

May 8, 2018

Presidential Executive Order (EO) 13800
Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure
Support to Critical Infrastructure at Greatest Risk (“Section 9 Report”)
Summary

The Department of Homeland Security (DHS), in coordination with relevant Sector Specific Agencies (SSAs), annually identifies and maintains a list of critical infrastructure entities that meet the criteria specified in Executive Order (EO) 13636, *Improving Critical Infrastructure Cybersecurity*, Section 9(a) (“Section 9 entities”) utilizing a risk-based approach. Section 9 entities are defined as “critical infrastructure where a cybersecurity incident could reasonably result in catastrophic regional or national effects on public health or safety, economic security, or national security.”

Presidential Executive Order (EO) 13800, *Strengthening the Cybersecurity of Federal Networks and Critical Infrastructure*, tasked DHS, in coordination with the Secretary of Defense, the Attorney General, the Director of National Intelligence, the Director of the Federal Bureau of Investigation, the heads of appropriate SSAs, and all other appropriate agency heads, as identified by DHS, to:

- Identify authorities and capabilities that agencies could employ to support cybersecurity efforts of Section 9 critical infrastructure entities.
- Engage Section 9 entities and solicit input as appropriate to evaluate whether and how the authorities and capabilities might be employed to support cybersecurity risk management efforts, and any obstacles to doing so.
- Provide a report to President through Assistant to President for Homeland Security and Counterterrorism addressing:
 - Authorities and capabilities identified
 - Results of engagement and determination
 - Findings and recommendations for better supporting the cybersecurity risk management efforts of Section 9 entities.
 - Provide an updated report to the President on an annual basis thereafter

DHS requested that Federal departments and agencies identify the authorities and capabilities that the Government could employ to support the cybersecurity efforts of Section 9 entities. Many of the authorities and capabilities identified were those that the Government routinely uses to address general cybersecurity issues. Even so, they are relevant to an assessment of the authorities and capabilities that could be used in support of Section 9 entities.

DHS and the SSAs organized direct engagement sessions with Section 9 entities and government partners to gain their perspective on how to improve government cybersecurity collaboration and obtain additional suggestions for supporting their cybersecurity risk management efforts. During these sessions, they received feedback on current engagement approaches; potential improvements to those approaches; options for developing and piloting new capabilities or collaborative activities; and existing resources, policies, and legal obstacles. The collective points shared during these sessions formed the basis of the report’s recommendations.

The findings and recommendations from this work for better supporting the Section 9 entities in their cybersecurity risk management efforts include:

- Establishing a DHS program office to strengthen support to Section 9 entities and improve coordination of interagency support;
- Enhancing access to classified information;
- Revisiting the methodology to explore a more functions-based approach to identifying Section 9 entities;
- Improving incident communication and coordination;
- Improving cross-sector information sharing with Section 9 entities;
- Exploring incentives for private sector entities to exercise due care in protecting their information and information systems, which could include reporting cybersecurity incidents to the Government;
- Establishing a public-private initiative to counter supply chain vulnerabilities and reduce cybersecurity vendor risk; and
- Exploring new technology to reduce cyber risk.

DHS will lead an interagency working group to focus on implementing the recommendations and engage with Section 9 entities to ensure understanding of the programs and resources available.