

H.R. 2928, Cyber Sense Act of 2021

As ordered reported by the House Committee on Energy and Commerce on June 10, 2021

By Fiscal Year, Millions of Dollars	2021	2021-2026	2021-2031
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	0	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 2032?	No	Contains intergovernmental mandate?	Yes, Under Threshold
		Contains private-sector mandate?	No

H.R. 2928 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.

DOE tests the cybersecurity of bulk power systems through its Cybersecurity Testing for Industrial Control Systems program. Because H.R. 2928 would codify the department’s current practices, implementing the bill would not affect the federal budget.

H.R. 2928 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. 2928 contains no private-sector mandates as defined in UMRA.

The CBO staff contacts for this estimate are Aldo Prospero (for federal costs) and Brandon Lever (for mandates). The estimate was reviewed by Leo Lex, Deputy Director of Budget Analysis.