

Mrs. BOXER. Madam President, I want to make sure I thank Senator MURKOWSKI and Senator BEGICH. When I started this, Senator BEGICH was my first cosponsor and Senator MURKOWSKI made this bipartisan.

I think the important thing was that we could have done it permanently and I just don't want that lost. We could have done it permanently, and we didn't, and that is sad. There are reasons for that. I wasn't born yesterday, as most of you can tell.

I know why it wasn't done. People are going to use this as the little engine that could to drive some other stuff behind it which is not good stuff. I want to see that we can protect our small boats, and I am going to continue to do that. I hope we will work together as we move forward in this new Senate, run by—in the case of the committee I proudly chair—Senator INHOFE, who I think will be very good on this issue; Senator THUNE, who we know is good on this issue.

So we have the pieces in place. And whatever objections there were, I don't think they are really objections to the permanency, they are political objections to try and use this to get some other bad stuff attached to it, and I am not going to let that happen, let me tell you right now, no way, no how. So whatever someone has in their mind that they are going to connect to this little baby, it isn't going to happen, because we can't do that. We can't take one good thing and destroy it. I am not going to let that happen.

Right now we have a 3-year deal put in place. We can breathe easy. If I am someone contemplating buying a small boat, this is one less worry I have. I could have had it permanently; I have it for 3 years. It is too bad, but at least I have it, and that is good.

NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER ACT OF 2014

Mrs. BOXER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 526, S. 2519.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2519) to codify an existing operations center for cybersecurity.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment, as follows:

(Insert the part printed in italic.)

S. 2519

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 “National Cybersecurity and Communications Integration Center Act of 2014”.

SEC. 2. NATIONAL CYBERSECURITY AND COMMUNICATIONS INTEGRATION CENTER.

(a) IN GENERAL.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended by adding at the end the following:

“SEC. 210G. OPERATIONS CENTER.

“(a) FUNCTIONS.—There is in the Department an operations center, which may carry out the responsibilities of the Under Secretary appointed under section 103(a)(1)(H) with respect to security and resilience, including by—

“(1) serving as a Federal civilian information sharing interface for cybersecurity;

“(2) providing shared situational awareness to enable real-time, integrated, and operational actions across the Federal Government;

“(3) sharing cybersecurity threat, vulnerability, impact, and incident information and analysis by and among Federal, State, and local government entities and private sector entities;

“(4) coordinating cybersecurity information sharing throughout the Federal Government;

“(5) conducting analysis of cybersecurity risks and incidents;

“(6) upon request, providing timely technical assistance to Federal and non-Federal entities with respect to cybersecurity threats and attribution, vulnerability mitigation, and incident response and remediation; and

“(7) providing recommendations on security and resilience measures to Federal and non-Federal entities.

“(b) COMPOSITION.—The operations center shall be composed of—

“(1) personnel or other representatives of Federal agencies, including civilian and law enforcement agencies and elements of the intelligence community, as such term is defined under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)); and

“(2) representatives from State and local governments and other non-Federal entities, including—

“(A) representatives from information sharing and analysis organizations; and

“(B) private sector owners and operators of critical information systems.

“(c) ANNUAL REPORT.—Not later than 1 year after the date of enactment of the National Cybersecurity and Communications Integration Center Act of 2014, and every year thereafter for 3 years, the Secretary shall submit to the Committee on Homeland Security and the Committee on Homeland Security of the House of Representatives a report on the operations center, which shall include—

“(1) an analysis of the performance of the operations center in carrying out the functions under subsection (a);

“(2) information on the composition of the center, including—

“(A) the number of representatives from non-Federal entities that are participating in the operations center, including the number of representatives from States, nonprofit organizations, and private sector entities, respectively; and

“(B) the number of requests from non-Federal entities to participate in the operations center and the response to such requests, including—

“(i) the average length of time to fulfill such identified requests by the Federal agency responsible for fulfilling such requests; and

“(ii) a description of any obstacles or challenges to fulfilling such requests; and

“(3) the policies and procedures established by the operations center to safeguard privacy and civil liberties.

“(d) GAO REPORT.—Not later than 1 year after the date of enactment of the National Cybersecurity and Communications Integration Center Act of 2014, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on the effectiveness of the operations center.

“(e) NO RIGHT OR BENEFIT.—The provision of assistance or information to, and inclusion in the operations center of, governmental or private entities under this section shall be at the discretion of the Under Secretary appointed under section 103(a)(1)(H). The provision of certain assistance or information to, or inclusion in the operations center of, one governmental or private entity pursuant to this section shall not create a right or benefit, substantive or procedural, to similar assistance or information for any other governmental or private entity.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101 note) is amended by inserting after the item relating to section 210F the following:

“Sec. 210G. Operations center.”.

SEC. 3. RULE OF CONSTRUCTION.

(a) DEFINITION.—In this section, the term “critical infrastructure” has the meaning given that term under section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

(b) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to grant the Secretary of Homeland Security any authority to promulgate regulations or set standards relating to the cybersecurity of private sector critical infrastructure that was not in effect on the day before the date of enactment of this Act.

Mrs. BOXER. I ask unanimous consent that the committee-reported amendment be withdrawn; the Carper substitute amendment, which is at the desk, be agreed to; the bill, as amended, be read a third time; and the Senate proceed to vote on passage of the bill, as amended.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The committee-reported amendment was withdrawn.

The amendment (No. 3999) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall it pass?

The bill (S. 2519), as amended, was passed.

Mrs. BOXER. Madam President, I ask unanimous consent that the motion to reconsider be made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROTECTING AND SECURING CHEMICAL FACILITIES FROM TERRORIST ATTACKS ACT OF 2014

Mrs. BOXER. I ask unanimous consent that the Senate proceed to the