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CONGRESSWOMAN SHEILA JACKSON LEE OF TEXAS

H.R. 3523, " The Cyberintelligence Sharing and Protection Act (CISPA)

Cybersecurity Operational Activity – Department of Homeland Security established policies related to privacy and Civil Liberties .

Amendment 11 (Jackso_ 375)

Talking Points

- My amendment would allow the Department of Homeland Security to 'acquire, intercept, retain, use, and disclose' communications and records that are transiting to or from or stored on Federal systems as a result of this bill in order to protect Federal systems for potential cyberseruirty threats.

- It makes sense that DHS should have some authority to be aware of cyber threats, it is important that there are safeguards in place to make sure that the privacy rights of Federal employees or Americans who use Federal systems are not violated.

- My amendment addresses those privacy concerns. As it would require DHS to establish policies and procedures that would minimize the impact on privacy and civil liberties. Only individuals with specific authorization would have access to any of the information acquired. DHS would disclose to private entities that the information that they share would be used for the purpose of protecting federal systems from cyber threats or for law enforcement purposes if it is determined that a crime has been committed.

- DHS should be available monitor incoming information as it relates to Federal systems. Especially as DHS would be require to inform those who voluntarily give information to DHS that it can be used for this purpose and having strict internal guidelines the intent is to discourage private entitles from giving sensitive and personal information nor require that information be deleted if, upon review, it is found to have no relevance to the cybersecurity purpose.

- These missing components make the McCaul amendment substantially different from the Administration proposal and jeopardize privacy.

- My amendment ensures that DHS would be limited on the types of information that they could monitor.

- I believe that DHS' hand must be strengthened to help protect Federal networks and that new authorities must be granted to Department to do just that while ensuring that the privacy rights afforded to all Americans will not be violated.