

for Infrastructure Security (in this section referred to as “the Executive Assistant Director”), who shall—

- (A) be at the level of Assistant Secretary within the Department;
- (B) be appointed by the President without the advice and consent of the Senate; and
- (C) report to the Director.

(3) Reference

Any reference to the Assistant Secretary for Infrastructure Protection or Assistant Director for Infrastructure Security in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Executive Assistant Director for Infrastructure Security.

(b) Functions

The Executive Assistant Director shall—

- (1) direct the critical infrastructure security efforts of the Agency;
- (2) carry out, at the direction of the Director, the Chemical Facilities Anti-Terrorism Standards Program established under subchapter XVI and the secure handling of ammonium nitrate program established under part J of subchapter VIII, or any successor programs;
- (3) fully participate in the mechanisms required under section 652(c)(7) of this title; and
- (4) carry out such other duties and powers as prescribed by the Director.

(Pub. L. 107–296, title XXII, §2204, as added Pub. L. 115–278, §2(a), Nov. 16, 2018, 132 Stat. 4174; amended Pub. L. 116–283, div. H, title XC, §9001(d)(1), Jan. 1, 2021, 134 Stat. 4767.)

Editorial Notes

AMENDMENTS

2021—Subsec. (a)(2). Pub. L. 116–283, §9001(d)(1)(A)(i), in heading, substituted “Executive Assistant Director” for “Assistant Director” and, in introductory provisions, substituted “Executive Assistant Director for Infrastructure Security” for “Assistant Director for Infrastructure Security” and “the Executive Assistant Director” for “the Assistant Director”.

Subsec. (a)(3). Pub. L. 116–283, §9001(d)(1)(A)(ii), inserted “or Assistant Director for Infrastructure Security” after “Assistant Secretary for Infrastructure Protection” and substituted “Executive Assistant Director for Infrastructure Security.” for “Assistant Director for Infrastructure Security.”

Subsec. (b). Pub. L. 116–283, §9001(d)(1)(B), substituted “Executive Assistant Director” for “Assistant Director” in introductory provisions.

Statutory Notes and Related Subsidiaries

CONTINUATION IN OFFICE

Pub. L. 116–283, div. H, title XC, §9001(d)(2), Jan. 1, 2021, 134 Stat. 4767, provided that: “The individual serving as the Assistant Director for Infrastructure Security of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security on the day before the date of enactment of this Act [Jan. 1, 2021] may serve as the Executive Assistant Director for Infrastructure Security on and after that date without the need for renomination or reappointment.”

ASSISTANT SECRETARY FOR INFRASTRUCTURE PROTECTION AUTHORIZED TO SERVE AS ASSISTANT DIRECTOR FOR INFRASTRUCTURE SECURITY

Pub. L. 115–278, §2(b)(4), Nov. 16, 2018, 132 Stat. 4175, provided that: “The individual serving as the Assistant

Secretary for Infrastructure Protection on the day before the date of enactment of this Act [Nov. 16, 2018] may continue to serve as the Assistant Director for Infrastructure Security on and after such date.”

§ 655. Enhancement of Federal and non-Federal cybersecurity

In carrying out the responsibilities under section 652 of this title, the Director of Cybersecurity and Infrastructure Security shall—

- (1) as appropriate, provide to State and local government entities, and upon request to private entities that own or operate critical information systems—

(A) analysis and warnings related to threats to, and vulnerabilities of, critical information systems; and

(B) in coordination with the Under Secretary for Emergency Preparedness and Response, crisis management support in response to threats to, or attacks on, critical information systems;

- (2) as appropriate, provide technical assistance, upon request, to the private sector and other government entities, in coordination with the Under Secretary for Emergency Preparedness and Response, with respect to emergency recovery plans to respond to major failures of critical information systems; and

(3) fulfill the responsibilities of the Secretary to protect Federal information systems under subchapter II of chapter 35 of title 44.

(Pub. L. 107–296, title XXII, §2205, formerly title II, §223, Nov. 25, 2002, 116 Stat. 2156; Pub. L. 110–53, title V, §531(b)(1)(A), Aug. 3, 2007, 121 Stat. 334; Pub. L. 113–283, §2(e)(3)(A), Dec. 18, 2014, 128 Stat. 3086; renumbered title XXII, §2205, and amended Pub. L. 115–278, §2(g)(2)(I), (9)(A)(i), Nov. 16, 2018, 132 Stat. 4178, 4180.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 143 of this title prior to renumbering by Pub. L. 115–278.

AMENDMENTS

2018—Pub. L. 115–278, §2(g)(9)(A)(i)(I), substituted “section 652 of this title” for “section 121 of this title” and “Director of Cybersecurity and Infrastructure Security” for “Under Secretary appointed under section 113(a)(1)(H) of this title” in introductory provisions.

Par. (1)(B). Pub. L. 115–278, §2(g)(9)(A)(i)(II), struck out “and” at end.

2014—Pub. L. 113–283, §2(e)(3)(A)(i), (ii), inserted “Federal and” before “non-Federal” in section catchline and substituted “the Under Secretary appointed under section 113(a)(1)(H) of this title” for “the Under Secretary for Intelligence and Analysis, in cooperation with the Assistant Secretary for Infrastructure Protection” in introductory provisions.

Par. (3). Pub. L. 113–283, §2(e)(3)(A)(iii), (iv), added par. (3).

2007—Pub. L. 110–53 substituted “Under Secretary for Intelligence and Analysis, in cooperation with the Assistant Secretary for Infrastructure Protection” for “Under Secretary for Information Analysis and Infrastructure Protection” in introductory provisions.

§ 656. NET Guard

The Director of Cybersecurity and Infrastructure Security may establish a national tech-