

116TH CONGRESS  
1ST SESSION

# S. 1846

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## AN ACT

To amend the Homeland Security Act of 2002 to provide for engagements with State, local, Tribal, and territorial governments, 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 “State and Local Gov-  
3 ernment Cybersecurity Act of 2019”.

4 **SEC. 2. AMENDMENTS TO THE HOMELAND SECURITY ACT**  
5 **OF 2002.**

6 Subtitle A of title XXII of the Homeland Security  
7 Act of 2002 (6 U.S.C. 651 et seq.) is amended—

8 (1) in section 2201 (6 U.S.C. 651)—

9 (A) by redesignating paragraphs (4), (5),  
10 and (6) as paragraphs (5), (6), and (7), respec-  
11 tively; and

12 (B) by inserting after paragraph (3) the  
13 following:

14 “(4) ENTITY.—The term ‘entity’ shall in-  
15 clude—

16 “(A) an association, corporation, whether  
17 for-profit or nonprofit, partnership, proprietor-  
18 ship, organization, institution, establishment, or  
19 individual, whether domestic or foreign;

20 “(B) a governmental agency or other gov-  
21 ernmental entity, whether domestic or foreign,  
22 including State, local, Tribal, and territorial  
23 government entities; and

24 “(C) the general public.”; and

25 (2) in section 2202 (6 U.S.C. 652)—

26 (A) in subsection (c)—

1 (i) in paragraph (10), by striking  
2 “and” at the end;

3 (ii) by redesignating paragraph (11)  
4 as paragraph (12); and

5 (iii) by inserting after paragraph (10)  
6 the following:

7 “(11) carry out the authority of the Secretary  
8 under subsection (e)(1)(R); and”; and

9 (B) in subsection (e)(1), by adding at the  
10 end the following:

11 “(R) To make grants to and enter into co-  
12 operative agreements or contracts with States,  
13 local, Tribal, and territorial governments, and  
14 other non-Federal entities as the Secretary de-  
15 termines necessary to carry out the responsibil-  
16 ities of the Secretary related to cybersecurity  
17 and infrastructure security under this Act and  
18 any other provision of law, including grants, co-  
19 operative agreements, and contracts that pro-  
20 vide assistance and education related to cyber  
21 threat indicators, defensive measures and cyber-  
22 security technologies, cybersecurity risks, inci-  
23 dents, analysis, and warnings.”; and

24 (3) in section 2209 (6 U.S.C. 659)—

1 (A) in subsection (c)(6), by inserting  
2 “operational and” after “timely”;

3 (B) in subsection (d)(1)(E), by inserting “,  
4 including an entity that collaborates with elec-  
5 tion officials,” after “governments”; and

6 (C) by adding at the end the following:

7 “(n) COORDINATION ON CYBERSECURITY FOR FED-  
8 ERAL AND NON-FEDERAL ENTITIES.—

9 “(1) COORDINATION.—The Center shall, to the  
10 extent practicable, and in coordination as appro-  
11 priate with Federal and non-Federal entities, such  
12 as the Multi-State Information Sharing and Analysis  
13 Center—

14 “(A) conduct exercises with Federal and  
15 non-Federal entities;

16 “(B) provide operational and technical cy-  
17 bersecurity training related to cyber threat indi-  
18 cators, defensive measures, cybersecurity risks,  
19 and incidents to Federal and non-Federal enti-  
20 ties to address cybersecurity risks or incidents,  
21 with or without reimbursement;

22 “(C) assist Federal and non-Federal enti-  
23 ties, upon request, in sharing cyber threat indi-  
24 cators, defensive measures, cybersecurity risks,  
25 and incidents from and to the Federal Govern-

1           ment as well as among Federal and non-Fed-  
2           eral entities, in order to increase situational  
3           awareness and help prevent incidents;

4           “(D) provide notifications containing spe-  
5           cific incident and malware information that  
6           may affect them or their customers and resi-  
7           dents;

8           “(E) provide and periodically update via a  
9           web portal and other means tools, products, re-  
10          sources, policies, guidelines, controls, and other  
11          cybersecurity standards and best practices and  
12          procedures related to information security;

13          “(F) work with senior Federal and non-  
14          Federal officials, including State and local Chief  
15          Information Officers, senior election officials,  
16          and through national associations, to coordinate  
17          a nationwide effort to ensure effective imple-  
18          mentation of tools, products, resources, policies,  
19          guidelines, controls, and procedures related to  
20          information security to secure and ensure the  
21          resiliency of Federal and non-Federal informa-  
22          tion systems and including election systems;

23          “(G) provide, upon request, operational  
24          and technical assistance to Federal and non-  
25          Federal entities to implement tools, products,

1 resources, policies, guidelines, controls, and pro-  
2 cedures on information security, including by,  
3 as appropriate, deploying and sustaining cyber-  
4 security technologies, such as an intrusion de-  
5 tection capability, to assist those Federal and  
6 non-Federal entities in detecting cybersecurity  
7 risks and incidents;

8 “(H) assist Federal and non-Federal enti-  
9 ties in developing policies and procedures for  
10 coordinating vulnerability disclosures, to the ex-  
11 tent practicable, consistent with international  
12 and national standards in the information tech-  
13 nology industry;

14 “(I) ensure that Federal and non-Federal  
15 entities, as appropriate, are made aware of the  
16 tools, products, resources, policies, guidelines,  
17 controls, and procedures on information secu-  
18 rity developed by the Department and other ap-  
19 propriate Federal departments and agencies for  
20 ensuring the security and resiliency of civilian  
21 information systems; and

22 “(J) promote cybersecurity education and  
23 awareness through engagements with Federal  
24 and non-Federal entities.

1       “(o) REPORT.—Not later than 1 year after the date  
2 of enactment of this subsection, and every 2 years there-  
3 after, the Secretary shall submit to the Committee on  
4 Homeland Security and Governmental Affairs of the Sen-  
5 ate and the Committee on Homeland Security of the  
6 House of Representatives a report on the status of cyber-  
7 security measures that are in place, and any gaps that  
8 exist, in each State and in the largest urban areas of the  
9 United States.”.

Passed the Senate November 21, 2019.

Attest:

*Secretary.*

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