

6 USCS § 665h

Current through Public Law 118-62, approved May 13, 2024.

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§ 665h. National Cyber Exercise Program

(a) Establishment of program.

(1) In general. There is established in the Agency the National Cyber Exercise Program (referred to in this section as the “Exercise Program”) to evaluate the National Cyber Incident Response Plan, and other related plans and strategies.

(2) Requirements.

(A) In general. The Exercise Program shall be—

- (i) based on current risk assessments, including credible threats, vulnerabilities, and consequences;
- (ii) designed, to the extent practicable, to simulate the partial or complete incapacitation of a government or critical infrastructure network resulting from a cyber incident;
- (iii) designed to provide for the systematic evaluation of cyber readiness and enhance operational understanding of the cyber incident response system and relevant information sharing agreements; and
- (iv) designed to promptly develop after-action reports and plans that can quickly incorporate lessons learned into future operations.

(B) Model exercise selection. The Exercise Program shall—

- (i) include a selection of model exercises that government and private entities can readily adapt for use; and
- (ii) aid such governments and private entities with the design, implementation, and evaluation of exercises that—
 - (I) conform to the requirements described in subparagraph (A);
 - (II) are consistent with any applicable national, State, local, or Tribal strategy or plan; and
 - (III) provide for systematic evaluation of readiness.

(3) Consultation. In carrying out the Exercise Program, the Director may consult with appropriate representatives from Sector Risk Management Agencies, the Office of the National Cyber Director, cybersecurity research stakeholders, and Sector Coordinating Councils.

(b) **Definitions.** In this section:

(1) State. The term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the United States Virgin Islands, Guam, American Samoa, and any other territory or possession of the United States.

(2) Private entity. The term “private entity” has the meaning given such term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

(c) **Rule of construction.** Nothing in this section shall be construed to affect the authorities or responsibilities of the Administrator of the Federal Emergency Management Agency pursuant to section 648 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 748).

History

Nov. 25, 2002, P.L. 107-296, Title XXII, Subtitle A, § 2220B, as added Dec. 27, 2021, Div A, Title XV, Subtitle C, § 1547(a), 135 Stat. 2059.

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