13. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GOODLATTE OF VIRGINIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

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AMENDMENT TO THE RULES COMMITTEE PRINT OF H.R. 3523

OFFERED BY MR. GOODLATTE

Page 14, after line 14 insert the following:

"(1) AVAILABILITY.—The term 'availability' means ensuring timely and reliable access to and use of information.

Page 15, strike lines 1 through 25 and insert the following:

"(2) CONFIDENTIALITY.—The term 'confidentiality' means preserving authorized restrictions on access and disclosure, including means for protecting personal privacy and proprietary information.

"(3) CYBER THREAT INFORMATION.—

"(A) IN GENERAL.—The term 'cyber threat information' means information directly pertaining to—

"(i) a vulnerability of a system or network of a government or private entity;

"(ii) a threat to the integrity, confidentiality, or availability of a system or network of a government or private entity

1 or any information stored on, processed on,
2 or transiting such a system or network;
3 "(iii) efforts to degrade, disrupt, or
4 destroy a system or network of a govern-
5 ment or private entity; or
6 "(iv) efforts to gain unauthorized ac-
7 cess to a system or network of a govern-
8 ment or private entity, including to gain
9 such unauthorized access for the purpose
10 of exfiltrating information stored on, proc-
11 essed on, or transiting a system or network
12 of a government or private entity.
13 "(B) EXCLUSION.— Such term does not
14 include information pertaining to efforts to gain
15 unauthorized access to a system or network of
16 a government or private entity that solely in-
17 volve violations of consumer terms of service or
18 consumer licensing agreements and do not oth-
19 erwise constitute unauthorized access.
20 "(4) CYBER THREAT INTELLIGENCE.—
21 "(A) IN GENERAL.—The term 'cyber
22 threat intelligence' means intelligence in the
23 possession of an element of the intelligence
24 community directly pertaining to—

1 "(i) a vulnerability of a system or net-
2 work of a government or private entity;
3 "(ii) a threat to the integrity, con-
4 fidentiality, or availability of a system or
5 network of a government or private entity
6 or any information stored on, processed on,
7 or transiting such a system or network;
8 "(iii) efforts to degrade, disrupt, or
9 destroy a system or network of a govern-
10 ment or private entity; or
11 "(iv) efforts to gain unauthorized ac-
12 cess to a system or network of a govern-
13 ment or private entity, including to gain
14 such unauthorized access for the purpose
15 of exfiltrating information stored on, proc-
16 essed on, or transiting a system or network
17 of a government or private entity.
18 "(B) EXCLUSION.— Such term does not
19 include intelligence pertaining to efforts to gain
20 unauthorized access to a system or network of
21 a government or private entity that solely in-
22 volve violations of consumer terms of service or
23 consumer licensing agreements and do not oth-
24 erwise constitute unauthorized access.

Page 16, strike line 5 and all that follows through page 17, line 2, and insert the following:

1 "(5) CYBERSECURITY PURPOSE.—

2 "(A) IN GENERAL.—The term
3 'cybersecurity purpose' means the purpose of
4 ensuring the integrity, confidentiality, or avail-
5 ability of, or safeguarding, a system or network,
6 including protecting a system or network
7 from—

8 "(i) a vulnerability of a system or net-
9 work;

10 "(ii) a threat to the integrity, con-
11 fidentiality, or availability of a system or
12 network or any information stored on,
13 processed on, or transiting such a system
14 or network;

15 "(iii) efforts to degrade, disrupt, or
16 destroy a system or network; or

17 "(iv) efforts to gain unauthorized ac-
18 cess to a system or network, including to
19 gain such unauthorized access for the pur-
20 pose of exfiltrating information stored on,
21 processed on, or transiting a system or
22 network.

1 "(B) EXCLUSION.— Such term does not
2 include the purpose of protecting a system or
3 network from efforts to gain unauthorized ac-
4 cess to such system or network that solely in-
5 volve violations of consumer terms of service or
6 consumer licensing agreements and do not oth-
7 erwise constitute unauthorized access.
8 "(6) CYBERSECURITY SYSTEM.—
9 "(A) IN GENERAL.—The term
10 'cybersecurity system' means a system designed
11 or employed to ensure the integrity, confiden-
12 tiality, or availability of, or safeguard, a system
13 or network, including protecting a system or
14 network from—
15 "(i) a vulnerability of a system or net-
16 work;
17 "(ii) a threat to the integrity, con-
18 fidentiality, or availability of a system or
19 network or any information stored on,
20 processed on, or transiting such a system
21 or network;
22 "(iii) efforts to degrade, disrupt, or
23 destroy a system or network; or
24 "(iv) efforts to gain unauthorized ac-
25 cess to a system or network, including to

1 gain such unauthorized access for the pur-
2 pose of exfiltrating information stored on,
3 processed on, or transiting a system or
4 network.

5 "(B) EXCLUSION.— Such term does not
6 include a system designed or employed to pro-
7 tect a system or network from efforts to gain
8 unauthorized access to such system or network
9 that solely involve violations of consumer terms
10 of service or consumer licensing agreements and
11 do not otherwise constitute unauthorized access.

Page 17, after line 2 insert the following:

12 "(7) INTEGRITY.—The term 'integrity' means
13 guarding against improper information modification
14 or destruction, including ensuring information non-
15 repudiation and authenticity.