new Federal  
8 PII website until the date on which a certification  
9 under subsection (b)(2) is submitted to Congress  
10 that the website is fully functional and secure.

11 (2) TRANSITION.—In the case of a new Federal  
12 PII website that is operational on the date of the en-  
13 actment of this Act, paragraph (1) shall not apply  
14 until the end of the 30-day period beginning on such  
15 date of enactment. If the certification under sub-  
16 section (b)(2) for such website has not been sub-  
17 mitted to Congress before the end of such period,  
18 the head of the responsible agency shall render the  
19 website inaccessible to the public until such certifi-  
20 cation is submitted to Congress.

21 (3) EXCEPTION FOR BETA WEBSITE WITH EX-  
22 PLICIT PERMISSION.—Paragraph (1) shall not apply  
23 to a website (or portion thereof) that is designed for  
24 testing and development purposes, if the following  
25 conditions are met:

1 (A) A member of the public may access  
2 PII-related portions of the website only after  
3 executing an agreement that acknowledges the  
4 risks involved.

5 (B) No agency compelled, enjoined, or oth-  
6 erwise provided incentives for such a member to  
7 access the website for such purposes.

8 (4) CONSTRUCTION.—Nothing in this section  
9 shall be construed as applying to a website that is  
10 operated entirely by an entity (such as a State or lo-  
11 cality) that is independent of the Federal Govern-  
12 ment, regardless of the receipt of funding in support  
13 of such website from the Federal Government.

14 (b) PROCESS FOR STUDY AND CERTIFICATION OF  
15 FUNCTIONALITY AND SECURITY OF NEW FEDERAL PII  
16 WEBSITES.—

17 (1) GAO STUDY AND REPORT.—

18 (A) STUDY.—

19 (i) CURRENT WEBSITES.—Not later  
20 than 30 days after the date of the enact-  
21 ment of this Act, the Comptroller General  
22 of the United States shall conduct a study  
23 of each new Federal PII website that is  
24 operational as of such date of enactment to

1 determine whether such website is fully  
2 functional and secure.

3 (ii) FUTURE WEBSITES.—Not later  
4 than 30 days after the date on which an  
5 advance notification is received under  
6 paragraph (3) for a new Federal PII  
7 website that is not operational as of such  
8 date of enactment, the Comptroller Gen-  
9 eral shall conduct a study of such website  
10 to determine whether such website is fully  
11 functional and secure.

12 (B) REPORT TO APPROPRIATE CONGRES-  
13 SIONAL COMMITTEES.—Upon the completion of  
14 a study of a website under subparagraph (A) or  
15 (C), the Comptroller General shall submit to  
16 the appropriate committees of Congress and the  
17 Chief Information Officer for the responsible  
18 agency a report on the results of the study.  
19 Such report shall include a determination of  
20 whether the website is fully functional and se-  
21 cure.

22 (C) FOLLOWUP STUDIES AND REPORT.—  
23 If, based on the results of the most recent study  
24 under subparagraph (A) or this subparagraph,  
25 the Comptroller General determines that the

1 website is not fully functional or not secure, the  
2 Comptroller General shall conduct an additional  
3 study (and submit a report described in sub-  
4 paragraph (B)) on the results of such study)  
5 until the Comptroller General determines that  
6 the website is determined to be fully functional  
7 and secure.

8 (2) CERTIFICATION BY CIO OF RESPONSIBLE  
9 AGENCY.—Upon the submission of a report under  
10 paragraph (1) that determines that a website oper-  
11 ated by a responsible agency is fully functional and  
12 secure, the Chief Information Officer for such agen-  
13 cy shall submit to Congress a certification of the re-  
14 sults of such report and a certification as to whether  
15 the website is fully functional and secure.

16 (3) ADVANCE NOTIFICATION FOR OPERATION  
17 OF FUTURE WEBSITES.—Each agency that intends  
18 to operate a new Federal PII website on or after the  
19 date of the enactment of this Act shall notify the  
20 Comptroller General of such intention and provide to  
21 the Comptroller General, in advance of the website  
22 becoming operational, such information as the  
23 Comptroller General may require to conduct a study  
24 and perform an evaluation under this subsection.

25 (c) DEFINITIONS.—In this section:

1           (1) AGENCY.—The term “agency” has the  
2 meaning given that term under section 551 of title  
3 5, United States Code.

4           (2) FULLY FUNCTIONAL.—The term “fully  
5 functional” means, with respect to a new Federal  
6 PII website, that the website can fully support the  
7 activities for which it is designed or intended with  
8 regard to the eliciting, collection, or storage of per-  
9 sonally identifiable information, including handling a  
10 volume of queries relating to such information com-  
11 mensurate with the purpose for which the website is  
12 designed.

13           (3) NEW FEDERAL PII WEBSITE.—The term  
14 “new Federal PII website” means a website that—

15           (A) is operated by (or under a contract  
16 with) an agency;

17           (B) elicits, collects, or stores personally  
18 identifiable information of individuals and is ac-  
19 cessible to the public; and

20           (C) is first made accessible to the public  
21 and collects or stores personally identifiable in-  
22 formation of individuals, on or after July 1,  
23 2013.

24           (4) OPERATIONAL.—The term “operational”  
25 means, with respect to a website, that such website

1 elicits, collects, or stores personally identifiable in-  
2 formation of members of the public and is accessible  
3 to the public.

4 (5) PERSONALLY IDENTIFIABLE INFORMATION  
5 (PII).—The terms “personally identifiable informa-  
6 tion” and “PII” mean any information that can be  
7 associated with one individual through a social secu-  
8 rity account number, taxpayer identification number,  
9 state identification number or other identifier, but  
10 does not include information (such as name, mailing  
11 or email address, telephone number, or similar con-  
12 tact information) necessary to contact an individual.

13 (6) RESPONSIBLE AGENCY.—The term “respon-  
14 sible agency” means, with respect to a new Federal  
15 PII website, the agency that is responsible for the  
16 operation (whether directly or through contracts  
17 with other entities) of the website.

18 (7) SECURE.—The term “secure” means, with  
19 respect to a new Federal PII website, that the fol-  
20 lowing requirements are met:

21 (A) The website has security features that  
22 meet a standard acceptable for banking pur-  
23 poses and the responsible agency has a named  
24 overall security leader with a comprehensive,  
25 top-down view of the security posture for the

1 website who has supervised a complete end-to-  
2 end security test.

3 (B) The website ensures that personally  
4 identifiable information elicited, collected, or  
5 stored in connection with the website is cap-  
6 tured at the latest possible step in a user input  
7 sequence.

8 (C) The responsible agency for the website  
9 has taken reasonable efforts to minimize do-  
10 main name confusion, including through addi-  
11 tional domain registrations and a program to  
12 educate consumers how to spot fraudulent  
13 websites.

14 (D) The responsible agency requires all  
15 personnel who have access to personally identi-  
16 fiable information in connection with the  
17 website to have completed a Standard Form  
18 85P and signed a non-disclosure agreement  
19 with respect to personally identifiable informa-  
20 tion, and the agency takes proper precautions  
21 to ensure only trustworthy persons may access  
22 such information.

23 (E) The responsible agency maintains (ei-  
24 ther directly or through contract) ample per-  
25 sonnel to respond in a timely manner to issues



1 relating to the proper functioning and security  
2 of the website, and to monitor on an ongoing  
3 basis existing and emerging security threats to  
4 the website.

5 (8) STATE.—The term “State” means each  
6 State of the United States, the District of Columbia,  
7 each territory or possession of the United States,  
8 and each federally recognized Indian tribe.