

AMERICAN CYBERSECURITY LITERACY ACT

OCTOBER 26, 2021.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. PALLONE, from the Committee on Energy and Commerce, submitted the following

R E P O R T

[To accompany H.R. 4055]

The Committee on Energy and Commerce, to whom was referred the bill (H.R. 4055) to establish a cybersecurity literacy campaign, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “American Cybersecurity Literacy Act”.

SEC. 2. SENSE OF CONGRESS.

It is the sense of the Congress that the United States has a national security and economic interest in promoting cybersecurity literacy amongst the general public.

SEC. 3. ESTABLISHMENT OF CYBERSECURITY LITERACY CAMPAIGN.

(a) **IN GENERAL.**—The Assistant Secretary shall develop and conduct a cybersecurity literacy campaign (which shall be available in multiple languages and formats, if practicable) to increase the knowledge and awareness of the American people of best practices to reduce cybersecurity risks.

(b) **CAMPAIGN.**—To reduce cybersecurity risks, the Assistant Secretary shall—

(1) educate the American people on how to prevent and mitigate cyberattacks and cybersecurity risks, including by—

(A) instructing the American people on how to identify—

- (i) phishing emails and messages; and
- (ii) secure websites;

(B) instructing the American people about the benefits of changing default passwords on hardware and software technology;

(C) encouraging the use of cybersecurity tools, including—

- (i) multi-factor authentication;
- (ii) complex passwords;
- (iii) anti-virus software;
- (iv) patching and updating software and applications; and
- (v) virtual private networks;

(D) identifying the devices that could pose possible cybersecurity risks, including—

- (i) personal computers;
- (ii) smartphones;
- (iii) tablets;
- (iv) Wi-Fi routers;
- (v) smart home appliances;
- (vi) webcams;
- (vii) internet-connected monitors; and
- (viii) any other device that can be connected to the internet, including mobile devices other than smartphones and tablets;

(E) encouraging Americans to—

- (i) regularly review mobile application permissions;
- (ii) decline privilege requests from mobile applications that are unnecessary;
- (iii) download applications only from trusted vendors or sources; and
- (iv) consider a product's life cycle and the developer or manufacturer's commitment to providing security updates during a connected device's expected period of use; and

(F) identifying the potential cybersecurity risks of using publicly available Wi-Fi networks and the methods a user may utilize to limit such risks; and

(2) encourage the American people to use resources to help mitigate the cybersecurity risks identified in this subsection.

(c) **ASSISTANT SECRETARY DEFINED.**—In this section, the term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

I. PURPOSE AND SUMMARY

H.R. 4055, the “American Cybersecurity Literacy Act,” would require the National Telecommunications and Information Administration (NTIA) to develop and conduct a cybersecurity literacy campaign to educate individuals about common cybersecurity risks and best practices.

II. BACKGROUND AND NEED FOR LEGISLATION

Cybersecurity threats targeting the American public continue to become more common as our economy has moved increasingly online.¹ Although hackers often target businesses or other commercial entities, American individuals remain a common target for cyber criminals.² By educating Americans on best practices to improve

¹ CISA, *Cybersecurity, Combating Cyber Crime* (Nov. 20, 2018) (www.cisa.gov/combating-cyber-crime).

² CISA, *Cyber Safety* (Feb. 27, 2019) (www.cisa.gov/cyber-safety).

their awareness of common cybersecurity measures, it is expected that the overall impact of cyberattacks will be mitigated.

III. COMMITTEE HEARINGS

For the purposes of clause 3(c) of rule XIII of the Rules of the House of Representatives, the following hearings were used to develop or consider H.R. 4055:

The Subcommittee on Communications and Technology held a hearing on April 21, 2021, entitled “Leading the Wireless Future: Securing American Network Technology.” The Subcommittee received testimony from the following witnesses:

- John Baker, Senior Vice President, Business Development, Mavenir;
- John Mezzalingua, Chief Executive Officer, JMA Wireless;
- Tim Donovan, SVP, Legislative Affairs, Competitive Carriers Association;
- Tareq Amin, EVP and Group Chief Technology Officer, Rakuten Mobile; and
- Diane Rinaldo, Executive Director, Open RAN Policy Coalition.

The Subcommittee on Communications and Technology held a legislative hearing on June 30, 2021, entitled “A Safe Wireless Future: Securing our Networks and Supply Chains.” The Subcommittee received testimony from the following witnesses:

- Dileep Srihari, Senior Policy Counsel, Access Partnership;
- Dean Brenner, SVP, Spectrum Strategy & Tech Policy, Qualcomm Incorporated;
- Jason Boswell, Head of Security, Network Product Solutions, N.A., Ericsson; and
- Clete Johnson, Senior Fellow, Strategic Technologies Program, Center for Strategic and International Studies.

IV. COMMITTEE CONSIDERATION

Representatives Adam Kinzinger (R-IL), Anna Eshoo (D-CA), Gus Bilirakis (R-FL), Marc Veasey (R-TX), and Chrissy Houlahan (D-PA) introduced H.R. 4055, the “American Cybersecurity Literacy Act,” on June 22, 2021, and it was referred to the Committee on Energy and Commerce. Subsequently, on June 23, 2021, H.R. 4055 was referred to the Subcommittee on Communications and Technology. A legislative hearing was held on the bill on June 30, 2021. H.R. 4055 was discharged from the Subcommittee on Communications and Technology on July 20, 2021.

On July 21, 2021, the full Committee met in open markup session, pursuant to notice, to consider H.R. 4055 and 23 other bills. During consideration of the bill, an amendment in the nature of a substitute (AINS) offered by Representative Kinzinger was agreed to by a voice vote. An amendment to the AINS, offered by Representative Eshoo, was agreed to by a voice vote. Upon conclusion of consideration of the bill, the full Committee agreed to a motion on final passage offered by Representative Pallone (D-NJ), Chairman of the Committee, to order H.R. 4055 reported favorably to the House, amended, by a voice vote.

V. COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list each record vote on the motion to report legislation and amendments thereto. The Committee advises that there were no record votes taken on H.R. 4055, including a motion by Mr. Pallone ordering H.R. 4055 favorably reported to the House, amended.

VI. OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the oversight findings and recommendations of the Committee are reflected in the descriptive portion of the report.

VII. NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

Pursuant to 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

VIII. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

IX. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to require the National Telecommunications Information Administration to develop and conduct a cybersecurity literacy campaign to educate U.S. individuals about common cybersecurity risks and best practices.

X. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII, no provision of H.R. 4055 is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111-139 or the most recent Catalog of Federal Domestic Assistance.

XI. COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(1) of rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

XII. EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that H.R. 4055 contains no earmarks, limited tax benefits, or limited tariff benefits.

XIII. ADVISORY COMMITTEE STATEMENT

No advisory committee within the meaning of section 5(b) of the Federal Advisory Committee Act was created by this legislation.

XIV. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

XV. SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

Section 1 designates that the short title may be cited as the “American Cybersecurity Literacy Act.”

Sec. 2. Sense of Congress

This section states that it is the sense of the Congress that the United States has a national security and economic interest in promoting cybersecurity literacy among the general public.

Sec. 3. Establishment of cybersecurity literacy campaign

This section requires the National Telecommunications Information Administration (NTIA) to develop and conduct a cybersecurity literacy campaign to educate United States individuals about common cybersecurity risks and best practices.

XVI. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

There are no changes to existing law made by the bill H.R. 4055.