

117TH CONGRESS  
1ST SESSION

# S. 1691

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

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IN THE SENATE OF THE UNITED STATES

MAY 18, 2021

Mr. RUBIO (for himself, Mr. RISCH, and Mr. CASSIDY) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

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

4 This Act may be cited as the “SBA Cyber Awareness  
5 Act”.

6 **SEC. 2. CYBERSECURITY AWARENESS REPORTING.**

7 Section 10 of the Small Business Act (15 U.S.C. 639)  
8 is amended by striking subsection (b) and inserting the  
9 following:

10 “(b) CYBERSECURITY REPORTS.—

1           “(1) DEFINITION.—In this subsection, the term  
2           ‘appropriate congressional committees’ means—

3                   “(A) the Committee on Small Business  
4                   and Entrepreneurship of the Senate; and

5                   “(B) the Committee on Small Business of  
6                   the House of Representatives.

7           “(2) ANNUAL REPORT.—Not later than 180  
8           days after the date of enactment of the SBA Cyber  
9           Awareness Act, and every year thereafter, the Ad-  
10          ministration shall submit a report to the appropriate  
11          congressional committees that includes—

12                   “(A) an assessment of the information  
13                   technology and cybersecurity of the Administra-  
14                   tion;

15                   “(B) a strategy to increase the cybersecu-  
16                   rity of the Administration;

17                   “(C) a detailed account of any information  
18                   technology component or system of the Admin-  
19                   istration that was manufactured by a company  
20                   located in the People’s Republic of China; and

21                   “(D) an account of any cyber threat,  
22                   breach, or cyber attack that occurred at the Ad-  
23                   ministration during the 2-year period preceding  
24                   the date on which the report is submitted, and  
25                   any action taken by the Administration to re-

1           spond to or remediate the cyber threat, breach,  
2           or cyber attack.

3           “(3) ADDITIONAL REPORTS.—If the Adminis-  
4           tration determines that there is a reasonable basis to  
5           conclude that a cyber threat, breach, or cyber attack  
6           occurred at the Administration, the Administration  
7           shall—

8                   “(A) not later than 7 days after the date  
9                   on which the Administration makes that deter-  
10                  mination, notify the appropriate congressional  
11                  committees of the cyber threat, breach, or cyber  
12                  attack; and

13                   “(B) not later than 30 days after the date  
14                   on which the Administration makes that deter-  
15                  mination, submit to the appropriate congress-  
16                  sional committees a report that includes—

17                           “(i) a summary of information about  
18                           the cyber threat, breach, or cyber attack,  
19                           including how the cyber threat, breach, or  
20                           cyber attack occurred, based on informa-  
21                           tion available to the Administration as of  
22                           the date which the Administration submits  
23                           the report;

24                           “(ii) an estimate of the number of in-  
25                           dividuals and small entities affected by the

1 cyber threat, breach, or cyber attack, in-  
2 cluding an assessment of the risk of harm  
3 to affected individuals and small entities  
4 based on information available to the Ad-  
5 ministration as of the date on which the  
6 Administration submits the report; and

7 “(iii) an estimate of when the Admin-  
8 istration will provide notice to affected in-  
9 dividuals and small entities.

10 “(4) RULE OF CONSTRUCTION.—Nothing in  
11 this subsection shall be construed to affect the re-  
12 porting requirements of the Administration under  
13 chapter 35 of title 44 United States Code, in par-  
14 ticular the requirement to notify the Federal infor-  
15 mation security incident center under section  
16 3554(b)(7)(C)(ii) of such title, or any other provi-  
17 sion of law.”.

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