

113TH CONGRESS
2^D SESSION

H. R. 2952

IN THE SENATE OF THE UNITED STATES

JULY 29, 2014

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Critical Infrastructure
3 Research and Development Advancement Act of 2014” or
4 the “CIRDA Act of 2014”.

5 **SEC. 2. DEFINITIONS.**

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

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

12 “(A) recognized by the Secretary as such
13 a Council for purposes of this Act; and

14 “(B) comprised of representatives of own-
15 ers and operators of critical infrastructure with-
16 in a particular sector of critical infrastruc-
17 ture.”.

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

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

22 (1) IN GENERAL.—Title III of the Homeland
23 Security Act of 2002 (6 U.S.C. 181 et seq.) is
24 amended 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
4 the date of enactment of the Critical Infrastructure Re-
5 search and Development Advancement Act of 2013, the
6 Secretary, acting through the Under Secretary for Science
7 and Technology, shall transmit to Congress a strategic
8 plan to guide the overall direction of Federal physical se-
9 curity and cybersecurity technology research and develop-
10 ment efforts for protecting critical infrastructure, includ-
11 ing against all threats. Once every 2 years after the initial
12 strategic plan is transmitted to Congress under this sec-
13 tion, the Secretary shall transmit to Congress an update
14 of the plan.

15 “(b) CONTENTS OF PLAN.—The strategic plan shall
16 include the following:

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

20 “(A) consultation with stakeholders, in-
21 cluding the Sector Coordinating Councils; and

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

25 “(2) A set of critical infrastructure security
26 technology 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
18 for critical infrastructure protection. The initiatives
19 shall consider opportunities for public-private part-
20 nerships, intragovernment collaboration, university
21 centers of excellence, and national laboratory tech-
22 nology transfer.

23 “(5) A description of progress made with re-
24 spect to each critical infrastructure security risk, as-
25 sociated security technology gap, and critical infra-

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

3 “(c) COORDINATION.—In carrying out this section,
4 the Under Secretary for Science and Technology shall co-
5 ordinate with the Under Secretary for the National Pro-
6 tection and Programs Directorate.

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

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

12 “(2) to the extent practicable, subject matter
13 experts on critical infrastructure protection from
14 universities, colleges, including historically black col-
15 leges and universities, Hispanic- serving institutions,
16 and tribal colleges and universities, national labora-
17 tories, 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**
2 **DEVELOPMENT CONSORTIUMS.**

3 “(a) IN GENERAL.—Not later than 180 days after
4 the enactment of the Critical Infrastructure Research and
5 Development Advancement Act of 2014, the Secretary,
6 acting through the Under Secretary for Science and Tech-
7 nology, shall transmit to Congress a report on the Depart-
8 ment’s utilization of public-private research and develop-
9 ment consortiums for accelerating technology development
10 for critical infrastructure protection. Once every 2 years
11 after the initial report is transmitted to Congress under
12 this section, the Secretary shall transmit to Congress an
13 update of the report. The report shall focus on those as-
14 pects of critical infrastructure protection that are pre-
15 dominately operated by the private sector and that would
16 most benefit from rapid security technology advancement.

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

19 “(1) a summary of the progress and accom-
20 plishments of on-going consortiums for critical infra-
21 structure security technologies;

22 “(2) in consultation with the Sector Coordi-
23 nating Councils and, to the extent practicable, in
24 consultation with subject-matter experts on critical
25 infrastructure protection from universities, colleges,
26 including historically black colleges and universities,

1 Hispanic-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
7 under paragraph (2), a proposal for implementing
8 an expanded research and development consortium
9 program, including an assessment of feasibility and
10 an estimate of cost, schedule, and milestones.”.

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

17 (b) CLERICAL AMENDMENT.—The table of contents
18 in section 1(b) of such Act is amended by adding at the
19 end 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.”.

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

1 “(c) CRITICAL INFRASTRUCTURE PROTECTION
2 TECHNOLOGY 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,
6 and in coordination with the Under Secretary for the
7 National Protection and Programs Directorate, shall
8 designate a technology clearinghouse for rapidly
9 sharing proven technology solutions for protecting
10 critical infrastructure.

11 “(2) SHARING OF TECHNOLOGY SOLUTIONS.—
12 Technology solutions shared through the clearing-
13 house shall draw from Government-furnished, com-
14 mercially furnished, and publically available trusted
15 sources.

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

21 “(4) REVIEW BY PRIVACY OFFICER.—The Pri-
22 vacy Officer of the Department appointed under sec-
23 tion 222 shall annually review the clearinghouse
24 process to evaluate its consistency with fair informa-

1 tion practice principles issued by the Privacy Offi-
2 cer.”.

3 (d) EVALUATION OF TECHNOLOGY CLEARINGHOUSE
4 BY GOVERNMENT ACCOUNTABILITY OFFICE.—Not later
5 than 2 years after the date of enactment of this Act, the
6 Comptroller General of the United States shall conduct
7 an independent evaluation of, and submit to the Com-
8 mittee on Homeland Security of the House of Representa-
9 tives and the Committee on Homeland Security and Gov-
10 ernmental Affairs of the Senate a report on, the effective-
11 ness of the clearinghouses established and designated, re-
12 spectively, under section 313 of the Homeland Security
13 Act of 2002, as amended by this section.

14 **SEC. 4. NO ADDITIONAL AUTHORIZATION OF APPROPRIA-**
15 **TIONS.**

16 No additional funds are authorized to be appro-
17 priated to carry out this Act and the amendments made
18 by this Act, and this Act and such amendments shall be
19 carried out using amounts otherwise available for such
20 purpose.

Passed the House of Representatives July 28, 2014.

Attest:

KAREN L. HAAS,

Clerk.