

□ 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
Aderholt	Dold	Kline
Alexander	Donnelly (IN)	Labrador
Altmire	Dreier	Lamborn
Amodel	Duffy	Lance
Austria	Duncan (SC)	Langevin
Bachmann	Duncan (TN)	Lankford
Bachus	Ellmers	Larsen (WA)
Barletta	Fincher	Latham
Barrow	Fitzpatrick	LaTourette
Bartlett	Flake	Latta
Bass (NH)	Fleischmann	Lewis (CA)
Benishkek	Flores	Lipinski
Berg	Forbes	LoBiondo
Biggert	Fortenberry	Long
Bilbray	Fox	Lucas
Billirakis	Franks (AZ)	Luetkemeyer
Bishop (GA)	Frelinghuysen	Lummis
Bishop (NY)	Gallely	Lungren, Daniel
Black	Garamendi	E.
Blackburn	Gardner	Manzullo
Bonner	Garrett	Matheson
Bono Mack	Gerlach	McCarthy (CA)
Boren	Gibbs	McCarthy (NY)
Boswell	Gingrey (GA)	McCaul
Boustany	Gonzalez	McIntyre
Brady (TX)	Goodlatte	McKeon
Broun (GA)	Gowdy	McKinley
Buchanan	Granger	McMorris
Buerkle	Graves (GA)	Rodgers
Burgess	Graves (MO)	Meehan
Burton (IN)	Griffin (AR)	Mica
Butterfield	Griffith (VA)	Miller (FL)
Calvert	Grimm	Miller (MI)
Camp	Guinta	Miller, Gary
Campbell	Guthrie	Moran
Cantor	Hanabusa	Mulvaney
Capito	Hanna	Murphy (PA)
Cardoza	Harper	Myrick
Carney	Harris	Neugebauer
Carter	Hartzler	Noem
Cassidy	Hastings (WA)	Nugent
Castor (FL)	Hayworth	Nunes
Chabot	Heck	Nunnelee
Chaffetz	Hensarling	Olson
Chandler	Herger	Owens
Clyburn	Herrera Beutler	Palazzo
Coble	Hochul	Paulsen
Coffman (CO)	Huelskamp	Peterson
Cole	Huizenga (MI)	Petri
Conaway	Hultgren	Pitts
Connolly (VA)	Hunter	Platts
Cooper	Hurt	Poe (TX)
Costa	Israel	Pompeo
Cravaack	Issa	Price (GA)
Crawford	Jenkins	Quayle
Crenshaw	Johnson (OH)	Reed
Critz	Johnson, Sam	Reichert
Cuellar	Jordan	Renacci
Culberson	Kelly	Ribble
Denham	King (IA)	Rivera
Dent	King (NY)	Roby
DesJarlais	Kingston	Roe (TN)
Diaz-Balart	Kinzing (IL)	Rogers (AL)

Rogers (KY)	Sessions	Turner (NY)
Rogers (MI)	Shimkus	Turner (OH)
Rokita	Shuler	Upton
Rooney	Shuster	Walberg
Ros-Lehtinen	Smith (NE)	Walden
Roskam	Smith (NJ)	Webster
Ross (AR)	Smith (TX)	West
Ross (FL)	Smith (WA)	Westmoreland
Royce	Southerland	Whitfield
Runyan	Stearns	Wilson (SC)
Ruppersberger	Stivers	Wittman
Ryan (WI)	Stutzman	Wolf
Scalise	Sullivan	Womack
Schilling	Terry	Woodall
Schmidt	Thompson (CA)	Yoder
Schock	Thompson (PA)	Young (AK)
Schrader	Thornberry	Young (FL)
Scott (SC)	Tiberi	Young (IN)
Scott, Austin	Tipton	
Scott, David	Towns	

NOES—168

Ackerman	Green, Gene	Pascarell
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
Brooks	Jackson Lee	Richmond
Brown (FL)	(TX)	Rigell
Capps	Johnson (GA)	Rohrabacher
Capuano	Johnson (IL)	Rothman (NJ)
Carnahan	Johnson, E. B.	Roybal-Allard
Carson (IN)	Jones	Rush
Chu	Kaptur	Ryan (OH)
Cicilline	Keating	Sanchez, Linda
Clarke (MI)	Kildee	T.
Clarke (NY)	Kind	Sanchez, Loretta
Clay	Kucinich	Sarbanes
Cleaver	Landry	Schakowsky
Cohen	Larson (CT)	Schiff
Conyers	Lee (CA)	Schwartz
Costello	Levin	Schweikert
Courtney	Lewis (GA)	Scott (VA)
Crowley	Loebbeck	Sensenbrenner
Cummings	Loftgren, Zoe	Serrano
Davis (CA)	Lowey	Sewell
Davis (IL)	Lujan	Sherman
DeFazio	Lynch	Simpson
DeGette	Mack	Speier
DeLauro	Marchant	Stark
Deutch	Markey	Sutton
Dingell	Matsui	Thompson (MS)
Doggett	McClintock	Tierney
Doyle	McCollum	Tonko
Edwards	McCotter	Tsongas
Ellison	McDermott	Van Hollen
Emerson	McGovern	Velázquez
Engel	McNerney	Visclosky
Eshoo	Meeks	Walsh (IL)
Farenthold	Michaud	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

Blumenauer	Hirono	Paul
Bucshon	Holden	Pence
Canseco	Maloney	Rangel
Davis (KY)	Marino	Sires
Filner	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 11101 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.