

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3635
OFFERED BY MR. CONNOLLY OF VIRGINIA**

Add at the end of the bill the following new section:

1 SEC. 3. PRIVACY BREACH REQUIREMENTS.

2 (a) INFORMATION SECURITY AMENDMENT.—Sub-
3 chapter III of chapter 35 of title 44, United States Code,
4 is amended by adding at the end the following:

5 “§ 3550. Privacy breach requirements

6 “(a) POLICIES AND PROCEDURES.—The Director of
7 the Office of Management and Budget shall establish and
8 oversee policies and procedures for agencies to follow in
9 the event of a breach of information security involving the
10 disclosure of personally identifiable information, including
11 requirements for—

12 “(1) not later than 72 hours after the agency
13 discovers such a breach, or discovers evidence that
14 reasonably indicates such a breach has occurred, no-
15 tice to the individuals whose personally identifiable
16 information could be compromised as a result of
17 such breach;

1 “(2) timely reporting to a Federal cybersecurity
2 center, as designated by the Director of the Office
3 of Management and Budget; and

4 “(3) any additional actions that the Director
5 finds necessary and appropriate, including data
6 breach analysis, fraud resolution services, identity
7 theft insurance, and credit protection or monitoring
8 services.

9 “(b) REQUIRED AGENCY ACTION.—The head of each
10 agency shall ensure that actions taken in response to a
11 breach of information security involving the disclosure of
12 personally identifiable information under the authority or
13 control of the agency comply with policies and procedures
14 established by the Director of the Office of Management
15 and Budget under subsection (a).

16 “(c) REPORT.—Not later than March 1 of each year,
17 the Director of the Office of Management and Budget
18 shall report to Congress on agency compliance with the
19 policies and procedures established under subsection (a).

20 “(d) FEDERAL CYBERSECURITY CENTER DE-
21 FINED.—The term ‘Federal cybersecurity center’ means
22 any of the following:

23 “(1) The Department of Defense Cyber Crime
24 Center.

1 “(2) The Intelligence Community Incident Re-
2 sponse Center.

3 “(3) The United States Cyber Command Joint
4 Operations Center.

5 “(4) The National Cyber Investigative Joint
6 Task Force.

7 “(5) Central Security Service Threat Oper-
8 ations Center of the National Security Agency.

9 “(6) The United States Computer Emergency
10 Readiness Team.

11 “(7) Any successor to a center, team, or task
12 force described in paragraphs (1) through (6).

13 “(8) Any center that the Director of the Office
14 of Management and Budget determines is appro-
15 priate to carry out the requirements of this sec-
16 tion.”.

17 (b) TECHNICAL AND CONFORMING AMENDMENT.—
18 The table of sections for subchapter III of chapter 35 of
19 title 44, United States Code, is amended by adding at the
20 end the following:

“3550. Privacy breach requirements.”.

