

# Cyber Intelligence Sharing and Protection Act Set for Markup Session

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The U.S. House of Representatives Intelligence panel will mark up the Cyber Intelligence Sharing and Protection Act (CISPA) this week. Last year, CISPA met strong opposition from privacy advocates and the public due to privacy concerns. The bill is intended to give companies the ability to receive and share threat intelligence from the government to defend against cyber attacks in real time. Leaders are expected to propose changes aimed at addressing privacy concerns to avoid repeating last year's veto threat from the White House, which came one day before the bill was to go to the House floor for a vote. The White House said its rapid response to the bill was due to the fact that it lacked sufficient privacy measures to prevent companies from sharing private customer information with the government and law enforcement. CISPA is one of many bills expected to emerge in the House in the next 60 days or so as part of a package of cyber security-related measures currently making their way through both houses of Congress. Privacy groups are already mobilizing to oppose the bill in whatever form it takes. They have been raising public awareness of the consequences of allowing private companies to share users' electronic communications with the federal government. In response to these concerns, Rep. Adam Schiff (D-Calif.) plans to introduce an amendment that would remove any personally identifiable information prior to any information sharing with the government or other companies. CISPA has been highly controversial and demonstrates how difficult it will be to pass comprehensive national cyber security laws. However, the imperative and well-documented need for a centrally organized cyber security defense strategy will likely result in the passage of some form of legislation very soon. Carlton Fields is closely monitoring CISPA and all cyber security-related federal legislative initiatives making their way through congress. We are prepared to help clients plan ahead and respond to the new rules as they arrive.

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