

118TH CONGRESS
1ST SESSION

S. 1862

To amend the Homeland Security Act of 2002 to provide explicit authority for the Secretary of Homeland Security and the Director of the Cybersecurity and Infrastructure Security Agency to work with international partners on cybersecurity, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 7, 2023

Mr. PETERS (for himself and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend the Homeland Security Act of 2002 to provide explicit authority for the Secretary of Homeland Security and the Director of the Cybersecurity and Infrastructure Security Agency to work with international partners on cybersecurity, 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 “DHS International
5 Cyber Partner Act of 2023”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to authorize the Secretary
3 of Homeland Security to assign personnel to foreign loca-
4 tions to support the missions of the Department of Home-
5 land Security.

6 **SEC. 3. INTERNATIONAL ASSIGNMENT.**

7 (a) IN GENERAL.—Title I of the Homeland Security
8 Act of 2002 (6 U.S.C. 111 et seq.) is amended by adding
9 at the end the following:

10 **“SEC. 104. INTERNATIONAL ASSIGNMENT.**

11 “(a) INTERNATIONAL ASSIGNMENT.—

12 “(1) IN GENERAL.—The Secretary, with the
13 concurrence of the Secretary of State, may assign
14 personnel of the Department to a duty station that
15 is located outside the United States at which the
16 Secretary determines representation of the Depart-
17 ment is necessary to accomplish the cybersecurity
18 and infrastructure security missions of the Depart-
19 ment and to carry out duties and activities as as-
20 signed by the Secretary.

21 “(2) CONCURRENCE ON ACTIVITIES.—The ac-
22 tivities of personnel of the Department who are as-
23 signed under this subsection shall be—

24 “(A) performed with the concurrence of
25 the chief of mission to the foreign country to
26 which such personnel are assigned; and

1 “(B) consistent with the duties and powers
2 of the Secretary of State and the chief of mis-
3 sion for a foreign country under section 103 of
4 the Omnibus Diplomatic Security and
5 Antiterrorism Act of 1986 (22 U.S.C. 4802)
6 and section 207 of the Foreign Service Act of
7 1980 (22 U.S.C. 3927), respectively.

8 “(b) RULE OF CONSTRUCTION.—This section shall
9 not be construed to affect, augment, or diminish the au-
10 thority of the Secretary of State or any other officer of
11 the Federal Government.”.

12 (b) CONFORMING AMENDMENT.—The table of con-
13 tents in section 1(b) of the Homeland Security Act of
14 2002 (Public Law 107–196; 116 Stat. 2135) is amended
15 by inserting after the item relating to section 103 the fol-
16 lowing:

 “Sec. 104. International assignment.”.

17 **SEC. 4. CISA ACTIVITIES.**

18 (a) FOREIGN LOCATIONS.—Section 2202(g)(1) of the
19 Homeland Security Act of 2002 (6 U.S.C. 652(g)(1)) is
20 amended by inserting “, including locations outside the
21 United States” before the period at the end.

22 (b) CYBER PLANNING.—Section 2216 of the Home-
23 land Security Act of 2002 (6 U.S.C. 665b) is amended—

24 (1) in subsection (a), in the first sentence, by
25 inserting “, including international partners, as ap-

1 appropriate” after “for public and private sector enti-
2 ties”; and

3 (2) in subsection (c)(2)—

4 (A) in subparagraph (E), by striking
5 “and” at the end;

6 (B) in subparagraph (F), by striking the
7 period at the end and inserting “; and”; and

8 (C) by adding at the end the following

9 “(G) for planning with international part-
10 ners, the Department of State.”.

11 (c) CYBERSENTRY.—Section 2220C of the Homeland
12 Security Act of 2002 (6 U.S.C. 665i) is amended—

13 (1) by redesignating subsections (d), (e), (f),
14 and (g) as subsections (e), (f), (g), and (h), respec-
15 tively; and

16 (2) by inserting after subsection (c) the fol-
17 lowing:

18 “(d) INTERNATIONAL.—

19 “(1) IN GENERAL.—The Director may, subject
20 to approval by the Secretary and pursuant to section
21 104 and subsection (b) of this section, enter into
22 agreements or arrangements with foreign govern-
23 ments and foreign owners and operators of critical
24 infrastructure that, in the determination of the Di-
25 rector, in consultation with the Secretary and the

1 Secretary of State, would further the homeland secu-
2 rity interests of the United States and enhance the
3 ability of a foreign government or foreign owner or
4 operator of critical infrastructure to work coopera-
5 tively with the United States to advance the home-
6 land security interests of the United States.

7 “(2) REIMBURSEMENT OF EXPENSES.—The Di-
8 rector is authorized to collect payment from the re-
9 ceiving entity for the cost of services, technical as-
10 sistance, or expertise provided under this subsection
11 and any accompanying shipping costs.

12 “(3) RECEIPTS CREDITED AS OFFSETTING COL-
13 LECTIONS.—Notwithstanding section 3302 of title
14 31, United States Code, any amount collected under
15 this subsection—

16 “(A) shall be credited as offsetting collec-
17 tions to the account that finances the services,
18 technical assistance, or expertise for which the
19 payment is received; and

20 “(B) shall remain available until expended
21 for the purpose of providing for the security in-
22 terests of the homeland.”.

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