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111TH CONGRESS
1ST SESSION

S. 778

To establish, within the Executive Office of the President, the Office of the National Cybersecurity Advisor.

IN THE SENATE OF THE UNITED STATES

APRIL 1, 2009

Mr. ROCKEFELLER (for himself, Ms. SNOWE, and Mr. NELSON of Florida) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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A BILL

To establish, within the Executive Office of the President, the Office of the National Cybersecurity Advisor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. OFFICE OF THE NATIONAL CYBERSECURITY ADVISOR.

(a) ESTABLISHMENT.—There is established, within the Executive Office of the President, the Office of the National Cybersecurity Advisor. The Advisor shall be appointed by the President, by and with the advice and consent of the Senate. The Advisor shall be directly respon-

sible to the President and be designated as an Assistant to the President.

(b) FUNCTIONS AND AUTHORITY.—The Advisor—

(1) shall furnish timely and appropriate recommendations, information, and advice to the President in connection with the administration and execution of laws of the United States relating to cybersecurity and otherwise assist the President in the administration of such laws;

(2) shall serve as the principal advisor to the President for all cybersecurity-related matters;

(3) shall, notwithstanding any provision of law, regulation, rule, or policy to the contrary, have full access to all Federal cyber-compartmented or special access programs;

(4) shall review and approve all cybersecurity-related budget requests submitted to the Office of Management and Budget;

(5) may, notwithstanding any other provision of law, regulation, rule, or policy of the United States, direct the sponsorship of the security clearances for Federal officers and employees (including experts and consultants employed pursuant to section 3109 of title 5, United States Code) whose responsibilities

involve critical infrastructure in the interest of national security;

(6) may employ experts and consultants, under section 3109 of title 5, United States Code, for cybersecurity-related work; and

(7) may consult with Federal departments, agencies, and other entities, and draw upon their resources in connection with the performance of the Advisor's functions, and assign to the head of any such department, agency, or entity the performance of duties incidental to the administration of laws of the United States relating to cybersecurity to the extent not inconsistent with the performance of their official duties.

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