

Calendar No. 151

116TH CONGRESS
1ST SESSION

H. R. 2331

IN THE SENATE OF THE UNITED STATES

JULY 16, 2019

Received; read twice and placed on the calendar

AN ACT

To require an annual report on the cybersecurity of the
Small Business Administration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “SBA Cyber Awareness
5 Act”.

6 **SEC. 2. CYBERSECURITY AWARENESS REPORTING.**

7 Section 10 of the Small Business Act (15 U.S.C. 639)
8 is amended by inserting after subsection (a) the following:

9 “(b) CYBERSECURITY REPORTS.—

10 “(1) ANNUAL REPORT.—Not later than 180
11 days after the date of enactment of this subsection,

1 and every year thereafter, the Administrator shall
2 submit a report to the appropriate congressional
3 committees that includes—

4 “(A) an assessment of the information
5 technology (as defined in section 11101 of title
6 40, United States Code) and cybersecurity in-
7 frastructure of the Administration;

8 “(B) a strategy to increase the cybersecuri-
9 ty infrastructure of the Administration;

10 “(C) a detailed account of any information
11 technology equipment or interconnected system
12 or subsystem of equipment of the Administra-
13 tion that was manufactured by an entity that
14 has its principal place of business located in the
15 People’s Republic of China; and

16 “(D) an account of any cybersecurity risk
17 or incident that occurred at the Administration
18 during the 2-year period preceding the date on
19 which the report is submitted, and any action
20 taken by the Administrator to respond to or re-
21 mediate any such cybersecurity risk or incident.

22 “(2) ADDITIONAL REPORTS.—If the Adminis-
23 trator determines that there is a reasonable basis to
24 conclude that a cybersecurity risk or incident oc-

1 curred at the Administration, the Administrator
2 shall—

3 “(A) not later than 7 days after the date
4 on which the Administrator makes that deter-
5 mination, notify the appropriate congressional
6 committees of the cybersecurity risk or incident;
7 and

8 “(B) not later than 30 days after the date
9 on which the Administrator makes a determina-
10 tion under subparagraph (A)—

11 “(i) provide notice to individuals and
12 small business concerns affected by the cy-
13 bersecurity risk or incident; and

14 “(ii) submit to the appropriate con-
15 gressional committees a report, based on
16 information available to the Administrator
17 as of the date which the Administrator
18 submits the report, that includes—

19 “(I) a summary of information
20 about the cybersecurity risk or inci-
21 dent, including how the cybersecurity
22 risk or incident occurred; and

23 “(II) an estimate of the number
24 of individuals and small business con-
25 cerns affected by the cybersecurity

1 risk or incident, including an assess-
2 ment of the risk of harm to affected
3 individuals and small business con-
4 cerns.

5 “(3) RULE OF CONSTRUCTION.—Nothing in
6 this subsection shall be construed to affect the re-
7 porting requirements of the Administrator under
8 chapter 35 of title 44, United States Code, in par-
9 ticular the requirement to notify the Federal infor-
10 mation security incident center under section
11 3554(b)(7)(C)(ii) of such title, or any other provi-
12 sion of law.

13 “(4) DEFINITIONS.—In this subsection:

14 “(A) APPROPRIATE CONGRESSIONAL COM-
15 MITTEES.—The term ‘appropriate congressional
16 committees’ means—

17 “(i) the Committee on Small Business
18 and Entrepreneurship of the Senate; and

19 “(ii) the Committee on Small Busi-
20 ness of the House of Representatives.

21 “(B) CYBERSECURITY RISK; INCIDENT.—
22 The terms ‘cybersecurity risk’ and ‘incident’
23 have the meanings given such terms, respec-

1 tively, under section 2209(a) of the Homeland
2 Security Act of 2002.”.

Passed the House of Representatives July 15, 2019.

Attest: **CHERYL L. JOHNSON,**
Clerk.

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