

113TH CONGRESS
2D SESSION

H. R. 3847

To require the Secretary of Homeland Security the responsibility to develop and provide to the Secretary of Health and Human Services risk-based, performance-based cybersecurity standards for the Federal information technology requirements under the Patient Protection and Affordable Care Act, including the healthcare.gov website, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 2014

Mr. BARBER (for himself, Mr. DAINES, and Ms. SINEMA) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the Secretary of Homeland Security the responsibility to develop and provide to the Secretary of Health and Human Services risk-based, performance-based cybersecurity standards for the Federal information technology requirements under the Patient Protection and Affordable Care Act, including the healthcare.gov website, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Cyber Awareness and
3 Recovery Enhancement Act of 2013” or the “CARE Act
4 of 2013”.

5 **SEC. 2. CYBERSECURITY FOR HEALTHCARE.GOV WEBSITE.**

6 (a) **IN GENERAL.**—Notwithstanding the require-
7 ments of the Federal Information Security Management
8 Act of 2002 (44 U.S.C. 3531 et seq.) or any other provi-
9 sion of law, not later than 90 days after the date of the
10 enactment of this Act, the Secretary of Homeland Security
11 shall develop and provide to the Secretary of Health and
12 Human Services risk-based, performance-based cybersecu-
13 rity standards for the Federal information technology re-
14 quirements under the Patient Protection and Affordable
15 Care Act (Public Law 111–148), including the
16 healthcare.gov website (or any successor website). Such
17 standards shall be based on cybersecurity best practices,
18 and on homeland security information that the Secretary
19 of Homeland Security has collected, analyzed, and dis-
20 seminated about cyber threats, vulnerabilities, and con-
21 sequences.

22 (b) **CONSULTATION.**—In carrying out the cybersecu-
23 rity standards described in subsection (a), the Secretary
24 of Homeland Security shall consult with the Secretary of
25 Health and Human Services.

1 (c) IMPLEMENTATION AND ENFORCEMENT.—Not
2 later than 90 days after receiving the cybersecurity stand-
3 ards described in subsection (a), the Secretary of Health
4 and Human Services shall adopt and implement such cy-
5 bersecurity standards.

6 (d) ENFORCEMENT.—The Secretary of Health and
7 Human Services shall submit to Congress an annual re-
8 port on cyber incidents relating to the Federal information
9 technology requirements under the Patient Protection and
10 Affordable Care Act, including the healthcare.gov website
11 (or any successor website).

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