

3.1.1 Establish a National Risk Management Cycle and National Critical Infrastructure Resilience Strategy

This proposal requires a four-year cycle of risk identification and assessment led by DHS, in coordination with SRMAs, that prompts and supports a National Critical Infrastructure Resilience Strategy led by the President (3.1.1).

A BILL

To establish a four-year cycle of risk identification and assessment led by the United States Department of Homeland Security, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE.

This Act may be cited as the “National Risk Management Act”.

SEC. 2. DEFINITIONS.

In this Act:

- (1) **CRITICAL INFRASTRUCTURE.**—The term “critical infrastructure” has the meaning given that term in section 1016 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (42 U.S.C. 5195c).
- (2) **NATIONAL CRITICAL FUNCTIONS.**—The functions of government and the private sector so vital to the United States that their disruption, corruption, or dysfunction would have a debilitating effect on security, national economic security, national public health or safety, or any combination thereof.
- (3) **DEPARTMENT.**—The term “Department” means the Department of Homeland Security.
- (4) **DIRECTOR.**—The term “Director” means the Director of the Cybersecurity and Infrastructure Security Agency of the Department.
- (5) **SECRETARY.**—The term “Secretary” means the Secretary of Homeland Security.
- (6) **SECTOR RISK MANAGEMENT AGENCY.**—The term “Sector Risk Management Agency” has the meaning given that term in section 9002 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021.

SEC. 3. NATIONAL RISK MANAGEMENT CYCLE.

(a) RISK IDENTIFICATION AND ASSESSMENT.—

- (1) IN GENERAL.—**The Secretary, acting through the Director, shall establish a process by which to identify, assess, and prioritize risks to critical infrastructure, considering both cyber and physical threats, vulnerabilities, and consequences.
- (2) CONSULTATION.—**In developing the process required by paragraph (1), the Secretary shall consult with Sector Risk Management Agencies and critical infrastructure owners and operators.
- (3) PUBLICATION.—**Not later than 180 days following the enactment of this Act, the Secretary shall publish procedures for process developed pursuant to paragraph (1) in the Federal Register.
- (4) REPORT.—**Not later than one year following the enactment of this Act, and every four years thereafter, the Secretary shall submit to the President a report on the risks identified by the process established pursuant to paragraph (1).

(b) NATIONAL CRITICAL INFRASTRUCTURE RESILIENCE STRATEGY.—

- (1) IN GENERAL.—**Not later than one year after the Secretary delivers each report required by subsection (a), the President shall deliver to Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives a National Critical Infrastructure Resilience Strategy designed to address the risks identified by the Secretary.
- (2) ELEMENTS.—**In each strategy delivered pursuant to this subsection, the President shall:
 - (A)** Identify, assess, and prioritize areas of risk to critical infrastructure that would compromise, disrupt, or impede their ability to support the national critical functions of national security, economic security, or public health and safety.
 - (B)** Assess the implementation of the previous National Critical Infrastructure Resilience Strategy, as applicable.
 - (C)** Identify and outline current and proposed national-level actions, programs, and efforts to be taken to address the risks identified.
 - (D)** Identify the Federal departments or agencies responsible for leading each national-level action, program, or effort and the relevant critical infrastructure sectors for each.

(E) Outline the budget plan required to provide sufficient resources to successfully execute the full range of activities proposed or described by the National Critical Infrastructure Resilience Strategy.

(F) Request any additional authorities or resources necessary to successfully execute the National Critical Infrastructure Resilience Strategy.

(3) FORM.—The strategy required in subsection (a) shall be unclassified, but may contain a classified annex.

(c) CONGRESSIONAL BRIEFING.—Not later than one year after the President delivers each National Critical Infrastructure Resilience Strategy, and every year thereafter, the Secretary, in coordination with Sector Risk Management Agencies, shall brief the appropriate committees of Congress on the national risk management cycle activities undertaken pursuant to this section.