

AMENDMENT NO. _____ Calendar No. _____

Purpose: To improve the protection of and the limits on the use of nonpublic information.

IN THE SENATE OF THE UNITED STATES—116th Cong., 2d Sess.

S. 3045

To amend the Homeland Security Act of 2002 to protect United States critical infrastructure by ensuring that the Cybersecurity and Infrastructure Security Agency has the legal tools it needs to notify private and public sector entities put at risk by cybersecurity vulnerabilities in the networks and systems that control critical assets of the United States.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mr. PAUL

Viz:

1 On page 7, strike line 13 and all that follows through
2 page 8, line 3, and insert the following:

3 “(i) the Agency identifies or is noti-
4 fied of a cybersecurity incident involving
5 the entity, which relates to the vulner-
6 ability which led to the issuance of the sub-
7 poena;

8 “(ii) the Director determines that
9 sharing the nonpublic information with an-

1 other Federal agency is necessary to allow
2 that Federal agency to take a law enforce-
3 ment or national security action or actions
4 related to mitigating or otherwise resolving
5 such incident;

6 “(iii) the entity to which the informa-
7 tion pertains is notified of the Director’s
8 determination, to the extent practicable
9 consistent with national security or law en-
10 forcement interests; and

11 “(iv) the entity consents, except that
12 the entity’s consent shall not be required if
13 another Federal agency identifies the enti-
14 ty to the Agency in connection with a sus-
15 pected cybersecurity incident;

16 On page 12, line 24, strike the quotation marks and
17 the second period and insert the following:

18 “(12) PROHIBITION ON USE OF INFORMATION
19 FOR UNAUTHORIZED PURPOSES.—Any information
20 obtained pursuant to a subpoena issued under this
21 subsection shall not be provided to any other Fed-
22 eral agency for any purpose other than a cybersecu-
23 rity purpose, as defined in section 102 of the Cyber-
24 security Information Sharing Act of 2015 (6 U.S.C.
25 1501).”.