

115TH CONGRESS
1ST SESSION

H. R. 2105

IN THE SENATE OF THE UNITED STATES

OCTOBER 16, 2017

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “NIST Small Business
3 Cybersecurity Act”.

4 **SEC. 2. IMPROVING CYBERSECURITY OF SMALL BUSI-**
5 **NESSES.**

6 (a) DEFINITIONS.—In this section:

7 (1) DIRECTOR.—The term “Director” means
8 the Director of the National Institute of Standards
9 and Technology.

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

13 (3) SMALL BUSINESS CONCERN.—The term
14 “small business concern” has the meaning given
15 such term in section 3 of the Small Business Act
16 (15 U.S.C. 632).

17 (b) SMALL BUSINESS CYBERSECURITY.—Section
18 2(e)(1)(A) of the National Institute of Standards and
19 Technology Act (15 U.S.C. 272(e)(1)(A)) is amended—

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

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

22 and

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

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

1 (c) DISSEMINATION OF RESOURCES FOR SMALL
2 BUSINESSES.—

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

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

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

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

22 (C) include elements, that promote aware-
23 ness of simple, basic controls, a workplace cy-
24 bersecurity culture, and third-party stakeholder

relationships, to assist small business concerns in mitigating common cybersecurity risks;

(D) include case studies of practical application;

(E) are technology-neutral and can be implemented using technologies that are commercial and off-the-shelf; and

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

(3) NATIONAL CYBERSECURITY AWARENESS AND EDUCATION PROGRAM.—The Director shall ensure that the resources disseminated under paragraph (1) are consistent with the efforts of the Director under section 401 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7451).

(4) SMALL BUSINESS DEVELOPMENT CENTER CYBER STRATEGY.—In carrying out paragraph (1), the Director, to the extent practicable, shall consider any methods included in the Small Business Development Center Cyber Strategy developed under section 1841(a)(3)(B) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328).

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 persede, 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

1 available to the National Institute of Standards and Tech-
2 nology.

Passed the House of Representatives October 11,
2017.

Attest:

KAREN L. HAAS,

Clerk.