

Union Calendar No. 241

113TH CONGRESS
2^D SESSION

H. R. 2952

[Report No. 113-324]

To amend the Homeland Security Act of 2002 to make certain improvements in the laws relating to the advancement of security technologies for critical infrastructure protection, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2013

Mr. MEEHAN introduced the following bill; which was referred to the Committee on Homeland Security

JANUARY 9, 2014

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on August 1, 2013]

A BILL

To amend the Homeland Security Act of 2002 to make certain improvements in the laws relating to the advancement of security technologies for critical infrastructure protection, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Critical Infrastructure*
5 *Research and Development Advancement Act of 2013” or*
6 *the “CIRDA Act of 2013”.*

7 **SEC. 2. DEFINITIONS.**

8 *Section 2 of the Homeland Security Act of 2002 (6*
9 *U.S.C. 101) is amended by redesignating paragraphs (15)*
10 *through (18) as paragraphs (16) through (19), respectively,*
11 *and by inserting after paragraph (14) the following:*

12 *“(15) The term ‘Sector Coordinating Council’*
13 *means a private sector coordinating council that is—*

14 *“(A) recognized by the Secretary as such a*
15 *Council for purposes of this Act; and*

16 *“(B) comprised of representatives of owners*
17 *and operators of critical infrastructure within a*
18 *particular sector of critical infrastructure.”.*

19 **SEC. 3. CRITICAL INFRASTRUCTURE PROTECTION RE-**
20 **SEARCH AND DEVELOPMENT.**

21 *(a) STRATEGIC PLAN; PUBLIC-PRIVATE CONSOR-*
22 *TIUMS.—*

23 *(1) IN GENERAL.—Title III of the Homeland Se-*
24 *curity Act of 2002 (6 U.S.C. 181 et seq.) is amended*
25 *by adding at the end the following:*

1 **“SEC. 318. RESEARCH AND DEVELOPMENT STRATEGY FOR**
2 **CRITICAL INFRASTRUCTURE PROTECTION.**

3 *“(a) IN GENERAL.—Not later than 180 days after the*
4 *date of enactment of the Critical Infrastructure Research*
5 *and Development Advancement Act of 2013, the Secretary,*
6 *acting through the Under Secretary for Science and Tech-*
7 *nology, shall transmit to Congress a strategic plan to guide*
8 *the overall direction of Federal physical security and cyber-*
9 *security technology research and development efforts for*
10 *protecting critical infrastructure, including against all*
11 *threats. Once every 2 years after the initial strategic plan*
12 *is transmitted to Congress under this section, the Secretary*
13 *shall transmit to Congress an update of the plan.*

14 *“(b) CONTENTS OF PLAN.—The strategic plan shall in-*
15 *clude the following:*

16 *“(1) An identification of critical infrastructure*
17 *security risks and any associated security technology*
18 *gaps, that are developed following—*

19 *“(A) consultation with stakeholders, includ-*
20 *ing the Sector Coordinating Councils; and*

21 *“(B) performance by the Department of a*
22 *risk/gap analysis that considers information re-*
23 *ceived in such consultations.*

24 *“(2) A set of critical infrastructure security tech-*
25 *nology needs that—*

1 “(A) is prioritized based on risk and gaps
2 identified under paragraph (1);

3 “(B) emphasizes research and development
4 of those technologies that need to be accelerated
5 due to rapidly evolving threats or rapidly ad-
6 vancing infrastructure technology; and

7 “(C) includes research, development, and
8 acquisition roadmaps with clearly defined objec-
9 tives, goals, and measures.

10 “(3) An identification of laboratories, facilities,
11 modeling, and simulation capabilities that will be re-
12 quired to support the research, development, dem-
13 onstration, testing, evaluation, and acquisition of the
14 security technologies described in paragraph (2).

15 “(4) An identification of current and planned
16 programmatic initiatives for fostering the rapid ad-
17 vancement and deployment of security technologies for
18 critical infrastructure protection. The initiatives shall
19 consider opportunities for public-private partner-
20 ships, intragovernment collaboration, university cen-
21 ters of excellence, and national laboratory technology
22 transfer.

23 “(5) A description of progress made with respect
24 to each critical infrastructure security risk, associated
25 security technology gap, and critical infrastructure

1 *technology need identified in the preceding strategic*
2 *plan transmitted under this section.*

3 “(c) *COORDINATION.*—*In carrying out this section, the*
4 *Under Secretary for Science and Technology shall coordi-*
5 *nate with the Under Secretary for the National Protection*
6 *and Programs Directorate.*

7 “(d) *CONSULTATION.*—*In carrying out this section, the*
8 *Under Secretary for Science and Technology shall consult*
9 *with—*

10 *“(1) the critical infrastructure Sector Coordi-*
11 *nating Councils;*

12 *“(2) to the extent practicable, subject matter ex-*
13 *perts on critical infrastructure protection from uni-*
14 *versities, colleges, including historically black colleges*
15 *and universities, Hispanic- serving institutions, and*
16 *tribal colleges and universities, national laboratories,*
17 *and private industry;*

18 *“(3) the heads of other relevant Federal depart-*
19 *ments and agencies that conduct research and devel-*
20 *opment for critical infrastructure protection; and*

21 *“(4) State, local, and tribal governments as ap-*
22 *propriate.*

1 **“SEC. 319. REPORT ON PUBLIC-PRIVATE RESEARCH AND DE-**
2 **VELOPMENT CONSORTIUMS.**

3 “(a) *IN GENERAL.*—Not later than 180 days after the
4 enactment of the Critical Infrastructure Research and De-
5 velopment Advancement Act of 2013, the Secretary, acting
6 through the Under Secretary for Science and Technology,
7 shall transmit to Congress a report on the Department’s
8 utilization of public-private research and development con-
9 sortiums for accelerating technology development for critical
10 infrastructure protection. Once every 2 years after the ini-
11 tial report is transmitted to Congress under this section,
12 the Secretary shall transmit to Congress an update of the
13 report. The report shall focus on those aspects of critical
14 infrastructure protection that are predominately operated
15 by the private sector and that would most benefit from
16 rapid security technology advancement.

17 “(b) *CONTENTS OF REPORT.*—The report shall in-
18 clude—

19 “(1) a summary of the progress and accomplish-
20 ments of on-going consortiums for critical infrastruc-
21 ture security technologies;

22 “(2) in consultation with the Sector Coordi-
23 nating Councils and, to the extent practicable, in con-
24 sultation with subject-matter experts on critical infra-
25 structure protection from universities, colleges, includ-
26 ing historically black colleges and universities, His-

1 *panic-serving institutions, and tribal colleges and*
2 *universities, national laboratories, and private indus-*
3 *try, a prioritized list of technology development focus*
4 *areas that would most benefit from a public-private*
5 *research and development consortium; and*

6 *“(3) based on the prioritized list developed under*
7 *paragraph (2), a proposal for implementing an ex-*
8 *panded research and development consortium pro-*
9 *gram, including an assessment of feasibility and an*
10 *estimate of cost, schedule, and milestones.”.*

11 *(2) LIMITATION ON PROGRESS REPORT REQUIRE-*
12 *MENT.—Subsection (b)(5) of section 318 of the Home-*
13 *land Security Act of 2002, as amended by paragraph*
14 *(1) of this subsection, shall not apply with respect to*
15 *the first strategic plan transmitted under that section.*

16 *(b) CLERICAL AMENDMENT.—The table of contents in*
17 *section 1(b) of such Act is amended by adding at the end*
18 *of the items relating to such title the following:*

“Sec. 318. Research and development strategy for critical infrastructure protec-
tion.

“Sec. 319. Report on public-private research and development consortiums.”.

19 *(c) CRITICAL INFRASTRUCTURE PROTECTION TECH-*
20 *NOLOGY CLEARINGHOUSE.—Section 313 of the Homeland*
21 *Security Act of 2002 (6 U.S.C. 193) is amended by redesign-*
22 *ating subsection (c) as subsection (d), and by inserting*
23 *after subsection (b) the following:*

1 “(c) *CRITICAL INFRASTRUCTURE PROTECTION TECH-*
2 *NOLOGY CLEARINGHOUSE.*—

3 “(1) *DESIGNATION.*—*Under the program re-*
4 *quired by this section, the Secretary, acting through*
5 *the Under Secretary for Science and Technology, and*
6 *in coordination with the Under Secretary for the Na-*
7 *tional Protection and Programs Directorate, shall*
8 *designate a technology clearinghouse for rapidly shar-*
9 *ing proven technology solutions for protecting critical*
10 *infrastructure.*

11 “(2) *SHARING OF TECHNOLOGY SOLUTIONS.*—
12 *Technology solutions shared through the clearinghouse*
13 *shall draw from Government-furnished, commercially*
14 *furnished, and publically available trusted sources.*

15 “(3) *TECHNOLOGY METRICS.*—*All technologies*
16 *shared through the clearinghouse shall include a set of*
17 *performance and readiness metrics to assist end-users*
18 *in deploying effective and timely solutions relevant*
19 *for their critical infrastructures.*

20 “(4) *REVIEW BY PRIVACY OFFICER.*—*The Pri-*
21 *vacancy Officer of the Department appointed under sec-*
22 *tion 222 shall annually review the clearinghouse proc-*
23 *ess to evaluate its consistency with fair information*
24 *practice principles issued by the Privacy Officer.”.*

1 (d) *EVALUATION OF TECHNOLOGY CLEARINGHOUSE BY*
2 *GOVERNMENT ACCOUNTABILITY OFFICE.*—Not later than 2
3 *years after the date of enactment of this Act, the Comp-*
4 *troller General of the United States shall conduct an inde-*
5 *pendent evaluation of, and submit to the Committee on*
6 *Homeland Security of the House of Representatives and the*
7 *Committee on Homeland Security and Governmental Af-*
8 *airs of the Senate a report on, the effectiveness of the clear-*
9 *inghouses established and designated, respectively, under*
10 *section 313 of the Homeland Security Act of 2002, as*
11 *amended by this section.*

12 **SEC. 4. NO ADDITIONAL AUTHORIZATION OF APPROPRIA-**
13 **TIONS.**

14 *No additional funds are authorized to be appropriated*
15 *to carry out this Act and the amendments made by this*
16 *Act, and this Act and such amendments shall be carried*
17 *out using amounts otherwise available for such purpose.*

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