



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

February 5, 2014

COMMITTEE ACTION

The Committee on Homeland Security met, pursuant to notice, in open markup session, a quorum being present, on Wednesday, February 5, 2014 in 311 Cannon House Office Building to consider the following measure: H.R. 3696 (Mr. McCaul) To amend the Homeland Security Act of 2002 to make certain improvements regarding cybersecurity and critical infrastructure protection, and for other purposes. The “National Cybersecurity and Critical Infrastructure Protection Act of 2013.”

The Committee took the following actions:

H.R. 3696, To amend the Homeland Security Act of 2002 to make certain improvements regarding cybersecurity and critical infrastructure protection, and for other purposes.; was ordered to be reported to the House of Representatives with a favorable recommendation, as amended, by voice vote.

The Committee agreed to H.R. 3696, as amended, by voice vote.

The following amendments were offered:

An Amendment in the Nature of a Substitute to H.R. 3696 offered by Mr. McCaul (#1); was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 3696 offered by Ms. Sanchez (#1A); Page 12, line 6, strike “and”.
Page 12, line 11, strike the period and insert “; and”.
Page 12, beginning line 12, insert a new subparagraph (F).; further discussion on the amendment was POSTPONED.

A modified version of an amendment to the Amendment in the Nature of a Substitute to H.R. 3696 offered by Ms. Sanchez (#1A); Page 12, line 6, strike “and”.
Page 12, line 11, strike the period and insert “; and”.
Page 12, beginning line 12, insert a new subparagraph (F).; was WITHDRAWN by unanimous consent.

A unanimous consent request by Ms. Sanchez that a modified version of the amendment be considered was not objected to.

A unanimous consent request by Ms. Sanchez to withdraw her amendment was not objected to.

An en bloc amendment to the Amendment in the Nature of a Substitute to H.R. 3696 offered by Mrs. Brooks (#1B); consisting of the following amendments:

An amendment:

Page 31, line 19, strike “and”.

Page 32, line 16, strike the period and insert “; and”.

Page 32, beginning line 17, insert the following: “(12) participate in exercises run by the Department’s National Exercise Program, where appropriate.;

An amendment:

Page 33, line 16, strike “and”.

Page 33, line 20, strike the period and insert “; and”.

Page 33, beginning line 21, insert the following:

“(5) assess and evaluate consequence, vulnerability, and threat information regarding cyber incidents in coordination with the Office of Emergency Communications of the Department to help facilitate continuous improvements to the security and resiliency of public safety communications networks.

An amendment:

Page 32, line 18, insert “, in coordination with the Office of Intelligence and Analysis of the Department,” before “shall maintain”;

An amendment:

Page 37, line 24, strike the close quotes and the second period.

Page 38, beginning line 1, insert a new subsection entitled “(d) Update to Cyber Incident Annex to the National Response Framework.”; was AGREED TO by voice vote.

An en bloc amendment to the Amendment in the Nature of a Substitute to H.R. 3696 offered by Ms. Jackson Lee (#1C); consisting of the following amendments:

An amendment:

Page 30, line 3, insert the following (and redesignate subsequent paragraphs accordingly):

“(5) collaborate and facilitate discussions with Sector Coordinating Councils, Information Sharing and Analysis Centers, Sector Specific Agencies, and relevant critical infrastructure sectors on the development of prioritized response efforts, if necessary, to support the defense and recovery of critical infrastructure from cyber incidents;;

An amendment:

Page 12, line 6, strike “and”.

Page 12, line 11, strike the period and insert “; and”.

Page 12, beginning line 12, insert the following:

“(F) conduct outreach to educational institutions, including historically black colleges and universities, Hispanic serving institutions, Native American

colleges, and institutions serving persons with disabilities, to encourage such institutions to promote cybersecurity awareness.;

An amendment:

Page 37, line 19, strike “and”.

Page 37, line 24, strike the close quotes and the first and second periods and insert “; and”.

Page 38, beginning line 1, insert a new paragraph (3).;

An amendment:

Page 41, beginning line 1, insert a new subsection entitled “(e) Resources Information.”;

An amendment:

Page 53, beginning line 3, insert a new section (and conform the table of contents accordingly): entitled “Sec. 206. Cybersecurity Scholars.”; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 3696 offered by Mr. Barber (#1D); Page 11, line 3, insert “using a risk-based and performance-based approach” after “Federal civilian information systems”.; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 3696 offered by Mr. Payne (#1E); Page 53, beginning line 3, insert a new section entitled “Sec. 206. National Research Council Study on the Resilience and Reliability of the Nation’s Power Grid.”; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 3696 offered by Mr. Swalwell (#1F); Page 9, line 12, insert “national laboratories,” before “critical infrastructure owners”.; was AGREED TO by voice vote.

An amendment to the Amendment in the Nature of a Substitute to H.R. 3696 offered by Mr. Swalwell (#1G); Page 49, line 18, insert “, and, unless otherwise prohibited by law, with respect to which the Secretary publishes in the Federal Register an explanation therefor,” after “determines”.; was WITHDRAWN by unanimous consent.

A unanimous consent request by Mr. Swalwell to withdraw his amendment was not objected to.

Without objection, the Chair authorized staff to make technical and conforming corrections to H.R. 3696.

A motion by Mr. Meehan that, pursuant to Rule XXII, clause 1, the Committee authorizes the Chair to offer such motions as may be necessary in the House to go to conference with the Senate on H.R. 3696, or on any similar Senate bills, was AGREED to.

A motion by Mr. Thompson that, pursuant to Rule XI clause 2(1), Members may have two days in which to file supplemental, minority, and additional views on H.R. 3696, was AGREED to.

