

April 17, 2012

The Honorable Mike Rogers
Chairman
Permanent Select Committee on Intelligence
U.S. House of Representatives

The Honorable C.A. "Dutch" Ruppertsberger
Ranking Member
Permanent Select Committee on Intelligence
U.S. House of Representatives

Dear Chairman Rogers and Ranking Member Ruppertsberger:

As you know, TechAmerica's website was the target of a serious and sustained denial-of-service attack last week for which the Internet disruption group Anonymous has claimed credit based on our support of H.R. 3523, the Cyber Intelligence Sharing and Protection Act ("CISPA"), a bill which you both introduced and passed through the House Permanent Select Committee on Intelligence. In addition to our public statement regarding the attack on our website, we also reported the incident to the Information Technology Information Sharing and Analysis Center, to U.S.-CERT, and to law enforcement. Ironically, this type of cyberattack illustrates precisely the reason why Congress needs to expedite passage of your legislation in order to enhance information sharing among industry and government to actively defend against cyber-attacks in a timely manner.

TechAmerica supported H.R. 3523 when it was introduced, and we remain steadfast in our support of the bill and its goals. The inability to share information is one of the greatest challenges to collective efforts toward improving our cybersecurity, and we appreciate the efforts of you and your colleagues to remove those barriers in order to foster better information sharing between the government and the private sector. We also appreciate your ongoing consultation with us and other stakeholders to fine-tune the legislation to explicitly protect privacy and civil liberties while providing liability and other protections for companies that voluntarily share information for the benefit of others in cyberspace.

We are dismayed that CISPA is erroneously being compared to the Stop Online Piracy Act ("SOPA") because, as you noted, the bills are completely different. CISPA is about collaborative information sharing to further cybersecurity and to protect entities and individuals, while SOPA sought to address the unlawful distribution of intellectual property such as creative content. TechAmerica is an avid proponent for intellectual property protection, but we opposed SOPA because it took extreme measures that would hamper Internet activity and freedom of expression and even expose the Internet to greater vulnerabilities.

TechAmerica supports CISPA because it is completely voluntary and seeks to remove a significant barrier to information sharing to enable collaboration in defense against cyberattacks like the one we, and so many others, experienced. We join you in working toward improving the public discourse on this issue so that is informed and accurate.

Increasingly, well-funded cyber adversaries are targeting our government as well as the U.S. business community, threatening our national and economic security. According to the Federal Bureau of Investigation's 2011 cybercrime report, 300,000 people were victimized over the Internet to the tune of \$1.1 billion. The FBI and other federal agencies cannot fight cyber-crime on their own. The private and

public sectors need to work together to share information on the latest threats and defensive strategies. Unless there is cooperation between government and business, cyber-criminals will continue stealing money and cyber-spies will continue walking away with ideas and innovation.

Improved information sharing is one element of cybersecurity legislation that TechAmerica supports in order to bolster national cybersecurity and critical infrastructure protection. We also support updating the Federal Information Security Management Act to reflect continuous monitoring capabilities and a risk-based approach, ensuring cybersecurity research and development; greater penalties for cybercriminals; and a national approach to data breach notification that creates a national standard and pre-empts the patchwork of state laws while providing for safe harbor for those entities that take steps to protect their systems from breaches and render data unreadable, undecipherable, and unusable in order to protect individuals from harm. In January 2012, we outlined these priorities in a letter to Senate leadership, and we recently joined with over 20 other industry trade associations to share those priorities with the House leadership as well. Copies of both letters are also attached for your reference along with our recent statement commenting on the recent cyberattack of TechAmerica's website.

Thank you for your strong leadership on this important issue. We look forward to continuing to work with you and your staff as cybersecurity legislation moves forward in the House of Representatives.

Sincerely,



Shawn Osborne
President and CEO

CC: Members of the House of Representatives

Attachments:

[Denial of Service Statement](#)

[Multi-Association Letter](#)

[January 2012 Letter to Senate Leadership](#)