



One Hundred Twelfth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515

February 1, 2012

COMMITTEE ACTION

The Committee on Homeland Security's Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies met, pursuant to notice, in open markup session, a quorum being present, on Wednesday, February 1, 2012, in 311 Cannon House Office Building to consider: H.R. 3674, to amend the Homeland Security Act of 2002 to make certain improvements in the laws relating to cybersecurity, and for other purposes. The "Promoting and Enhancing Cybersecurity and Information Sharing Effectiveness Act of 2011."

The Subcommittee took the following actions:

H.R. 3674, to amend the Homeland Security Act of 2002 to make certain improvements in the laws relating to cybersecurity, and for other purposes.; was reported to the Full Committee for consideration, with a favorable recommendation, amended, by voice vote.

The Subcommittee adopted H.R. 3674, as amended, by voice vote.

The following amendments were offered:

An Amendment in the Nature of a Substitute offered by Mr. Lungren (#1) was AGREED TO, by voice vote.

An amendment to the Amendment in the Nature of a Substitute offered by Ms. Richardson (#1A); Page 6. Line 22, strike "and" the second place it appears.

Page 6, after line 22, insert a new paragraph (11) and redesignate accordingly.; was AGREED TO by unanimous consent.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Long (#1B); Page 18, line 3, strike "and".

Page 18, line 4, after "operators" insert the following " , Information Sharing and Analysis Centers, appropriate academic and private sector entities that conduct cybersecurity or information security research and development, and appropriate private sector entities that provide cybersecurity or information security products or services."

Page 18, line 6, strike "critical infrastructure information systems" and insert "all appropriate entities".; was AGREED TO by unanimous consent.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Long; (#1C) Page 20, line 16, strike "and".

Page 20, line 18, strike the period and insert “; and”.
Page 20, after line 18, insert a new paragraph (10).; was AGREED TO by unanimous consent.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. McCaul (#1D); Page 54, line 22, insert a new section entitled “Sec. 7. Report on Foreign Entities Posing Cybersecurity Threats to Critical Infrastructure.”; was AGREED TO by unanimous consent.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Long (#1E); Page 47, after line 11, insert the following (and renumber the subsequent sections proposed to be inserted in the Homeland Security Act of 2002 by section 3 accordingly and conform the proposed amendment to the table of contents beginning on page 49, line 17):
A new section “Sec. 250. Annual Report.”; was AGREED TO by unanimous consent.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Meehan (#1F); Page 14, lines 9 through 21, strike paragraph (3) and insert a new paragraph entitled “(3) Inclusion in Regulatory Regimes.”; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. McCaul (#1G); Page 17, after line 11, insert a new subsection entitled “(i) Limitation of Regulatory Authority.”; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute offered by Ms. Clarke (#1H); Page 24, beginning on line 14, strike section 3 and insert a new section 3 entitled “Sec. 3 Public-Private Clearinghouse.”; was NOT AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute offered by Ms. Clarke (#1I); Page 25, line 8 strike “and developing” and all that follows through “technology” on line 9.
Page 28, line 8, strike “Government;” and all that follows through “; and” on line 22 and insert “Government; and”.
Page 33, line 19, strike paragraph (8) and redesignate the subsequent paragraphs accordingly.; was NOT AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Keating (#1J); Page 48, after line 6, insert the following (and renumber the subsequent sections and conform the amendment to the table of contents beginning on page 49, line 17, accordingly):
A new section “Sec. 251. Private Right of Action.”; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. McCaul (#1K); Page 52, beginning on line 1, strike section 5 and insert a new section 5 entitled “Sec. 5. Cybersecurity Domestic Preparedness Consortium and Cybersecurity Training Center.”; was WITHDRAWN by unanimous consent.

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 3674.

