

□ 1823

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall 191, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "aye."

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. ROGERS of Michigan. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 248, noes 168, not voting 15, as follows:

[Roll No. 192]

AYES—248

Adams	Dicks	Kissell	Rogers (KY)	Sessions	Turner (NY)
Aderholt	Dold	Kline	Rogers (MI)	Shimkus	Turner (OH)
Alexander	Donnelly (IN)	Labrador	Rokita	Shuler	Upton
Altmine	Dreier	Lamborn	Rooney	Shuster	Walberg
Amodei	Duffy	Lance	Ros-Lehtinen	Smith (NE)	Walden
Austria	Duncan (SC)	Langevin	Ross (AR)	Smith (NJ)	Webster
Bachmann	Duncan (TN)	Lankford	Ross (FL)	Smith (TX)	West
Bachus	Ellmers	Larsen (WA)	Scalise	Smith (WA)	Westmoreland
Barletta	Fincher	Latham	Schilling	Southerland	Whitfield
Barrow	Fitzpatrick	LaTourette	Schmidt	Stearns	Wilson (SC)
Bartlett	Flake	Latta	Schock	Stivers	Wittman
Bass (NH)	Fleischmann	Lewis (CA)	Schrader	Ryan (WI)	Wolf
Benishak	Flores	Lipinski	Scott (SC)	Scalise	Womack
Berg	Forbes	LoBiondo	Scott, Austin	Schilling	Woodall
Biggert	Fortenberry	Long	Scott, David	Schmidt	Yoder
Bilbray	Foxx	Lucas	Brady (PA)	Thompson (CA)	
Bilirakis	Franks (AZ)	Luetkemeyer	Baldwin	Thompson (PA)	
Bishop (GA)	Frelenghuisen	Lummis	Barton (TX)	Thornberry	
Bishop (NY)	Gallegly	Lungren, Daniel	Bass (CA)	Tiberi	Young (AK)
Black	Garamendi	E.	Becerra	Tipton	Young (FL)
Blackburn	Gardner	McIntyre	Berkley	Towns	Young (IN)
Bonner	Garrett	Manzullo	Berman		
Bono Mack	Gerlach	Matheson	Bishop (UT)		
Boren	Gibbs	McCarthy (CA)	Bonamici		
Boswell	Gingrey (GA)	McCarthy (NY)	Brady (PA)		
Boustany	Gonzalez	McCaull	Braley (IA)		
Brady (TX)	Goodlatte	McIntyre	Brooks		
Broun (GA)	Gowdy	McKeon	Brown (FL)		
Buchanan	Granger	McKinley	Capps		
Buerkle	Graves (GA)	McMorris	Capuano		
Burgess	Graves (MO)	Rodgers	Carnahan		
Burton (IN)	Griffin (AR)	Meehan	Carson (IN)		
Butterfield	Griffith (VA)	Mica	Chu		
Calvert	Grimm	Miller (FL)	Cicilline		
Camp	Guinta	Miller (MI)	Clarke (MI)		
Campbell	Guthrie	Miller, Gary	Clarke (NY)		
Cantor	Hanabusa	McMorris	Courtney		
Capito	Hanna	Rodgers	Crowley		
Cardoza	Harper	Murphy (PA)	Cummings		
Carney	Harris	Myrick	E.		
Carter	Hartzler	Neugebauer	Davis (CA)		
Cassidy	Hastings (WA)	Noem	Engel		
Castor (FL)	Hayworth	Nugent	Dingell		
Chabot	Heck	Nunes	Doggett		
Chaffetz	Hensarling	Nunnelee	Doyle		
Chandler	Herger	Olson	DeFazio		
Clyburn	Herrera Beutler	Owens	DeGette		
Coble	Hochul	Palazzo	DeLauro		
Coffman (CO)	Huelskamp	Paulsen	Deutch		
Cole	Huizenga (MI)	Peterson	Dingell		
Conaway	Hultgren	Petri	Davis (CA)		
Connolly (VA)	Hunter	Pitts	Doyle		
Cooper	Hurt	Platts	Farenthold		
Costa	Israel	Poe (TX)	Edwards		
Cravaack	Issa	Pompeo	Farr		
Crawford	Jenkins	Price (GA)	Fattah		
Crenshaw	Johnson (OH)	Quayle	Fleming		
Critz	Johnson, Sam	Reed	Frank (MA)		
Cuellar	Jordan	Reichert	Gohmert		
Culberson	Kelly	Renacci	Green, Al		
Denham	King (IA)	Ribble	Blumenauer		
Dent	King (NY)	Rivera	Bucshon		
DesJarlais	Kingston	Roby	Canseco		
Diaz-Balart	Kinzingier (IL)	Roe (TN)	Davis (KY)		
		Rogers (AL)	Filner		

NOES—168

Ackerman	Green, Gene	Pascarella
Akin	Grijalva	Pastor (AZ)
Amash	Gutierrez	Pearce
Andrews	Hahn	Pelosi
Baca	Hall	Perlmutter
Baldwin	Hastings (FL)	Peters
Barton (TX)	Heinrich	Pingree (ME)
Bass (CA)	Higgins	Polis
Becerra	Himes	Posey
Berkley	Hinchey	Price (NC)
Berman	Hinojosa	Quigley
Bishop (UT)	Holt	Rahall
Bonamici	Honda	Rehberg
Brady (PA)	Hoyer	Reyes
Braley (IA)	Jackson (IL)	Richardson
Brown (FL)	Jackson Lee (TX)	Richmond
Capps	Johnson (GA)	Rigell
Capuano	Johnson (IL)	Rohrabacher
Carnahan	Johnson, E. B.	Rothman (NJ)
Carson (IN)	Jones	Royal-Allard
Chu	Kaptur	Rush
Cicilline	Keating	Ryan (OH)
Clarke (MI)	Kildee	Sánchez, Linda T.
Clarke (NY)	Kind	Sanchez, Loretta
Clay	Kucinich	Barbanes
Cleaver	Landry	Schakowsky
Cohen	Larson (CT)	Schiff
Conyers	Lee (CA)	Schwartz
Costello	Lewis (GA)	Swartz
Courtney	Lewis (GA)	Levin
Crowley	Loebssack	McCotter
Cummings	Lofgren, Zoe	Tsengas
E.	Lowey	Van Hollen
Davis (CA)	Matsui	Velázquez
Davis (IL)	McClinton	Thompson (MS)
DeFazio	McCollum	Tierney
DeGette	McCotter	Tonko
DeLauro	McDermott	Wasserman
Deutch	McGovern	Velázquez
Dingell	McNerny	Visclosky
Doggett	McClintock	Walsh (IL)
Doyle	McCullom	Walz (MN)
Farr	Miller (NC)	Wasserman
Fattah	Miller, George	Schultz
Fleming	Moore	Waters
Frank (MA)	Murphy (CT)	Watt
Fudge	Nadler	Waxman
Gibson	Napolitano	Welch
Gohmert	Neal	Wilson (FL)
Gosar	Olver	Woolsey
Green, Al	Pallone	Yarmuth

NOT VOTING—15

Hirono	Paul
Holden	Pence
Maloney	Rangel
Marino	Sires
McHenry	Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1831

Mr. HOYER changed his vote from "aye" to "no."

Mr. TIPTON changed his vote from "no" to aye."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall 192, I was away from the Capitol due to prior commitments to my constituents. Had I been present, I would have voted "no."

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote Nos. 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, and 192. Had I been present, I would have voted "aye" on rollcall vote Nos. 184, 185, 186, 187, 188, 189, 190, and 191. I would have voted "no" on rollcall vote Nos. 182, 183, and 192.

IDAHO WILDERNESS WATER RESOURCES PROTECTION ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 2050) to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 3523, CYBER INTELLIGENCE SHARING AND PROTECTION ACT

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 3523, the Clerk be authorized to make such technical and conforming changes as necessary to reflect the actions of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ROGERS of Michigan. Madam Speaker, I ask unanimous consent that in the engrossment of H.R. 3523, the Clerk be authorized to make the change that I have placed at the desk.

The SPEAKER pro tempore (Mrs. NOEM). The Clerk will report.

The Clerk read as follows:

Insert "deny access to or" before "degrade" in each place it appears.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

FEDERAL INFORMATION SECURITY
AMENDMENTS ACT OF 2012

Mr. ISSA. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4257) to amend chapter 35 of title 44, United States Code, to revise requirements relating to Federal information security, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4257

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 “Federal Information Security Amendments Act of 2012”.

SEC. 2. COORDINATION OF FEDERAL INFORMATION POLICY.

Chapter 35 of title 44, United States Code, is amended by striking subchapters II and III and inserting the following:

“SUBCHAPTER II—INFORMATION SECURITY

“§ 3551. Purposes

“The purposes of this subchapter are to—

“(1) provide a comprehensive framework for ensuring the effectiveness of information security controls over information resources that support Federal operations and assets;

“(2) recognize the highly networked nature of the current Federal computing environment and provide effective Governmentwide management and oversight of the related information security risks, including coordination of information security efforts throughout the civilian, national security, and law enforcement communities assets;

“(3) provide for development and maintenance of minimum controls required to protect Federal information and information systems;

“(4) provide a mechanism for improved oversight of Federal agency information security programs and systems through a focus on automated and continuous monitoring of agency information systems and regular threat assessments;

“(5) acknowledge that commercially developed information security products offer advanced, dynamic, robust, and effective information security solutions, reflecting market solutions for the protection of critical information systems important to the national defense and economic security of the Nation that are designed, built, and operated by the private sector; and

“(6) recognize that the selection of specific technical hardware and software information security solutions should be left to individual agencies from among commercially developed products.

“§ 3552. Definitions

“(a) SECTION 3502 DEFINITIONS.—Except as provided under subsection (b), the definitions under section 3502 shall apply to this subchapter.

“(b) ADDITIONAL DEFINITIONS.—In this subchapter:

“(1) ADEQUATE SECURITY.—The term ‘adequate security’ means security commensurate with the risk and magnitude of the harm resulting from the unauthorized access to or loss, misuse, destruction, or modification of information.

“(2) AUTOMATED AND CONTINUOUS MONITORING.—The term ‘automated and continuous monitoring’ means monitoring, with minimal human involvement, through an uninterrupted, ongoing real time, or near real-time process used to determine if the complete set of planned, required, and deployed security controls within an information system continue to be effective over time with rapidly changing information technology and threat development.

“(3) INCIDENT.—The term ‘incident’ means an occurrence that actually or potentially jeopardizes the confidentiality, integrity, or availability of an information system, or the information the system processes, stores, or transmits or that constitutes a violation or imminent threat of violation of security policies, security procedures, or acceptable use policies.

“(4) INFORMATION SECURITY.—The term ‘information security’ means protecting information and information systems from unauthorized access, use, disclosure, disruption, modification, or destruction in order to provide—

“(A) integrity, which means guarding against improper information modification or destruction, and includes ensuring information nonrepudiation and authenticity;

“(B) confidentiality, which means preserving authorized restrictions on access and disclosure, including means for protecting personal privacy and proprietary information; and

“(C) availability, which means ensuring timely and reliable access to and use of information.

“(5) INFORMATION SYSTEM.—The term ‘information system’ means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information and includes—

“(A) computers and computer networks;

“(B) ancillary equipment;

“(C) software, firmware, and related procedures;

“(D) services, including support services;

and

“(E) related resources.

“(6) INFORMATION TECHNOLOGY.—The term ‘information technology’ has the meaning given that term in section 1101 of title 40.

“(7) NATIONAL SECURITY SYSTEM.—

“(A) DEFINITION.—The term ‘national security system’ means any information system (including any telecommunications system) used or operated by an agency or by a contractor of an agency, or other organization on behalf of an agency—

“(i) the function, operation, or use of which—

“(I) involves intelligence activities;

“(II) involves cryptologic activities related to national security;

“(III) involves command and control of military forces;

“(IV) involves equipment that is an integral part of a weapon or weapons system; or

“(V) subject to subparagraph (B), is critical to the direct fulfillment of military or intelligence missions; or

“(ii) is protected at all times by procedures established for information that have been specifically authorized under criteria established by an Executive order or an Act of Congress to be kept classified in the interest of national defense or foreign policy.

“(B) EXCEPTION.—Subparagraph (A)(i)(V) does not include a system that is to be used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications).

“(8) THREAT ASSESSMENT.—The term ‘threat assessment’ means the formal description and evaluation of threat to an information system.

“§ 3553. Authority and functions of the Director

“(a) IN GENERAL.—The Director shall oversee agency information security policies and practices, including—

“(1) developing and overseeing the implementation of policies, principles, standards, and guidelines on information security, including through ensuring timely agency adoption of and compliance with standards promulgated under section 11331 of title 40;

“(2) requiring agencies, consistent with the standards promulgated under such section 11331 and the requirements of this subchapter, to identify and provide information security protections commensurate with the risk and magnitude of the harm resulting from the unauthorized access, use, disclosure, disruption, modification, or destruction of—

“(A) information collected or maintained by or on behalf of an agency; or

“(B) information systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency;

“(3) coordinating the development of standards and guidelines under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) with agencies and offices operating or exercising control of national security systems (including the National Security Agency) to assure, to the maximum extent feasible, that such standards and guidelines are complementary with standards and guidelines developed for national security systems;

“(4) overseeing agency compliance with the requirements of this subchapter, including through any authorized action under section 11303 of title 40, to enforce accountability for compliance with such requirements;

“(5) reviewing at least annually, and approving or disapproving, agency information security programs required under section 3554(b);

“(6) coordinating information security policies and procedures with related information resources management policies and procedures;

“(7) overseeing the operation of the Federal information security incident center required under section 3555; and

“(8) reporting to Congress no later than March 1 of each year on agency compliance with the requirements of this subchapter, including—

“(A) an assessment of the development, promulgation, and adoption of, and compliance with, standards developed under section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3) and promulgated under section 11331 of title 40;

“(B) significant deficiencies in agency information security practices;

“(C) planned remedial action to address such deficiencies; and

“(D) a summary of, and the views of the Director on, the report prepared by the National Institute of Standards and Technology under section 20(d)(10) of the National Institute of Standards and Technology Act (15 U.S.C. 278g-3).

“(b) NATIONAL SECURITY SYSTEMS.—Except for the authorities described in paragraphs (4) and (8) of subsection (a), the authorities of the Director under this section shall not apply to national security systems.