

114TH CONGRESS
2D SESSION

H. R. 5459

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2016

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To amend the Homeland Security Act of 2002 to enhance preparedness and response capabilities for cyber attacks, bolster the dissemination of homeland security information related to cyber threats, 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 “Cyber Preparedness
3 Act of 2016”.

4 **SEC. 2. INFORMATION SHARING.**

5 Title II of the Homeland Security Act of 2002 is
6 amended—

7 (1) in section 210A (6 U.S.C. 124h)—

8 (A) in subsection (b)—

9 (i) in paragraph (10), by inserting be-
10 fore the semicolon at the end the following:
11 “, including, in coordination with the na-
12 tional cybersecurity and communications
13 integration center under section 227, ac-
14 cessing timely technical assistance, risk
15 management support, and incident re-
16 sponse capabilities with respect to cyber
17 threat indicators, defensive measures, cy-
18 bersecurity risks, and incidents (as such
19 terms are defined in such section), which
20 may include attribution, mitigation, and
21 remediation, and the provision of informa-
22 tion and recommendations on security and
23 resilience, including implications of cyber-
24 security risks to equipment and technology
25 related to the electoral process”;

1 (ii) in paragraph (11), by striking
2 “and” after the semicolon;

3 (iii) by redesignating paragraph (12)
4 as paragraph (14); and

5 (iv) by inserting after paragraph (11)
6 the following new paragraphs:

7 “(12) review information relating to cybersecu-
8 rity risks that is gathered by State, local, and re-
9 gional fusion centers, and incorporate such informa-
10 tion, as appropriate, into the Department’s own in-
11 formation relating to cybersecurity risks;

12 “(13) ensure the dissemination to State, local,
13 and regional fusion centers of information relating
14 to cybersecurity risks; and”;

15 (B) in subsection (c)(2)—

16 (i) by redesignating subparagraphs
17 (C) through (G) as subparagraphs (D)
18 through (H), respectively; and

19 (ii) by inserting after subparagraph
20 (B) the following new subparagraph:

21 “(C) The national cybersecurity and com-
22 munications integration center under section
23 227.”;

24 (C) in subsection (d)—

1 (i) in paragraph (3), by striking
2 “and” after the semicolon;

3 (ii) by redesignating paragraph (4) as
4 paragraph (5); and

5 (iii) by inserting after paragraph (3)
6 the following new paragraph:

7 “(4) assist, in coordination with the national
8 cybersecurity and communications integration center
9 under section 227, fusion centers in using informa-
10 tion relating to cybersecurity risks to develop a com-
11 prehensive and accurate threat picture; and”;

12 (D) in subsection (j)—

13 (i) by redesignating paragraphs (1)
14 through (5) as paragraphs (2) through (6),
15 respectively; and

16 (ii) by inserting before paragraph (2),
17 as so redesignated, the following new para-
18 graph:

19 “(1) the term ‘cybersecurity risk’ has the mean-
20 ing given that term in section 227;”;

21 (2) in section 227 (6 U.S.C. 148)—

22 (A) in subsection (c)—

23 (i) in paragraph (5)(B), by inserting
24 “, including State and major urban area

fusion centers, as appropriate” before the semicolon at the end;

(ii) in paragraph (7), in the matter preceding subparagraph (A), by striking “information and recommendations” each place it appears and inserting “information, recommendations, and best practices”; and

(iii) in paragraph (9), by inserting “and best practices” after “defensive measures”; and

(B) in subsection (d)(1)(B)(ii), by inserting “and State and major urban area fusion centers, as appropriate” before the semicolon at the end.

SEC. 3. HOMELAND SECURITY GRANTS.

Subsection (a) of section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609) is amended—

(1) by redesignating paragraphs (4) through (14) as paragraphs (5) through (15), respectively; and

(2) by inserting after paragraph (3) the following new paragraph:

“(4) enhancing cybersecurity, including preparing for and responding to cybersecurity risks and

1 incidents and developing State-wide cyber threat in-
2 formation analysis and dissemination activities;”.

3 **SEC. 4. SENSE OF CONGRESS.**

4 It is the sense of Congress that to facilitate the timely
5 dissemination to appropriate State, local, and private sec-
6 tor stakeholders of homeland security information related
7 to cyber threats, the Secretary of Homeland Security
8 should, to the greatest extent practicable, work to share
9 actionable information related to cyber threats in an un-
10 classified form.

Passed the House of Representatives September 26,
2016.

Attest:

KAREN L. HAAS,
Clerk.