

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.

S. 2520

To amend the Homeland Security Act of 2002 to provide for engagements with State, local, Tribal, and territorial governments, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. PETERS (for himself and Mr. PORTMAN)

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “State and Local Gov-
5 ernment Cybersecurity Act of 2021”.

6 **SEC. 2. AMENDMENTS TO THE HOMELAND SECURITY ACT**
7 **OF 2002.**

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

10 (1) in section 2201 (6 U.S.C. 651), by adding
11 at the end the following:

1 “(7) SLTT ENTITY.—The term ‘SLTT entity’
2 means a domestic government entity that is a State
3 government, local government, Tribal government,
4 territorial government, or any subdivision thereof.”;
5 and

6 (2) in section 2209 (6 U.S.C. 659)—

7 (A) in subsection (c)(6), by inserting
8 “operational and” before “timely”;

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

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

13 “(p) COORDINATION ON CYBERSECURITY FOR SLTT
14 ENTITIES.—

15 “(1) COORDINATION.—The Center shall, upon
16 request and to the extent practicable, and in coordi-
17 nation as appropriate with Federal and non-Federal
18 entities, such as the Multi-State Information Shar-
19 ing and Analysis Center—

20 “(A) conduct exercises with SLTT entities;

21 “(B) provide operational and technical cy-
22 bersecurity training to SLTT entities to ad-
23 dress cybersecurity risks or incidents, with or
24 without reimbursement, related to—

25 “(i) cyber threat indicators;

1 “(ii) defensive measures;

2 “(iii) cybersecurity risks;

3 “(iv) vulnerabilities; and

4 “(v) incident response and manage-
5 ment;

6 “(C) in order to increase situational aware-
7 ness and help prevent incidents, assist SLTT
8 entities in sharing, in real time, with the Fed-
9 eral Government as well as among SLTT enti-
10 ties, actionable—

11 “(i) cyber threat indicators;

12 “(ii) defensive measures;

13 “(iii) information about cybersecurity
14 risks; and

15 “(iv) information about incidents;

16 “(D) provide SLTT entities notifications
17 containing specific incident and malware infor-
18 mation that may affect them or their residents;

19 “(E) provide and periodically update
20 SLTT entities via an easily accessible platform
21 and other means—

22 “(i) information about tools;

23 “(ii) information about products;

24 “(iii) resources;

25 “(iv) policies;

1 “(v) guidelines;

2 “(vi) controls; and

3 “(vii) other cybersecurity standards
4 and best practices and procedures related
5 to information security;

6 “(F) work with senior SLTT entity offi-
7 cials, including chief information officers and
8 senior election officials and through national as-
9 sociations, to coordinate the effective implemen-
10 tation by SLTT entities of tools, products, re-
11 sources, policies, guidelines, controls, and proce-
12 dures related to information security to secure
13 and ensure the information systems, including
14 election systems, of SLTT entities;

15 “(G) provide, operational and technical as-
16 sistance to SLTT entities to implement tools,
17 products, resources, policies, guidelines, con-
18 trols, and procedures on information security;

19 “(H) assist SLTT entities in developing
20 policies and procedures for coordinating vulner-
21 ability disclosures consistent with international
22 and national standards in the information tech-
23 nology industry; and

1 “(I) promote cybersecurity education and
2 awareness through engagements with Federal
3 agencies and non-Federal entities.

4 “(q) REPORT.—Not later than 1 year after the date
5 of enactment of this subsection, and every 2 years there-
6 after, the Secretary shall submit to the Committee on
7 Homeland Security and Governmental Affairs of the Sen-
8 ate and the Committee on Homeland Security of the
9 House of Representatives a report on the services and ca-
10 pabilities that the Agency directly and indirectly provides
11 to SLTT entities.”.