

110TH CONGRESS
2D SESSION

S. 3102

To establish the Small Business Information Security Task Force, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 9, 2008

Ms. SNOWE (for herself and Mr. KERRY) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

A BILL

To establish the Small Business Information Security Task Force, 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 “Small Business Infor-
5 mation Security Act of 2008”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 (1) the terms “Administration” and “Adminis-
9 trator” mean the Small Business Administration
10 and the Administrator thereof, respectively;

1 (2) the term “small business concern” has the
2 same meaning as in section 3 of the Small Business
3 Act (15 U.S.C. 632); and

4 (3) the term “task force” means the task force
5 established under section 3(a).

6 **SEC. 3. INFORMATION SECURITY TASK FORCE.**

7 (a) ESTABLISHMENT.—The Administrator shall es-
8 tablish a task force, to be known as the Small Business
9 Information Security Task Force, to address the informa-
10 tion technology security needs of small business concerns.

11 (b) DUTIES.—The task force shall—

12 (1) identify—

13 (A) the information technology security
14 needs of small business concerns; and

15 (B) the programs and services provided by
16 the Federal Government, State Governments,
17 and nongovernment organizations that serve
18 those needs;

19 (2) assess the extent to which the programs and
20 services identified under paragraph (1)(B) serve the
21 needs identified under paragraph (1)(A);

22 (3) make recommendations to the Adminis-
23 trator on how to more effectively serve the needs
24 identified under paragraph (1)(A) through—

1 (A) programs and services identified under
2 paragraph (1)(B); and

3 (B) new programs and services promoted
4 by the task force;

5 (4) make recommendations on how the Admin-
6 istrator may promote—

7 (A) new programs and services that the
8 task force recommends under paragraph (3)(B);
9 and

10 (B) programs and services identified under
11 paragraph (1)(B);

12 (5) make recommendations on how the Admin-
13 istrator may inform and educate with respect to—

14 (A) the needs identified under paragraph
15 (1)(A);

16 (B) new programs and services that the
17 task force recommends under paragraph (3)(B);
18 and

19 (C) programs and services identified under
20 paragraph (1)(B);

21 (6) make recommendations on how the Admin-
22 istrator may more effectively work with public and
23 private interests to address the information tech-
24 nology security needs of small business concerns;
25 and

1 (7) make recommendations on the creation of a
2 permanent advisory board that would make rec-
3 ommendations to the Administrator on how to ad-
4 dress the information technology security needs of
5 small business concerns.

6 (c) INTERNET WEBSITE RECOMMENDATIONS.—The
7 task force shall make recommendations to the Adminis-
8 trator relating to the establishment of an Internet website
9 to be used by the Administration to receive and dispense
10 information and resources with respect to the needs identi-
11 fied under subsection (b)(1)(A) and the programs and
12 services identified under subsection (b)(1)(B). As part of
13 the recommendations, the task force shall identify the
14 Internet sites of appropriate programs, services, and orga-
15 nizations, both public and private, to which the Internet
16 website should link.

17 (d) EDUCATION PROGRAMS.—The task force shall
18 make recommendations to the Administrator relating to
19 developing additional education materials and programs
20 with respect to the needs identified under subsection
21 (b)(1)(A).

22 (e) EXISTING MATERIALS.—The task force shall or-
23 ganize and distribute existing materials that inform and
24 educate with respect to the needs identified under sub-

1 section (b)(1)(A) and the programs and services identified
2 under subsection (b)(1)(B).

3 (f) COORDINATION WITH PUBLIC AND PRIVATE SEC-
4 TOR.—In carrying out its responsibilities under this sec-
5 tion, the task force shall coordinate with, and may accept
6 materials and assistance as it determines appropriate
7 from—

8 (1) any subordinate officer of the Adminis-
9 trator;

10 (2) any organization authorized by the Small
11 Business Act to provide assistance and advice to
12 small business concerns;

13 (3) other Federal agencies, their officers, or
14 employees; and

15 (4) any other organization, entity, or person not
16 described in paragraph (1), (2), or (3).

17 (g) CHAIR AND VICE-CHAIR.—The task force shall
18 have—

19 (1) a Chair, appointed by the Administrator;
20 and

21 (2) a Vice-Chair, appointed by the Adminis-
22 trator, in consultation with appropriate nongovern-
23 mental organizations, entities, or persons.

24 (h) MEMBERS.—

1 (1) CHAIR AND VICE-CHAIR.—The Chair and
2 the Vice-Chair shall serve as members of the task
3 force.

4 (2) ADDITIONAL MEMBERS.—

5 (A) IN GENERAL.—The task force shall
6 have additional members, each of whom shall be
7 appointed by the Chair, with the approval of
8 the Administrator.

9 (B) NUMBER OF MEMBERS.—The number
10 of additional members shall be determined by
11 the Chair, in consultation with the Adminis-
12 trator, except that—

13 (i) the additional members shall in-
14 clude, for each of the groups specified in
15 paragraph (3), at least 1 member ap-
16 pointed from within that group; and

17 (ii) the number of additional members
18 shall not exceed 13.

19 (3) GROUPS REPRESENTED.—The groups speci-
20 fied in this paragraph are—

21 (A) subject matter experts;

22 (B) users of information technologies with-
23 in small business concerns;

24 (C) vendors of information technologies to
25 small business concerns;

1 (D) academics with expertise in the use of
2 information technologies to support business;

3 (E) small business trade associations;

4 (F) Federal, State, or local agencies en-
5 gaged in securing cyberspace; and

6 (G) information technology training pro-
7 viders with expertise in the use of information
8 technologies to support business.

9 (i) MEETINGS.—

10 (1) FREQUENCY.—The task force shall meet at
11 least 2 times per year, and more frequently if nec-
12 essary to perform its duties.

13 (2) QUORUM.—A majority of the members of
14 the task force shall constitute a quorum.

15 (3) LOCATION.—The Administrator shall des-
16 ignate, and make available to the task force, a loca-
17 tion at a facility under the control of the Adminis-
18 trator for use by the task force for its meetings.

19 (4) MINUTES.—

20 (A) IN GENERAL.—Not later than 90 days
21 after each meeting, the task force shall publish
22 the minutes of the meeting and shall submit to
23 Administrator any findings or recommendations
24 approved at the meeting.

1 (B) SUBMISSION TO CONGRESS.—Not later
2 than 60 days after the date that the Adminis-
3 trator receives minutes under subparagraph
4 (A), the Administrator shall submit to the Com-
5 mittee on Small Business and Entrepreneurship
6 of the Senate and the Committee on Small
7 Business of the House of Representatives such
8 minutes, together with any comments the Ad-
9 ministrator considers appropriate.

10 (5) FINDINGS.—

11 (A) IN GENERAL.—Not later than the date
12 that the task force terminates under subsection
13 (m), the task force shall submit to the Adminis-
14 trator a final report on any findings and rec-
15 ommendations of the task force approved at a
16 meeting of the task force.

17 (B) SUBMISSION TO CONGRESS.—Not later
18 than 90 days after the date that the Adminis-
19 trator receives the report under subparagraph
20 (A), the Administrator shall submit to the Com-
21 mittee on Small Business and Entrepreneurship
22 of the Senate and the Committee on Small
23 Business of the House of Representatives the
24 full text of the report submitted under subpara-

1 graph (A), together with any comments the Ad-
2 ministrator considers appropriate.

3 (j) PERSONNEL MATTERS.—

4 (1) COMPENSATION OF MEMBERS.—Each mem-
5 ber of the task force shall serve without pay for their
6 service on the task force.

7 (2) TRAVEL EXPENSES.—Each member of the
8 task force shall receive travel expenses, including per
9 diem in lieu of subsistence, in accordance with appli-
10 cable provisions under subchapter I of chapter 57 of
11 title 5, United States Code.

12 (3) DETAIL OF SBA EMPLOYEES.—The Admin-
13 istrator may detail, without reimbursement, any of
14 the personnel of the Administration to the task force
15 to assist it in carrying out its duties. Such a detail
16 shall be without interruption or loss of civil status
17 or privilege.

18 (4) SBA SUPPORT OF THE TASK FORCE.—
19 Upon the request of the task force, the Adminis-
20 trator shall provide to the task force the administra-
21 tive support services that the Administrator and the
22 Chair jointly determine to be necessary for the task
23 force to carry out its duties.

1 (k) NOT SUBJECT TO FEDERAL ADVISORY COM-
 2 MITTEE ACT.—The Federal Advisory Committee Act (5
 3 U.S.C. App.) shall not apply to the task force.

4 (l) STARTUP DEADLINES.—The initial appointment
 5 of the members of the task force shall be completed not
 6 later than 90 days after the date of enactment of this Act,
 7 and the first meeting of the task force shall be not later
 8 than 180 days after the date of enactment of this Act.

9 (m) TERMINATION.—

10 (1) IN GENERAL.—Except as provided in para-
 11 graph (2), the task force shall terminate at the end
 12 of fiscal year 2012.

13 (2) EXCEPTION.—If, as of the termination date
 14 under paragraph (1), the task force has not com-
 15 plied with subsection (i)(4) with respect to 1 or more
 16 meetings, then the task force shall continue after the
 17 termination date for the sole purpose of achieving
 18 compliance with subsection (i)(4) with respect to
 19 those meetings.

20 (n) AUTHORIZATION OF APPROPRIATIONS.—There
 21 are authorized to be appropriated to carry out this section
 22 \$200,000 for each of fiscal years 2009 through 2012.

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