

117TH CONGRESS
1ST SESSION

S. 1691

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

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

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 congres-
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.”.

○