

Union Calendar No. 588

114TH CONGRESS
2^D SESSION

H. R. 5459

[Report No. 114-756]

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.

IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 2016

Mr. DONOVAN (for himself, Mr. McCAUL, Mr. RATCLIFFE, and Mr. PAYNE) introduced the following bill; which was referred to the Committee on Homeland Security

SEPTEMBER 19, 2016

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on June 13, 2016]

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Cyber Preparedness Act*
5 *of 2016”.*

6 **SEC. 2. INFORMATION SHARING.**

7 *Title II of the Homeland Security Act of 2002 is*
8 *amended—*

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

10 *(A) in subsection (b)—*

11 *(i) in paragraph (10), by inserting be-*
12 *fore the semicolon at the end the following:*

13 *“, including, in coordination with the na-*
14 *tional cybersecurity and communications*

15 *integration center under section 227, access-*
16 *ing timely technical assistance, risk man-*

17 *agement support, and incident response ca-*
18 *pabilities with respect to cyber threat indi-*

19 *cators, defensive measures, cybersecurity*
20 *risks, and incidents (as such terms are de-*

21 *defined in such section), which may include*
22 *attribution, mitigation, and remediation,*

23 *and the provision of information and rec-*
24 *ommendations on security and resilience,*

25 *including implications of cybersecurity*

1 *risks to equipment and technology related to*
2 *the electoral process”;*

3 (ii) *in paragraph (11), by striking*
4 *“and” after the semicolon;*

5 (iii) *by redesignating paragraph (12)*
6 *as paragraph (14); and*

7 (iv) *by inserting after paragraph (11)*
8 *the following new paragraphs:*

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

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

17 (B) *in subsection (c)(2)—*

18 (i) *by redesignating subparagraphs (C)*
19 *through (G) as subparagraphs (D) through*
20 *(H), respectively; and*

21 (ii) *by inserting after subparagraph*
22 *(B) the following new subparagraph:*

23 “(C) *The national cybersecurity and com-*
24 *munications integration center under section*
25 *227.”;*

1 (C) in subsection (d)—

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

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

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

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

13 (D) in subsection (j)—

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

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

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

22 (2) in section 227 (6 U.S.C. 148)—

23 (A) in subsection (c)—

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

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

3 *(ii) in paragraph (7), in the matter*
4 *preceding subparagraph (A), by striking*
5 *“information and recommendations” each*
6 *place it appears and inserting “informa-*
7 *tion, recommendations, and best practices”;*
8 *and*

9 *(iii) in paragraph (9), by inserting*
10 *“and best practices” after “defensive meas-*
11 *ures”;* *and*

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

15 **SEC. 3. HOMELAND SECURITY GRANTS.**

16 *Subsection (a) of section 2008 of the Homeland Secu-*
17 *rity Act of 2002 (6 U.S.C. 609) is amended—*

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

20 *(2) by inserting after paragraph (3) the fol-*
21 *lowing new paragraph:*

22 *“(4) enhancing cybersecurity, including pre-*
23 *paring for and responding to cybersecurity risks and*
24 *incidents and developing State-wide cyber threat in-*
25 *formation analysis and dissemination activities;”.*

1 **SEC. 4. SENSE OF CONGRESS.**

2 *It is the sense of Congress that to facilitate the timely*
3 *dissemination to appropriate State, local, and private sec-*
4 *tor stakeholders of homeland security information related*
5 *to cyber threats, the Secretary of Homeland Security*
6 *should, to the greatest extent practicable, work to share ac-*
7 *tionable information related to cyber threats in an unclassi-*
8 *fied form.*

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