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CHAIRMAN

JOHN KATKO, NEW YORK
RANKING MEMBER

One Hundred Seventeenth Congress
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

May 18, 2021

President Joseph R. Biden, Jr.
The White House
1600 Pennsylvania Avenue, Northwest
Washington, D.C. 20500

Dear President Biden,

The recent ransomware attack against Colonial Pipeline Company (Colonial) highlights the threat posed to our nation's critical infrastructure and the potential cascading impacts these attacks can have on the economy. As you know, the cybersecurity threat landscape has dramatically shifted over the past year as the nation moved to telework and online services because of the COVID-19 pandemic. The nation has also experienced multiple cyber incidents that have impacted the federal government and the private sector. We applaud the Administration for its focus on cybersecurity issues and look forward to working with you as you exercise new authorities Congress provided to defend against persistent cyberattacks that present a clear threat to the nation.

The attack on Colonial presented a troubling situation, halting services from the largest fuel pipeline on the U.S. East Coast. While thankfully Colonial has begun the process to restore operations, the incident highlights the criticality and interdependencies of our nation's critical infrastructure. We as a nation can and must do more. The federal government, in partnership with the private sector, must work to understand the critical functions our nation depends on.

The U.S. Cyberspace Solarium Commission contemplated the seriousness of this very issue and recommended that the U.S. government "develop and maintain Continuity of the Economy planning in consultation with the private sector to ensure continuous operation of critical functions of the economy in the event of a significant cyber disruption."[1] This recommendation was further solidified by the Fiscal Year 2021 National Defense Authorization Act (FY21 NDAA), Section 9603 Continuity of the Economy Plan. Section 9603 requires the President to develop and maintain a plan to restore the economy of the U.S. in the event of a significant incident.

Last week, we witnessed the exact reason this provision was enacted into law and why we supported it. The question now becomes one of implementation. In the wake of the Colonial ransomware attack and its cascading effects along a large portion of the United States, we believe the Administration should act expeditiously to use this authority to ensure the resiliency of the economy.

The need to get it right cannot be emphasized enough. Therefore, the Committee urges you to fully leverage this authority as quickly as possible. In doing so, we urge the Administration to take advantage

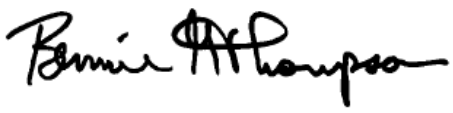
[1] U.S. Cyberspace Solarium Commission, March 2020.

of the unique authority of the Cybersecurity and Infrastructure Security Agency (CISA). CISA plays a vital role in working with industry to collaborate to build more secure and resilient infrastructure. CISA's National Risk Management Center (NRMC) has already undertaken significant work to bring together the private sector, federal agencies, and other stakeholders to identify, analyze, and prioritize National Critical Functions (NCFs). While the NRMC's work is ongoing, the NCFs will allow for a robust prioritization and enhanced understanding of critical infrastructure risk. This work should be the bedrock for developing the Continuity of Economy Plan.

We urge you to jumpstart implementation of these authorities and appropriately leverage existing work underway in the process. As recent events have shown, it is vital that we have a more holistic understanding of the dependencies across connected systems that underpin our way of life and allow our economy to function.

In the coming weeks, we look forward to supporting your efforts. Please direct the appropriate point of contact in your Administration to provide us with a briefing on how you plan to meet the requirements outlined in Section 9603 of the FY21 NDAA (P.L. 116-283), including a discussion of how CISA and other Sector Risk Management Agencies will be involved. Thank you for your attention to this important issue.

Sincerely,



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