

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. LANGEVIN OF RHODE ISLAND**

At the end of subtitle G of title X, add the following new section:

1 SEC. ____. NATIONAL OFFICE FOR CYBERSPACE.

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

5 (1) by striking subchapter II;

6 (2) in section 3542(b)—

7 (A) by adding at the end the following new
8 paragraph:

9 “(4) INFORMATION INFRASTRUCTURE.—The
10 term ‘information infrastructure’ means the under-
11 lying framework that information systems and assets
12 rely on in processing, storing, or transmitting infor-
13 mation electronically.”; and

14 (B) by reordering paragraphs (1) through
15 (3) and the paragraph added by subparagraph
16 (A) of this paragraph in alphabetical order
17 based on the headings of such paragraphs and

1 renumbering such paragraphs as so reordered;
2 and

3 (3) by adding at the end the following new sec-
4 tions:

5 **“§ 3550. National Office for Cyberspace**

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

9 “(b) DIRECTOR.—

10 “(1) IN GENERAL.—There shall be at the head
11 of the National Office for Cyberspace a Director,
12 who shall be appointed by the President by and with
13 the advice and consent of the Senate. The Director
14 of the National Office for Cyberspace shall admin-
15 ister all functions designated to such Director under
16 section 3551 and collaborate to the extent prac-
17 ticable with the heads of appropriate agencies, the
18 private sector, and international partners. The Of-
19 fice shall serve as the principal office for coordi-
20 nating issues relating to cyberspace, including
21 achieving an assured, reliable, secure, and survivable
22 information infrastructure and related capabilities
23 for the Federal Government, while promoting na-
24 tional economic interests, security, and civil liberties.

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

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

7 “(d) EXPERTS AND CONSULTANTS.—The Director of
8 the National Office for Cyberspace may procure temporary
9 and intermittent services under section 3109(b) of title 5.

10 **“§ 3551. Authority and functions of the Director of**
11 **the National Office for Cyberspace**

12 “(a) IN GENERAL.—The Director of the National Of-
13 fice for Cyberspace shall oversee agency information secu-
14 rity policies and practices, including—

15 “(1) developing and overseeing the implementa-
16 tion of policies, principles, standards, and guidelines
17 on information security, including through ensuring
18 timely agency adoption of and compliance with
19 standards promulgated under section 3543;

20 “(2) requiring agencies, consistent with the
21 standards promulgated under section 3543 and
22 other requirements of this subchapter, to identify
23 and provide information security protections com-
24 mensurate with the risk and magnitude of the harm

1 resulting from the unauthorized access, use, disclo-
2 sure, disruption, modification, or destruction of—

3 “(A) information collected or maintained
4 by or on behalf of an agency; or

5 “(B) information infrastructure used or
6 operated by an agency or by a contractor of an
7 agency or other organization on behalf of an
8 agency;

9 “(3) coordinating the development of standards
10 and guidelines under section 20 of the National In-
11 stitute of Standards and Technology Act (15 U.S.C.
12 278g–3) with agencies and offices operating or exer-
13 cising control of national security systems (including
14 the National Security Agency) to assure, to the max-
15 imum extent feasible, that such standards and
16 guidelines are complementary with standards and
17 guidelines developed for national security systems;

18 “(4) overseeing agency compliance with the re-
19 quirements of this subchapter, including through
20 any authorized action under section 11303 of title
21 40, to enforce accountability for compliance with
22 such requirements;

23 “(5) reviewing at least annually, and approving
24 or disapproving, agency information security pro-
25 grams required under section 3544(b);

1 “(6) coordinating information security policies
2 and procedures of the Federal Government with re-
3 lated information resources management policies and
4 procedures on the security and resiliency of cyber-
5 space;

6 “(7) overseeing the operation of the Federal in-
7 formation security incident center required under
8 section 3546;

9 “(8) reporting to Congress no later than March
10 1 of each year on agency compliance with the re-
11 quirements of this subchapter, including—

12 “(A) a summary of the findings of evalua-
13 tions required by section 3545;

14 “(B) an assessment of the development,
15 promulgation, and adoption of, and compliance
16 with, standards developed under section 20 of
17 the National Institute of Standards and Tech-
18 nology Act (15 U.S.C. 278g-3) and promul-
19 gated under section 3543;

20 “(C) significant deficiencies in agency in-
21 formation security practices;

22 “(D) planned remedial action to address
23 such deficiencies; and

24 “(E) a summary of, and the views of the
25 Director of the National Office for Cyberspace

1 on, the report prepared by the National Insti-
2 tute of Standards and Technology under section
3 20(d)(10) of the National Institute of Stand-
4 ards and Technology Act (15 U.S.C. 278g-3);

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

9 “(10) establishing a national strategy not later
10 than 120 days after the date of the enactment of
11 this section;

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

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

18 “(13) making recommendations that the Direc-
19 tor determines are necessary to ensure risk-based se-
20 curity of the Federal information infrastructure and
21 information infrastructure that is owned, operated,
22 controlled, or licensed for use by, or on behalf of, the
23 Department of Defense, a military department, or
24 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 “(14) 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 “(15) 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 “(16) as assigned by the President, other duties
19 relating to the security and resiliency of cyberspace.

20 “(b) RECRUITMENT PROGRAM.—Not later than 1
21 year after appointment, the Director of the National Of-
22 fice for Cyberspace shall establish a national program to
23 conduct competitions and challenges that instruct United
24 States students in cybersecurity education and computer
25 literacy.

1 “(c) BUDGET ASSESSMENT AND REPORTING.—

2 “(1) AGENCY SUBMISSION.—The head of each
3 agency shall submit to the Director of the National
4 Office for Cyberspace a budget each year for the fol-
5 lowing fiscal year relating to the protection of infor-
6 mation infrastructure for such agency, by a date de-
7 termined by the Director that is before July 1 of
8 each year. Such budget shall include—

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

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

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

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

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

4 “(3) AGENCY RECOMMENDATIONS.—Not later
5 than July 1 of each year, the Director shall submit
6 to the head of each agency budget recommendations,
7 including requests for specific initiatives that are
8 consistent with the priorities of the President relat-
9 ing to the protection of information infrastructure.
10 Such budget recommendations shall—

11 “(A) apply to the next budget year sched-
12 uled for formulation under chapter 11 of title
13 31, and each of the 4 subsequent fiscal years;
14 and

15 “(B) address funding priorities developed
16 in the National Office for Cyberspace.

17 “(4) RECOMMENDATIONS TO THE PRESI-
18 DENT.—The Director shall make recommendations
19 to the President that the Director determines are
20 appropriate regarding changes in the organization,
21 management, and budget of each agency relating to
22 the protection of information infrastructure in each
23 such agency, and changes in the allocation of per-
24 sonnel to and within such agency, including mone-
25 tary penalties or incentives necessary to encourage

1 and maintain accountability of any agency, or senior
2 agency official, for efforts to secure the information
3 infrastructure of such agency.”.

4 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

5 The table of sections for chapter 35 of title 44, United
6 States Code, is amended by striking the matter relating
7 to subchapter II and adding at the end the following:

“3550. National Office for Cyberspace.

“3551. Authority and functions of the Director of the National Office for
Cyberspace.”.

8 (c) EFFECTIVE DATE.—This section, and the amend-
9 ments made by this section, shall take effect 180 days
10 after the date of the enactment of this Act.

