

118TH CONGRESS  
1ST SESSION

# H. R. 278

To require the Director of National Intelligence to conduct a study on the feasibility of establishing a Cyber Defense National Guard.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 11, 2023

Ms. JACKSON LEE introduced the following bill; which was referred to the Permanent Select Committee on Intelligence

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## A BILL

To require the Director of National Intelligence to conduct a study on the feasibility of establishing a Cyber Defense National Guard.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cyber Defense Na-  
5 tional Guard Act”.

6 **SEC. 2. STUDY ON ESTABLISHMENT OF CYBER DEFENSE**  
7 **NATIONAL GUARD.**

8 (a) STUDY.—The Director of National Intelligence,  
9 in consultation with the Secretary of Defense and the Sec-  
10 retary of Homeland Security, shall conduct a study on the

1 feasibility of establishing a Cyber Defense National  
2 Guard.

3 (b) CONTENTS.—The study required under sub-  
4 section (a) shall include an analysis of—

5 (1) the cost of creating a Cyber Defense Na-  
6 tional Guard;

7 (2) the number of persons who would be needed  
8 to defend the critical infrastructure of the United  
9 States from a cyber attack or manmade intentional  
10 or unintentional catastrophic incident;

11 (3) the sources of potential members of a Cyber  
12 Defense National Guard, including industry, aca-  
13 demic institutions, research facilities, and Federal  
14 contractors;

15 (4) which elements of the Federal Government  
16 would be best equipped to recruit, train, and manage  
17 a Cyber Defense National Guard;

18 (5) the criteria required for persons to serve in  
19 a Cyber Defense National Guard;

20 (6) if an incident disrupts communications in a  
21 region or area, what resources can be pre-positioned  
22 and training instilled to assure the effectiveness and  
23 responsiveness of a Cyber Defense National Guard;

1           (7) the minimum requirements for consider-  
2           ation for inclusion in a Cyber Defense National  
3           Guard;

4           (8) the impact of the effectiveness of a Cyber  
5           Defense National Guard of the possibility that the  
6           population of potential recruits may be dominated by  
7           men and women without military, intelligence, law  
8           enforcement, or government work experience;

9           (9) the recruitment and vetting costs for a  
10          Cyber Defense National Guard;

11          (10) the frequency of cyber defense and unit co-  
12          hesion training;

13          (11) how well military discipline is able to be  
14          adapted for use for creating command and control  
15          systems and protocols for a Cyber Defense National  
16          Guard;

17          (12) the logistics of allowing governors to use  
18          the Cyber Defense National Guard in States during  
19          times of cyber emergency;

20          (13) the advantages and disadvantages of cre-  
21          ating a Cyber Defense National Guard on the cyber  
22          security of the United States; and

23          (14) whether a force trained to defend the net-  
24          works of the United States in the event of a major  
25          attack or natural or manmade disaster will benefit

1 overall efforts to defend the interests of the United  
2 States.

3 (c) REPORT.—

4 (1) SUBMISSION.—Not later than 240 days  
5 after the date of the enactment of this Act, the Di-  
6 rector of National Intelligence, in consultation with  
7 the Secretary of Defense and the Secretary of  
8 Homeland Security, shall submit to the Committee  
9 on Armed Services, the Committee on Homeland Se-  
10 curity, the Permanent Select Committee on Intel-  
11 ligence, and the Committee on the Judiciary of the  
12 House of Representatives and the Committee on  
13 Armed Services, the Committee on Homeland Secu-  
14 rity and Governmental Affairs, the Select Committee  
15 on Intelligence, and the Committee on the Judiciary  
16 of the Senate a report containing the results of the  
17 study required under subsection (a).

18 (2) FORM.—The report required under para-  
19 graph (1) shall be submitted in unclassified form,  
20 but may include a classified annex.

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