

AMENDMENT TO H.R. 1817
OFFERED BY MR. BARTON OF TEXAS AND MR.
DINGELL OF MICHIGAN

Strike section 315.

At the end of title IV, add the following new section:

1 **SEC. 407. AUTHORITY AND RESPONSIBILITY OF OTHER**
2 **FEDERAL AGENCIES.**

3 Nothing in this Act shall diminish or otherwise affect
4 the authority or responsibility under statute, regulation,
5 or Executive order of other Federal agencies than the De-
6 partment of Homeland Security, including the Depart-
7 ment of Commerce, the Department of Energy, the De-
8 partment of Transportation, the Federal Communications
9 Commission, the Nuclear Regulatory Commission, the
10 Federal Energy Regulatory Commission, the Environ-
11 mental Protection Agency, the Federal Trade Commission,
12 and the National Telecommunications and Information
13 Administration.

Strike section 312 and insert the following:

14 **SEC. 312. ASSISTANT SECRETARY FOR CYBERSECURITY.**

15 (a) ESTABLISHMENT.—Section 201 of the Homeland
16 Security Act of 2002 (6 U.S.C. 121) is amended—



1 (1) in subsection (b)—

2 (A) by redesignating paragraph (3) as
3 paragraph (4); and

4 (B) by inserting after paragraph (2) the
5 following new paragraph:

6 “(3) ASSISTANT SECRETARY FOR
7 CYBERSECURITY.—There shall be in the Department
8 an Assistant Secretary for Cybersecurity, who shall
9 be appointed by the President.”; and

10 (C) in paragraph (4), as redesignated by
11 subparagraph (A) of this paragraph—

12 (i) by striking “Analysis and the” and
13 inserting “Analysis, the” and

14 (ii) by striking “Protection shall” and
15 inserting “Protection, and the Assistant
16 Secretary for Cybersecurity shall”.

17 (b) RESPONSIBILITIES.—The Under Secretary of In-
18 formation Analysis and Infrastructure Protection shall as-
19 sign to the Assistant Secretary for Cybersecurity responsi-
20 bility for—

21 (1) the National Cyber Security Division and
22 the National Communications System within the De-
23 partment of Homeland Security;

24 (2) the cybersecurity-related aspects of para-
25 graphs (2), (3), (5), (6), (15), and (17) of sub-



1 section (d) of section 201 of the Homeland Security
2 Act of 2002; and

3 (3) such other duties as the Under Secretary
4 may provide pursuant to section 201 of such Act.

5 (c) COORDINATION.—The Assistant Secretary of
6 Cybersecurity shall coordinate all activities under this sub-
7 title with other Federal agencies, including the Depart-
8 ment of Commerce, the Department of Energy, the De-
9 partment of Transportation, the Federal Communications
10 Commission, the Nuclear Regulatory Commission, the
11 Federal Energy Regulatory Commission, the Environ-
12 mental Protection Agency, the Federal Trade Commission,
13 and the National Telecommunications and Information
14 Administration.

Strike section 313 and insert the following:

15 **SEC. 313. CYBERSECURITY DEFINED.**

16 For the purposes of this subtitle, the term
17 “cybersecurity” means the protection and restoration of
18 networked electronic equipment and facilities, including
19 hardware and software and the information contained
20 therein, from intrusion, interference, and incapacitation.

At the end of section 331(b), add the following new
sentence: “The Secretary shall coordinate the
prioritization under this section with other Federal agen-
cies, including the Department of Commerce, the Depart-



ment of Energy, the Department of Transportation, the Federal Communications Commission, the Nuclear Regulatory Commission, the Federal Energy Regulatory Commission, the Environmental Protection Agency, the Federal Trade Commission, and the National Telecommunications and Information Administration.”.

At the end of section 332, add the following new subsection:

1 (c) COORDINATION.—The Secretary shall coordinate
2 the security review and recommendations required by sub-
3 section (a) with other Federal agencies, including the De-
4 partment of Commerce, the Department of Energy, the
5 Department of Transportation, the Federal Communica-
6 tions Commission, the Nuclear Regulatory Commission,
7 the Federal Energy Regulatory Commission, the Environ-
8 mental Protection Agency, the Federal Trade Commission,
9 and the National Telecommunications and Information
10 Administration.

In sections 302(c) strike “the Congress” and insert “the Committees on Homeland Security and Energy and Commerce of the House of Representatives and the Committees on Homeland Security and Governmental Affairs and Commerce, Science, and Transportation of the Senate”.



In sections 306(c)(2) and 306(d)(3), strike “the appropriate committees” and insert “the Committees on Homeland Security and Energy and Commerce of the House of Representatives and the Committees on Homeland Security and Governmental Affairs and Commerce, Science, and Transportation of the Senate”.

In section 333(a), strike “Committee on Homeland Security” the first place it appears and insert “Committees on Homeland Security and Energy and Commerce” ; and strike “Committee on Homeland Security and Governmental Affairs” and insert “Committees on Homeland Security and Governmental Affairs and Commerce, Science, and Transportation”.

In section 333(b), after “the Secretary” insert “, following the coordination required by section 332(c),”.

In section 402, insert strike “Not later” and insert “(a) IN GENERAL. __Not later” and at the end of such section add the following new subsection:

1 (b) CYBERSECURITY ASSESSMENT.—Not later than
2 6 months after the date of enactment of this Act, the
3 Comptroller General shall submit a report to the Commit-
4 tees on Homeland Security and Energy and Commerce of
5 the House of Representatives and the Committees on
6 Homeland Security and Governmental Affairs and Com-



1 merce, Science, and Transportation of the Senate that sets
2 forth an assessment of the effectiveness of the efforts of
3 the Assistant Secretary for Cybersecurity to fulfill the
4 statutory responsibilities of that office.

