

NEWS ALERT



U.S. HOUSE OF REPRESENTATIVES

Homeland Security Committee

Rep. Bennie G. Thompson, Ranking Member



FOR IMMEDIATE RELEASE

Statement of Ranking Member Bennie G. Thompson

Full Committee Markup of H.R. 3674 – the PRECISE Act of 2011

April 18, 2012 (Washington) – Today, Committee on Homeland Security Ranking Member Bennie G. Thompson (D-MS) delivered the following prepared remarks for the full Committee markup of H.R. 3674 – the *PRECISE Act of 2011*:

"Today, we are considering long-awaited cybersecurity legislation. At the last Full Committee mark-up, I stated the view that for this legislation to be effective, it must do three things:

- Address the growing cyber threat to critical infrastructure networks;
- Promote and enhance information-sharing between and among the private sector and the Federal government, while protecting the privacy and civil liberties of Americans using the Internet; and
- Solidify and enhance the Department of Homeland Security's role as the Federal government's lead for Federal network security and private sector cyber support.

At that mark-up, I was given assurances from Subcommittee Chairman Lungren and you, Chairman King, that those three elements would be 'intact' when we considered cyber legislation at the Full Committee.

We received this new 'Amendment-in-the-Nature-of-Substitute' at 9:57 a.m. *yesterday*.

I studied it closely to make sure that the key provisions were 'intact' but was disappointed to see that was not the case.

Unfortunately, this 'Substitute' – which was devised behind closed doors with House Republican Leadership -- bears little resemblance to the measure that the Cybersecurity Subcommittee approved in February.

While I did not think the February version of the bill was perfect, it took a number of steps in the right direction and would have measurably strengthened our Nation's cybersecurity posture.

This 'Substitute' does little to address known risks to critical infrastructure.

It replaces the value judgment of dozens of current and former top national security officials with the narrow view of the House Republican Leadership.

I do not know why I am surprised—after all, this Congress started with the Speaker directing the formation of a Republican-only committee to develop cybersecurity recommendations for the Full House.

Those involved in developing this Substitute from the House Republican leadership could surely have benefited from the briefing that House Members got yesterday.

Top Administration officials have repeatedly said that critical infrastructure networks are *not* adequately protected from the growing threats of cyber attack and the status quo is *not* acceptable.

Today, Democratic Members will be offering a number of amendments based on the February version of this bill that seek to bolster efforts at securing critical infrastructure networks and fostering greater privacy protections around information sharing.

It is my hope that, with those in the Republican Leadership that were involved in crafting this Substitute out of the room, we can work across the aisle in the interests of all our constituents.

In addition to my concerns about critical infrastructure, I am troubled that this 'Substitute' strikes language in the February version of the bill to firmly solidify DHS as the lead agency for securing Federal civilian networks.

Since 2003, DHS has been designated as the 'focal point for the security of cyberspace' in the Federal government. The watered down language in this version seems to reflect a far lesser vision for DHS' role in the future.

Mr. Chairman, we disagree on many issues, but I thought that at the end of the day, we shared the same vision for DHS' role in securing the homeland, including from cyber threats.

And if DHS is not the lead cybersecurity agency, then the question is who will be the lead?

Unfortunately, the message that this 'Substitute' sends is that *no* agency will lead the Federal government's cyber efforts. It opens the door to duplication of efforts in the extreme.

Even though this 'Substitute' authorizes the National Cybersecurity and Communications Integration Center, a move that we pushed for, it only authorizes the Center to serve as the primary entity within DHS, opening the door for more cyber information sharing centers not only across the Federal government, but within DHS itself.

A situation where many agencies are involved in an issue, but no one is ultimately responsible, harkens back to a pre-9/11 scenario.

In the wake of that tragic day, Congress moved to centralize and streamline the government's intelligence and counterterrorism efforts to eliminate the 'stovepiping' and turf wars that plagued the Intelligence Community.

It is my hope, Mr. Chairman, that we can work together on this bill, in order to solidify the Department's role in cybersecurity, and streamline our government's cyber efforts.

Such a bipartisan effort is essential, so that in the unfortunate event of a catastrophic cyber attack, which many believe is coming, we will not be left saying 'we could have acted.'"

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