

116TH CONGRESS
1ST SESSION

S. 1846

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 26, 2019

Referred to the Committee on Homeland Security, and in addition to the Committee on Oversight and Reform, and the Committee on Energy and Commerce, 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

AN ACT

To amend the Homeland Security Act of 2002 to provide for engagements with State, local, Tribal, and territorial governments, 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 “State and Local Gov-
3 ernment Cybersecurity Act of 2019”.

4 **SEC. 2. AMENDMENTS TO THE HOMELAND SECURITY ACT**
5 **OF 2002.**

6 Subtitle A of title XXII of the Homeland Security
7 Act of 2002 (6 U.S.C. 651 et seq.) is amended—

8 (1) in section 2201 (6 U.S.C. 651)—

9 (A) by redesignating paragraphs (4), (5),
10 and (6) as paragraphs (5), (6), and (7), respec-
11 tively; and

12 (B) by inserting after paragraph (3) the
13 following:

14 “(4) ENTITY.—The term ‘entity’ shall in-
15 clude—

16 “(A) an association, corporation, whether
17 for-profit or nonprofit, partnership, proprietor-
18 ship, organization, institution, establishment, or
19 individual, whether domestic or foreign;

20 “(B) a governmental agency or other gov-
21 ernmental entity, whether domestic or foreign,
22 including State, local, Tribal, and territorial
23 government entities; and

24 “(C) the general public.”; and

25 (2) in section 2202 (6 U.S.C. 652)—

26 (A) in subsection (c)—

1 (i) in paragraph (10), by striking
2 “and” at the end;

3 (ii) by redesignating paragraph (11)
4 as paragraph (12); and

5 (iii) by inserting after paragraph (10)
6 the following:

7 “(11) carry out the authority of the Secretary
8 under subsection (e)(1)(R); and”; and

9 (B) in subsection (e)(1), by adding at the
10 end the following:

11 “(R) To make grants to and enter into co-
12 operative agreements or contracts with States,
13 local, Tribal, and territorial governments, and
14 other non-Federal entities as the Secretary de-
15 termines necessary to carry out the responsibil-
16 ities of the Secretary related to cybersecurity
17 and infrastructure security under this Act and
18 any other provision of law, including grants, co-
19 operative agreements, and contracts that pro-
20 vide assistance and education related to cyber
21 threat indicators, defensive measures and cyber-
22 security technologies, cybersecurity risks, inci-
23 dents, analysis, and warnings.”; and

24 (3) in section 2209 (6 U.S.C. 659)—

1 (A) in subsection (c)(6), by inserting
2 “operational and” after “timely”;

3 (B) in subsection (d)(1)(E), by inserting “,
4 including an entity that collaborates with elec-
5 tion officials,” after “governments”; and

6 (C) by adding at the end the following:

7 “(n) COORDINATION ON CYBERSECURITY FOR FED-
8 ERAL AND NON-FEDERAL ENTITIES.—

9 “(1) COORDINATION.—The Center shall, to the
10 extent practicable, and in coordination as appro-
11 priate with Federal and non-Federal entities, such
12 as the Multi-State Information Sharing and Analysis
13 Center—

14 “(A) conduct exercises with Federal and
15 non-Federal entities;

16 “(B) provide operational and technical cy-
17 bersecurity training related to cyber threat indi-
18 cators, defensive measures, cybersecurity risks,
19 and incidents to Federal and non-Federal enti-
20 ties to address cybersecurity risks or incidents,
21 with or without reimbursement;

22 “(C) assist Federal and non-Federal enti-
23 ties, upon request, in sharing cyber threat indi-
24 cators, defensive measures, cybersecurity risks,
25 and incidents from and to the Federal Govern-

1 ment as well as among Federal and non-Fed-
2 eral entities, in order to increase situational
3 awareness and help prevent incidents;

4 “(D) provide notifications containing spe-
5 cific incident and malware information that
6 may affect them or their customers and resi-
7 dents;

8 “(E) provide and periodically update via a
9 web portal and other means tools, products, re-
10 sources, policies, guidelines, controls, and other
11 cybersecurity standards and best practices and
12 procedures related to information security;

13 “(F) work with senior Federal and non-
14 Federal officials, including State and local Chief
15 Information Officers, senior election officials,
16 and through national associations, to coordinate
17 a nationwide effort to ensure effective imple-
18 mentation of tools, products, resources, policies,
19 guidelines, controls, and procedures related to
20 information security to secure and ensure the
21 resiliency of Federal and non-Federal informa-
22 tion systems and including election systems;

23 “(G) provide, upon request, operational
24 and technical assistance to Federal and non-
25 Federal entities to implement tools, products,

1 resources, policies, guidelines, controls, and pro-
2 cedures on information security, including by,
3 as appropriate, deploying and sustaining cyber-
4 security technologies, such as an intrusion de-
5 tection capability, to assist those Federal and
6 non-Federal entities in detecting cybersecurity
7 risks and incidents;

8 “(H) assist Federal and non-Federal enti-
9 ties in developing policies and procedures for
10 coordinating vulnerability disclosures, to the ex-
11 tent practicable, consistent with international
12 and national standards in the information tech-
13 nology industry;

14 “(I) ensure that Federal and non-Federal
15 entities, as appropriate, are made aware of the
16 tools, products, resources, policies, guidelines,
17 controls, and procedures on information secu-
18 rity developed by the Department and other ap-
19 propriate Federal departments and agencies for
20 ensuring the security and resiliency of civilian
21 information systems; and

22 “(J) promote cybersecurity education and
23 awareness through engagements with Federal
24 and non-Federal entities.

1 “(o) REPORT.—Not later than 1 year after the date
2 of enactment of this subsection, and every 2 years there-
3 after, the Secretary shall submit to the Committee on
4 Homeland Security and Governmental Affairs of the Sen-
5 ate and the Committee on Homeland Security of the
6 House of Representatives a report on the status of cyber-
7 security measures that are in place, and any gaps that
8 exist, in each State and in the largest urban areas of the
9 United States.”.

Passed the Senate November 21, 2019.

Attest:

JULIE E. ADAMS,

Secretary.