

of the United States performing contracts abroad with respect to members of the Armed Forces, civilian employees of the United States, and United States citizen employees of companies performing work for the United States in connection with contractor activities, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CASEY:

S. 4018. A bill to amend the Internal Revenue Code of 1986 to provide incentives for life sciences research; to the Committee on Finance.

By Mr. CASEY:

S. 4019. A bill to clarify the applicability of the Buy American Act to products purchased for the use of the legislative branch, to prohibit the application of any of the exceptions to the requirements of such Act to products bearing an official Congressional insignia, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WICKER (for himself and Mr. BARRASSO):

S. 4020. A bill to protect 10th Amendment rights by providing special standing for State government officials to challenge proposed regulations, and for other purposes; to the Committee on the Judiciary.

By Mr. CARDIN (for himself and Mr. WHITEHOUSE):

S. 4021. A bill to reduce the ability of terrorists, spies, criminals, and other malicious actors to compromise, disrupt, damage, and destroy computer networks, critical infrastructure, and key resources, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. UDALL of Colorado, and Mrs. GILLIBRAND):

S. 4022. A bill to provide for the repeal of the Department of Defense policy concerning homosexuality in the Armed Forces known as "Don't Ask, Don't Tell"; to the Committee on Armed Services.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. SHAHEEN (for herself and Mr. GRAHAM):

S. Res. 698. A resolution expressing the sense of the Senate with respect to the territorial integrity of Georgia and the situation within Georgia's internationally recognized borders; to the Committee on Foreign Relations.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 699. A resolution to authorize testimony and legal representation in City of St. Paul v. Irene Victoria Andrews, Bruce Jerome Berry, John Joseph Braun, David Eugene Luce, and Elizabeth Ann McKenzie; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 602

At the request of Mr. BROWN of Ohio, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a co-

sponsor of S. 602, a bill to direct the Secretary of Homeland Security to conduct a survey to determine the level of compliance with national voluntary consensus standards and any barriers to achieving compliance with such standards, and for other purposes.

S. 738

At the request of Ms. LANDRIEU, the name of the Senator from Florida (Mr. LEMIEUX) was added as a cosponsor of S. 738, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 1221

At the request of Mr. SPECTER, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1221, a bill to amend title XVIII of the Social Security Act to ensure more appropriate payment amounts for drugs and biologicals under part B of the Medicare Program by excluding customary prompt pay discounts extended to wholesalers from the manufacturer's average sales price.

S. 2885

At the request of Ms. LANDRIEU, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2885, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide adequate benefits for public safety officers injured or killed in the line of duty, and for other purposes.

S. 3424

At the request of Mr. DURBIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 3447

At the request of Mr. AKAKA, the names of the Senator from Colorado (Mr. UDALL) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 3447, a bill to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3739

At the request of Mr. CASEY, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 3739, a bill to amend the Safe and Drug-Free Schools and Communities Act to include bullying and harassment prevention programs.

S. 3925

At the request of Mr. BINGAMAN, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 3925, a bill to amend the Energy Policy and Conservation Act to improve the energy efficiency of, and standards applicable to, certain appli-

ances and equipment, and for other purposes.

S. RES. 694

At the request of Mr. BROWNBACK, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. Res. 694, a resolution condemning the Government of Iran for its state-sponsored persecution of religious minorities in Iran and its continued violation of the International Covenant on Human Rights.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CARDIN (for himself and Mr. WHITEHOUSE):

S. 4021. A bill to reduce the ability of terrorists, spies, criminals, and other malicious actors to compromise, disrupt, damage, and destroy computer networks, critical infrastructure, and key resources, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. CARDIN. Mr. President, the Internet has had a profound impact on the daily lives of millions of Americans by enhancing communications, commerce, education, and socialization between and among persons regardless of their location. However, computers and other devices that connect to the Internet may be used, exploited, and compromised by terrorists, criminals, spies, and other malicious actors. As a result, they pose a risk to computer networks, critical infrastructure, and key resources in the United States. Users of computers and other devices that connect to the Internet are generally unaware that these devices can be easily used, exploited and compromised by others with spam, viruses, and other malicious software and agents. Internet and cybersecurity safety has therefore become an urgent homeland security issue that needs to be addressed by internet service providers, technology companies, other entities that enable devices to connect to the Internet, and by individuals.

I have been focusing on cybersecurity issues for quite some time. More than a year ago, as chairman of the Terrorism and Homeland Security Subcommittee of the Judiciary Committee, I chaired a Subcommittee hearing titled "Cybersecurity: Preventing Terrorist Attacks and Protecting Privacy in Cyberspace." The hearing included witnesses from key Federal agencies responsible for cybersecurity, as well as representatives of the private sector. We reviewed governmental and private sector efforts to prevent a terrorist cyber attack that could cripple large sectors of our government, economy, and essential services. It was both illuminating and frightening.

The expertise that I have developed in regard to cybersecurity has convinced me that the Government and the private sector need to work together to develop and enforce minimum Internet and cybersecurity safety standards for users of computers and

other devices that connect to the Internet. In the same way that automobiles cannot and should not be sold or operated on public highways unless they meet certain minimum safety standards, minimum Internet and cybersecurity safety standards are essential for the nation's information superhighway.

As a result, today I am introducing the Internet and Cybersecurity Safety Standards Act, ICSSA. My bill will require the Secretary of Homeland Security, in consultation with the Attorney General and the Secretary of Commerce, to conduct an analysis to determine the costs and benefits of requiring internet service providers and others to develop and enforce minimum Internet and cybersecurity safety standards. The Secretary will be required to consider all relevant factors in this analysis, including the effect that the development and enforcement of minimum Internet and cybersecurity safety standards would have on homeland security, the global economy, innovation, individual liberty, and privacy. My bill will also require the Secretary of Homeland Security, the Attorney General and the Secretary of Commerce to consult with relevant stakeholders in the Government and, most importantly, the private sector, including the academic community and groups or institutions that have scientific and technical expertise related to standards for computer networks, critical infrastructure, or key resources. The private sector must be a partner in the efforts to secure the nation's information superhighway. Under my bill, the Secretary of Homeland Security will be required to report to Congress within one year with specific recommendations for minimum voluntary or mandatory Internet and cybersecurity standards for computers and other devices that connect to the Internet, so that we can prevent them from being used, exploited, and compromised by terrorists, criminals, spies, and other malicious actors.

In December of 2009, I praised the appointment of Howard Schmidt as the new White House Cybersecurity Coordinator to make sure that agencies are all working together on this critical challenge. In April of this year, I also stressed with Secretary Napolitano, at a Senate Judiciary Committee oversight hearing for the Department of Homeland Security, the need to continue to make cybersecurity a top priority. But we can and must do more. My bill will help secure our nation's digital future.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 4021

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Internet and Cybersecurity Safety Standards Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) **COMPUTERS.**—Except as otherwise specifically provided, the term "computers" means computers and other devices that connect to the Internet.

(2) **PROVIDERS.**—The term "providers" means Internet service providers, communications service providers, electronic messaging providers, electronic mail providers, and other persons who provide a service or capability to enable computers to connect to the Internet.

(3) **SECRETARY.**—Except as otherwise specifically provided, the term "Secretary" means the Secretary of Homeland Security.

#### SEC. 3. FINDINGS.

Congress finds the following:

(1) While the Internet has had a profound impact on the daily lives of the people of the United States by enhancing communications, commerce, education, and socialization between and among persons regardless of their location, computers may be used, exploited, and compromised by terrorists, criminals, spies, and other malicious actors, and, therefore, computers pose a risk to computer networks, critical infrastructure, and key resources in the United States. Indeed, users of computers are generally unaware that their computers may be used, exploited, and compromised by others with spam, viruses, and other malicious software and agents.

(2) Since computer networks, critical infrastructure, and key resources of the United States are at risk of being compromised, disrupted, damaged, or destroyed by terrorists, criminals, spies, and other malicious actors who use computers, Internet and cybersecurity safety is an urgent homeland security issue that needs to be addressed by providers, technology companies, and persons who use computers.

(3) The Government and the private sector need to work together to develop and enforce minimum Internet and cybersecurity safety standards for users of computers to prevent terrorists, criminals, spies, and other malicious actors from compromising, disrupting, damaging, or destroying the computer networks, critical infrastructure, and key resources of the United States.

#### SEC. 4. COST-BENEFIT ANALYSIS.

(a) **REQUIREMENT FOR ANALYSIS.**—The Secretary, in consultation with the Attorney General and the Secretary of Commerce, shall conduct an analysis to determine the costs and benefits of requiring providers to develop and enforce minimum Internet and cybersecurity safety standards for users of computers to prevent terrorists, criminals, spies, and other malicious actors from compromising, disrupting, damaging, or destroying computer networks, critical infrastructure, and key resources.

(b) **FACTORS.**—In conducting the analysis required by subsection (a), the Secretary shall consider all relevant factors, including the effect that the development and enforcement of minimum Internet and cybersecurity safety standards may have on homeland security, the global economy, innovation, individual liberty, and privacy.

#### SEC. 5. CONSULTATION.

In conducting the analysis required by section 4, the Secretary, in consultation with the Attorney General and the Secretary of Commerce, shall consult with relevant stakeholders in the Government and the private sector, including the academic community, groups, or other institutions, that have scientific and technical expertise related to standards for computer networks, critical infrastructure, or key resources.

#### SEC. 6. REPORT.

(a) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a final report on the results of the analysis required by section 4. Such report shall include the consensus recommendations, if any, for minimum voluntary or mandatory Internet and cybersecurity safety standards that should be developed and enforced for users of computers to prevent terrorists, criminals, spies, and other malicious actors from compromising, disrupting, damaging, or destroying computer networks, critical infrastructure, and key resources.

(b) **APPROPRIATE COMMITTEES OF CONGRESS.**—In this section, the term "appropriate committees of Congress" means—

(1) the Committee on Commerce, Science, and Transportation, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate; and

(2) the Committee on Energy and Commerce, the Committee on Homeland Security, the Committee on the Judiciary, and the Committee on Oversight and Government Reform of the House of Representatives.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 698—EXPRESSING THE SENSE OF THE SENATE WITH RESPECT TO THE TERRITORIAL INTEGRITY OF GEORGIA AND THE SITUATION WITHIN GEORGIA'S INTERNATIONALLY RECOGNIZED BORDERS

Mrs. SHAHEEN (for herself and Mr. GRAHAM) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 698

Whereas, since 1993, the territorial integrity of Georgia has been reaffirmed by the international community and 36 United Nations Security Council resolutions;

Whereas the Helsinki Final Act resulting from the Conference on Security and Cooperation in Europe in 1975 states that parties "shall regard as inviolable all one another's frontiers" and that "participating States will likewise refrain from making each other's territory the object of military occupation";

Whereas the United States-Georgia Strategic Charter, signed on January 9, 2009, underscores that "support for each other's sovereignty, independence, territorial integrity and inviolability of borders constitutes the foundation of our bilateral relations";

Whereas, in October 2010, at the meeting of the United States-Georgia Charter on Strategic Partnership, Secretary of State Clinton stated, "The United States will not waiver in its support for Georgia's sovereignty and territorial integrity";

Whereas the White House released a fact sheet on July 24, 2010, calling for "Russia to end its occupation of the Georgian territories of Abkhazia and South Ossetia" and for "a return of international observers to the two occupied regions of Georgia";

Whereas Vice President Joseph Biden stated in Tbilisi in July 2009 that the United States "will not recognize Abkhazia and South Ossetia as independent states" and went on to "urge the world not to recognize [Abkhazia and South Ossetia] as independent states";