

In the Senate of the United States,

September 28, 2022.

Resolved, That the bill from the House of Representatives (H.R. 3462) entitled “An Act to require an annual report on the cybersecurity of the Small Business Administration, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “SBA Cyber Awareness*
3 *Act”.*

4 ***SEC. 2. CYBERSECURITY AWARENESS REPORTING.***

5 *(a) IN GENERAL.—Section 10 of the Small Business*
6 *Act (15 U.S.C. 639) is amended by inserting after sub-*
7 *section (a) the following:*

8 *“(b) CYBERSECURITY REPORTS.—*

9 *“(1) ANNUAL REPORT.—Not later than 180 days*
10 *after the date of enactment of this subsection, and*
11 *every year thereafter, the Administrator shall submit*

1 *a report to the appropriate congressional committees*
2 *that includes—*

3 *“(A) a strategy to increase the cybersecurity*
4 *of information technology infrastructure of the*
5 *Administration;*

6 *“(B) a supply chain risk management*
7 *strategy and an implementation plan to address*
8 *the risks of foreign manufactured information*
9 *technology equipment utilized by the Adminis-*
10 *tration, including specific risk mitigation activi-*
11 *ties for components originating from entities*
12 *with principal places of business located in the*
13 *People’s Republic of China; and*

14 *“(C) an account of—*

15 *“(i) any incident that occurred at the*
16 *Administration during the 2-year period*
17 *preceding the date on which the first report*
18 *is submitted, and, for subsequent reports,*
19 *the 1-year period preceding the date of sub-*
20 *mission; and*

21 *“(ii) any action taken by the Adminis-*
22 *trator to respond to or remediate any such*
23 *incident.*

24 *“(2) FISMA REPORTS.—Each report required*
25 *under paragraph (1) may be submitted as part of the*

1 *report required under section 3554 of title 44, United*
2 *States Code.*

3 “(3) *RULE OF CONSTRUCTION.*—*Nothing in this*
4 *subsection shall be construed to affect the reporting re-*
5 *quirements of the Administrator under chapter 35 of*
6 *title 44, United States Code, in particular the re-*
7 *quirement to notify the Federal information security*
8 *incident center under section 3554(b)(7)(C)(ii) of such*
9 *title, any guidance issued by the Office of Manage-*
10 *ment and Budget, or any other provision of law or*
11 *Federal policy.*

12 “(4) *DEFINITIONS.*—*In this subsection:*

13 “(A) *APPROPRIATE CONGRESSIONAL COM-*
14 *MITTEES.*—*The term ‘appropriate congressional*
15 *committees’ means—*

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

18 “(ii) *the Committee on Homeland Se-*
19 *curity and Governmental Affairs of the Sen-*
20 *ate;*

21 “(iii) *the Committee on Small Busi-*
22 *ness of the House of Representatives; and*

23 “(iv) *the Committee on Oversight and*
24 *Reform of the House of Representatives.*

1 “(B) *INCIDENT.*—*The term ‘incident’ has*
2 *the meaning given the term in section 3552 of*
3 *title 44, United States Code.*

4 “(C) *INFORMATION TECHNOLOGY.*—*The*
5 *term ‘information technology’ has the meaning*
6 *given the term in section 3502 of title 44, United*
7 *States Code.”.*

8 (b) *REPORT.*—*Not later than 1 year after the date of*
9 *enactment of this Act, the Administrator of the Small Busi-*
10 *ness Administration shall, to the greatest extent practicable,*
11 *provide to the Committee on Small Business and Entrepren-*
12 *neurship of the Senate, the Committee on Homeland Secu-*
13 *rity and Governmental Affairs of the Senate, the Committee*
14 *on Small Business of the House of Representatives, and the*
15 *Committee on Oversight and Reform of the House of Rep-*
16 *resentatives a detailed account of information technology*
17 *(as defined in section 3502 of title 44, United States Code)*
18 *of the Small Business Administration that was manufac-*
19 *tured by an entity that has its principal place of business*
20 *located in the People’s Republic of China.*

Attest:

Secretary.

117TH CONGRESS
2^D SESSION

H.R. 3462

AMENDMENT