

§ 278g–3c. Guidelines on the disclosure process for security vulnerabilities relating to information systems, including Internet of Things devices

(a) In general

Not later than 180 days after December 4, 2020, the Director of the Institute, in consultation with such cybersecurity researchers and private sector industry experts as the Director considers appropriate, and in consultation with the Secretary, shall develop and publish under section 278g–3 of this title guidelines—

(1) for the reporting, coordinating, publishing, and receiving of information about—

(A) a security vulnerability relating to information systems owned or controlled by an agency (including Internet of Things devices owned or controlled by an agency); and

(B) the resolution of such security vulnerability; and

(2) for a contractor providing to an agency an information system (including an Internet of Things device) and any subcontractor thereof at any tier providing such information system to such contractor, on—

(A) receiving information about a potential security vulnerability relating to the information system; and

(B) disseminating information about the resolution of a security vulnerability relating to the information system.

(b) Elements

The guidelines published under subsection (a) shall—

(1) to the maximum extent practicable, be aligned with industry best practices and Standards 29147 and 30111 of the International Standards Organization (or any successor standard) or any other appropriate, relevant, and widely-used standard;

(2) incorporate guidelines on—

(A) receiving information about a potential security vulnerability relating to an information system owned or controlled by an agency (including an Internet of Things device); and

(B) disseminating information about the resolution of a security vulnerability relating to an information system owned or controlled by an agency (including an Internet of Things device); and

(3) be consistent with the policies and procedures produced under section 659(m) of title 6.

(c) Information items

The guidelines published under subsection (a) shall include example content, on the information items that should be reported, coordinated, published, or received pursuant to this section by a contractor, or any subcontractor thereof at any tier, providing an information system (including Internet of Things device) to the Federal Government.

(d) Oversight

The Director of OMB shall oversee the implementation of the guidelines published under subsection (a).

(e) Operational and technical assistance

The Secretary, in consultation with the Director of OMB, shall administer the implementa-

tion of the guidelines published under subsection (a) and provide operational and technical assistance in implementing such guidelines.

(Pub. L. 116–207, §5, Dec. 4, 2020, 134 Stat. 1004.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Internet of Things Cybersecurity Improvement Act of 2020, also known as the IoT Cybersecurity Improvement Act of 2020, and not as part of the National Institute of Standards and Technology Act which comprises this chapter.

Statutory Notes and Related Subsidiaries

DEFINITIONS

For definitions of terms used in this section, see section 278g–3a of this title.

§ 278g–3d. Implementation of coordinated disclosure of security vulnerabilities relating to agency information systems, including Internet of Things devices

(a) Agency guidelines required

Not later than 2 years after December 4, 2020, the Director of OMB, in consultation with the Secretary, shall develop and oversee the implementation of policies, principles, standards, or guidelines as may be necessary to address security vulnerabilities of information systems (including Internet of Things devices).

(b) Operational and technical assistance

Consistent with section 3553(b) of title 44, the Secretary, in consultation with the Director of OMB, shall provide operational and technical assistance to agencies on reporting, coordinating, publishing, and receiving information about security vulnerabilities of information systems (including Internet of Things devices).

(c) Consistency with guidelines from National Institute of Standards and Technology

The Secretary shall ensure that the assistance provided under subsection (b) is consistent with applicable standards and publications developed by the Director of the Institute.

(d) Revision of Federal Acquisition Regulation

The Federal Acquisition Regulation shall be revised as necessary to implement the provisions under this section.

(Pub. L. 116–207, §6, Dec. 4, 2020, 134 Stat. 1005.)

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