

Congress of the United States
Washington, DC 20515

October 26, 2022

The Honorable Jack Reed
Chairman
Committee on Armed Services
United States Senate
Washington, D.C. 20510

The Honorable James Inhofe
Ranking Member
Committee on Armed Services
United States Senate
Washington, D.C. 20510

The Honorable Adam Smith
Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Mike Rogers
Ranking Member
Committee on Armed Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Reed, Chairman Smith, Ranking Member Inhofe, and Ranking Member Rogers:

As the Senate Armed Services Committee (SASC) and House Armed Services Committee (HASC) pursue a final version of the Fiscal Year (FY) 2023 National Defense Authorization Act (NDAA), we who have served on the Cyberspace Solarium Commission respectfully request the conferees give due consideration to several critical provisions, as highlighted in this letter. We also stand ready to provide insights or recommendations to you and your staff on a multitude of additional provisions, if advantageous.

Our highest priority issue is the Cyber Threat Information Collaboration Environment (CTICE) provision in House Section 1504 of H.R. 7900. This provision directs the Cybersecurity and Infrastructure Security Agency (CISA), in consultation with the National Security Agency (NSA), to establish a CTICE, fulfilling a critical Solarium Commission recommendation for a Joint Collaborative Environment. This digital environment would enable public and private participants to cross-correlate data and indicators on cybersecurity threats at the speed and scale necessary for rapid detection and identification, significantly improving our collective ability to respond to such threats. Through the CTICE, relevant government and industry parties could submit and access cyber threat information from different sources across the federal government, including the intelligence community, provided parties have the requisite clearances and permissions. We have been supportive of collaborative efforts to introduce an updated Senate companion to House Section 1504, and those efforts have generated an interagency review which should serve as the sole source of conference revisions to this provision. The benefits that this provision would bring

to public-private cybersecurity collaboration are significant, and as such, we strongly urge its inclusion in the final FY23 NDAA.

We also strongly support language found in Sections 5501-5509 of S.5499 that would codify a Bureau of Cyberspace and Digital Policy at the Department of State. This language reflects the intent of the Cyber Diplomacy Act, cosponsored by Commissioners Gallagher and Langevin and passed out of the House of Representatives with bipartisan support last year. While the State Department has made commendable progress in establishing a Bureau of Cyberspace and Digital Policy, codifying this Bureau in law through the FY23 NDAA is critical to establishing a permanent architecture for the Department of State to conduct international cyber policy and digital diplomacy.

Additionally, we lend our strong support to the inclusion of House Section 5214, which would codify a five-year term for the Director of the Cybersecurity and Infrastructure Security Agency (CISA) and require that the position be Presidentially-appointed and Senate-confirmed. Through our work on the Cyberspace Solarium Commission, we have worked to strengthen the roles and responsibilities of this Agency, which plays a central role in our national cyber defense. We must build on these successes by providing the organizational stability that CISA and its Director need to fulfill their respective missions amidst a constantly evolving threat landscape.

We further support the establishment of Critical Technology Security Centers through the FY23 NDAA, which would strengthen the security of devices and software that underpin our nation's critical functions. House Section 5206 would establish these centers and create a comprehensive security testing ecosystem for foundational, critical technologies - an essential capability that the United States currently lacks. Through this provision, the Department of Homeland Security would be required to establish Critical Technology Security Centers to evaluate and test the security of key network technologies, industrial control systems, open-source software libraries, and federal critical software. The centers would also support the remediation of vulnerabilities found in the technologies they examine. Given the significant benefits that this amendment would provide to the cybersecurity of the United States, we urge its inclusion in the FY2023 NDAA.

Finally, we must also capitalize upon the opportunity to begin the process of identifying our most Systemically Important Entities (SIEs) and developing closer operational cybersecurity collaboration between such entities and the federal government. SIEs operate systems, assets, and facilities of the highest consequence to public health and safety, economic security, and national security. While these entities are ultimately responsible for the defense and security of the infrastructure under their control and often have greater capabilities than many other critical infrastructure entities to coordinate such defense, it is imperative that they work together with the U.S. government to maximize those defensive capabilities. However, we recognize that greater input from the Executive Branch is needed to shape and support the future legislative action that will be necessary to realize the Solarium Commission's vision for SIEs. For this reason, we strongly support the FY23 NDAA's inclusion of updated language deriving from House Section

5207 that would require the Administration to report to Congress on its strategy for identifying Systemically Important Entities and addressing cybersecurity risks to such entities.

Thank you for your consideration of these matters. We are grateful for your commitment to U.S. national security and cybersecurity, and for your diligent work leading these important committees.

Sincerely,



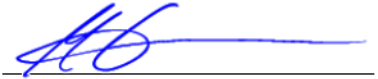
ANGUS S. KING, JR.

United States Senator



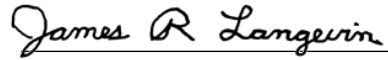
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United States Senator



MIKE GALLAGHER

Member of Congress



JAMES R. LANGEVIN

Member of Congress