

115TH CONGRESS
1ST SESSION

H. R. 1340

To require the Federal Communications Commission to establish an Interagency Communications Security Committee, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2017

Mr. ENGEL 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 Federal Communications Commission to establish an Interagency Communications Security Committee, 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 “Interagency Cybersecu-
5 rity Cooperation Act”.

1 **SEC. 2. INTERAGENCY COMMUNICATIONS SECURITY COM-**
2 **MITTEE.**

3 (a) ESTABLISHMENT.—Not later than 6 months after
4 the date of the enactment of this Act, the Federal Commu-
5 nications Commission shall establish an advisory com-
6 mittee to be known as the Interagency Communications
7 Security Committee (in this section referred to as the
8 “Committee”).

9 (b) DUTIES.—The Committee shall—

10 (1) review each communications security report
11 submitted to the Committee under subsection (d) or
12 (f);

13 (2) recommend investigation to relevant agen-
14 cies into any such communications security report;
15 and

16 (3) issue regular reports containing the results
17 of any such investigation, the Committee’s findings
18 following each communications security incident, and
19 policy recommendations that may arise from each
20 communications security incident to the following:

21 (A) The agencies represented on the Com-
22 mittee.

23 (B) The Committee on Energy and Com-
24 merce of the House of Representatives.

25 (C) The Committee on Commerce, Science,
26 and Transportation of the Senate.

1 (D) The Permanent Select Committee on
2 Intelligence of the House of Representatives.

3 (E) The Select Committee on Intelligence
4 of the Senate.

5 (F) The Armed Services Committee of the
6 House of Representatives.

7 (G) The Armed Services Committee of the
8 Senate.

9 (H) The Committee on Homeland Security
10 of the House of Representatives.

11 (I) The Committee on Homeland Security
12 and Governmental Affairs of the Senate.

13 (J) The Foreign Affairs Committee of the
14 House of Representatives.

15 (K) The Foreign Relations Committee of
16 the Senate.

17 (c) MEMBERSHIP.—The Committee shall be com-
18 posed of 8 members, who shall each possess the appro-
19 priate access to classified information commensurate with
20 the sensitivity of the classified information such members
21 shall access in the course of service on the Committee. The
22 members of the Committee shall include only—

23 (1) one appointee from the Commission, who
24 shall not be a member of the Commission, to be ap-

1 pointed by the Chair of the Commission, who shall
2 serve as Chair of the Committee;

3 (2) one appointee from the Department of De-
4 fense, to be appointed by the Secretary of Defense;

5 (3) one appointee from the Department of
6 Homeland Security, to be appointed by the Sec-
7 retary of Homeland Security;

8 (4) one appointee from the Department of Jus-
9 tice, to be appointed by the Attorney General of the
10 United States;

11 (5) one appointee from the intelligence commu-
12 nity, to be appointed by the Director of National In-
13 telligence;

14 (6) one appointee from the National Institute of
15 Standards and Technology, to be appointed by the
16 Director of the National Institute of Standards and
17 Technology;

18 (7) one appointee from the National Tele-
19 communications and Information Administration, to
20 be appointed by the Assistant Secretary of Com-
21 merce for Communications and Information; and

22 (8) one appointee from the Office of Manage-
23 ment and Budget, to be appointed by the Director
24 of the Office of Management and Budget.

1 (d) PUBLIC COMMUNICATIONS SECURITY RE-
2 PORTS.—The Committee shall consider communications
3 security reports from communications network providers.

4 (e) APPLICATION OF CRITICAL INFRASTRUCTURE IN-
5 FORMATION PROTECTIONS.—For purposes of subtitle B
6 of title II of the Homeland Security Act of 2002 (6 U.S.C.
7 131 et seq.)—

8 (1) communications networks shall be treated
9 as critical infrastructure and protected systems de-
10 fined in sections 2(4) and 212(6), respectively, of
11 the Homeland Security Act of 2002 (6 U.S.C.
12 101(4); 6 U.S.C. 131(6)); and

13 (2) with respect to critical infrastructure infor-
14 mation relating to communications networks, the
15 Federal Communications Commission (in addition to
16 the Department of Homeland Security) shall be
17 treated as a covered Federal agency defined in sec-
18 tion 212(2) of such Act.

19 (f) AGENCY COMMUNICATIONS SECURITY RE-
20 PORTS.—Not less frequently than every 3 months, the
21 head of each agency shall submit to the Committee a re-
22 port of each communications security incident for the pre-
23 vious 3 months.

1 (g) CONTINUATION OF COMMITTEE.—Section 14 of
2 the Federal Advisory Committee Act (5 U.S.C. App.) does
3 not apply to the Committee.

4 (h) DEFINITIONS.—In this section:

5 (1) AGENCY.—The term “agency” has the
6 meaning given that term in section 3502 of title 44,
7 United States Code.

8 (2) COMMUNICATIONS NETWORK.—In this sec-
9 tion, the term “communications network” means a
10 network for the provision of wireline or mobile tele-
11 phone service, Internet access service, radio or tele-
12 vision broadcasting, cable service, direct broadcast
13 satellite service, or any other communications serv-
14 ice.

15 (3) COMMUNICATIONS SECURITY INCIDENT.—
16 The term “communications security incident” means
17 any compromise, whether electronic or otherwise, of
18 any telecommunications system that the agency has
19 reason to believe—

20 (A) resulted in Government-held or private
21 information, including passwords and other
22 similar means of access, being viewed or ex-
23 tracted; or

1 (B) resulted in the presence of outside pro-
2 gramming on an agency computer or other elec-
3 tronic device.

4 (4) COMMUNICATIONS SECURITY REPORT.—The
5 term “communications security report” means a de-
6 scription of a communications security incident or
7 multiple communications security incidents referred
8 to the Committee.

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