

**AMENDMENT TO H.R. 1560**

**OFFERED BY M\_\_\_.** \_\_\_\_\_

Page 2, beginning on line 17, strike “and the National Laboratories (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801))”.

Page 4, line 21, strike “and”.

Page 5, line 16, strike the period and insert “; and”.

Page 5, after line 16, insert the following:

1                   “(F) include procedures to promote the ef-  
2                   ficient granting of security clearances to appro-  
3                   priate representatives of non-Federal entities.

Page 7, beginning on line 17, strike “applied and limited to” and insert “operated on and the effects of which are limited to”.

Page 8, beginning on line 6, strike “is designed or deployed to” and all that follows through “initiate” and insert “destroys, renders unusable or inaccessible (in whole or in part), substantially harms, or initiates”.

Page 8, beginning on line 11, strike “belonging to” and insert “owned by”.

Page 10, after line 17, insert the following new subparagraphs:

- 1 (D) limit otherwise lawful activity;
- 2 (E) prohibit a non-Federal entity, if au-
- 3 thorized by applicable law or regulation other
- 4 than this Act, from sharing a cyber threat indi-
- 5 cator or defensive measure with the Depart-
- 6 ment of Defense or any component of the De-
- 7 partment, including the National Security
- 8 Agency; or

Page 10, line 19, strike “; or” and insert a period.

Page 10, strike line 20.

Page 11, line 12, strike “knows” and insert “reasonably believes”.

Page 11, line 20, strike “knows” and insert “reasonably believes”.

Page 12, strike line 25 and all that follows through page 13, line 15, and insert the following:

- 9 (A) LAW ENFORCEMENT USE.—A State,
- 10 tribal, or local government may use a cyber
- 11 threat indicator shared with such State, tribal,
- 12 or local government for the purposes described

1 in clauses (i), (ii), and (iii) of section  
2 4(d)(5)(A).

Page 18, line 12, strike “timely” and insert  
“prompt”.

Page 19, after line 20, insert the following new  
paragraph:

3 (3) SUBMISSION.—The Attorney General shall  
4 submit to Congress—

5 (A) not later than 90 days after the date  
6 of the enactment of this Act, interim guidelines  
7 required under paragraph (1); and

8 (B) not later than 180 days after such  
9 date, final guidelines required under such para-  
10 graph.

Page 26, strike lines 6 and 7 and insert the fol-  
lowing:

11 (2) reasonable attorney fees as determined by  
12 the court and other litigation costs reasonably in-  
13 curred in any case under this subsection in which  
14 the complainant has substantially prevailed.

Page 31, line 11, strike “Federal Government.” and  
insert “Federal Government, including—”.

Page 31, after line 11, insert the following:

1                   “(i) an assessment of all reports of of-  
2                   ficers, employees, and agents of the Fed-  
3                   eral Government misusing information pro-  
4                   vided to the Federal Government under the  
5                   Protecting Cyber Networks Act or this sec-  
6                   tion, without regard to whether the misuse  
7                   was knowing or wilful; and

8                   “(ii) an assessment of all disciplinary  
9                   actions taken against such officers, em-  
10                  ployees, and agents.

Page 31, after line 17, insert the following:

11                  “(H) An assessment of any personal infor-  
12                  mation of, or information identifying, a specific  
13                  person not directly related to a cybersecurity  
14                  threat that—

15                  “(i) was shared by a non-Federal enti-  
16                  ty with the Federal Government under this  
17                  Act in contravention of section 3(d)(2); or

18                  “(ii) was shared within the Federal  
19                  Government under this Act in contraven-  
20                  tion of the guidelines required by section  
21                  4(b).

Page 32, line 3, strike the quotation mark and the  
second period.

Page 32, after line 3, insert the following:

1           “(5) PUBLIC AVAILABILITY OF REPORTS.—The  
2           Director of National Intelligence shall make publicly  
3           available the unclassified portion of each report re-  
4           quired by paragraph (1).”.

Page 32, strike lines 17 through 20 and insert the following:

5           “(3) BIENNIAL REPORT ON CERTAIN CYBER AC-  
6           TIVITIES.—

7           “(A) REPORT REQUIRED.—The Privacy  
8           and Civil Liberties Oversight Board shall bien-  
9           nially submit to Congress and the President a  
10          report containing—

Page 32, line 21, redesignate subparagraph (A) as clause (i) and conform the margin accordingly.

Page 33, line 1, redesignate subparagraph (B) as clause (ii) and conform the margin accordingly.

Page 33, line 6, strike the quotation mark and the second period.

Page 33, after line 6, insert the following:

11           “(B) RECOMMENDATIONS.—Each report  
12           submitted under this paragraph may include

1 such recommendations as the Privacy and Civil  
2 Liberties Oversight Board may have for im-  
3 provements or modifications to the authorities  
4 under the Protecting Cyber Networks Act or  
5 the amendments made by such Act.

6 “(C) FORM.—Each report required under  
7 this paragraph shall be submitted in unclassi-  
8 fied form, but may include a classified annex.

9 “(D) PUBLIC AVAILABILITY OF RE-  
10 PORTS.—The Privacy and Civil Liberties Over-  
11 sight Board shall make publicly available the  
12 unclassified portion of each report required by  
13 subparagraph (A).”.

Page 34, line 21, redesignate paragraph (3) as sub-  
paragraph (C) and conform the margin accordingly.

Page 34, line 22, strike “subsection” and insert  
“paragraph”.

Page 34, beginning on line 23, strike “Privacy and  
Civil Liberties” and all that follows through “paragraph  
(2),” on page 35, line 2, and insert “Inspectors General  
referred to in subparagraph (A)”.

Page 35, line 5, redesignate paragraph (4) as sub-  
paragraph (D) and conform the margin accordingly.

Page 35, line 6, strike “subsection” and insert “paragraph”.

Page 35, after line 7, insert the following:

1                   (E) PUBLIC AVAILABILITY OF REPORTS.—  
2                   The Inspector General of the Department of  
3                   Homeland Security, the Inspector General of  
4                   the Intelligence Community, the Inspector Gen-  
5                   eral of the Department of Justice, and the In-  
6                   specter General of the Department of Defense  
7                   shall make publicly available the unclassified  
8                   portion of each report required under subpara-  
9                   graph (A).

Page 37, after line 9, insert the following:

10                  (d) PUBLIC AVAILABILITY OF REPORT.—The Direc-  
11                  tor of National Intelligence shall make publicly available  
12                  the unclassified portion of each report required by para-  
13                  graph (1).

Page 43, beginning on line 19, strike “protecting” and insert “protecting (including through the use of a defensive measure)”.

Page 43, line 24, strike “or using a defensive measure”.

Page 49, line 3, insert “and operationally” after  
“technologically”.

