

United States Senate

WASHINGTON, DC 20510-7012

November 16, 2011

The Honorable Mitch McConnell
Senate Minority Leader
317 Russell Senate Office Building
Washington, DC 20510

Dear Senator McConnell:

As we have often discussed, it is my view that one of the greatest threats to our national and economic security is the threat posed by malicious cyber actors. Such actors, through espionage and attack, are causing billions of dollars of damage to our economy and are severely compromising critical national security capabilities. Most alarmingly, in the face of this profound threat, our government lacks a sufficient legal and policy framework for protecting the nation's cyber security.

The Senate has been working on comprehensive cyber security legislation to address this gap for nearly two years now. Bipartisan, cross-committee working groups organized to negotiate legislative language in key subject areas have been underway for nearly six months.] I have gone to great lengths to try to ensure that these efforts would be conducted on a thoroughly bipartisan basis, with ample opportunity for all involved Senators to discuss their priorities and concerns. Without question, these discussions have been useful in generating thoughtful cross-committee dialogue on key policy questions; however, to date, they have not achieved the goal of producing comprehensive legislation.

Given the magnitude of the threat and the gaps in the government's ability to respond, we cannot afford to delay action on this critical legislation. For that reason, it is my intent to bring comprehensive cyber security legislation to the Senate floor for consideration during the first Senate work period next year.

It is my firm hope that the working groups will be able to achieve an agreement on legislation by then, but I believe the cyber threat to be of such urgency that we must act whether or not such agreement can be reached. Whether legislation is produced by the working groups or elsewhere, I remain committed to providing Senators, the administration, and non-governmental stakeholders an opportunity to review the legislation prior to floor consideration, and to an open debate on the floor.

I remain convinced that cyber security legislation can and should be thoroughly bipartisan, and I want to continue to work with you toward that end. I have been greatly encouraged by the efforts of our colleagues in the House, particularly the House Republican Cyber Security Task Force, which has produced legislative recommendations fully consistent

with our efforts. We must work to build upon this common understanding of the threat and the measures we must take to address it.

In the weeks ahead, I look forward to working with you to address the profound threat to our economy and national security posed by malicious cyber activity. With each day that passes without legislative action, more American secrets are stolen, more American companies lose business, and more American citizens are put at risk. The time for Senate action is now.

Sincerely,

A handwritten signature in black ink, appearing to read "Harry Reid". The signature is fluid and cursive, with a large initial "H" and "R".

HARRY REID

CC:

Senator Carl Levin, Chairman, Senate Armed Services Committee
Senator John McCain, Ranking Member, Senate Armed Services Committee
Senator Jay Rockefeller, Chairman, Senate Commerce Committee
Senator Kay Bailey Hutchison, Ranking Member, Senate Commerce Committee
Senator Jeff Bingaman, Chairman, Senate Energy and Natural Resources Committee
Senator Lisa Murkowski, Ranking Member, Senate Energy and Natural Resources Committee
Senator John Kerry, Chairman, Senate Foreign Relations Committee
Senator Richard Lugar, Ranking Member, Senate Foreign Relations Committee
Senator Joseph Lieberman, Chairman, Senate Homeland Security and Government Affairs Committee
Senator Susan Collins, Ranking Member, Senate Homeland Security and Government Affairs Committee
Senator Diane Feinstein, Chairman, Senate Select Committee on Intelligence
Senator Saxby Chambliss, Vice Chairman, Senate Select Committee on Intelligence
Senator Patrick Leahy, Chairman, Senate Judiciary Committee
Senator Charles Grassley, Ranking Member, Senate Judiciary Committee