

H.R. 360, Cyber Sense Act of 2019

As ordered reported by the House Committee on Energy and Commerce on July 17, 2019

By Fiscal Year, Millions of Dollars	2019	2019-2024	2019-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	56	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	Yes, Under Threshold
		Contains private-sector mandate?	No

H.R. 360 would direct the Department of Energy (DOE) to establish a voluntary program to test the cybersecurity of products and technologies intended for use in the nation’s bulk power system. The bulk power system comprises the facilities and control systems necessary for operating an interconnected energy transmission network and the electric energy needed from generation facilities to maintain transmission system reliability.

In the President’s Budget for fiscal year 2020, DOE requested \$15 million to operate a similar program. On that basis, and accounting for anticipated inflation and historical spending patterns for similar programs, CBO estimates that implementing H.R. 360 would cost \$56 million over the 2020-2024 period, assuming appropriation of the necessary amounts.

The costs of the legislation (detailed in Table 1) fall within budget function 270 (energy).

Table 1.
Estimated Increases in Spending Subject to Appropriation Under H.R. 360

	By Fiscal Year, Millions of Dollars						2019-2024
	2019	2020	2021	2022	2023	2024	
Estimated Authorization	0	15	16	16	16	17	80
Estimated Outlays	0	3	9	12	16	16	56



H.R. 360 would impose an intergovernmental mandate, as defined in the Unfunded Mandates Reform Act (UMRA), on state, local, and tribal governments. The bill would preempt state and local laws that could otherwise cause governmental agencies participating in the Cyber Sense program to disclose information about their activities, such as the sharing of cybersecurity information. Although the preemption would limit the application of state and local laws, CBO estimates that it would impose no duty on state or local governments that would result in additional spending or a loss of revenues.

H.R. 360 contains no private-sector mandates as defined in UMRA.

The CBO staff contacts for this estimate are Sofia Guo (for federal costs) and Brandon Lever (for mandates). The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.