



COMMITTEE ON
SCIENCE, SPACE, & TECHNOLOGY
Lamar Smith, Chairman

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Statement of Rep. Ralph Abraham (R-La.)

H.R. 6066, the Cybersecurity Responsibility and Accountability Act of 2016

Rep. Abraham: Thank you Mr. Chairman. H.R. 6066, the Cybersecurity Responsibility and Accountability Act of 2016, is a product of the good work conducted by this Committee. The dozen or so hearings held this Congress on federal cybersecurity issues have identified a need for H.R. 6066, a need further revealed by the work of other committees and entities as well.

For example:

- On its cybersecurity issue summary, the U.S. Government Accountability Office (GAO) states that, "Federal agencies have significant weaknesses in information security controls that continue to threaten the confidentiality, integrity, and availability of critical information and information systems used to support their operations, assets, and personnel."

Our Committee has learned more about these weaknesses from hearings examining data breaches at the Office of Personnel Management (OPM), the Internal Revenue Service, and the Federal Deposit Insurance Corporation.

- Additionally, a recent House Oversight and Government Reform Committee Majority staff report on the 2015 OPM data breaches includes in its key findings that, "OPM leadership failed to heed repeated recommendations from its Inspector General, failed to sufficiently respond to growing threats of sophisticated cyber-attacks, and failed to prioritize resources for cybersecurity."

This Committee held two hearings in the aftermath of the OPM breaches, which highlighted the list of identified vulnerabilities that had not been addressed.

H.R. 6066 takes an important step toward jumpstarting the conversation about the need for accountability, responsibility, and transparency in the federal government.

Highlights of the bill include:

- Specifying and profiling the role of the National Institute of Standards and Technology (NIST) and the NIST Director in regard to the development and establishment of federal cybersecurity standards and guidelines;

- Directing NIST, the Office of Management and Budget (OMB), and the Department of Homeland Security to develop the job description and responsibilities for an agency Chief Information Security Officer;
- Requiring the annual agency report to OMB to include written certification by the agency head that NIST information security standards are being met by the agency;
- Requiring each agency head to develop plans in consultation with the Comptroller General and separately with the agency IG to implement all of GAO's and respective agency IG's recommendations regarding information security controls relevant to the agency; and
- Requiring an independent IG evaluation of each major cybersecurity incident experienced by the agency. Depending on the outcome of the evaluation, the OMB Director is tasked with taking enforcement action that includes a recommendation to the President for the removal or demotion of the agency head, or ensuring the agency head does not receive any cash or pay awards or bonuses for a period of 1 year.

The Committee's jurisdiction over NIST allows it to modify the Federal Information Security Modernization Act of 2014.

But the bill goes beyond addressing NIST standards and guidelines. It confronts the issues that must be addressed head-on if we in Congress are serious about endeavoring to provide remedies to the federal government's cybersecurity shortcomings.

It attempts to put the duty of responsibility on the shoulders of an agency head, in a manner similar in principle to the requirements under the Sarbanes-Oxley law on a company's CEO or CFO for certifying financial documents.

This bill establishes our Committee's mark on a very important issue. It sets the tone for future cybersecurity discussions, particularly in the next session, when the Committee can build off our work today. I urge my colleagues to support this bill, and I yield back.

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