AMENDMENT TO H.R. 1233

OFFERED BY MR. ISSA OF CALIFORNIA

Page 9, after line 16, insert the following:

1 (e) DISCLOSURE REQUIREMENT FOR OFFICIAL BUSI-
2 NESS CONDUCTED USING NON-OFFICIAL ELECTRONIC
3 MESSAGING ACCOUNT.—
4 (1) AMENDMENT.—Chapter 22 of title 44,
5 United States Code, as amended by subsection
6 (a)(1), is further amended by adding at the end the
7 following new section:
8 **"§ 2209. Disclosure requirement for official business**
9 **conducted using non-official electronic**
10 **messaging accounts**
11 "(a) IN GENERAL.—An officer or employee of an ex-
12 ecutive agency may not create or send a Presidential
13 record using a non-official electronic messaging account
14 unless such officer or employee—
15 "(1) copies an official electronic messaging ac-
16 count of the officer or employee in the original cre-
17 ation or transmission of the Presidential record; or
18 "(2) forwards a complete copy of the Presi-
19 dential record to an official electronic messaging ac-
20 count of the officer or employee within five days

1 after the original creation or transmission of the
2 Presidential record.
3 "(b) ADVERSE ACTIONS.—The intentional violation
4 of subsection (a) (including any rules, regulations, or other
5 implementing guidelines), as determined by the appro-
6 priate supervisor, shall be a basis for disciplinary action
7 in accordance with subchapter I, II, or V of chapter 75
8 of title 5, as the case may be.
9 "(c) DEFINITIONS.—In this section:
10 "(1) ELECTRONIC MESSAGES.—The term 'elec-
11 tronic messages' ~~has the meaning given that term in~~
12 ~~section 2901~~.
13 "(2) ELECTRONIC MESSAGING ACCOUNT.—The
14 term 'electronic messaging account' means any ac-
15 count that sends electronic messages.
16 "(3) EXECUTIVE AGENCY.—The term 'executive
17 agency' has the meaning given that term in section
18 105 of title 5.".
19 (2) CLERICAL AMENDMENT.—The table of sec-
20 tions at the beginning of chapter 22 of title 44,
21 United States Code, as amended by subsection
22 (a)(4), is further amended by adding at the end the
23 following new item:

"2209. Disclosure requirement for official business conducted using non-official electronic messaging accounts.".

means electronic mail and other electronic messaging systems that are used for purposes of communicating between individuals.

Page 11, beginning on line 12, strike "for deposit" and insert "a copy of".

At the end of the bill, insert the following (and amend the table of contents accordingly):

1 **SEC. 10. DISCLOSURE REQUIREMENT FOR OFFICIAL BUSI-**
2 **NESS CONDUCTED USING NON-OFFICIAL**
3 **ELECTRONIC MESSAGING ACCOUNT.**

4 (a) AMENDMENT.—Chapter 29 of title 44, United
5 States Code is amended by adding at the end the following
6 new section:

7 **"§ 2911. Disclosure requirement for official business**
8 **conducted using non-official electronic**
9 **messaging accounts**

10 "(a) IN GENERAL.—An officer or employee of an ex-
11 ecutive agency may not create or send a record using a
12 non-official electronic messaging account unless such offi-
13 cer or employee—

14 "(1) copies an official electronic messaging ac-
15 count of the officer or employee in the original cre-
16 ation or transmission of the record; or

17 "(2) forwards a complete copy of the record to
18 an official electronic messaging account of the offi-
19 cer or employee within five days after the original
20 creation or transmission of the record.

"(b) ADVERSE ACTIONS.—The intentional violation of subsection (a) (including any rules, regulations, or other implementing guidelines), as determined by the appropriate supervisor, shall be a basis for disciplinary action in accordance with subchapter I, II, or V of chapter 75 of title 5, as the case may be.

"(c) DEFINITIONS.—In this section:

"(1) ELECTRONIC MESSAGES.—The term 'electronic messages' ~~has the meaning given that term~~ in ~~section 2901~~.

"(2) ELECTRONIC MESSAGING ACCOUNT.—The term 'electronic messaging account' means ~~any account that sends electronic messages~~.

"(3) EXECUTIVE AGENCY.—The term 'executive agency' has the meaning given that term in section 105 of title 5.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 29 of title 44, United States Code, is amended by adding at the end the following new item:

"2911. Disclosure requirement for official business conducted using non-official electronic messaging accounts.".

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means electronic mail and other electronic messaging systems that are used for purposes of communicating between individuals.