

NIST Draft Cyber Supply Chain Risk Management Guidance Would Benefit from More Consideration and Discussion of Small Business Consequences

On June 23, 2021, the Office of Advocacy (Advocacy) provided several comments to the National Institute for Standards and Technology (NIST) on a draft revision of its revised guidance on risk management practices for systems and organizations in the cyber supply chain. This revision updates a 2015 special publication by adding new data and up-to-date information on best practices and new technologies. The revision also aligns the special publication with other NIST guidance published since 2015.

1. Advocacy is concerned that NIST’s recommendations could become de facto requirements if enough businesses set them as minimum standards for contracting with others, making it more difficult for small businesses to compete because of their limited resources and technological capabilities.
2. NIST does not describe the number or characteristics of small businesses in the cyber supply chain, nor how important or feasible each component of the guidance is for those small businesses. Such information would help Advocacy and other small business representatives understand the consequences of this publication, and it would help small businesses navigate and use the information.
3. This publication is long and complex, and small businesses may not know where to start. NIST provides helpful summary information for small businesses on a variety of topics in its Small Business Cybersecurity Corner, but NIST has not yet provided or directed readers to a similar summary for this revised draft.
4. New policies, such as the executive order on “Improving the Nation’s Cybersecurity” and the Department of Defense’s Cybersecurity Maturity Model Certification framework, may relate to this guidance. Small businesses would benefit from a discussion of where these interactions occur and how this guidance might help them comply with other policies.
5. The complexity of cybersecurity technologies creates a complicated environment for small businesses, leading many to purchase protection ill-suited for their operations. These issues relate to whether and how small businesses should adopt new risk management practices, as well as how large businesses and regulatory bodies should approach new processes and technologies. Each of these entities would benefit from a discussion of the broader small business issues in the context of this new guidance.

A complete copy of Advocacy’s letter to OSHA is available at <https://advocacy.sba.gov/>. For more information, please contact Acting Chief Counsel for Advocacy Major L. Clark, III at major.clark@sba.gov.

