

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 4470
OFFERED BY MR. SWALWELL**

Add at the end the following:

1 SEC. 3. CYBERSECURITY PERFORMANCE GOALS.

2 (a) REVIEW.—Not later than 180 days after the date
3 of the enactment of this Act, the Director of the Cyberse-
4 curity and Infrastructure Security Agency of the Depart-
5 ment of Homeland Security shall conduct a review of the
6 cybersecurity measures described in the risk-based per-
7 formance standards, established pursuant to in section
8 2102(a)(2)(C) of the Homeland Security Act of 2002 (6
9 U.S.C. 622(a)(2)(C)) to determine if such cybersecurity
10 measures are consistent with, and satisfy all elements of,
11 the Cybersecurity Performance Goals issued by the Direc-
12 tor pursuant to National Security Memorandum 5, enti-
13 tled “Improving Cybersecurity for Critical Infrastructure
14 Control Systems” (July 28, 2021), or any successor there-
15 to.

16 (b) REPORT.—The Director of the Cybersecurity and
17 Infrastructure Security Agency shall report to Congress
18 the findings of the review conducted pursuant to sub-
19 section (a), together with specific detail on how each ele-

1 ment of the Cybersecurity Performance Goals referred to
2 in such subsection are either satisfied or consistent with
3 the cybersecurity measures in the risk-based performance
4 standards referred to in subsection (a), identifying any
5 disparities between such Cybersecurity Performance Goals
6 and such risk-based performance standards, and rec-
7 ommendations to address such disparities, as appropriate.

