

Suspend the Rules and Pass the Bill, H.R. 2105, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

115TH CONGRESS
1ST SESSION

H. R. 2105

To require the Director of the National Institute of Standards and Technology to disseminate guidance to help reduce small business cybersecurity risks, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 2017

Mr. WEBSTER of Florida (for himself, Mr. LIPINSKI, Mr. SMITH of Texas, Mrs. COMSTOCK, Ms. ROSEN, Mr. HULTGREN, Mr. KNIGHT, Mr. LAHOOD, Mr. MARSHALL, and Mr. POSEY) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

A BILL

To require the Director of the National Institute of Standards and Technology to disseminate guidance to help reduce small business cybersecurity risks, 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 “NIST Small Business
5 Cybersecurity Act”.

1 **SEC. 2. IMPROVING CYBERSECURITY OF SMALL BUSI-**
2 **NESSES.**

3 (a) DEFINITIONS.—In this section:

4 (1) DIRECTOR.—The term “Director” means
5 the Director of the National Institute of Standards
6 and Technology.

7 (2) RESOURCES.—The term “resources” means
8 guidelines, tools, best practices, standards, meth-
9 odologies, and other ways of providing information.

10 (3) SMALL BUSINESS CONCERN.—The term
11 “small business concern” has the meaning given
12 such term in section 3 of the Small Business Act
13 (15 U.S.C. 632).

14 (b) SMALL BUSINESS CYBERSECURITY.—Section
15 2(e)(1)(A) of the National Institute of Standards and
16 Technology Act (15 U.S.C. 272(e)(1)(A)) is amended—

17 (1) in clause (vii), by striking “and” at the end;

18 (2) by redesignating clause (viii) as clause (ix);

19 and

20 (3) by inserting after clause (vii) the following:

21 “(viii) consider small business con-
22 cerns (as defined in section 3 of the Small
23 Business Act (15 U.S.C. 632)); and”.

24 (c) DISSEMINATION OF RESOURCES FOR SMALL
25 BUSINESSES.—

1 (1) IN GENERAL.—Not later than one year
2 after the date of the enactment of this Act, the Di-
3 rector, in carrying out section 2(e)(1)(A)(viii) of the
4 National Institute of Standards and Technology Act,
5 as added by subsection (b) of this Act, in consulta-
6 tion with the heads of other appropriate Federal
7 agencies, shall disseminate clear and concise re-
8 sources to help small business concerns identify, as-
9 sess, manage, and reduce their cybersecurity risks.

10 (2) REQUIREMENTS.—The Director shall en-
11 sure that the resources disseminated pursuant to
12 paragraph (1)—

13 (A) are generally applicable and usable by
14 a wide range of small business concerns;

15 (B) vary with the nature and size of the
16 implementing small business concern, and the
17 nature and sensitivity of the data collected or
18 stored on the information systems or devices of
19 the implementing small business concern;

20 (C) include elements, that promote aware-
21 ness of simple, basic controls, a workplace
22 cybersecurity culture, and third-party stake-
23 holder relationships, to assist small business
24 concerns in mitigating common cybersecurity
25 risks;

1 (D) include case studies of practical appli-
2 cation;

3 (E) are technology-neutral and can be im-
4 plemented using technologies that are commer-
5 cial and off-the-shelf; and

6 (F) are based on international standards
7 to the extent possible, and are consistent with
8 the Stevenson-Wydler Technology Innovation
9 Act of 1980 (15 U.S.C. 3701 et seq.).

10 (3) NATIONAL CYBERSECURITY AWARENESS
11 AND EDUCATION PROGRAM.—The Director shall en-
12 sure that the resources disseminated under para-
13 graph (1) are consistent with the efforts of the Di-
14 rector under section 401 of the Cybersecurity En-
15 hancement Act of 2014 (15 U.S.C. 7451).

16 (4) SMALL BUSINESS DEVELOPMENT CENTER
17 CYBER STRATEGY.—In carrying out paragraph (1),
18 the Director, to the extent practicable, shall consider
19 any methods included in the Small Business Devel-
20 opment Center Cyber Strategy developed under sec-
21 tion 1841(a)(3)(B) of the National Defense Author-
22 ization Act for Fiscal Year 2017 (Public Law 114–
23 328).

1 (5) VOLUNTARY RESOURCES.—The use of the
2 resources disseminated under paragraph (1) shall be
3 considered voluntary.

4 (6) UPDATES.—The Director shall review and,
5 if necessary, update the resources disseminated
6 under paragraph (1) in accordance with the require-
7 ments under paragraph (2).

8 (7) PUBLIC AVAILABILITY.—The Director and
9 the head of each Federal agency that so elects shall
10 make prominently available on the respective agen-
11 cy's public Internet website information about the
12 resources and updates to the resources disseminated
13 under paragraph (1). The Director and the heads
14 shall each ensure that the information they respec-
15 tively make prominently available is consistent, clear,
16 and concise.

17 (d) OTHER FEDERAL CYBERSECURITY REQUIRE-
18 MENTS.—Nothing in this section may be construed to su-
19 percede, alter, or otherwise affect any cybersecurity re-
20 quirements applicable to Federal agencies.

21 (e) FUNDING.—This Act shall be carried out using
22 funds otherwise authorized to be appropriated or made
23 available to the National Institute of Standards and Tech-
24 nology.