

# Union Calendar No. 175

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5658

[Report No. 117-245]

To require the Secretary of Homeland Security to submit a report on the cybersecurity roles and responsibilities of the Federal Government, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 21, 2021

Mr. BACON (for himself, Mr. TORRES of New York, Mr. KATKO, and Mr. GARBARINO) introduced the following bill; which was referred to the Committee on Homeland Security

FEBRUARY 11, 2022

Additional sponsors: Mr. DELGADO, Ms. SPANBERGER, and Ms. SLOTKIN

FEBRUARY 11, 2022

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on October 21, 2021]

# **A BILL**

To require the Secretary of Homeland Security to submit a report on the cybersecurity roles and responsibilities of the Federal Government, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “DHS Roles and Respon-*  
5 *sibilities in Cyber Space Act”.*

6 **SEC. 2. FINDINGS.**

7 *Congress finds the following:*

8 *(1) The Department of Homeland Security,*  
9 *through the Cybersecurity and Infrastructure Security*  
10 *Agency, is the lead Federal coordinator for securing*  
11 *critical infrastructure across all 16 sectors, in coordi-*  
12 *nation with designated Sector Risk Management*  
13 *Agencies.*

14 *(2) Cyber incidents require technical resources*  
15 *and are only sometimes sector specific.*

16 *(3) The Cybersecurity and Infrastructure Secu-*  
17 *rity Agency is the central agency that can quickly*  
18 *analyze and coordinate mitigations when a malicious*  
19 *cyber campaign spans multiple sectors.*

20 *(4) Section 2209 of the Homeland Security Act*  
21 *of 2002 authorizes the Cybersecurity and Infrastruc-*  
22 *ture Security Agency as the Federal civilian interface*  
23 *for multi-directional and cross-sector sharing of infor-*  
24 *mation related to cyber threat indicators with and be-*  
25 *tween the government and the private sector.*

1           (5) *Section 2209 of the Homeland Security Act*  
2           *of 2002 authorizes the Cybersecurity and Infrastruc-*  
3           *ture Security Agency to facilitate cross-sector coordi-*  
4           *nation to address cybersecurity risks and incidents,*  
5           *including cybersecurity risks and incidents that may*  
6           *be related or could have consequential impacts across*  
7           *multiple sectors.*

8           (6) *Presidential Policy Directive-41 directs the*  
9           *Department of Homeland Security, via the national*  
10          *cybersecurity and communications integration center,*  
11          *to be the lead Federal agency for asset response dur-*  
12          *ing a significant cyber incident.*

13          (7) *The functions of the national cybersecurity*  
14          *and communications integration center are carried*  
15          *about by the Cybersecurity and Infrastructure Secu-*  
16          *rity Agency's Cybersecurity Division.*

17          (8) *Presidential Policy Directive-21 directs the*  
18          *Department of Homeland Security to lead the coordi-*  
19          *nation of critical infrastructure protection among the*  
20          *Sector Risk Management Agencies.*

21          (9) *Section 9002 of the William M. (Mac) Thorn-*  
22          *berry National Defense Authorization Act for Fiscal*  
23          *Year 2021 codified the duties of Sector Risk Manage-*  
24          *ment Agencies for critical infrastructure sectors, lay-*  
25          *ing out the roles and responsibilities they have in co-*

1        *ordinating with the Cybersecurity and Infrastructure*  
 2        *Security Agency to secure the nation’s critical infra-*  
 3        *structure.*

4                *(10) Enhancing the security and resilience of our*  
 5        *critical infrastructure is a priority for Congress and*  
 6        *for the Nation.*

7                *(11) The Department of Homeland Security*  
 8        *maintains and continues to build partnerships across*  
 9        *all infrastructure sectors to enhance control systems*  
 10        *cybersecurity.*

11                *(12) Section 1731 of the William M. (Mac)*  
 12        *Thornberry National Defense Authorization Act for*  
 13        *Fiscal Year 2021 directed the Secretary of Homeland*  
 14        *Security to submit a report on the potential for better*  
 15        *coordination of Federal cybersecurity efforts at an in-*  
 16        *tegrated cybersecurity center within the Cybersecurity*  
 17        *and Infrastructure Security Agency.*

18        **SEC. 3. REPORT ON CYBERSECURITY ROLES AND RESPON-**  
 19                        **SIBILITIES OF THE DEPARTMENT OF HOME-**  
 20                        **LAND SECURITY.**

21                *(a) IN GENERAL.—Not later than one year after the*  
 22        *date of the enactment of this Act, the Secretary of Homeland*  
 23        *Security, in coordination with the Director of the Cyberse-*  
 24        *curity and Infrastructure Security Agency of the Depart-*  
 25        *ment of Homeland Security, shall submit to the Committee*

1 *on Homeland Security of the House of Representatives and*  
2 *the Committee on Homeland Security and Governmental*  
3 *Affairs of the Senate a report on the roles and responsibil-*  
4 *ities of the Department and its components relating to cyber*  
5 *incident response.*

6 (b) *CONTENTS.—The report required under subsection*  
7 *(a) shall include the following:*

8 (1) *A review of how the cyber incident response*  
9 *plans under section 2210(c) of the Homeland Security*  
10 *Act of 2002 (6 U.S.C. 660(c)) are utilized in the Fed-*  
11 *eral Government’s response to a cyber incident.*

12 (2) *An explanation of the roles and responsibil-*  
13 *ities of the Department of Homeland Security and its*  
14 *components with responsibility for, or in support of,*  
15 *the Federal Government’s response to a cyber inci-*  
16 *dent, including primary responsibility for working*  
17 *with impacted private sector entities.*

18 (3) *An explanation of which and how authorities*  
19 *of the Department and its components are utilized in*  
20 *the Federal Government’s response to a cyber inci-*  
21 *dent.*

22 (4) *Recommendations to provide further clarity*  
23 *for roles and responsibilities of the Department and*  
24 *its components relating to cyber incident response.*



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