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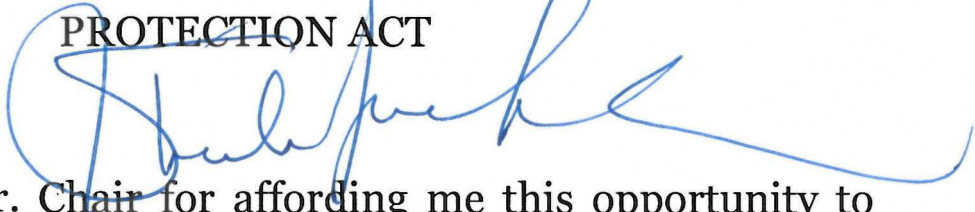
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CONGRESSWOMAN SHEILIA JACKSON LEE, OF TEXAS

COMMITTEE ON THE RULES

STATEMENT OFFERING AMENDMENTS TO

**H.R. 624, CYBER INTELLIGENCE SHARING AND
PROTECTION ACT**



Thank you, Mr. Chair for affording me this opportunity to speak with the Rules Committee to explain my amendments to H.R. 624, the Cyber Intelligence Sharing and Protection Act. My amendments will support the objectives of the legislation while assuring that privacy and civil liberty rights of citizens are protected. These are important amendments, and I believe that the members of the Rules Committee can support them.

My first Amendment protects Internet users by promoting responsible actions by private entities and individuals seeking to address active cyber security threats. The amendment limits liability protection to steps taken to secure an entity's network while under cyber attack, but would not extend protection to offensive actions taken against non-proprietary networks or computing devices.

I offer for consideration an amendment that adds the word “imminent” in two places on page 11—changing the text to ‘imminent danger of death or serious bodily harm....’ The Amendment enhances privacy protection by preventing unnecessary disclosures of personal information. The Amendment would also have the additional benefit of assisting agencies in focusing resources on matters of greatest threat to national cyber security.

Before the committee is an amendment to protect cloud computing businesses from federal agency requirements to report

on customer account activity. The amendment makes it clear that cyber security service providers need only provide information about cyber security incidents that pose a threat to federal government information.

There are two Senses of the Congress amendments that I am offering for the Committee's consideration. The first states that it is the sense of the Congress that the United States should facilitate international cooperative agreements to accomplish the objectives of formal rules of engagement, like those developed to protect hospitals and schools during times of conflict. A similar list of protected digital service providers or categories of digital technology consumers could ensure the protection of electric utility grids; refineries; oil and gas extraction systems; water treatment systems; digital medical devices and hospitals should never be considered legitimate targets. The second Sense of the Congress states that Federal government computing devices should use strong encryption to protect stored data as well as digital information as it travels over the Internet. Both Senses of

Congress are also offered as a single amendment for the Committee's consideration.

My final amendment would establish that the Department of Homeland Security would be the lead agency for engaging the private sector on matters related to cyber security. The amendment would recognize that the Internet is where increasing numbers of Americans communicate, play and work.

The Internet is indeed something new—it uses all of the forms of communication conceived by people, and connects us in near real time. It has no physical landscape, but is comprised of billions of computing devices that are able to interact and connect using the global telecommunication infrastructure. Computing technology was once tethered by technical limitations to physical spaces—now computing devices are mobile.

The Internet is a critical path forward for our nation's recovering economy. However, to meet the challenges and take advantage of the opportunities the Internet makes possible we

must understand the threats and risks as well as take full advantage of innovation.

The constantly shifting Internet environment creates challenges for policy makers. For example, a few years ago, portable phones that were as powerful as computers were difficult for most consumers to imagine—now they are common place. Unfortunately, with every advance in computing innovation we see that there are those within society who would search for vulnerabilities in these innovations to disrupt their operation.

Although the challenges are great the rewards of an environment that supports innovation, privacy, security, consumer protection and civil liberties are the bedrock for the success of a dynamic Internet based economy.

In closing, I also request the Committee's positive consideration of two additional amendments. An Amendment submitted by Representatives Conyers (MI), Schakowsky (IL), Hank Johnson (GA) and I that would amend the liability

exemption found in the bill to exclude “decisions made” from coverage.

I am also, in full support of an amendment offered by Representatives Schakowsky (IL), Schiff (CA), Bennie Thompson (MS), DeGette (CO), Polis (CO) and myself. This amendment would set the first point of private sector information sharing with a civilian federal government agency.

I thank the committee for your consideration of these amendments.

Thank you.