

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 3635  
OFFERED BY MR. CONNOLLY OF VIRGINIA**

Add at the end of the bill the following new section:

1 **SEC. 3. PRIVACY BREACH REQUIREMENTS.**

2 (a) INFORMATION SECURITY AMENDMENT.—Sub-  
3 chapter III of chapter 35 of title 44, United States Code,  
4 is amended by adding at the end the following:

5 **“§ 3550. Privacy breach requirements**

6 “(a) POLICIES AND PROCEDURES.—The Director of  
7 the Office of Management and Budget shall establish and  
8 oversee policies and procedures for agencies to follow in  
9 the event of a breach of information security involving the  
10 disclosure of personally identifiable information, including  
11 requirements for—

12 “(1) not later than 72 hours after the agency  
13 discovers such a breach, or discovers evidence that  
14 reasonably indicates such a breach has occurred, no-  
15 tice to the individuals whose personally identifiable  
16 information could be compromised as a result of  
17 such breach;

1           “(2) timely reporting to a Federal cybersecurity  
2           center, as designated by the Director of the Office  
3           of Management and Budget; and

4           “(3) any additional actions that the Director  
5           finds necessary and appropriate, including data  
6           breach analysis, fraud resolution services, identity  
7           theft insurance, and credit protection or monitoring  
8           services.

9           “(b) REQUIRED AGENCY ACTION.—The head of each  
10          agency shall ensure that actions taken in response to a  
11          breach of information security involving the disclosure of  
12          personally identifiable information under the authority or  
13          control of the agency comply with policies and procedures  
14          established by the Director of the Office of Management  
15          and Budget under subsection (a).

16          “(c) REPORT.—Not later than March 1 of each year,  
17          the Director of the Office of Management and Budget  
18          shall report to Congress on agency compliance with the  
19          policies and procedures established under subsection (a).

20          “(d) FEDERAL CYBERSECURITY CENTER DE-  
21          FINED.—The term ‘Federal cybersecurity center’ means  
22          any of the following:

23                  “(1) The Department of Defense Cyber Crime  
24                  Center.

1           “(2) The Intelligence Community Incident Re-  
2           sponse Center.

3           “(3) The United States Cyber Command Joint  
4           Operations Center.

5           “(4) The National Cyber Investigative Joint  
6           Task Force.

7           “(5) Central Security Service Threat Oper-  
8           ations Center of the National Security Agency.

9           “(6) The United States Computer Emergency  
10          Readiness Team.

11          “(7) Any successor to a center, team, or task  
12          force described in paragraphs (1) through (6).

13          “(8) Any center that the Director of the Office  
14          of Management and Budget determines is appro-  
15          priate to carry out the requirements of this sec-  
16          tion.”.

17          (b) TECHNICAL AND CONFORMING AMENDMENT.—

18          The table of sections for subchapter III of chapter 35 of  
19          title 44, United States Code, is amended by adding at the  
20          end the following:

“3550. Privacy breach requirements.”.

