

## HR 3482

Cyber Security Enhancement Act of 2002

**Congress:** 107 (2001–2003, Ended)

**Chamber:** House

**Policy Area:** Crime and Law Enforcement

**Introduced:** Dec 13, 2001

**Current Status:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on the Judiciary. (Jul 16, 2002)

**Official Text:** <https://www.congress.gov/bill/107th-congress/house-bill/3482>

### Sponsor

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**Name:** Rep. Smith, Lamar [R-TX-21]

**Party:** Republican • **State:** TX • **Chamber:** House

Cosponsors (25 total)

| Cosponsor                               | Party / State | Role | Date Joined  |
|-----------------------------------------|---------------|------|--------------|
| Rep. Boehlert, Sherwood [R-NY-23]       | R · NY        |      | Dec 13, 2001 |
| Rep. Brady, Kevin [R-TX-8]              | R · TX        |      | Jan 24, 2002 |
| Rep. Forbes, J. Randy [R-VA-4]          | R · VA        |      | Jan 24, 2002 |
| Rep. Goodlatte, Bob [R-VA-6]            | R · VA        |      | Jan 24, 2002 |
| Rep. Hart, Melissa A. [R-PA-4]          | R · PA        |      | Jan 24, 2002 |
| Rep. Inslee, Jay [D-WA-1]               | D · WA        |      | Jan 24, 2002 |
| Rep. English, Phil [R-PA-21]            | R · PA        |      | Jan 29, 2002 |
| Rep. Grucci, Felix J., Jr. [R-NY-1]     | R · NY        |      | Feb 7, 2002  |
| Rep. Johnson, Sam [R-TX-3]              | R · TX        |      | Feb 7, 2002  |
| Rep. Oxley, Michael G. [R-OH-4]         | R · OH        |      | Feb 7, 2002  |
| Rep. Cunningham, Randy (Duke) [R-CA-51] | R · CA        |      | Feb 13, 2002 |
| Rep. Green, Mark [R-WI-8]               | R · WI        |      | Feb 13, 2002 |
| Rep. Issa, Darrell E. [R-CA-48]         | R · CA        |      | Feb 13, 2002 |
| Rep. Weller, Jerry [R-IL-11]            | R · IL        |      | Feb 27, 2002 |
| Rep. Calvert, Ken [R-CA-43]             | R · CA        |      | Mar 12, 2002 |
| Rep. Combest, Larry [R-TX-19]           | R · TX        |      | Mar 12, 2002 |
| Rep. Gekas, George W. [R-PA-17]         | R · PA        |      | Mar 12, 2002 |
| Rep. Jackson-Lee, Sheila [D-TX-18]      | D · TX        |      | Mar 12, 2002 |
| Rep. Gallegly, Elton [R-CA-23]          | R · CA        |      | Apr 17, 2002 |
| Rep. Sessions, Pete [R-TX-5]            | R · TX        |      | Apr 17, 2002 |
| Rep. Schiff, Adam B. [D-CA-27]          | D · CA        |      | Apr 18, 2002 |
| Rep. Duncan, John J., Jr. [R-TN-2]      | R · TN        |      | Apr 24, 2002 |
| Rep. Norwood, Charles W. [R-GA-10]      | R · GA        |      | May 1, 2002  |
| Rep. Rodriguez, Ciro D. [D-TX-28]       | D · TX        |      | May 1, 2002  |
| Rep. Blunt, Roy [R-MO-7]                | R · MO        |      | May 23, 2002 |

Committee Activity

| Committee           | Chamber | Activity    | Date         |
|---------------------|---------|-------------|--------------|
| Judiciary Committee | House   | Reported by | Feb 26, 2002 |
| Judiciary Committee | Senate  | Referred To | Jul 16, 2002 |

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

No related bills are listed.

Cyber Security Enhancement Act of 2002 - **Title I: Computer Crime** - Directs the United States Sentencing Commission to review and, if appropriate, amend Federal sentencing guidelines and otherwise address crimes involving fraud in connection with computers and access to protected information, protected computers, restricted data in interstate or foreign commerce, or involving a computer used by or for the Federal Government.

Requires such guidelines to: (1) reflect the serious nature of the offenses, their growing incidence, and the need for an effective deterrent; (2) consider resulting losses, the level of sophistication involved, any financial gain, intent, and the violation or disruption of privacy rights, national security, critical infrastructure, or public health or safety; (3) assure consistency; and (4) account for mitigating circumstances.

(Sec. 101A) Requires the Commission to report to Congress on any actions taken and recommendations regarding statutory penalties.

(Secs. 102 & 103) Includes among exceptions to otherwise criminal conduct emergency disclosures to a governmental entity by an electronic communication service (which must be subsequently reported to the Attorney General and Congress) and specified disclosures made in good faith.

(Sec. 104) Directs the Attorney General to establish and maintain a National Infrastructure Protection Center to serve as a national focal point for threat assessment, warning, investigation, and response to attacks on the Nation's critical infrastructure, both physical and cyber. Authorizes appropriations for FY 2003.

(Sec. 105) Prohibits the distribution of advertisements of illegal interception devices through the Internet as well as by other, specified media.

(Sec. 106) Increases penalties for violations where the offender knowingly causes or attempts to cause death or serious bodily injury.

(Sec. 107) Expands the legal protection for a communication provider who legally assists law enforcement with an investigation under the emergency disclosure exception under the USA PATRIOT Act to include information disclosed under statutory authorization.

(Sec. 108) Adds immediate threats to national security interests and ongoing attacks on protected computers to the list of situations during which an emergency pen register and/or trap and trace device may be used.

(Sec. 109) Broadens the offense of and increases the penalties for illegally intercepting cell-phone conversations or invading the privacy of another person's stored communications. States that a law enforcement officer need not be present for a warrant to be served or executed under the Electronic Communications Privacy Act.

**Title II: Office of Science and Technology** - Establishes within the Department of Justice an Office of Science and Technology to work on law enforcement technology issues, addressing safety, effectiveness, and improved access by Federal, State, and local law enforcement agencies.

(Sec. 203) Defines "law enforcement technology" to include investigative and forensic technologies, corrections technologies, and technologies that support the judicial process.

(Sec. 204) Abolishes the Office of Science and Technology of the National Institute of Justice, transferring functions, activities, and funds to the newly formed Office.

(Sec. 205) Requires the Director of the Office to operate and support National Law Enforcement and Corrections Technology Centers.

(Sec. 206) Amends the Omnibus Crime Control and Safe Streets Act of 1968 to require the Assistant Attorney General to coordinate the activities of the various bureaus whose functions relate to technology programs.

### Actions Timeline

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- **Jul 16, 2002:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **Jul 15, 2002:** Mr. Sensenbrenner moved to suspend the rules and pass the bill, as amended.
- **Jul 15, 2002:** Considered under suspension of the rules. (consideration: CR H4580-4584)
- **Jul 15, 2002:** DEBATE - The House proceeded with forty minutes of debate on H.R. 3482.
- **Jul 15, 2002:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Jul 15, 2002:** Considered as unfinished business. (consideration: CR H4654)
- **Jul 15, 2002:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 385 - 3 (Roll no. 296).(text: CR H4580-4582)
- **Jul 15, 2002:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 385 - 3 (Roll no. 296). (text: CR H4580-4582)
- **Jul 15, 2002:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 11, 2002:** Reported (Amended) by the Committee on Judiciary. H. Rept. 107-497.
- **Jun 11, 2002:** Reported (Amended) by the Committee on Judiciary. H. Rept. 107-497.
- **Jun 11, 2002:** Placed on the Union Calendar, Calendar No. 297.
- **May 8, 2002:** Committee Consideration and Mark-up Session Held.
- **May 8, 2002:** Ordered to be Reported (Amended).
- **Feb 26, 2002:** Subcommittee Consideration and Mark-up Session Held.
- **Feb 26, 2002:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote.
- **Feb 12, 2002:** Subcommittee Hearings Held.
- **Jan 14, 2002:** Referred to the Subcommittee on Crime.
- **Dec 13, 2001:** Introduced in House
- **Dec 13, 2001:** Introduced in House
- **Dec 13, 2001:** Referred to the House Committee on the Judiciary.