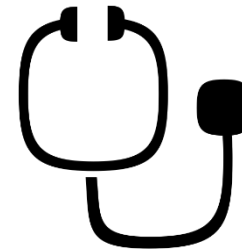


House Homeland Security Committee Receives Progress Report on Cybersecurity Information Sharing Act of 2015

Update on the Law's Implementation

Six Month Checkup

- 6/15: The cybersecurity subcommittee heard testimony from various industry representatives regarding CISA, passed in December as part of the omnibus spending bill
- **CISA encourages the private sector to share cybersecurity threats with the federal government**, incentivizing companies through liability protection, though there are exceptions and specific procedures to follow



Difficulties Reported

- **Confusion** as to whether: (1), the information sharing could take place between two private companies; and (2), whether the liability protections would apply in such cases
- **Not many companies are participating** (only about 30 per day, according to DHS)
- Private sector hesitation (**remaining questions about legality, utility**)
- Not enough information or guidance for small businesses

DHS Modifications

- **On 6/15, DHS and DOJ clarified the intra-private sector questions**, essentially stating that such exchanges are permissible and should be in accordance with the steps taken in federal-private information sharing; if proper procedure is followed, liability protections would apply
- Hoping to spur corporate participation, **DHS is looking to create a rating system** for the information shared through its portal (making higher-quality, contextualized data available to the private sector)

Source: Joshua Higgins, "Lawmakers may consider amending cyber law as implementation progresses," *Inside Cybersecurity*, June 17, 2016; Joshua Higgins, "DHS aims to improve quality of cyber information shared through federal portal," *Inside Cybersecurity*, June 16, 2016; The Department of Homeland Security and the Department of Justice, "Guidance to Assist Non-Federal Entities to Share Cyber Threat Indicators and Defensive Measures with Federal Entities under the Cybersecurity Information Sharing Act of 2015," June 15, 2016; Image by Grzegorz Oksiuta, *The Noun Project*, June 17, 2016.

House Homeland Security Committee Votes to Reorganize DHS Cyber Operations

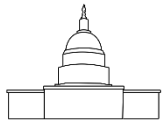
The Cybersecurity and Infrastructure Protection Agency Act of 2016

Details of the Restructuring

- The bill would replace the Department of Homeland Security's cybersecurity hub, the National Protection and Programs Directorate (NPPD), with an operational unit called the Cybersecurity and Infrastructure Protection Agency (CIP)
- The new CIP would consist of three divisions: the National Cybersecurity and Communications Integration Center; Infrastructure Security; and the Federal Protective Service
- The NPPD, created by the Homeland Security Act of 2002 to guard the nation's infrastructure, has expanded immensely in size and importance (from employees numbering in the low hundreds to currently over 3, 000)
- There is wide agreement across government that a more centralized, integrated, and operational unit like the CIP is a necessary step as cyber threats continue and cybersecurity assumes an increasingly important role in U.S. national security

Broad Support, but Key Differences

- The reorganization effort has been in play for the past year, with lawmakers, DHS officials, and the administration reaching consensus on most of the critical points
- **One area of disagreement concerns the scope of the new CIP:** DHS and the administration want the agency to be incorporated into the department's efforts to protect the nation from physical threats, whereas the bill passed last week by the committee would keep CIP's cyber operations separate
- Lawmakers also feel undercut by what they perceive as an effort by DHS and the administration to move ahead with reorganization in the absence of congressional input; last summer DHS plans detailing the restructuring were disclosed by the media, prompting the House Homeland Security Committee to send a letter to DHS **rebuking the agency for proceeding without congressional oversight**



Source: Katie Bo Williams, "DHS cyber reorganization bill advances in House," Politico, June 8, 2016; Department of Homeland Security, "Cyber and Infrastructure Protection Transition Way Ahead: Fiscal Year 2016 Report to Congress," March 17, 2016; Images by Dan Benyishay and Nicholas Menghini, The Noun Project, June 17, 2016.