

116TH CONGRESS  
2D SESSION

# H. R. 8612

To direct the Director of the Cybersecurity and Infrastructure Security Agency to establish a School Cybersecurity Clearinghouse, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 16, 2020

Ms. MATSUI (for herself and Mr. LANGEVIN) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committees on Education and Labor, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To direct the Director of the Cybersecurity and Infrastructure Security Agency to establish a School Cybersecurity Clearinghouse, 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 cited as the “Enhancing K–12  
5 Cybersecurity Act”.

1 **SEC. 2. SCHOOL CYBERSECURITY CLEARINGHOUSE.**

2 (a) ESTABLISHMENT.—The Director of the  
3 Cybersecurity and Infrastructure Security Agency shall es-  
4 tablish a publicly accessible website (to be known as the  
5 “School Cybersecurity Clearinghouse”) to disseminate in-  
6 formation, best practices, and grant opportunities in ac-  
7 cordance with subsection (b) and section 2(e).

8 (b) DUTIES.—In establishing the School  
9 Cybersecurity Clearinghouse under subsection (a), the  
10 Secretary shall—

11 (1) engage appropriate Federal, State, local,  
12 and nongovernmental organizations to identify, pro-  
13 mote, and disseminate information and best prac-  
14 tices for local educational agencies (as defined in  
15 section 101 of the Elementary and Secondary Edu-  
16 cation Act of 1965 (20 U.S.C. 8101)) with respect  
17 to cybersecurity, data protection, remote learning se-  
18 curity, and student online privacy; and

19 (2) maintain a searchable database for an ele-  
20 mentary school, secondary school, local educational  
21 agency, State educational agency, and educational  
22 service agency to find and apply for funding oppor-  
23 tunities (including the opportunity provided under  
24 section 3) to improve cybersecurity.

1 (c) CONSULTATION.—In carrying out the duties  
2 under subsection (b), the Secretary shall consult with the  
3 following:

4 (1) The Secretary of Education.

5 (2) The Director of the National Institute of  
6 Standards and Technology.

7 (3) The Federal Communication Commission.

8 (4) The Director of the National Science Foun-  
9 dation.

10 (5) The Federal Bureau of Investigation.

11 (6) State and local leaders, including, when ap-  
12 propriate, Governors, members of State legislatures  
13 and State boards of education, local educational  
14 agencies, representatives of Indian tribes, teachers,  
15 principals, other school leaders, charter school lead-  
16 ers, specialized instructional support personnel,  
17 paraprofessionals, administrators, other staff, and  
18 parents.

19 **SEC. 3. CYBERSECURITY REGISTRY.**

20 (a) IN GENERAL.—The Director of the Cybersecurity  
21 and Infrastructure Security Agency shall establish a vol-  
22 untary registry of information relating to cyber attacks  
23 on elementary schools and secondary schools.

24 (b) USE.—Information in the registry established  
25 pursuant to subsection (a) may be used to—

1           (1) improve data collection and coordination ac-  
2           tivities related to the nationwide monitoring of the  
3           incidence and financial impact of cyber attacks on  
4           elementary schools and secondary schools;

5           (2) conduct analyses regarding trends in cyber  
6           attacks against such schools;

7           (3) develop systematic approaches to assist such  
8           schools in preventing and responding to cyber at-  
9           tacks;

10          (4) increase the awareness and preparedness of  
11          elementary school and secondary school administra-  
12          tors regarding the cybersecurity of such schools; and

13          (5) identify, prevent, or investigate cyber at-  
14          tacks on elementary schools and secondary schools.

15          (c) INFORMATION COLLECTION.—The Director of the  
16          Cybersecurity and Infrastructure Security Agency may  
17          collect information relating to cyber attacks on schools to  
18          store in the registry established pursuant to subsection  
19          (a). Such information may be submitted by schools and  
20          may include the following:

21               (1) The dates of each cyber attack, including  
22               the dates on which each such attack was initially de-  
23               tected and the dates on which each such attack was  
24               first reported.

1           (2) A description of each cyber attack which  
2           shall include whether each such attack was as a re-  
3           sult of a breach, malware, distributed denial of serv-  
4           ice attack, or other method designed to cause a vul-  
5           nerability.

6           (3) The effects of each cyber attack, including  
7           descriptions of the type and size of each such attack.

8           (4) Other information determined relevant by  
9           the Secretary.

10          (d) ACCESS.—The Director of the Cybersecurity and  
11 Infrastructure Security Agency may make information  
12 submitted to the registry established pursuant to sub-  
13 section (a) available to relevant law enforcement agencies,  
14 and State and local government agencies, as determined  
15 appropriate, for the purpose identified in subsection  
16 (b)(5).

17          (e) REPORT.—The Director of the Cybersecurity and  
18 Infrastructure Security Agency shall make available on  
19 the School Cybersecurity Clearinghouse established under  
20 section 1, an annual report relating to cyber attacks on  
21 elementary schools and secondary schools which includes  
22 data, and the analysis of such data, in a manner that—

23           (1) is—

24                   (A) de-identified; and

25                   (B) presented in the aggregate; and

1           (2) at a minimum, protects personal privacy to  
2           the extent required by applicable Federal and State  
3           privacy laws.

4 **SEC. 4. K-12 CYBERSECURITY HUMAN CAPACITY GRANT**  
5 **PROGRAM.**

6           (a) ESTABLISHMENT.—The Director of the National  
7 Science Foundation, acting through the Director of the  
8 Office of Advanced Cyberinfrastructure, shall establish a  
9 program (to be known as the “K-12 Cybersecurity  
10 Human Capacity grant program”) to make grants avail-  
11 able to eligible entities to address cybersecurity risks and  
12 threats to information systems of elementary schools and  
13 secondary schools through—

14           (1) expanded workforce capacity and develop-  
15           ment; and

16           (2) improved network and cyberinfrastructure.

17           (b) APPLICATIONS.—An eligible entity applying for a  
18 grant under the program shall submit to the Director a  
19 proposal that includes the following:

20           (1) A description of how the proposed  
21 cybersecurity capacity improvements will be con-  
22 ceived, designed, and implemented to meet local  
23 needs. Such description shall take the form of a co-  
24 herent cybersecurity strategy and approach for a  
25 school, district, or region such that such strategy

1 and approach are integrated horizontally (intra-  
2 school, district, or region) and vertically (regionally  
3 and nationally) with cybersecurity investments and  
4 best practices.

5 (2) A plan for increasing the ability of edu-  
6 cational leaders to prevent, recognize, and address  
7 cybersecurity threats.

8 (3) An assessment of the sustainability of the  
9 activities under such proposal in light of any recur-  
10 ring operational and engineering costs associated  
11 with such activities.

12 (4) A plan to address the relevant cybersecurity  
13 issues and challenges implicated by the activities  
14 under such plan which includes issues or challenges  
15 pertaining to data integrity, privacy, network secu-  
16 rity measures, federated access and identity manage-  
17 ment, and infrastructure monitoring.

18 (c) FEDERAL SHARE.—The Director shall provide  
19 grants to eligible entities in an amount not to exceed 80  
20 percent of the total cost of the plan.

21 (d) SELECTION.—In selecting recipients for grants  
22 under this section, the Director shall consider, and give  
23 preference to the extent practicable, the percentage of—

24 (1) students in the eligible entity's jurisdiction  
25 eligible to receive free or reduced price lunch under

1 the Richard B. Russell National School Lunch Act  
2 (42 U.S.C. 1751 et seq.); or

3 (2) household units in the eligible entity’s juris-  
4 diction receiving non-cash benefits under the supple-  
5 mental nutrition assistance program under the Food  
6 and Nutrition Act of 2008.

7 (e) AUTHORIZATION OF APPROPRIATIONS.—There  
8 are authorized to be appropriated for grants under this  
9 section \$400,000,000 for fiscal year 2020, to remain avail-  
10 able through fiscal year 2021.

11 **SEC. 5. DEFINITIONS.**

12 In this Act:

13 (1) EDUCATIONAL SERVICE AGENCY.—The  
14 term “educational service agency” has the meaning  
15 given that term in section 8101 of the Elementary  
16 and Secondary Education Act of 1965 (20 U.S.C.  
17 7801).

18 (2) ELEMENTARY SCHOOL.—The term “elemen-  
19 tary school” has the meaning given that term in sec-  
20 tion 8101 of the Elementary and Secondary Edu-  
21 cation Act of 1965 (20 U.S.C. 7801).

22 (3) ELIGIBLE ENTITIES.—The term “eligible  
23 entities” means—

24 (A) an elementary school;

25 (B) a secondary school;

- 1 (C) a local educational agency;  
2 (D) a State educational agency;  
3 (E) an educational service agency; and  
4 (F) any combination of the entities listed  
5 in subparagraph consortia of such entities.

6 (4) LOCAL EDUCATIONAL AGENCY.—The term  
7 “local educational agency” has the meaning given  
8 that term in section 8101 of the Elementary and  
9 Secondary Education Act of 1965 (20 U.S.C. 7801).

10 (5) STATE EDUCATIONAL AGENCY.—The term  
11 “State educational agency” has the meaning given  
12 that term in section 8101 of the Elementary and  
13 Secondary Education Act of 1965 (20 U.S.C. 7801).

14 (6) SECONDARY SCHOOL.—The term “sec-  
15 ondary school” has the meaning given that term in  
16 section 8101 of the Elementary and Secondary Edu-  
17 cation Act of 1965 (20 U.S.C. 7801).

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