



June 2, 2022

WHAT YOU NEED TO KNOW ABOUT

# The Cyberspace Solarium Commission

## PRO POINTS

- **In 2018, facing mounting concerns about the cybersecurity of critical infrastructure** on the heels of Russian interference in U.S. elections, Congress created a bipartisan commission of lawmakers, federal officials and private sector representatives to devise recommendations about how to defend the nation against cyber threats. The commission's Congressional charter has expired but it continues to exist, now housed at a conservative think tank.
- **Many of the commission's legislative recommendations** were signed into law as part of the past two National Defense Authorization Acts, including a provision that created a national cyber director position at the White House.
- **Other proposals, including streamlining congressional oversight of cybersecurity,** have not made progress.

## HOW WE GOT HERE

In 2018, former President Donald Trump signed into law a provision as part of the annual defense bill establishing a commission to study and compile recommendations on how to defend the U.S. in cyberspace. The legislation was intended to help the U.S. government confront foreign threats, particularly coming two years after Russia interfered in the 2016 U.S. presidential election and as China, North Korea and Iran all increasingly posed national security threats in cyberspace.

The Cyberspace Solarium Commission consisted of 14 members appointed by the majority and minority leaders of the House and Senate. These included two Democratic and two Republican lawmakers, top officials from the FBI, DHS, DoD, intelligence community, academics and energy industry executives.

The group released its main report on March 11, 2020, which included over 80 recommendations divided into six categories:

- Reforming the U.S. government's structure and organization for cyberspace
- Strengthening norms and non-military tools
- Promoting national resilience
- Reshaping the cyber ecosystem
- Operationalizing cyber collaboration with the private sector
- Preserving and employing the military instrument of national power.

From these recommendations, 54 legislative proposals emerged. These proposals ranged widely. For example, they recommended that the State Department establish a cyberspace bureau and required the DoD to assess vulnerabilities of nuclear control systems.



## How cyber bills are grouped in the Cyberspace Solarium Commission's report to Congress and the White House

The Cyberspace Solarium Commission was established when President Donald Trump signed into law the 2019 National Defense Authorization Act. The commission's March 2020 report to Congress and the president divided legislative proposals into six pillars of how to defend against cyberattacks.



Source: Cyberspace Solarium Commission

Following passage of the 2020 and 2021 defense authorization acts, 25 of the CSC's recommendations became law, including the creation of a national cyber director position at the White House to coordinate federal cyber efforts. They also improved CISA's ability to protect critical infrastructure, by authorizing the agency to look for vulnerabilities in federal networks and giving CISA the ability to subpoena internet service providers for information on vulnerabilities in critical infrastructure networks.

The CSC also released several white papers, including one on cybersecurity lessons of the Covid-19 pandemic that proposed new legislative proposals to address IT challenges from the pandemic, such as appropriating funding to state and local governments to strengthen cybersecurity of newly remote systems. Other papers included those on cyber recommendations for the incoming Biden administration, and a paper on ways to counter disinformation, which highlighted how nation state adversaries like Russia often use disinformation operations to destabilize other nations.

Sen. Ben Sasse (R-Neb.), who sponsored the bill to create the commission, said at the time of the CSC's creation that "warning lights have been blinking for a long time" in cybersecurity.

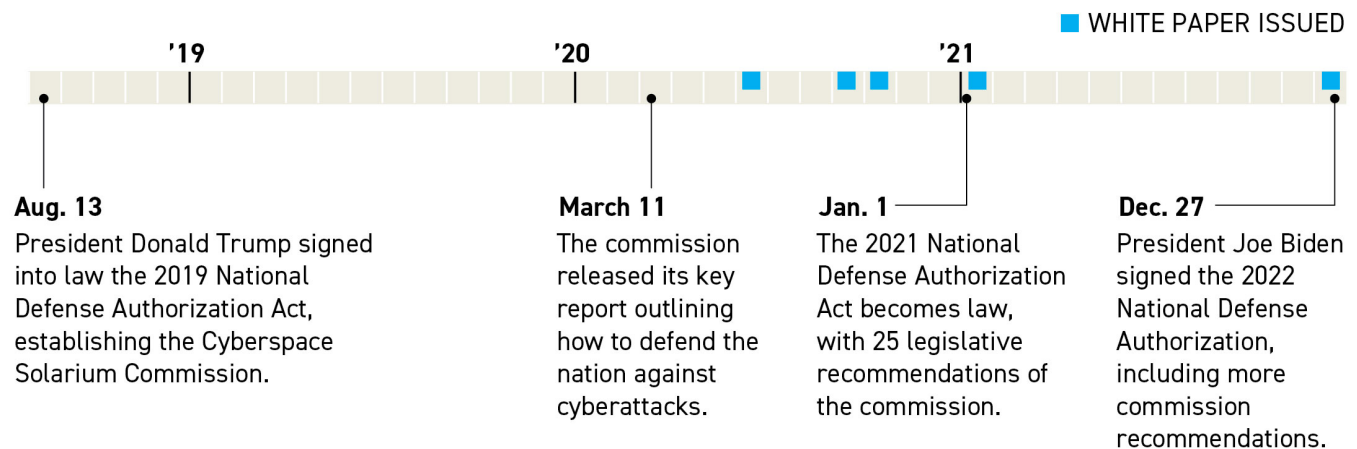


## WHAT'S NEXT

The CSC was formally disbanded at the end of 2021 when congressional authorization ran out. In order to continue work to protect the nation against cyberattacks, the CSC 2.0 project, housed within the Foundation for Defense of Democracies, a conservative think tank, was set up. Sen. Angus King (I-Maine) and Rep. Mike Gallagher (R-Wis.) remained as co- chairs of the new organization, and most of the other original commissioners remain involved.

## What the Cyberspace Solarium Commission did in its 3<sup>1</sup>/<sub>2</sub> years

The Cyberspace Solarium Commission released several white papers on creating a stronger cyber workforce, building a better information and communications technology supply chain and countering disinformation before it disbanded in December 2021.



Source: POLITICO staff reports

The CSC 2.0 is studying cybersecurity in the water, maritime transport and healthcare sectors, federal cybersecurity workforce development, and planning for the continuity of the economy in the event of a major destabilizing cyberattack.

The group will also continue to pressure Congress to put CSC recommendations into law and will issue an annual assessment of the legislative and executive progress on implementing these recommendations. While many of the recommendations of the original commission were implemented, several including one to create one House and one Senate cyber committee were not, and with the upcoming departure of Rep. Jim Langevin (D-R.I.) from Congress, the CSC will lose an advocate for the passage of cyber legislation in the House.

But the presence of lawmakers on the CSC who served on committees central to cyber oversight gave Congress both a roadmap and the drive to address often bipartisan cybersecurity policy issues. King tweeted in December, 2021 that while “many commissions produce reports,” the CSC had “produced results.”



## POWER PLAYERS

- **Sen. Angus King (I-Maine):** Co-chair of the CSC and a member of both the Senate Armed Services and Intelligence committees.
- **Rep. Mike Gallagher (R-Wis.):** Co-chair of the CSC, and a member of both the House Armed Services and Intelligence committees.
- **Rep. Jim Langevin (D-R.I.):** A member of the CSC and the chairman of the House Armed Services Committee's Subcommittee on Cyber, Innovative Technologies and Information Systems. Will leave office in January, 2023.
- **Sen. Ben Sasse (R-Neb.):** A member of the CSC and a member of the Senate Intelligence Committee. Sponsor of original bill to create the CSC.
- **National Cyber Director Chris Inglis:** A former deputy director of the NSA and CSC commissioner whose current job was created because of a commission recommendation.
- **Mark Montgomery:** The commission's executive director.