

118TH CONGRESS
1ST SESSION

H. R. 4512

To amend the National Telecommunications and Information Administration Organization Act to establish a Digital Economy and Cybersecurity Board of Advisors, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2023

Mr. PFLUGER introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the National Telecommunications and Information Administration Organization Act to establish a Digital Economy and Cybersecurity Board of Advisors, and for other purposes.

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 “Digital Economy Cy-
5 bersecurity Advisory Act of 2023”.

1 **SEC. 2. DIGITAL ECONOMY AND CYBERSECURITY BOARD**
2 **OF ADVISORS.**

3 Part A of the National Telecommunications and In-
4 formation Administration Organization Act (47 U.S.C.
5 901 et seq.) is amended by adding at the end the fol-
6 lowing:

7 **“SEC. 106. DIGITAL ECONOMY AND CYBERSECURITY BOARD**
8 **OF ADVISORS.**

9 “(a) ESTABLISHMENT.—There is established within
10 the NTIA a Digital Economy and Cybersecurity Board of
11 Advisors (in this section referred to as the ‘Board’).

12 “(b) DUTIES.—The Board shall provide to the Assist-
13 ant Secretary recommendations (for implementation by
14 the Assistant Secretary or that the Assistant Secretary
15 could recommend for implementation by other appropriate
16 entities) with respect to the following:

17 “(1) Technical cybersecurity best practices re-
18 garding how to drive economic growth while securing
19 information and communications networks, including
20 how to secure the Border Gateway Protocol used by
21 Federal and non-Federal entities.

22 “(2) Cybersecurity policies to support the devel-
23 opment and implementation of cybersecurity prac-
24 tices with respect to the internet and information
25 and communications networks.

1 “(3) Policies that promote the security and re-
2 silience to cybersecurity incidents of information and
3 communications networks while fostering innovation,
4 including policies that promote secure supply chains
5 for information and communications networks.

6 “(4) Policies to remove barriers to trust, secu-
7 rity, innovation, and commercialization with respect
8 to information and communications networks.

9 “(c) MEMBERS.—

10 “(1) COMPOSITION.—

11 “(A) IN GENERAL.—The Board shall be
12 composed of not fewer than 5, and not more
13 than 25, members appointed by the Assistant
14 Secretary.

15 “(B) EXPERTISE.—Each member of the
16 Board shall have cybersecurity or supply chain
17 security technical expertise, cybersecurity or
18 supply chain security policy expertise, or exper-
19 tise in running the cybersecurity or supply
20 chain security functions of a business.

21 “(C) REPRESENTATION.—In appointing
22 members of the Board under subparagraph (A),
23 the Assistant Secretary shall ensure that the
24 members appointed provide a balanced rep-
25 resentation of the following:

1 “(i) Chief cybersecurity officers or
2 other qualified individuals employed in cy-
3 bersecurity positions, representing both the
4 public and private sectors.

5 “(ii) Persons who operate or maintain
6 information and communications networks.

7 “(iii) Vendors that produce or provide
8 equipment used in information and com-
9 munications networks.

10 “(iv) Vendors that produce or provide
11 software used in information and commu-
12 nications networks.

13 “(v) Persons who operate or maintain
14 internet applications.

15 “(D) LIMITATION.—An individual who is a
16 registered lobbyist under the Lobbying Disclo-
17 sure Act of 1995 (2 U.S.C. 1601 et seq.) may
18 not serve as a member of the Board.

19 “(2) TERMS.—

20 “(A) IN GENERAL.—Except as provided in
21 subparagraphs (C) and (D), each member of
22 the Board shall be appointed for a term of a
23 length not to exceed 2 years, to be determined
24 by the Assistant Secretary.

1 “(B) REAPPOINTMENT.—A member of the
2 Board, including a member appointed to fill a
3 vacancy as provided in subparagraph (D), may
4 be reappointed for 1 or more additional terms
5 by the Assistant Secretary.

6 “(C) REMOVAL.—The Assistant Secretary
7 may remove a member of the Board at the dis-
8 cretion of the Assistant Secretary.

9 “(D) VACANCY.—Any member of the
10 Board appointed to fill a vacancy occurring be-
11 fore the expiration of the term for which the
12 predecessor of the member was appointed shall
13 be appointed only for the remainder of such
14 term. A vacancy in the Board shall be filled in
15 the manner in which the original appointment
16 was made.

17 “(3) CHAIR.—The Chair of the Board shall be
18 the Associate Administrator of the National Tele-
19 communications and Information Administration for
20 Policy Analysis and Development.

21 “(4) COMPENSATION.—The members of the
22 Board shall serve without compensation.

23 “(d) SUBCOMMITTEES.—

24 “(1) IN GENERAL.—Subject to the approval of
25 the Assistant Secretary, as the Assistant Secretary

1 determines necessary for the performance by the
2 Board of the duties described in subsection (b), the
3 Board may establish subcommittees, working
4 groups, standing committees, ad hoc groups, task
5 groups, or other subgroups of the Board.

6 “(2) AUTHORITY.—Any subcommittee, working
7 group, standing committee, ad hoc group, task
8 group, or other subgroup of the Board established
9 under paragraph (1) shall report to the Board and
10 may not provide any advice, recommendation, or
11 other work product directly to the Assistant Sec-
12 retary.

13 “(e) TERMINATION.—Notwithstanding section 1013
14 of title 5, United States Code, the Board shall terminate
15 on the date that is 4 years after the date of the enactment
16 of this section.

17 “(f) DEFINITIONS.—In this section:

18 “(1) BORDER GATEWAY PROTOCOL.—The term
19 ‘Border Gateway Protocol’ means the routing pro-
20 tocol used to exchange network layer reachability in-
21 formation among independently managed networks
22 on the internet.

23 “(2) INFORMATION AND COMMUNICATIONS NET-
24 WORK.—The term ‘information and communications
25 network’ means a network that provides advanced

1 telecommunications capability (as defined in section
2 706(d) of the Telecommunications Act of 1996 (47
3 U.S.C. 1302(d))).”.

○