

AMENDMENT TO RULES COMM. PRINT 116-57
OFFERED BY MR. LANGEVIN OF RHODE ISLAND

Add at the end of subtitle E of title XVII the following:

1 SEC. 17 ____ . SECTOR RISK MANAGEMENT AGENCIES.

2 (a) DEFINITIONS.—In this Act:

3 (1) APPROPRIATE CONGRESSIONAL COMMIT-
4 TEES.—The term “appropriate congressional com-
5 mittees” means the Committee on Homeland Secu-
6 rity and the Committee on Armed Services in the
7 House of Representatives and the Committee on
8 Homeland Security and Governmental Affairs and
9 Committee on Armed Services in the Senate.

10 (2) CRITICAL INFRASTRUCTURE.—The term
11 “critical infrastructure” has the meaning given that
12 term in section 2(4) of the Homeland Security Act
13 of 2002.

14 (3) DEPARTMENT.—The term “Department”
15 means the Department of Homeland Security.

16 (4) DIRECTOR.—The term “Director” means
17 the Director of the Cybersecurity and Infrastructure
18 Security Agency of the Department.

1 (5) INFORMATION SHARING AND ANALYSIS OR-
2 GANIZATION.—The term “information sharing and
3 analysis organization” has the meaning given that
4 term in section 2222(5) of the Homeland Security
5 Act of 2002.

6 (6) SECRETARY.—The term “Secretary” means
7 the Secretary of Homeland Security.

8 (7) SECTOR RISK MANAGEMENT AGENCY.—The
9 term “sector risk management agency” has the
10 meaning given that term in section 2201(5) of the
11 Homeland Security Act of 2002.

12 (b) CRITICAL INFRASTRUCTURE SECTOR DESIGNA-
13 TION.—

14 (1) INITIAL REVIEW.—Not later than 180 days
15 after the date of the enactment of this Act, the Sec-
16 retary shall review the current framework for secur-
17 ing critical infrastructure, as described in section
18 2202(c)(4) of the Homeland Security Act and Presi-
19 dential Policy Directive 21, and submit a report to
20 the President containing recommendations for—

21 (A) any revisions to the current framework
22 for securing critical infrastructure;

23 (B) any revisions to the list of critical in-
24 frastructure sectors set forth in Presidential

1 Policy Directive 21 or previously designated
2 subsectors; and

3 (C) any revisions to the list of designated
4 Federal departments or agencies that serve as
5 the Sector Risk Management Agency for a sec-
6 tor or subsector, necessary to comply with para-
7 graph (3)(B).

8 (2) PERIODIC EVALUATION BY THE SEC-
9 RETARY.—At least once every five years, the Sec-
10 retary, in consultation with the Director, shall—

11 (A) evaluate the current list of critical in-
12 frastructure sectors and subsectors and the ap-
13 propriateness of Sector Risk Management
14 Agency designations, as set forth in Presi-
15 dential Policy Directive 21, or any successor
16 document or policy; and

17 (B) recommend to the President—

18 (i) any revisions to the list of critical
19 infrastructure sectors or subsectors; and

20 (ii) any revisions to the designation of
21 any Federal department or agency des-
22 ignated as the Sector Risk Management
23 Agency for a sector or subsector.

24 (3) REVIEW AND REVISION BY THE PRESI-
25 DENT.—

1 (A) IN GENERAL.—Not later than 180
2 days after a recommendation by the Secretary
3 pursuant to paragraph (2), the President
4 shall—

5 (i) review the recommendation and re-
6 vise, as appropriate, the designation of a
7 critical infrastructure sector or subsector
8 or the designation of a Sector Risk Man-
9 agement Agency; or

10 (ii) submit a report to appropriate
11 congressional committees, and the Majority
12 and Minority Leaders of the Senate and
13 the Speaker and Minority Leader of the
14 House of Representatives, explaining the
15 basis for rejecting the recommendations of
16 the Secretary.

17 (B) LIMITATION.—The President may only
18 designate an agency under this subsection if the
19 agency is referenced in section 205 of the Chief
20 Financial Officers Act of 1990 (42 U.S.C. 901).

21 (4) PUBLICATION.—Any designation of critical
22 infrastructure sectors shall be published in the Fed-
23 eral Register.

24 (c) SECTOR RISK MANAGEMENT AGENCIES.—

1 (1) REFERENCES.—Any reference to a sector-
2 specific agency in any law, regulation, map, docu-
3 ment, record, or other paper of the United States
4 shall be deemed to be a reference to the Sector Risk
5 Management Agency of the relevant critical infra-
6 structure sector.

7 (2) SECTOR RISK MANAGEMENT AGENCY.—Sub-
8 title A of title XXII of the Homeland Security Act
9 of 2002 is amended by adding at the end the fol-
10 lowing new section:

11 **“SEC. 2215. SECTOR RISK MANAGEMENT AGENCIES.**

12 “(a) IN GENERAL.—Each Sector Risk Management
13 Agency, as designated by law or presidential directive,
14 shall—

15 “(1) provide specialized sector-specific expertise
16 to critical infrastructure owners and operators with-
17 in the relevant sector; and

18 “(2) support programs and associated activities
19 of its designated critical infrastructure sector in co-
20 ordination with the Director.

21 “(b) COORDINATION.—In carrying out this section,
22 Sector Risk Management Agencies shall—

23 “(1) coordinate with the Department and other
24 relevant Federal departments and agencies, as ap-
25 propriate;

1 “(2) collaborate with critical infrastructure
2 owners and operators within the designated critical
3 infrastructure sector or subsector; and

4 “(3) coordinate with independent regulatory
5 agencies, and State, local, Tribal, and territorial en-
6 tities, as appropriate.

7 “(c) RESPONSIBILITIES.—Each Sector Risk Manage-
8 ment Agency shall utilize its specialized expertise about
9 its designated critical infrastructure sector or subsector
10 and authorities under applicable law to—

11 “(1) support sector risk management, includ-
12 ing—

13 “(A) establishing and carrying out pro-
14 grams, in coordination with the Director, to as-
15 sist critical infrastructure owners and operators
16 within the designated sector in identifying, un-
17 derstanding, and mitigating threats,
18 vulnerabilities, and risks to their systems or as-
19 sets, or within a region or sector; and

20 “(B) recommending security measures to
21 mitigate the consequences of destruction, com-
22 promise, and disruption of systems and assets;

23 “(2) assess sector risk, including—

24 “(A) identifying, assessing, and prioritizing
25 risks within the designated sector, considering

1 physical and cyber threats, vulnerabilities, and
2 consequences; and

3 “(B) supporting national risk assessment
4 efforts led by the Department, through the Di-
5 rector;

6 “(3) sector coordination, including—

7 “(A) serving as a day-to-day Federal inter-
8 face for the prioritization and coordination of
9 sector-specific activities and responsibilities
10 under this section;

11 “(B) serving as the government coordi-
12 nating council chair for the designated sector or
13 subsector; and

14 “(C) participating in cross-sector coordi-
15 nating councils, as appropriate;

16 “(4) facilitating the sharing of information
17 about cyber and physical threats within the sector to
18 the Department, including—

19 “(A) facilitating, in coordination with the
20 Director, access to, and exchange of, informa-
21 tion and intelligence necessary to strengthen
22 the security of critical infrastructure, including
23 through information sharing and analysis orga-
24 nizations and the national cybersecurity and
25 communications integration center established

1 in section 2209 of the Homeland Security Act
2 of 2002;

3 “(B) facilitating the identification of intel-
4 ligence needs and priorities of critical infra-
5 structure owners and operators in the sector, in
6 coordination with the Director, the Office of Di-
7 rector of National Intelligence, and other Fed-
8 eral departments and agencies, as appropriate;

9 “(C) providing the Director ongoing, and
10 where possible, real-time awareness of identified
11 threats, vulnerabilities, mitigations, and other
12 actions related to the security of the sector; and

13 “(D) supporting the reporting require-
14 ments of the Department of Homeland Security
15 under applicable law by providing, on an annual
16 basis, sector-specific critical infrastructure in-
17 formation;

18 “(5) supporting incident management, includ-
19 ing—

20 “(A) supporting, in coordination with the
21 Director, incident management and restoration
22 efforts during or following a security incident;
23 and

24 “(B) supporting the Director, upon re-
25 quest, in conducting vulnerability assessments

1 and asset response activities for critical infra-
2 structure; and

3 “(6) contributing to emergency preparedness ef-
4 forts, including—

5 “(A) coordinating with critical infrastruc-
6 ture owners and operators within the des-
7 igned sector, as well as the Director, in the
8 development of planning documents for coordi-
9 nated action in the event of a natural disaster,
10 act of terrorism, or other man-made disaster or
11 emergency;

12 “(B) conducting exercises and simulations
13 of potential natural disasters, acts of terrorism,
14 or other man-made disasters or emergencies
15 within the sector; and

16 “(C) supporting the Department and other
17 Federal departments or agencies in developing
18 planning documents or conducting exercises or
19 simulations relevant to their assigned sector.”.

20 (3) CLERICAL AMENDMENT.—The table of con-
21 tents in section 1(b) of the Homeland Security Act
22 of 2002 is amended by inserting after the item relat-
23 ing to section 2214 the following new item:

“Sec. 2215. Sector risk management agencies.”.

24 (d) REPORTING AND AUDITING.—Not later than two
25 years after the date of the enactment of this Act and every

1 four years thereafter, the Comptroller General of the
2 United States shall submit to the Committee on Homeland
3 Security of the House of Representatives and the Com-
4 mittee on Homeland Security and Governmental Affairs
5 of the Senate a report on the effectiveness of Sector Risk
6 Management Agencies in carrying out their responsibil-
7 ities under section 2215 of the Homeland Security Act of
8 2002, as added by this section.

