

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

Add at the end of subtitle C the following:

1 **SEC. 16___. CYBER STATE OF DISTRESS DECLARATION AND**
2 **CYBER RESPONSE AND RECOVERY FUND AS-**
3 **SESSMENT.**

4 (a) IN GENERAL.—Not later than one year after the
5 date of enactment of this Act, the Secretary of Homeland
6 Security shall conduct an assessment of the feasibility and
7 advisability of establishing a cyber state of distress and
8 Cyber Response and Recovery Fund.

9 (b) ELEMENTS.—The assessment required under
10 subsection (a) shall include—

11 (1) a review of relevant recommendations devel-
12 oped by the Cyberspace Solarium Commission pur-
13 suant to section 1652 of the John S. McCain Na-
14 tional Defense Authorization Act for Fiscal Year
15 2019 (Public Law 115-232; 132 Stat. 2146); and

16 (2) the development of additional recommenda-
17 tions relating to—

18 (A) qualifying incidents or events, includ-
19 ing the scope and magnitude of the incident or

1 event, supporting declaration of a cyber state of
2 distress;

3 (B) mechanisms for declaration of a cyber
4 state of distress, including the responsible offi-
5 cial or officials, Federal interagency coordina-
6 tion, and required notifications;

7 (C) the duration of the declaration of a
8 cyber state of distress, including options for re-
9 newing the declaration;

10 (D) activities in connection with the dec-
11 laration of a cyber state of distress;

12 (E) qualifying events, declarations, includ-
13 ing a cyber state of distress declaration, or
14 other incidents triggering distribution from the
15 Cyber Response and Recovery Fund;

16 (F) the administration of a Cyber Re-
17 sponse and Recovery Fund, including—

18 (i) distribution of funds;

19 (ii) coordination, interaction, and
20 deconfliction of funding from the Cyber
21 Response and Recovery Fund and other
22 applicable existing Federal funding pro-
23 grams; and

24 (iii) eligible expenses and activities;

1 (G) existing authorities supporting the de-
2 velopment and operation of the Cyber Response
3 and Recovery Fund and cyber state of distress,
4 as well as limitations and anticipated resource
5 and authority requirements; and

6 (H) other aspects determined relevant by
7 the Secretary of Homeland Security.

8 (c) BRIEFING.—Not later than 90 days after the
9 completion of the assessment, the Secretary of Homeland
10 Security shall brief the congressional defense committees
11 and the Committee on Homeland Security of the House
12 of Representatives and the Committee on Homeland Secu-
13 rity and Governmental Affairs of the Senate on the rec-
14 ommendations of the assessment.

