



# COMMITTEE ON HOMELAND SECURITY

*Ranking Member Bennie G. Thompson*

**FOR IMMEDIATE RELEASE**

## **Subcommittee Hearing Statement of Ranking Member Bennie G. Thompson (D-MS)**

### ***Surveying CIRCIA: Sector Perspectives on the Notice of Proposed Rulemaking***

**May 1, 2024**

Four years ago, this committee began work on developing a mandatory cyber incident reporting framework to address the Federal government's lack of visibility into the cyber incidents that impact all critical infrastructure sectors.

Last Congress, then-Subcommittee Chairwoman Clarke conducted an extensive process to introduce CIRCIA, consider and address stakeholder feedback, and ultimately negotiate the final enacted bill. Thanks to Congresswoman Clarke's leadership, a policy concept that cybersecurity experts had been suggesting for years finally became a reality.

In the two years since enactment, CISA has undertaken the significant work necessary to turn statutory text into a proposed rule. For an agency that generally relies on voluntary partnerships rather than regulation, that is no easy task, and I acknowledge the hard work by CISA staff to get this done.

In particular, I appreciate CISA's efforts to engage with stakeholders early and to draft a detailed rule that considers the input CISA received. This proposed rule, however, is only one step in the implementation process. Now, CISA must consider additional stakeholder feedback as it works to develop a Final Rule. I encourage CISA to ensure stakeholders have sufficient time to develop thoughtful comments on the many complicated issues that will need to be resolved. Getting this right will be essential to achieving the benefits Congress sought when enacting this legislation.

The goal of CIRCIA is to increase the Federal government's visibility into the cybersecurity incidents impacting critical infrastructure, helping CISA improve its analysis of the cyber threats facing our nation and ultimately develop better tools, products, and services to help strengthen our national cyber defenses. As we evaluate this proposed rule, we must consider how it helps further these goals while minimizing unnecessary burdens on the victims of cyber attacks. One key aspect of reducing the burden on critical infrastructure will not just be determined by the final CIRCIA Rule, but on the willingness of other Federal agencies to work with CISA to improve the harmonization of cyber incident reporting mandates.

As more Federal regulators have sought cyber incident information, many entities are currently subject to duplicative and inconsistent requirements, and it was this Committee's expectation in passing CIRCIA that creating a mandatory reporting requirement across critical infrastructure would help relieve that regulatory burden, so entities can focus on preventing and responding to cyber intrusions.

I appreciate the work of the Cyber Incident Reporting Council to issue its initial report last year, which helped inform this proposed rule, and encourage the Council and all Federal agencies with current or proposed cyber incident reporting mandates to increase their engagement with CISA on regulatory harmonization now that the proposed rule has been released.

We also must ensure that CISA has the resources and tools necessary to turn incident reports into meaningful information that can be used to drive down cyber risk. I look forward to continuing to oversee CISA's plans for how to operationalize the large amounts of data the agency will receive and to work with our colleagues to provide CISA the necessary funding. CIRCIA is a demonstration of how this Committee can enact significant national security legislation when we work together in a bipartisan way and engage in the hard work of considering stakeholder feedback and negotiating with our colleagues.

I hope this hearing today reminds us all of how important our work is and how productive we can be when we prioritize finding common ground. Our witnesses here today represent a range of critical infrastructure sectors and have worked with the committee on cyber incident reporting for years. Their feedback will be valuable as the Committee continues its CIRCIA oversight, and I thank them for being here today.

Before I close, I would also like to take a moment to acknowledge the loss of a Member of the Full Committee, Congressman Donald Payne Jr., who got things done by working across the aisle and with stakeholders. I send the Committee's condolences to his wife, Bea, and their triplets.

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