

AMENDMENT TO
RULES COMMITTEE PRINT 119–8
OFFERED BY MRS. BIGGS OF SOUTH CAROLINA

At the end of subtitle B of title V, insert the following new section:

1 SEC. 5____. STUDY AND REPORT ON NATIONAL GUARD CA-
2 PABILITIES IN CYBER INCIDENT RESPONSE.

3 (a) STUDY REQUIRED.—The Secretary of Defense, in
4 consultation with the Chief of the National Guard Bureau,
5 the Secretary of Homeland Security, and the heads of
6 other relevant federal agencies, shall conduct a com-
7 prehensive study to evaluate the capabilities and authori-
8 ties of the National Guard in responding to cyber incidents
9 affecting national security.

10 (b) ELEMENTS OF STUDY.—The study required
11 under subsection (a) shall include the following:

12 (1) An assessment of the current roles and re-
13 sponsibilities of the National Guard in cyber incident
14 response, including—

15 (A) engagements under Federal authority,
16 such as those pursuant to title 10, United
17 States Code; and

1 (B) deployments under State authority,
2 initiated by Governors pursuant to title 32,
3 United States Code, or State law.

4 (2) An analysis of existing legal authorities gov-
5 erning the National Guard's participation in cyber
6 incident response, including any limitations or gaps
7 in such authorities.

8 (3) An evaluation of resource allocation for Na-
9 tional Guard cyber response capabilities, including
10 personnel, equipment, and funding.

11 (4) An assessment of training programs and
12 needs for National Guard personnel to effectively re-
13 spond to cyber incidents, including joint training
14 with Federal agencies and private sector entities.

15 (5) A review of coordination mechanisms be-
16 tween the National Guard, Federal agencies (includ-
17 ing the Department of Defense, the Department of
18 Homeland Security, and the Cybersecurity and In-
19 frastructure Security Agency), State governments,
20 and private sector partners involved in cyber inci-
21 dent response.

22 (6) Identification of challenges or barriers to
23 enhancing the National Guard's role in cyber inci-
24 dent response and recommendations to address such
25 challenges.

1 (c) REPORT TO CONGRESS.—

2 (1) IN GENERAL.—Not later than 180 days
3 after the date of the enactment of this Act, the Sec-
4 retary of Defense shall submit to the congressional
5 defense committees the study required under sub-
6 section (a).

7 (2) FORM.—The report shall be submitted in
8 unclassified form but may include a classified annex
9 if necessary.

