AMENDMENT TO RULES COMM. PRINT 116–57
OFFERED BY MR. CHABOT OF OHIO

Page 837, after line 2, insert the following:

SEC. 12. DETERRENCE STRATEGY AGAINST CHINESE-ORIGIN CYBER ATTACKS.

(a) FINDINGS.—Congress finds the following:

(1) Cyber-enabled industrial espionage and the large scale cybertheft of personal information by the People’s Republic of China (“PRC”) are severely detrimental to national security, economic vitality, and technological preeminence.

(2) Such attacks are generally situated within the context of state-sponsored gray zone campaigns and not generally ultimately attributable to sub-state actors.

(3) The United States response to such espionage has not included the imposition of sufficient costs on the PRC to deter or credibly respond to such attacks.

(b) STATEMENT OF POLICY.—It is the policy of the United States to deter and respond to industrial espionage and the theft of personal information conducted against the United States or United States persons by the PRC,
PRC persons or entities, or persons or entities acting on behalf of the PRC.

(c) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a whole-of-government strategy, in unclassified and classified forms as specified in paragraphs (1) through (4), to impose costs on the PRC or appropriate PRC persons or entities in order to deter industrial espionage and the large-scale theft of personal information conducted by the PRC, PRC persons or entities, or persons or entities acting on behalf of the PRC against the United States or United States persons, that includes the following:

(1) An unclassified discussion of United States interests in preventing such cyber attacks that includes a general discussion of the impact on the United States and its economy from such attacks.

(2) An unclassified general discussion of the contexts in which and the means by which the United States will seek to deter such cyber attacks, that seeks to demonstrate the credibility of United States resolve to defend its interests in cyberspace.

(3) A classified theory of deterrence with respect to the PRC that explains—
(A) the means or combination of means, including available non-cyber responses, anticipated to achieve deterrence and the justification for such assessment; and

(B) an escalation ladder that describes the circumstances and the timeframe under which the President plans to invoke the use of such means to be effective to deter such attacks or to invoke lesser means to provide a credible response.

(4) A classified description of the roles of the Secretary of State, the Secretary of Defense, the Attorney General, the Secretary of Commerce, the Secretary of the Treasury, the Secretary of Homeland Security, the Secretary of Health and Human Services, and, as appropriate, the head of each element of the intelligence community (as such term is defined by section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) in carrying out such strategy.

(d) IMPLEMENTATION PLAN.—Not later than 30 days after the date of the submission of the strategy required by subsection (c), each Federal official listed in subsection (c)(4) shall submit to the appropriate congressional committees a classified implementation plan to de-
scribe the manner in which the respective department or agency will carry out this strategy.

(e) UPDATE.—Not later than 1 year after the date of the submission of the strategy required by subsection (c), and annually thereafter, the President shall submit to the appropriate congressional committees an unclassified assessment of the effectiveness of the strategy, an unclassified summary of the lessons learned from the past year on the effectiveness of deterrence (which may contain a classified annex), and an unclassified summary of planned changes to the strategy with a classified annex on changes to its theory of deterrence.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs, the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on the Judiciary, the Committee on Energy and Commerce, the Committee on Homeland Security, and the Committee on Financial Services of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Com-
mittee on Commerce, Science, and Transportation, the Committee on Homeland Security and Government Affairs, and the Committee on the Judiciary of the Senate.