

Calendar No. 714

115TH CONGRESS
2D SESSION

S. 594

[Report No. 115–410]

To authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 9, 2017

Mr. CORNYN (for himself, Mr. CRUZ, Mr. LEAHY, Mr. BOOZMAN, and Mr. COTTON) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

DECEMBER 4, 2018

Reported by Mr. JOHNSON, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, 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 “National Cybersecurity
5 Preparedness Consortium Act of 2017”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act—

3 (1) the term “consortium” means a group pri-
4 marily composed of nonprofit entities, including aca-
5 demic institutions, that develop, update, and deliver
6 cybersecurity training in support of homeland secu-
7 rity;

8 (2) the terms “cybersecurity risk” and “inci-
9 dent” have the meanings given those terms in sec-
10 tion 227(a) of the Homeland Security Act of 2002
11 (6 U.S.C. 148(a));

12 (3) the term “Department” means the Depart-
13 ment of Homeland Security; and

14 (4) the term “Secretary” means the Secretary
15 of Homeland Security.

16 **SEC. 3. NATIONAL CYBERSECURITY PREPAREDNESS CON-**
17 **SORTIUM.**

18 (a) IN GENERAL.—The Secretary may work with a
19 consortium, including the National Cybersecurity Pre-
20 paredness Consortium, to support efforts to address cyber-
21 security risks and incidents, including threats of terrorism
22 and acts of terrorism.

23 (b) ASSISTANCE TO THE NCCIC.—The Secretary
24 may work with a consortium to assist the national cyberse-
25 curity and communications integration center of the De-

1 partment (established under section 227 of the Homeland
2 Security Act of 2002 (6 U.S.C. 148)) to—

3 (1) provide training to State and local first re-
4 sponders and officials specifically for preparing for
5 and responding to cybersecurity risks and incidents,
6 including threats of terrorism and acts of terrorism,
7 in accordance with applicable law;

8 (2) develop and update a curriculum utilizing
9 existing programs and models in accordance with
10 such section 227, for State and local first responders
11 and officials, related to cybersecurity risks and inci-
12 dents, including threats of terrorism and acts of ter-
13 rorism;

14 (3) provide technical assistance services to build
15 and sustain capabilities in support of preparedness
16 for and response to cybersecurity risks and inci-
17 dents, including threats of terrorism and acts of ter-
18 rorism, in accordance with such section 227;

19 (4) conduct cross-sector cybersecurity training
20 and simulation exercises for entities, including State
21 and local governments, critical infrastructure owners
22 and operators, and private industry, to encourage
23 community-wide coordination in defending against
24 and responding to cybersecurity risks and incidents,
25 including threats of terrorism and acts of terrorism;

1 in accordance with section 228(c) of the Homeland
2 Security Act of 2002 (6 U.S.C. 149(e));

3 (5) help States and communities develop cyber-
4 security information sharing programs, in accord-
5 ance with section 227 of the Homeland Security Act
6 of 2002 (6 U.S.C. 148), for the dissemination of
7 homeland security information related to cybersecu-
8 rity risks and incidents, including threats of ter-
9 rorism and acts of terrorism; and

10 (6) help incorporate cybersecurity risk and inci-
11 dent prevention and response (including related to
12 threats of terrorism and acts of terrorism) into ex-
13 isting State and local emergency plans, including
14 continuity of operations plans.

15 (c) PROHIBITION ON DUPLICATION.—In carrying out
16 the functions under subsection (b), the Secretary shall, to
17 the greatest extent practicable, seek to prevent unneces-
18 sary duplication of existing programs or efforts of the De-
19 partment.

20 (d) CONSIDERATIONS REGARDING SELECTION OF A
21 CONSORTIUM.—In selecting a consortium with which to
22 work under this Act, the Secretary shall take into consid-
23 eration the following:

1 (1) Any prior experience conducting cybersecu-
2 rity training and exercises for State and local enti-
3 ties.

4 (2) Geographic diversity of the members of any
5 such consortium so as to cover different regions
6 throughout the United States.

7 (e) METRICS.—If the Secretary works with a consor-
8 tium under subsection (a), the Secretary shall measure the
9 effectiveness of the activities undertaken by the consor-
10 tium under this Act.

11 (f) OUTREACH.—The Secretary shall conduct out-
12 reach to universities and colleges, including historically
13 Black colleges and universities, Hispanic-serving institu-
14 tions, Tribal Colleges and Universities, and other minor-
15 ity-serving institutions, regarding opportunities to support
16 efforts to address cybersecurity risks and incidents, in-
17 cluding threats of terrorism and acts of terrorism, by
18 working with the Secretary under subsection (a).

19 (g) TERMINATION.—The authority to carry out this
20 Act shall terminate on the date that is 5 years after the
21 date of enactment of this Act.

22 **SECTION 1. SHORT TITLE.**

23 *This Act may be cited as the “National Cybersecurity*
24 *Preparedness Consortium Act of 2018”.*

1 **SEC. 2. DEFINITIONS.**

2 *In this Act—*

3 (1) *the term “consortium” means a group pri-*
 4 *marily composed of nonprofit entities, including aca-*
 5 *ademic institutions, that develop, update, and deliver*
 6 *cybersecurity training in support of homeland secu-*
 7 *rity;*

8 (2) *the terms “cybersecurity risk” and “inci-*
 9 *dent” have the meanings given those terms in section*
 10 *227(a) of the Homeland Security Act of 2002 (6*
 11 *U.S.C. 148(a));*

12 (3) *the term “Department” means the Depart-*
 13 *ment of Homeland Security; and*

14 (4) *the term “Secretary” means the Secretary of*
 15 *Homeland Security.*

16 **SEC. 3. NATIONAL CYBERSECURITY PREPAREDNESS CON-**
 17 **SORTIUM.**

18 (a) *IN GENERAL.—The Secretary may work with a*
 19 *consortium to support efforts to address cybersecurity risks*
 20 *and incidents.*

21 (b) *ASSISTANCE TO THE NCCIC.—The Secretary may*
 22 *work with a consortium to assist the national cybersecurity*
 23 *and communications integration center of the Department*
 24 *(established under section 227 of the Homeland Security*
 25 *Act of 2002 (6 U.S.C. 148)) to—*

1 (1) *provide training to State and local first re-*
2 *sponders and officials specifically for preparing for*
3 *and responding to cybersecurity risks and incidents,*
4 *in accordance with applicable law;*

5 (2) *develop and update a curriculum utilizing*
6 *existing programs and models in accordance with*
7 *such section 227, for State and local first responders*
8 *and officials, related to cybersecurity risks and inci-*
9 *dents;*

10 (3) *provide technical assistance services to build*
11 *and sustain capabilities in support of preparedness*
12 *for and response to cybersecurity risks and incidents,*
13 *including threats of terrorism and acts of terrorism,*
14 *in accordance with such section 227;*

15 (4) *conduct cross-sector cybersecurity training*
16 *and simulation exercises for entities, including State*
17 *and local governments, critical infrastructure owners*
18 *and operators, and private industry, to encourage*
19 *community-wide coordination in defending against*
20 *and responding to cybersecurity risks and incidents,*
21 *in accordance with section 228(c) of the Homeland*
22 *Security Act of 2002 (6 U.S.C. 149(c));*

23 (5) *help States and communities develop cyberse-*
24 *curity information sharing programs, in accordance*
25 *with section 227 of the Homeland Security Act of*

1 2002 (6 U.S.C. 148), for the dissemination of home-
2 land security information related to cybersecurity
3 risks and incidents; and

4 (6) help incorporate cybersecurity risk and inci-
5 dent prevention and response into existing State and
6 local emergency plans, including continuity of oper-
7 ations plans.

8 (c) *CONSIDERATIONS REGARDING SELECTION OF A*
9 *CONSORTIUM.*—In selecting a consortium with which to
10 work under this Act, the Secretary shall take into consider-
11 ation the following:

12 (1) Any prior experience conducting cybersecu-
13 rity training and exercises for State and local enti-
14 ties.

15 (2) Geographic diversity of the members of any
16 such consortium so as to cover different regions
17 throughout the United States.

18 (d) *METRICS.*—If the Secretary works with a consor-
19 tium under subsection (a), the Secretary shall measure the
20 effectiveness of the activities undertaken by the consortium
21 under this Act.

22 (e) *OUTREACH.*—The Secretary shall conduct outreach
23 to universities and colleges, including historically Black col-
24 leges and universities, Hispanic-serving institutions, Tribal
25 Colleges and Universities, and other minority-serving insti-

1 *tutions, regarding opportunities to support efforts to ad-*
2 *dress cybersecurity risks and incidents, by working with the*
3 *Secretary under subsection (a).*

4 **SEC. 4. RULE OF CONSTRUCTION.**

5 *Nothing in this Act may be construed to authorize a*
6 *consortium to control or direct any law enforcement agency*
7 *in the exercise of the duties of the law enforcement agency.*

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