

With regard to Federal networks, the Federal Information Security Management Act—known as FISMA—gives the Office of Management and Budget broad authority to oversee agency information security measures. In practice, however, FISMA is frequently criticized as a “paperwork exercise” that offers little real security and leads to a disjointed cyber security regime in which each Federal agency haphazardly implements its own security measures.

The bill we introduce today would transform FISMA from paper based to real-time responses. It would codify and strengthen DHS authorities to establish complete situational awareness for Federal networks and develop tools to improve resilience of Federal Government systems and networks.

The legislation also would ensure that Federal civilian agencies consider cyber risks in IT procurements instead of relying on the ad hoc approach that dominates civilian government cyber efforts. The bill would charge the Secretary of Homeland Security, working with the private sector and the heads of other affected departments and agencies, with developing a supply chain risk management strategy applicable to Federal procurements. This strategy would emphasize the security of information systems from development to acquisition and throughout their operational life cycle. The strategy would be based, to the maximum extent practicable, on standards developed by the private sector and would direct agencies to use commercial-off-the-shelf solutions to the maximum extent consistent with agency needs.

While the Cyber Center should not be responsible for micromanaging individual procurements or directing investments, we have seen far too often that security is not a primary concern when agencies procure their IT systems. Recommending security investments to OMB and providing strategic guidance on security enhancements early in the development and acquisition process will help “bake in” security. Cyber security can no longer be an afterthought in our government agencies.

These improvements in Federal acquisition policy should have beneficial ripple effects in the larger commercial market. As a large customer, the Federal Government can contract with companies to innovate and improve the security of their IT services and products. These innovations can establish new security baselines for services and products offered to the private sector and the general public without mandating specific market outcomes.

Finally, the legislation would direct the Office of Personnel Management to reform the way cyber security personnel are recruited, hired, and trained to ensure that the Federal Government and the private sector have the talent necessary to lead this national effort and protect its own networks. The bill would also provide DHS with tem-

porary hiring and pay flexibilities to assist in the establishment of the Center.

We cannot afford to wait for a “cyber 9/11” before our government finally realizes the importance of protecting our digital resources, limiting our vulnerabilities, and mitigating the consequences of penetrations to our networks.

We must be ready. It is vitally important that we build a strong public-private partnership to protect cyberspace. It is a vital engine of our economy, our government, our country and our future.

I urge Congress to support this vitally important legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 59—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ARMED SERVICES

Mr. LEVIN submitted the following resolution; from the Committee on Armed Services; which was referred to the Committee on Rules and Administration:

S. RES. 59

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Armed Services is authorized from March 1, 2011 through September 30, 2011; October 1, 2011 through September 30, 2012; and October 1, 2012 through February 28, 2013, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period March 1, 2011 through September 30, 2011 under this resolution shall not exceed \$4,749,869, of which amount—

(1) not to exceed \$75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended; and

(2) not to exceed \$30,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2011 through September 30, 2012, expenses of the committee under this resolution shall not exceed \$8,142,634, of which amount—

(1) not to exceed \$80,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended; and

(2) not to exceed \$30,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2012 through February 28, 2013, expenses of the committee under this resolution shall not exceed \$3,392,765 of which amount—

(1) not to exceed \$50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and

(2) not to exceed \$30,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2013.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2011, through September 30, 2011; October 1, 2011, through September 30, 2012; and October 1, 2012, through February 28, 2013, to be paid from the Appropriations account for “Expenses of Inquiries and Investigations.”

SENATE RESOLUTION 60—RECOGNIZING THE 50TH ANNIVERSARY OF THE DATE OF ENACTMENT OF THE LAW THAT CREATED REAL ESTATE INVESTMENT TRUSTS (REITS) AND GAVE MILLIONS OF AMERICANS NEW INVESTMENT OPPORTUNITIES THAT HELPED THEM BUILD A SOLID FOUNDATION FOR RETIREMENT AND HAS CONTRIBUTED TO THE OVERALL STRENGTH OF THE ECONOMY OF THE UNITED STATES

Mr. ISAKSON (for himself, Ms. MIKULSKI, Mr. LUGAR, Ms. COLLINS, Mr. BURR, Mr. BENNET, Mr. BLUNT, Mr. CHAMBLISS, Mr. CORKER, Mr. PRYOR, and Mr. UDALL of Colorado) submitted the following resolution; which was considered and agreed to:

S. RES. 60

Whereas, on September 14, 1960, President Dwight D. Eisenhower signed into law Public Law 86-779 (74 Stat. 998), which enabled the establishment of real estate investment trusts (referred to in this preamble as “REITs”) throughout the United States under regulations set by the Federal Government;

Whereas the enactment of this law enabled REITs to provide all investors with the same

opportunity to invest in large-scale commercial real estate that previously was open only to large financial institutions and wealthy individuals through direct investment in that real estate;

Whereas REITs have placed within the reach of the average American investor large-scale commercial real estate investment through publicly traded, regulated securities, which provide investors with transparency and liquidity;

Whereas REITs, by expanding the opportunity to invest in commercial real estate, a separate and distinct asset class important to the creation of balanced investment portfolios, have enabled millions of Americans to gain the benefits of dividend-based income, portfolio diversification, and improved overall investment performance;

Whereas REITs have helped millions of Americans successfully invest for their retirements throughout the 50 years preceding the date of agreement to this resolution; and

Whereas September 14, 2010, marked the 50th anniversary of the date of enactment of the law that created the REIT investment opportunity: Now, therefore, be it

Resolved, That the Senate recognizes the 50th anniversary of the date of enactment of the law that created real estate investment trusts (REITs) and the enhanced opportunities for investment and retirement security that have been afforded to Americans from all walks of life as a result of this landmark law.

SENATE RESOLUTION 61—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON THE JUDICIARY

Mr. LEAHY submitted the following resolution; from the Committee on the Judiciary; which was referred to the Committee on Rules and Administration:

S. RES. 61

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on the Judiciary is authorized from March 1, 2011, through September 30, 2011; October 1, 2011, through September 30, 2012; and October 1, 2012, through February 28, 2013, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period of March 1, 2011, through September 30, 2011, under this resolution shall not exceed \$6,684,239, of which amount (1) not to exceed \$200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2011, through September 30, 2012, expenses of the committee under this resolution shall not exceed \$11,458,695, of which amount (1) not to exceed \$200,000 may be expended for the procure-

ment of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2012, through February 28, 2013, expenses of the committee under this resolution shall not exceed \$4,774,457, of which amount (1) not to exceed \$200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$20,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The Committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2013, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2011, through September 30, 2011; October 1, 2011 through September 30, 2012; and October 1, 2012 through February 28, 2013, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations".

SENATE RESOLUTION 62—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. JOHNSON of South Dakota submitted the following resolution; from the Committee on Banking, Housing, and Urban Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 62

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Banking, Housing, and Urban Affairs is authorized from March 1, 2011 through September 30, 2011; October 1, 2011, through September 30, 2012, and October 1,

2012, through February 28, 2013, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2(a). The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this resolution shall not exceed \$4,304,188 of which amount (1) not to exceed \$11,667 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$700 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2011, through September 30, 2012, expenses of the committee under this resolution shall not exceed \$7,378,606 of which amount (1) not to exceed \$20,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$1,200 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period of October 1, 2012, through February 28, 2013, expenses of the committee under this resolution shall not exceed \$3,074,419 of which amount (1) not to exceed \$8,333 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$500 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2013.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2011, through September 30, 2011; October 1, 2011, through September 30, 2012; and October 1, 2012, through February 28, 2013, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations."