

117TH CONGRESS
1ST SESSION

H. R. 5658

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.

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

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 Re-
5 sponsibilities 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 Secu-

1 rity Agency, is the lead Federal coordinator for se-
2 curing critical infrastructure across all 16 sectors, in
3 coordination with designated Sector Risk Manage-
4 ment Agencies.

5 (2) Cyber incidents require technical resources
6 and are very rarely sector specific.

7 (3) The Cybersecurity and Infrastructure Secu-
8 rity Agency is the central agency that can quickly
9 analyze and coordinate mitigations when a malicious
10 cyber campaign spans multiple sectors.

11 (4) Section 2209 of the Homeland Security Act
12 of 2002 authorizes the Cybersecurity and Infrastruc-
13 ture Security Agency as the Federal civilian inter-
14 face for multi-directional and cross-sector sharing of
15 information related to cyber threat indicators with
16 and between the government and the private sector.

17 (5) Section 2209 of the Homeland Security Act
18 of 2002 authorizes the Cybersecurity and Infrastruc-
19 ture Security Agency to facilitate cross-sector coordi-
20 nation to address cybersecurity risks and incidents,
21 including cybersecurity risks and incidents that may
22 be related or could have consequential impacts
23 across multiple sectors.

24 (6) Presidential Policy Directive-41 directs the
25 Department of Homeland Security, via the national

1 cybersecurity and communications integration cen-
2 ter, to be the lead Federal agency for asset response
3 during a significant cyber incident.

4 (7) The functions of the national cybersecurity
5 and communications integration center are carried
6 about by the Cybersecurity and Infrastructure Secu-
7 rity Agency's Cybersecurity Division.

8 (8) Presidential Policy Directive-21 directs the
9 Department of Homeland Security to lead the co-
10 ordination of critical infrastructure protection
11 among the Sector Risk Management Agencies.

12 (9) Enhancing the security and resilience of our
13 critical infrastructure is a priority for Congress and
14 for the Nation.

15 (10) The Department of Homeland Security
16 maintains and continues to build partnerships across
17 all infrastructure sectors to enhance control systems
18 cybersecurity.

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

22 (a) IN GENERAL.—Not later than one year after the
23 date of the enactment of this Act, the Secretary of Home-
24 land Security, in coordination with the Director of the Cy-
25 bersecurity and Infrastructure Security Agency of the De-

1 partment of Homeland Security, shall submit to the Com-
2 mittee on Homeland Security of the House of Representa-
3 tives and the Committee on Homeland Security and Gov-
4 ernmental Affairs of the Senate a report on the roles and
5 responsibilities of the Department and its components re-
6 lating to cyber incident response.

7 (b) CONTENTS.—The report required under sub-
8 section (a) shall include the following:

9 (1) A review of how the cyber incident response
10 plans under section 2210(c) of the Homeland Secu-
11 rity Act of 2002 (6 U.S.C. 660(c)) are utilized in
12 the Federal Government’s response to a cyber inci-
13 dent.

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

20 (3) An explanation of which and how authori-
21 ties of the Department and its components are uti-
22 lized in the Federal Government’s response to a
23 cyber incident.

- 1 (4) Recommendations to provide further clarity
- 2 for roles and responsibilities of the Department and
- 3 its components relating to cyber incident response.

