

AMENDMENT TO H.R. 624
OFFERED BY MR. Himes

Page 11, line 23, insert “unless such information is used in accordance with the policies and procedures established under paragraph (7)” before the colon.

Page 12, strike line 19 and all that follows through page 13, line 2, and insert the following:

1 “(7) PRIVACY AND CIVIL LIBERTIES.—
2 “(A) POLICIES AND PROCEDURES.—The
3 Director of National Intelligence, in consulta-
4 tion with the Secretary of Homeland Security
5 and the Attorney General, shall establish and
6 periodically review policies and procedures gov-
7 erning the receipt, retention, use, and disclosure
8 of non-publicly available cyber threat informa-
9 tion shared with the Federal Government in ac-
10 cordance with paragraph (1). Such policies and
11 procedures shall, consistent with the need to
12 protect systems and networks from cyber
13 threats and mitigate cyber threats in a timely
14 manner—

1 “(i) minimize the impact on privacy
2 and civil liberties;

3 “(ii) reasonably limit the receipt, re-
4 tention, use, and disclosure of cyber threat
5 information associated with specific per-
6 sons that is not necessary to protect sys-
7 tems or networks from cyber threats or
8 mitigate cyber threats in a timely manner;

9 “(iii) include requirements to safe-
10 guard non-publicly available cyber threat
11 information that may be used to identify
12 specific persons from unauthorized access
13 or acquisition;

14 “(iv) protect the confidentiality of
15 cyber threat information associated with
16 specific persons to the greatest extent
17 practicable; and

18 “(v) not delay or impede the flow of
19 cyber threat information necessary to de-
20 fend against or mitigate a cyber threat.

21 “(B) SUBMISSION TO CONGRESS.—The Di-
22 rector of National Intelligence shall, consistent
23 with the need to protect sources and methods,
24 submit to Congress the policies and procedures

1 required under subparagraph (A) and any up-
2 dates to such policies and procedures.

3 “(C) IMPLEMENTATION.—The head of
4 each department or agency of the Federal Gov-
5 ernment receiving cyber threat information
6 shared with the Federal Government under this
7 subsection shall—

8 “(i) implement the policies and proce-
9 dures established under subparagraph (A);
10 and

11 “(ii) promptly notify the Director of
12 National Intelligence, the Attorney Gen-
13 eral, and the congressional intelligence
14 committees of any significant violations of
15 such policies and procedures.

16 “(D) OVERSIGHT.—The Director of Na-
17 tional Intelligence, in consultation with the At-
18 torney General, the Secretary of Homeland Se-
19 curity, and the Secretary of Defense, shall es-
20 tablish a program to monitor and oversee com-
21 pliance with the policies and procedures estab-
22 lished under subparagraph (A).

Page 26, after line 7 insert the following new sub-
section:

1 (c) PRIVACY AND CIVIL LIBERTIES POLICIES AND
2 PROCEDURES.—Not later than 60 days after the date of
3 the enactment of this Act, the Director of National Intel-
4 ligence, in consultation with the Secretary of Homeland
5 Security and the Attorney General, shall establish the poli-
6 cies and procedures required under section 1104(c)(7)(A)
7 of the National Security Act of 1947, as added by sub-
8 section (a) of this section.

