

support and result in good public law. Those four areas are: information sharing, FISMA reform—which is intelligence-sharing reform—criminal penalties, as well as additional research.

What the SECURE IT bill does not do is equally important, because it does not simply add new layers of bureaucracy and regulation that will serve little purpose and achieve meager results. The Homeland Security and Governmental Affairs Committee bill would arm the Department of Homeland Security with expansive new authorities to review all sectors of our economy and designate what is termed “covered critical infrastructure” for further regulation. What we hear out there from industry is that this amounts to regulation almost for regulation’s sake. In the electricity industry’s case, this is resulting in duplicative regulation that I am afraid will lead to a “compliance first” mentality. Companies will focus on meeting their new Federal requirements and passing a seemingly endless stream of audits, but these heavy-handed statistic requirements from yet one more Federal regulator will not necessarily address the very real threats we face. So again, the concern is we will have industry focused on how do we comply, how do we avoid a bad audit, instead of using their ingenuity and their resources to ensure we stay ahead of any future cyber-attack. We need to be more nimble. We have to have a more nimble approach to dealing with cyber-related threats that are constantly growing and constantly changing. The threat we see today is not necessarily the threat we might anticipate tomorrow, so we have to stay ahead of the game. This is important, and this is where our SECURE IT bill comes in. I think we have simply taken a more pragmatic approach by focusing on the areas where we know we can find some bipartisan support.

One area I think we can all agree on is that the Federal Government needs to form a partnership with the private sector. We share the same goals, that is clear. The goals are to keep our computer systems and our Nation safe from cyber intrusions. We need the private companies to be talking with each other and with the government about the cyber problems they face as well as the potential strategies and the solutions to combat them. To achieve this goal, our legislation encourages the voluntary sharing of much needed information by removing legal barriers to its use and its disclosure. At the same time, we are very careful to safeguard the privacy and prohibit information from being used for competitive advantage.

Our bill also provides necessary updates to the Federal Information Security Management Act. This is the FISMA I spoke to a minute ago. These FISMA reforms require real-time monitoring of Federal systems. It will modernize the way the government manages and mitigates its own cyber risks. And unlike other legislation on this

subject, the cyber bill we have introduced today will update criminal statutes to account for cyber activities. Finally, we support advanced cybersecurity research by leveraging existing resources without necessarily spending new Federal dollars. That is very important for us.

This straightforward approach to cybersecurity, I think, can go a long way in tackling the problem. Clearly, our own government agencies here need to be communicating a little bit better with one another. An example of this is that the White House and Department of Homeland Security are staging an exercise next week. All Members have been invited to attend and go through this exercise. It is a mock scenario that will feature a cyber-attack on the Nation’s grid. And while I absolutely think this is a useful exercise, and something that is well worthwhile, I do find it quite surprising—quite surprising—that DHS would set up a grid attack scenario and fail to include the grid’s primary regulators. These would be the electric reliability organization—what we call NERC—and the Federal Energy Regulatory Commission, or FERC. These are the two regulatory agencies currently in place that provide for that cyber regulation. It is mandated within our grid that these agencies tend to just this issue. So it does make me question if DHS is even aware the electric industry is the only industry already subject to mandatory cyber standards, or that the NERC has the ability to issue time-sensitive alerts to electric utilities in the event of emergency situations. It is kind of hard for me to understand why DHS would proceed with a grid attack simulation and not include the existing governmental entities that already have these safeguards in place. It also begs the question as to whether Congress should provide DHS with such significant and expansive new authorities in the cyber arena.

Before I close, I wish to take a moment to talk about the process behind cybersecurity legislation. While my colleagues and I have highlighted the substantive and procedural problems that are associated with the Homeland Security and Governmental Affairs Committee bill, the majority, and even the press, have attempted to dismiss our arguments as nothing more than partisan stall tactics.

I stand before you to tell you that is simply not true. I want to take action on cyber. I know all of the ranking members who have joined together on this issue want to take action on cyber. We need to do it. I have been calling for action and for legislation since last Congress. We have been working on it in the Energy Committee and have moved out that cyber energy piece. But I do think it is important around this body that there is some meaning to the process; that process really does matter. That is how strong, bipartisan pieces of legislation are enacted. When we forego that process and

refuse to do the hard work in the committee—and it is hard. But if we don’t do that, we put ourselves on a path to failure with that legislation.

So when we have seven ranking members taking issue with how a bill has been put together, I think we had better pay attention. I think we need to look at whether our process is working.

The SECURE IT bill we introduced today is a strong starting point for us. Some may argue we need to go a little further. But additional layers of bureaucracy and regulations are not the answer at this time. Legislating in the four areas we have highlights—in the information sharing, the FISMA reform, criminal penalties, and research—these are necessary first steps that will make a tremendous amount of difference. If we need to do more in the future, we in Congress can certainly make that determination. But let’s not take an all-or-nothing approach to cyber legislation and ultimately end up empty-handed.

I ask my colleagues to take a look at what we have presented today and consider supporting the SECURE IT Act so we can continue to ensure our citizens, our companies, and our country are protected.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 385—CON-DEMNING THE GOVERNMENT OF IRAN FOR ITS CONTINUED PERSECUTION, IMPRISONMENT, AND SENTENCING OF YOUSEF NADARKHANI ON THE CHARGE OF APOSTASY

Mr. VITTER (for himself, Mr. RUBIO, Mr. HOEVEN, Mr. DEMINT, Mr. KIRK, Mr. BLUNT, and Mr. HATCH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 385

Whereas the United Nations Universal Declaration of Human Rights, adopted at Paris December 10, 1948, and the International Covenant on Civil and Political Rights, adopted at New York December 16, 1966, recognize that every individual has “the right to freedom of thought, conscience and religion”, which includes the “freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance”;

Whereas Iran is a member of the United Nations and signatory to both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;

Whereas the United Nations Special Rapporteur on the situation of human rights in Iran has reported that religious minorities, including Nematollahi Sufi Muslims, Sunnis, Baha’is, and Christians, face human rights violations in Iran;

Whereas, in recent years, there has been a significant increase in the number of incidents of authorities in Iran raiding religious services, detaining worshipers and religious leaders, and harassing and threatening members of religious minorities;

Whereas the United Nations Special Rapporteur on the situation of human rights

in Iran has reported that intelligence officials in Iran are known to threaten Christian converts with arrest and apostasy charges if they do not return to Islam;

Whereas the Department of State's most recent report on International Religious Freedom, released on September 13, 2011, states that Iran's "laws and policies severely restrict freedom of religion," and notes "government imprisonment, harassment, intimidation, and discrimination based on religious beliefs" including "death sentences for apostasy or evangelism";

Whereas, in October 2009, Youcef Nadarkhani, an Iranian Christian, protested an Iranian law that would impose Islam on his Christian children;

Whereas, in September 2010, a court in Iran accused Youcef Nadarkhani of abandoning the Islamic faith of his ancestors and condemned him to death for apostasy;

Whereas the court sentenced Youcef Nadarkhani to death by hanging;

Whereas, on December 5, 2010, Youcef Nadarkhani appealed his conviction and sentence to the Supreme Revolutionary Court in Qom, Iran, and the court held that if it could be proven that he was a practicing Muslim in adulthood, his death sentence should be carried out unless he recants his Christian faith and adopts Islam;

Whereas, from September 25 to September 28, 2011, a court in Iran held hearings to determine if Youcef Nadarkhani was a practicing Muslim in adulthood and held that he had abandoned the faith of his ancestors and must be sentenced to death if he does not recant his faith;

Whereas, on numerous occasions, the judiciary of Iran offered to commute Youcef Nadarkhani's sentence if he would recant his faith;

Whereas numerous Government of Iran officials have attempted to coerce Youcef Nadarkhani to recant his Christian faith and accept Islam in exchange for his freedom;

Whereas Youcef Nadarkhani continues to refuse to recant his faith;

Whereas the Government of Iran continues to indefinitely imprison Youcef Nadarkhani for choosing to practice Christianity; and

Whereas the United Nations Special Rapporteur on the situation of human rights in Iran has reported that, at the time of his report, on October 19, 2011, the Government of Iran had secretly executed 146 people during that calendar year, and in 2010, the Government of Iran secretly executed more than 300 people: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the Government of Iran for its ongoing and systemic violations of the human rights of the people of Iran, including the state-sponsored persecution of religious minorities in Iran, and its continued failure to uphold its international obligations, including with respect to the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;

(2) calls for the Government of Iran to exonerate and immediately and unconditionally release Youcef Nadarkhani and all other individuals held or charged on account of their religious or political beliefs;

(3) calls on the President to designate additional Iranian officials, as appropriate, for human rights abuses pursuant to section 105 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514); and

(4) reaffirms that freedom of religious belief and practice is a universal human right and a fundamental individual freedom that every government must protect and must

never abridge.

SENATE RESOLUTION 386—CALLING FOR FREE AND FAIR ELECTIONS IN IRAN, AND FOR OTHER PURPOSES

Mr. HOEVEN (for himself, Mr. BLUMENTHAL, Mr. LIEBERMAN, Mr. GRAHAM, Mr. MCCAIN, Mr. BEGICH, Mr. SESSIONS, Mr. NELSON of Nebraska, Ms. AYOTTE, Mr. COONS, Mr. MCCONNELL, Ms. MIKULSKI, Mr. CORNYN, Mr. SCHUMER, Mr. THUNE, Mrs. SHAHEEN, Mr. ALEXANDER, Mrs. GILLIBRAND, Mr. RISCH, Mr. BROWN of Ohio, Mr. CHAMBLISS, Mr. MENENDEZ, Mr. BLUNT, Mrs. MCCASKILL, Ms. COLLINS, Mr. NELSON of Florida, Mr. ISAKSON, Mr. LAUTENBERG, Mr. BARRASSO, Mr. PRYOR, Mr. COATS, Mrs. FEINSTEIN, Mr. COBURN, Mr. UDALL of Colorado, Mr. JOHNSON of Wisconsin, Mr. CASEY, Mr. CRAPO, Mr. BENNET, Mr. GRASSLEY, Mr. WYDEN, Mr. HELLER, Mrs. HUTCHISON, Mr. INHOFE, Mr. KYL, Mr. LEE, Mr. PORTMAN, Mr. TOOMEY, Mr. WICKER, Mr. SHELBY, Mr. VITTER, Mr. BURR, Mr. BOOZMAN, Mr. BROWN of Massachusetts, Ms. SNOWE, Mr. ROBERTS, Mr. COCHRAN, Mr. HATCH, Mr. MORAN, Ms. MURKOWSKI, Mr. RUBIO, Mr. JOHANNES, Mr. KOHL, Mr. DURBIN, Mr. FRANKEN, Mr. CONRAD, Ms. KLOBUCHAR, and Mr. ENZI) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 386

Whereas democracy, human rights, and civil liberties are universal values and fundamental principles of United States foreign policy;

Whereas an essential element of democratic self-government is for leaders to be chosen and regularly held accountable through elections that are organized and conducted in a manner that is free, fair, inclusive, and consistent with international standards;

Whereas governments whose power does not derive from free and fair elections lack democratic legitimacy;

Whereas the Government of the Islamic Republic of Iran is a signatory to the United Nations International Covenant on Civil and Political Rights, adopted December 16, 1966 (ICCPR), which states that every citizen has the right to vote "at genuine periodic elections" that reflect "the free expression of the will of the electors";

Whereas the Government of the Islamic Republic of Iran regularly violates its obligations under the ICCPR, holding elections that are neither free nor fair nor consistent with international standards;

Whereas elections in Iran are marred by the disqualification of candidates based on their political views; the absence of credible international observers; severe restrictions on freedom of expression, assembly, and association, including censorship, surveillance, and disruptions in telecommunications, and the absence of a free media; widespread intimidation and repression of candidates, political parties, and citizens; and systemic electoral fraud and manipulation;

Whereas the last nationwide election held in Iran, on June 12, 2009, was widely condemned inside Iran and throughout the world as neither free nor fair and provoked large-scale peaceful protests throughout Iran;

Whereas, following the June 12, 2009, election, the Government of the Islamic Repub-

lic of Iran responded to peaceful protests with a large-scale campaign of politically motivated violence, intimidation, and repression, including acts of torture, cruel and degrading treatment in detention, rape, executions, extrajudicial killings, and indefinite detention;

Whereas, on December 26, 2011, the United Nations General Assembly passed a resolution denouncing the serious human rights abuses occurring in the Islamic Republic of Iran;

Whereas authorities in Iran continue to hold several candidates from the 2009 election in indefinite detention;

Whereas authorities in Iran have announced that nationwide parliamentary elections will be held on March 2, 2012;

Whereas the Government of the Islamic Republic of Iran has banned more than 2,200 candidates from participating in the March 2, 2012, elections, including current members of parliament;

Whereas no domestic or international election observers are scheduled to oversee the March 2, 2012, elections;

Whereas the Government of the Islamic Republic of Iran continues to hold leading opposition figures under house arrest;

Whereas the Government of the Islamic Republic of Iran seeks to prevent the people of Iran from accessing news and information by incarcerating more journalists than any other country in the world, according to a 2011 report from the Committee to Protect Journalists; disrupting access to the Internet, including blocking e-mail and social networking sites and limiting access to foreign news and websites, developing a national Internet that will facilitate government censorship of news and information, and jamming international broadcasts such as the Voice of America's Persian News Network and Radio Free Europe/Radio Liberty's Radio Farda; and

Whereas opposition groups in Iran have announced they will boycott the March 2, 2012, election because they believe it will be neither free nor fair nor consistent with international standards: Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms the commitment of the United States to democracy, human rights, civil liberties, and rule of law, including the universal rights of freedom of assembly, freedom of speech, and freedom of association;

(2) expresses support for freedom, human rights, civil liberties, and rule of law in Iran, and for elections that are free, fair, and meet international standards, including granting independent international and domestic electoral observers unrestricted access to polling and counting stations;

(3) expresses strong support for the people of Iran in their peaceful calls for a representative and responsive democratic government that respects human rights, civil liberties, and the rule of law;

(4) reminds the Government of the Islamic Republic of Iran of its obligations under the international covenants to which it is a signatory to hold elections that are free and fair;

(5) condemns the Government of the Islamic Republic of Iran's widespread human rights violations;

(6) calls on the Government of the Islamic Republic of Iran to respect freedom of expression and association in Iran by—

(A) ending arbitrary detention, torture, and other forms of harassment against media professionals, human rights defenders and activists, and opposition figures, and releasing all individuals detained for exercising universally recognized human rights;

(B) lifting legislative restrictions on freedoms of assembly, association, and expression; and