

114TH CONGRESS
2D SESSION

H. R. 5064

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22, 2016

Received

AN ACT

To amend the Small Business Act to allow small business development centers to assist and advise small business concerns on relevant cyber security matters, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Improving Small Busi-
3 ness Cyber Security Act of 2016”.

4 **SEC. 2. ROLE OF SMALL BUSINESS DEVELOPMENT CEN-**
5 **TERS IN CYBER SECURITY AND PREPARED-**
6 **NESS.**

7 Section 21 of the Small Business Act (15 U.S.C. 648)
8 is amended—

9 (1) in subsection (a)(1), by striking “and pro-
10 viding access to business analysts who can refer
11 small business concerns to available experts:” and
12 inserting “providing access to business analysts who
13 can refer small business concerns to available ex-
14 perts; and, to the extent practicable, providing as-
15 sistance in furtherance of the Small Business Devel-
16 opment Center Cyber Strategy developed under sec-
17 tion 5(b) of the Improving Small Business Cyber Se-
18 curity Act of 2016:”; and

19 (2) in subsection (c)—

20 (A) in paragraph (2)—

21 (i) in subparagraph (E), by striking
22 “and” at the end;

23 (ii) in subparagraph (F), by striking
24 the period and inserting “; and”; and

25 (iii) by adding at the end of the fol-
26 lowing:

1 “(G) access to cyber security specialists to
2 counsel, assist, and inform small business concern
3 clients, in furtherance of the Small Business Devel-
4 opment Center Cyber Strategy developed under sec-
5 tion 5(b) of the Improving Small Business Cyber Se-
6 curity Act of 2016.”.

7 **SEC. 3. ADDITIONAL CYBER SECURITY ASSISTANCE FOR**
8 **SMALL BUSINESS DEVELOPMENT CENTERS.**

9 Section 21(a) of the Small Business Act (15 U.S.C.
10 648(a)) is amended by adding at the end the following:

11 “(8) CYBER SECURITY ASSISTANCE.—The De-
12 partment of Homeland Security, and any other Fed-
13 eral department or agency in coordination with the
14 Department of Homeland Security, may leverage
15 small business development centers to provide assist-
16 ance to small businesses by disseminating cyber se-
17 curity risk information and other homeland security
18 information to help small business concerns in devel-
19 oping or enhancing cyber security infrastructure,
20 cyber threat awareness, and cyber training programs
21 for employees.”.

22 **SEC. 4. CYBER SECURITY OUTREACH FOR SMALL BUSINESS**
23 **DEVELOPMENT CENTERS.**

24 Section 227 of the Homeland Security Act of 2002
25 (6 U.S.C. 148) is amended—

1 (1) by redesignating subsection (l) as subsection
2 (m); and

3 (2) by inserting after subsection (k) the fol-
4 lowing:

5 “(l) CYBERSECURITY OUTREACH.—

6 “(1) IN GENERAL.—The Secretary may lever-
7 age small business development centers to provide
8 assistance to small business concerns by dissemi-
9 nating information on cyber threat indicators, defen-
10 sive measures, cybersecurity risks, incidents, anal-
11 yses, and warnings to help small business concerns
12 in developing or enhancing cybersecurity infrastruc-
13 ture, cyber threat awareness, and cyber training pro-
14 grams for employees.

15 “(2) DEFINITIONS.—For purposes of this sub-
16 section, the terms ‘small business concern’ and
17 ‘small business development center’ have the mean-
18 ing given such terms, respectively, under section 3 of
19 the Small Business Act.”.

20 **SEC. 5. GAO STUDY ON SMALL BUSINESS CYBER SUPPORT**
21 **SERVICES AND SMALL BUSINESS DEVELOP-**
22 **MENT CENTER CYBER STRATEGY.**

23 (a) REVIEW OF CURRENT CYBER SECURITY RE-
24 SOURCES.—

1 (1) IN GENERAL.—The Comptroller General of
2 the United States shall conduct a review of current
3 cyber security resources at the Federal level aimed
4 at assisting small business concerns with developing
5 or enhancing cyber security infrastructure, cyber
6 threat awareness, or cyber training programs for
7 employees.

8 (2) CONTENT.—The review required under
9 paragraph (1) shall include the following:

10 (A) An accounting and description of all
11 Federal Government programs, projects, and
12 activities that currently provide assistance to
13 small business concerns in developing or en-
14 hancing cyber security infrastructure, cyber
15 threat awareness, or cyber training programs
16 for employees.

17 (B) An assessment of how widely utilized
18 the resources described under subparagraph (A)
19 are by small business concerns and a review of
20 whether or not such resources are duplicative of
21 other programs and structured in a manner
22 that makes them accessible to and supportive of
23 small business concerns.

24 (3) REPORT.—The Comptroller General shall
25 issue a report to the Congress, the Administrator of

1 the Small Business Administration, the Secretary of
2 Homeland Security, and any association recognized
3 under section 21(a)(3)(A) of the Small Business Act
4 containing all findings and determinations made in
5 carrying out the review required under paragraph
6 (1).

7 (b) SMALL BUSINESS DEVELOPMENT CENTER
8 CYBER STRATEGY.—

9 (1) IN GENERAL.—Not later than 90 days after
10 the issuance of the report under subsection (a)(3),
11 the Administrator of the Small Business Administra-
12 tion and the Secretary of Homeland Security shall
13 work collaboratively to develop a Small Business De-
14 velopment Center Cyber Strategy.

15 (2) CONSULTATION.—In developing the strat-
16 egy under this subsection, the Administrator of the
17 Small Business Administration and the Secretary of
18 Homeland Security shall consult with entities rep-
19 resenting the concerns of small business development
20 centers, including any association recognized under
21 section 21(a)(3)(A) of the Small Business Act.

22 (3) CONTENT.—The strategy required under
23 paragraph (1) shall include, at minimum, the fol-
24 lowing:

1 (A) Plans for leveraging small business de-
2 velopment centers (SBDCs) to access existing
3 cyber programs of the Department of Home-
4 land Security and other appropriate Federal
5 agencies to enhance services and streamline
6 cyber assistance to small business concerns.

7 (B) To the extent practicable, methods for
8 the provision of counsel and assistance to im-
9 prove a small business concern's cyber security
10 infrastructure, cyber threat awareness, and
11 cyber training programs for employees, includ-
12 ing—

13 (I) working to ensure individuals are
14 aware of best practices in the areas of
15 cyber security, cyber threat awareness, and
16 cyber training;

17 (ii) working with individuals to de-
18 velop cost-effective plans for implementing
19 best practices in these areas;

20 (iii) entering into agreements, where
21 practical, with Information Sharing and
22 Analysis Centers or similar cyber informa-
23 tion sharing entities to gain an awareness
24 of actionable threat information that may

1 be beneficial to small business concerns;
2 and

3 (iv) providing referrals to area special-
4 ists when necessary.

5 (c) An analysis of—

6 (I) how Federal Government pro-
7 grams, projects, and activities identified by
8 the Comptroller General in the report
9 issued under subsection (a)(1) can be le-
10 veraged by SBDCs to improve access to
11 high-quality cyber support for small busi-
12 ness concerns;

13 (ii) additional resources SBDCs may
14 need to effectively carry out their role; and

15 (iii) how SBDCs can leverage existing
16 partnerships and develop new ones with
17 Federal, State, and local government enti-
18 ties as well as private entities to improve
19 the quality of cyber support services to
20 small business concerns.

21 (4) DELIVERY OF STRATEGY.—Not later than
22 180 days after the issuance of the report under sub-
23 section (a)(3), the Small Business Development Cen-
24 ter Cyber Strategy shall be issued to the Committees
25 on Homeland Security and Small Business of the

1 House of Representatives and the Committees on
2 Homeland Security and Governmental Affairs and
3 Small Business and Entrepreneurship of the Senate.

4 (c) DEFINITION.—The term “small business develop-
5 ment center” has the meaning given such term in section
6 3 of the Small Business Act (15 U.S.C. 632).

7 **SEC. 6. PROHIBITION ON ADDITIONAL FUNDS.**

8 No additional funds are authorized to be appro-
9 priated to carry out the requirements of this Act or the
10 amendments made by this Act. Such requirements shall
11 be carried out using amounts otherwise authorized.

Passed the House of Representatives September 21,
2016.

Attest:

KAREN L. HAAS,
Clerk.