117TH CONGRESSION
1ST SESSION

H. R. 3462

To require an annual report on the cybersecurity of the Small Business Administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2021

Mr. Crow (for himself and Mrs. Kim of California) introduced the following bill; which was referred to the Committee on Small Business

A BILL

To require an annual report on the cybersecurity of the Small Business Administration, 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
4 SECTION 1. SHORT TITLE.
5 This Act may be cited as the “SBA Cyber Awareness
6 Act”.
7
8 SEC. 2. CYBERSECURITY AWARENESS REPORTING.
9 Section 10 of the Small Business Act (15 U.S.C. 639)
10 is amended by inserting after subsection (a) the following:
11 “(b) CYBERSECURITY REPORTS.—
“(1) Annual report.—Not later than 180 days after the date of enactment of this subsection, and every year thereafter, the Administrator shall submit a report to the appropriate congressional committees that includes—

“(A) an assessment of the information technology (as defined in section 11101 of title 40, United States Code) and cybersecurity infrastructure of the Administration;

“(B) a strategy to increase the cybersecurity infrastructure of the Administration;

“(C) a detailed account of any information technology equipment or interconnected system or subsystem of equipment of the Administration that was manufactured by an entity that has its principal place of business located in the People’s Republic of China; and

“(D) an account of any cybersecurity risk or incident that occurred at the Administration during the 2-year period preceding the date on which the report is submitted, and any action taken by the Administrator to respond to or remediate any such cybersecurity risk or incident.

“(2) Additional reports.—If the Administrator determines that there is a reasonable basis to
conclude that a cybersecurity risk or incident occurred at the Administration, the Administrator shall—

“(A) not later than 7 days after the date on which the Administrator makes that determination, notify the appropriate congressional committees of the cybersecurity risk or incident; and

“(B) not later than 30 days after the date on which the Administrator makes a determination under subparagraph (A)—

“(i) provide notice to individuals and small business concerns affected by the cybersecurity risk or incident; and

“(ii) submit to the appropriate congressional committees a report, based on information available to the Administrator as of the date which the Administrator submits the report, that includes—

“(I) a summary of information about the cybersecurity risk or incident, including how the cybersecurity risk or incident occurred; and

“(II) an estimate of the number of individuals and small business con-
cerns affected by the cybersecurity risk or incident, including an assessment of the risk of harm to affected individuals and small business concerns.

“(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to affect the reporting requirements of the Administrator under chapter 35 of title 44, United States Code, in particular the requirement to notify the Federal information security incident center under section 3554(b)(7)(C)(ii) of such title, or any other provision of law.

“(4) DEFINITIONS.—In this subsection:

“(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(i) the Committee on Small Business and Entrepreneurship of the Senate; and

“(ii) the Committee on Small Business of the House of Representatives.

“(B) CYBERSECURITY RISK; INCIDENT.—The terms ‘cybersecurity risk’ and ‘incident’ have the meanings given such terms, respec-
tively, under section 2209(a) of the Homeland Security Act of 2002.”.