

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 1735
OFFERED BY MR. LANGEVIN OF RHODE ISLAND**

At the end of subtitle C of title XVI, add the following (and conform the table of contents accordingly):

1 SEC. 1642. NATIONAL OFFICE FOR CYBERSPACE.

2 (a) COORDINATION OF FEDERAL INFORMATION POL-
3 ICY.—Subchapter II of chapter 35 of title 44, United
4 States Code, is amended—

5 (1) in section 3552(b), by adding at the end the
6 following new paragraphs:

7 “(8) The term ‘Director’ means the Director of
8 the National Office for Cyberspace.

9 “(9) The term ‘information infrastructure’
10 means the underlying framework that information
11 systems and assets rely on in processing, storing, or
12 transmitting information electronically.”;

13 (2) in section 3553—

14 (A) in subsection(a)—

15 (i) in paragraph (5), by striking “;
16 and” and inserting a semicolon;

1 (ii) in paragraph (6), by striking the
2 period at the end and inserting a semi-
3 colon; and

4 (iii) by inserting after paragraph (6)
5 the following new paragraphs:

6 “(7) reviewing at least annually, and approving
7 or disapproving, agency information security pro-
8 grams required under section 3554(b);

9 “(8) coordinating the defense of information in-
10 frastructure operated by agencies in the case of a
11 large-scale attack on information infrastructure, as
12 determined by the Director;

13 “(9) coordinating information security training
14 for Federal employees with the Office of Personnel
15 Management;

16 “(10) ensuring the adequacy of protections for
17 privacy and civil liberties in carrying out the respon-
18 sibilities of the Director under this subchapter;

19 “(11) making recommendations that the Direc-
20 tor determines are necessary to ensure risk-based se-
21 curity of the Federal information infrastructure and
22 information infrastructure that is owned, operated,
23 controlled, or licensed for use by, or on behalf of, the
24 Department of Defense, a military department, or
25 another element of the intelligence community to—

1 “(A) the Director of the Office of Manage-
2 ment and Budget;

3 “(B) the head of an agency; or

4 “(C) to Congress with regard to the re-
5 programming of funds;

6 “(12) ensuring, in consultation with the Admin-
7 istrator of the Office of Information and Regulatory
8 Affairs, that the efforts of agencies relating to the
9 development of regulations, rules, requirements, or
10 other actions applicable to the national information
11 infrastructure are complementary;

12 “(13) when directed by the President, carrying
13 out the responsibilities for national security and
14 emergency preparedness communications described
15 in section 706 of the Communications Act of 1934
16 (47 U.S.C. 606) to ensure integration and coordina-
17 tion; and

18 “(14) as assigned by the President, other duties
19 relating to the security and resiliency of cyber-
20 space.”;

21 (3) by adding at the end of section 3554, the
22 following new subsection:

23 “(f) BUDGET ASSESSMENT AND REPORTING.—

24 “(1) AGENCY SUBMISSION.—The head of each
25 agency shall submit to the Director a budget each

1 year for the following fiscal year relating to the pro-
2 tection of information infrastructure for such agen-
3 cy, by a date determined by the Director that is be-
4 fore July 1 of each year. Such budget shall in-
5 clude—

6 “(A) a review of any threats to information
7 technology for such agency;

8 “(B) a plan to secure the information in-
9 frastructure for such agency based on threats
10 to information technology, using the National
11 Institute of Standards and Technology guide-
12 lines and recommendations;

13 “(C) a review of compliance by such agen-
14 cy with any previous year plan described in sub-
15 paragraph (B); and

16 “(D) a report on the development of the
17 credentialing process to enable secure authen-
18 tication of identity and authorization for access
19 to the information infrastructure of such agen-
20 cy.

21 “(2) ASSESSMENT AND CERTIFICATION.—The
22 Director shall assess and certify the adequacy of
23 each budget submitted under paragraph (1).

24 “(3) AGENCY RECOMMENDATIONS.—Not later
25 than July 1 of each year, the Director shall submit

1 to the head of each agency budget recommendations,
2 including requests for specific initiatives that are
3 consistent with the priorities of the President relat-
4 ing to the protection of information infrastructure.
5 Such budget recommendations shall—

6 “(A) apply to the next budget year sched-
7 uled for formulation under chapter 11 of title
8 31, and each of the 4 subsequent fiscal years;
9 and

10 “(B) address funding priorities developed
11 in the National Office for Cyberspace.

12 “(4) RECOMMENDATIONS TO THE PRESI-
13 DENT.—The Director shall make recommendations
14 to the President that the Director determines are
15 appropriate regarding changes in the organization,
16 management, and budget of each agency relating to
17 the protection of information infrastructure in each
18 such agency, and changes in the allocation of per-
19 sonnel to and within such agency, including mone-
20 tary penalties or incentives necessary to encourage
21 and maintain accountability of any agency, or senior
22 agency official, for efforts to secure the information
23 infrastructure of such agency.”; and

24 (4) by adding at the end the following new sec-
25 tion:

1 **“§ 3559. National Office for Cyberspace**

2 “(a) ESTABLISHMENT.—There is established within
3 the Executive Office of the President an office to be known
4 as the National Office for Cyberspace.

5 “(b) DIRECTOR.—

6 “(1) IN GENERAL.—There shall be at the head
7 of the National Office for Cyberspace a Director,
8 who shall be appointed by the President by and with
9 the advice and consent of the Senate. The Director
10 of the National Office for Cyberspace shall admin-
11 ister all functions designated to such Director under
12 section 3553 and collaborate to the extent prac-
13 ticable with the heads of appropriate agencies, the
14 private sector, and international partners. The Of-
15 fice shall serve as the principal office for coordi-
16 nating issues relating to cyberspace, including
17 achieving an assured, reliable, secure, and survivable
18 information infrastructure and related capabilities
19 for the Federal Government, while promoting na-
20 tional economic interests, security, and civil liberties.

21 “(2) BASIC PAY.—The Director of the National
22 Office for Cyberspace shall be paid at the rate of
23 basic pay for level III of the Executive Schedule.

24 “(c) STAFF.—The Director of the National Office for
25 Cyberspace may appoint and fix the pay of additional per-
26 sonnel as the Director considers appropriate.

1 “(d) EXPERTS AND CONSULTANTS.—The Director of
2 the National Office for Cyberspace may procure temporary
3 and intermittent services under section 3109(b) of title
4 5.”.

5 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
6 The table of sections for subchapter II of chapter 35 of
7 title 44, United States Code, is amended by adding at the
8 end the following:

 “3559. National Office for Cyberspace.”.

9 (c) NATIONAL STRATEGY REQUIRED.—Not later
10 than one year after the date of the enactment of this Act,
11 the Director of the National Office for Cyberspace shall
12 establish a national strategy for improving agency infor-
13 mation security.

14 (d) EFFECTIVE DATE.—This section, and the amend-
15 ments made by this section, shall take effect 180 days
16 after the date of the enactment of this Act.

