

## Cyber Intelligence Sharing and Protection Act of 2013

**Overview:** The Rogers-Ruppersberger cyber bill provides strong protections for privacy and civil liberties while still enabling effective cyber threat sharing and providing clear authority for the private sector to defend its own networks. The provisions in this bill reflect changes made after introduction to enhance privacy and civil liberties protections that ultimately passed the House last year by a wide bipartisan margin.

**Narrow authorities and definitions:** The bill permits only private sector identification and sharing of cybersecurity threat information when a company is engaged in the protection of its own systems or networks, or those of a corporate customer.

- The bill provides no new authorities to the government to monitor private networks.
- The bill does not require anyone to provide any information to the government; all sharing of information with the government is completely voluntary.
- The bill also makes clear that it does not allow the government to “task” private sector entities to provide information to the government or require information sharing with the government in exchange for receiving classified threat information.
- The bill explicitly permits the private sector to restrict the information it shares, including anonymizing or minimizing the data, including threat information shared with the government.
- The definition of a “protected entity” excludes individuals, preventing an internet service provider from sharing information about one of its individual customers.
- Information shared with the government under the bill is restricted to a narrow list of uses.
- The definition of “cyber threat information” was narrowed during House floor consideration in 2012 to ensure the bill’s authorities could not be misinterpreted or misused for broader purposes.

**Automated processes protect privacy:** The automated nature of cyber threat information sharing already lessens the concern that an individual’s private information is being read or mined by someone. Private sector companies protect their networks by scanning their traffic with high-speed automated systems—often without any human involvement—looking for specific digital patterns of malware and vulnerabilities. The overwhelming majority of traffic is ignored by these systems, which only alert on problems.

- The Rogers-Ruppersberger bill contains strong protections to insure that cyber threat information voluntarily shared by the private sector with the government is not mishandled or misused.

**Strong oversight from Intelligence Community Inspector General:** The bill requires the Intelligence Community's Inspector General to annually review and report on the government's handling and use of information that has been shared by the private sector under this bill.

**Responsibility for cybersecurity:** The bill is silent on which government agencies private sector entities can share information with. It permits the private sector to share information with the government agency it is most comfortable dealing with, allowing them to choose whether to build upon existing information sharing mechanisms or to create new ones. The bill does not, however, prevent the Executive Branch from directing or regulating how agencies handle and share information among themselves once it is received. The bill also does not prevent the Executive Branch or other legislation from directing any government agency to conduct management and oversight of cyber threat information sharing

- The information sharing provisions in the bill will permit existing Information Sharing and Analysis Centers (ISACs) and other industry and trade groups to become much more effective fora for sharing cyber threat information. The private sector remains free to create a single sharing point or multiple such points, including a federation of networks for information sharing. These mechanisms, created by the private sector, could provide the government a method for connecting in as just one element among many.