

117TH CONGRESS
2D SESSION

H. R. 5658

IN THE SENATE OF THE UNITED STATES

MAY 17, 2022

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “DHS Roles and Re-
3 sponsibilities in Cyber Space Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) The Department of Homeland Security,
7 through the Cybersecurity and Infrastructure Secu-
8 rity Agency, is the lead Federal coordinator for se-
9 curing critical infrastructure across all 16 sectors, in
10 coordination with designated Sector Risk Manage-
11 ment Agencies.

12 (2) Cyber incidents require technical resources
13 and are only sometimes sector specific.

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

18 (4) Section 2209 of the Homeland Security Act
19 of 2002 authorizes the Cybersecurity and Infrastruc-
20 ture Security Agency as the Federal civilian inter-
21 face for multi-directional and cross-sector sharing of
22 information related to cyber threat indicators with
23 and between the government and the private sector.

24 (5) Section 2209 of the Homeland Security Act
25 of 2002 authorizes the Cybersecurity and Infrastruc-
26 ture Security Agency to facilitate cross-sector coordi-

1 nation to address cybersecurity risks and incidents,
2 including cybersecurity risks and incidents that may
3 be related or could have consequential impacts
4 across multiple sectors.

5 (6) Presidential Policy Directive-41 directs the
6 Department of Homeland Security, via the national
7 cybersecurity and communications integration cen-
8 ter, to be the lead Federal agency for asset response
9 during a significant cyber incident.

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

14 (8) Presidential Policy Directive-21 directs the
15 Department of Homeland Security to lead the co-
16 ordination of critical infrastructure protection
17 among the Sector Risk Management Agencies.

18 (9) Section 9002 of the William M. (Mac)
19 Thornberry National Defense Authorization Act for
20 Fiscal Year 2021 codified the duties of Sector Risk
21 Management Agencies for critical infrastructure sec-
22 tors, laying out the roles and responsibilities they
23 have in coordinating with the Cybersecurity and In-
24 frastructure Security Agency to secure the nation's
25 critical infrastructure.

1 (10) Enhancing the security and resilience of
2 our critical infrastructure is a priority for Congress
3 and for the Nation.

4 (11) The Department of Homeland Security
5 maintains and continues to build partnerships across
6 all infrastructure sectors to enhance control systems
7 cybersecurity.

8 (12) Section 1731 of the William M. (Mac)
9 Thornberry National Defense Authorization Act for
10 Fiscal Year 2021 directed the Secretary of Home-
11 land Security to submit a report on the potential for
12 better coordination of Federal cybersecurity efforts
13 at an integrated cybersecurity center within the Cy-
14 bersecurity and Infrastructure Security Agency.

15 **SEC. 3. REPORT ON CYBERSECURITY ROLES AND RESPON-**
16 **SIBILITIES OF THE DEPARTMENT OF HOME-**
17 **LAND SECURITY.**

18 (a) IN GENERAL.—Not later than one year after the
19 date of the enactment of this Act, the Secretary of Home-
20 land Security, in coordination with the Director of the Cy-
21 bersecurity and Infrastructure Security Agency of the De-
22 partment of Homeland Security, shall submit to the Com-
23 mittee on Homeland Security of the House of Representa-
24 tives and the Committee on Homeland Security and Gov-
25 ernmental Affairs of the Senate a report on the roles and

1 responsibilities of the Department and its components re-
2 lating to cyber incident response.

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

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

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

16 (3) An explanation of which and how authori-
17 ties of the Department and its components are uti-
18 lized in the Federal Government’s response to a
19 cyber incident.

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

Passed the House of Representatives May 16, 2022.

Attest: **CHERYL L. JOHNSON,**
Clerk.