

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO S. 658
OFFERED BY MR. THOMPSON OF
MISSISSIPPI

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Cybersecurity
3 Preparedness Consortium Act of 2021”.

4 **SEC. 2. NATIONAL CYBERSECURITY PREPAREDNESS CON-**
5 **SORTIUM.**

6 (a) IN GENERAL.—The Secretary may work with one
7 or more consortia to support efforts to address cybersecu-
8 rity risks and incidents.

9 (b) ASSISTANCE TO DHS.—The Secretary may work
10 with one or more consortia to carry out the Secretary’s
11 responsibility pursuant to section 2202(e)(1)(P) of the
12 Homeland Security Act of 2002 (6 U.S.C. 652(e)(1)(P))
13 to—

14 (1) provide training and education to State,
15 Tribal, and local first responders and officials spe-
16 cifically for preparing for and responding to cyberse-

1 security risks and incidents, in accordance with appli-
2 cable law;

3 (2) develop and update a curriculum utilizing
4 existing training and educational programs and
5 models in accordance with section 2209 of the
6 Homeland Security Act of 2002 (6 U.S.C. 659), for
7 State, Tribal, and local first responders and officials,
8 related to cybersecurity risks and incidents;

9 (3) provide technical assistance services, train-
10 ing, and educational programs to build and sustain
11 capabilities in support of preparedness for and re-
12 sponse to cybersecurity risks and incidents, including
13 threats of acts of terrorism, in accordance with such
14 section 2209;

15 (4) conduct cross-sector cybersecurity training,
16 education, and simulation exercises for entities, in-
17 cluding State and local governments and Tribal or-
18 ganizations, critical infrastructure owners and opera-
19 tors, and private industry, to encourage community-
20 wide coordination in defending against and respond-
21 ing to cybersecurity risks and incidents, in accord-
22 ance with section 2210(c) of the Homeland Security
23 Act of 2002 (6 U.S.C. 660(e));

24 (5) help States, Tribal organizations, and com-
25 munities develop cybersecurity information sharing

1 programs, in accordance with section 2209 of the
2 Homeland Security Act of 2002 (6 U.S.C. 659), for
3 the dissemination of homeland security information
4 related to cybersecurity risks and incidents;

5 (6) help incorporate cybersecurity risk and inci-
6 dent prevention and response into existing State,
7 Tribal, and local emergency plans, including con-
8 tinuity of operations plans; and

9 (7) assist State governments and Tribal organi-
10 zations in developing cybersecurity plans.

11 (c) CONSIDERATIONS REGARDING SELECTION OF A
12 CONSORTIUM.—In selecting a consortium with which to
13 work under this Act, the Secretary shall take into consid-
14 eration the following:

15 (1) Prior experience conducting cybersecurity
16 training, education, and exercises for State and local
17 entities.

18 (2) Geographic diversity of the members of any
19 such consortium so as to maximize coverage of the
20 different regions of the United States.

21 (3) The participation in such consortium of one
22 or more historically Black colleges and universities,
23 Hispanic-serving institutions, Tribal Colleges and
24 Universities, other minority-serving institutions, and
25 community colleges that participate in the National

1 Centers of Excellence in Cybersecurity program, as
2 carried out by the Department of Homeland Secu-
3 rity.

4 (d) METRICS.—If the Secretary works with a consor-
5 tium under subsection (a), the Secretary shall measure the
6 effectiveness of the activities undertaken by the consor-
7 tium under this Act.

8 (e) OUTREACH.—The Secretary shall conduct out-
9 reach to universities and colleges, including, in particular,
10 outreach to historically Black colleges and universities,
11 Hispanic-serving institutions, Tribal Colleges and Univer-
12 sities, other minority-serving institutions, and community
13 colleges, regarding opportunities to support efforts to ad-
14 dress cybersecurity risks and incidents, by working with
15 the Secretary under subsection (a).

16 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
17 tion may be construed to authorize a consortium to control
18 or direct any law enforcement agency in the exercise of
19 the duties of the law enforcement agency.

20 (g) DEFINITIONS.—In this section—

21 (1) the term “community college” has the
22 meaning given the term “junior or community col-
23 lege” in section 312 of the Higher Education Act of
24 1965 (20 U.S.C. 1058);

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

6 (3) the terms “cybersecurity risk” and “inci-
7 dent” have the meanings given those terms in sec-
8 tion 2209(a) of the Homeland Security Act of 2002
9 (6 U.S.C. 659(a));

10 (4) the term “Department” means the Depart-
11 ment of Homeland Security;

12 (5) the term “Hispanic-serving institution” has
13 the meaning given the term in section 502 of the
14 Higher Education Act of 1965 (20 U.S.C. 1101a);

15 (6) the term “historically Black college and uni-
16 versity” has the meaning given the term “part B in-
17 stitution” in section 322 of the Higher Education
18 Act of 1965 (20 U.S.C. 1061);

19 (7) the term “minority-serving institution”
20 means an institution of higher education described
21 in section 371(a) of the Higher Education Act of
22 1965 (20 U.S.C. 1067q(a));

23 (8) the term “Secretary” means the Secretary
24 of Homeland Security;

1 (9) The term “State” means any State of the
2 United States, the District of Columbia, the Com-
3 monwealth of Puerto Rico, the United States Virgin
4 Islands, Guam, American Samoa, the Common-
5 wealth of the Northern Mariana Islands, and any
6 possession of the United States;

7 (10) the term “Tribal Colleges and Univer-
8 sities” has the meaning given the term in section
9 316 of the Higher Education Act of 1965 (20
10 U.S.C. 1059c); and

11 (11) the term “Tribal organization” has the
12 meaning given the term in section 4(e) of the Indian
13 Self-Determination and Education Assistance Act
14 (25 U.S.C. 5304(e)).

