

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5459
OFFERED BY MR. DONOVAN OF NEW YORK**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Cyber Preparedness
3 Act of 2016”.

4 SEC. 2. INFORMATION SHARING.

5 Title II of the Homeland Security Act of 2002 is
6 amended—

7 (1) in section 210A (6 U.S.C. 124h)—

8 (A) in subsection (b)—

9 (i) in paragraph (11), by striking
10 “and” after the semicolon;

11 (ii) by redesignating paragraph (12)
12 as paragraph (14); and

13 (iii) by inserting after paragraph (11)
14 the following new paragraphs:

15 “(12) review information relating to cybersecu-
16 rity risks that is gathered by State, local, and re-
17 gional fusion centers, and incorporate such informa-

1 tion, as appropriate, into the Department’s own in-
2 formation relating to cybersecurity risks;

3 “(13) ensure the dissemination to State, local,
4 and regional fusion centers of information relating
5 to cybersecurity risks; and”;

6 (B) in subsection (d)—

7 (i) in paragraph (3), by striking
8 “and” after the semicolon;

9 (ii) by redesignating paragraph (4) as
10 paragraph (5); and

11 (iii) by inserting after paragraph (3)
12 the following new paragraph:

13 “(4) assist, in coordination with the national
14 cybersecurity and communications integration center
15 under section 227, fusion centers in using informa-
16 tion relating to cybersecurity risks to develop a com-
17 prehensive and accurate threat picture; and”;

18 (C) in subsection (j)—

19 (i) by redesignating paragraphs (1)
20 through (5) as paragraphs (2) through (6),
21 respectively; and

22 (ii) by inserting before paragraph (2),
23 as so redesignated, the following new para-
24 graph:

1 “(1) the term ‘cybersecurity risk’ has the mean-
2 ing given that term in section 227;” and

3 (2) in section 227 (6 U.S.C. 148)—

4 (A) in subsection (c)—

5 (i) in paragraph (5)(B), by inserting
6 “, including State and major urban area
7 fusion centers, as appropriate” before the
8 semicolon at the end;

9 (ii) in paragraph (7), in the matter
10 preceding subparagraph (A), by striking
11 “information and recommendations” each
12 place it appears and inserting “informa-
13 tion, recommendations, and best prac-
14 tices”; and

15 (iii) in paragraph (9), by inserting
16 “and best practices” after “defensive
17 measures”; and

18 (B) in subsection (d)(1)(B)(ii), by insert-
19 ing “and State and major urban area fusion
20 centers, as appropriate” before the semicolon at
21 the end.

22 **SEC. 3. HOMELAND SECURITY GRANTS.**

23 Subsection (a) of section 2008 of the Homeland Secu-
24 rity Act of 2002 (6 U.S.C. 609) is amended—

1 (1) by redesignating paragraphs (4) through
2 (13) as paragraphs (5) through (14), respectively;
3 and

4 (2) by inserting after paragraph (3) the fol-
5 lowing new paragraph:

6 “(4) enhancing cybersecurity, including pre-
7 paring for and responding to cybersecurity risks and
8 incidents;”.

9 **SEC. 4. SENSE OF CONGRESS.**

10 It is the sense of Congress that to facilitate the timely
11 dissemination to appropriate State, local, and private sec-
12 tor stakeholders of homeland security information related
13 to cyber threats, the Secretary of Homeland Security
14 should, to the greatest extent practicable, work to share
15 actionable information related to cyber threats in an un-
16 classified form.

