(i) a list of each agency and the degree to which each agency has applied the intrusion detection and prevention capabilities to an agency information system; and

(ii) a list by agency of—

(I) the number of instances in which the intrusion detection and prevention capabilities detected a cybersecurity risk in network traffic transiting or traveling to or from an agency information system and the types of indicators, identifiers, and techniques used to detect such cybersecurity risks; and

(II) the number of instances in which the intrusion detection and prevention capabilities prevented network traffic associated with a cybersecurity risk from transiting or traveling to or from an agency information system and the types of indicators, identifiers, and techniques used to detect such agency information systems.

(C) Chief information officer

Not earlier than 18 months after December 18, 2015, and not later than 2 years after December 18, 2015, the Federal Chief Information Officer shall review and submit to the appropriate congressional committees a report assessing the intrusion detection and intrusion prevention capabilities, including—

(i) the effectiveness of the system in detecting, disrupting, and preventing cyberthreat actors, including advanced persistent threats, from accessing agency information and agency information systems;

(ii) whether the intrusion detection and prevention capabilities, continuous diagnostics and mitigation, and other systems deployed under subtitle D[1] of title II of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) are effective in securing Federal information systems;

(iii) the costs and benefits of the intrusion detection and prevention capabilities, including as compared to commercial technologies and tools and including the value of classified cyber threat indicators; and

(iv) the capability of agencies to protect sensitive cyber threat indicators and defensive measures if they were shared through unclassified mechanisms for use in commercial technologies and tools.

(2) OMB report on development and implementation of intrusion assessment plan, advanced internal defenses, and Federal cybersecurity requirements

The Director shall—

(A) not later than 6 months after December 18, 2015, and 30 days after any update thereto, submit the intrusion assessment plan to the appropriate congressional committees;

(B) not later than 1 year after December 18, 2015, and annually thereafter, submit to Congress, as part of the report required under section 3553(c) of title 44—

(i) a description of the implementation of the intrusion assessment plan;

(ii) the findings of the intrusion assessments conducted pursuant to the intrusion assessment plan;

(iii) a description of the advanced network security tools included in the efforts to continuously diagnose and mitigate cybersecurity risks pursuant to section 1522(a)(1) of this title; and

(iv) a list by agency of compliance with the requirements of section 1523(b) of this title; and

(C) not later than 1 year after December 18, 2015, submit to the appropriate congressional committees—

(i) a copy of the plan developed pursuant to section 1522(a)(2) of this title; and

(ii) the improved metrics developed pursuant to section 1522(c) of this title.

(d) Form

Each report required under this section shall be submitted in unclassified form, but may include a classified annex.

(Pub. L. 114–113, div. N, title II, §226, Dec. 18, 2015, 129 Stat. 2969; Pub. L. 115–278, §2(h)(1)(F), Nov. 16, 2018, 132 Stat. 4182.)

REFERENCES IN TEXT

Subtitle D of title II of the Homeland Security Act of 2002, referred to in subsec. (c)(1)(C)(ii), is subtitle D (§§231–237) of title II of Pub. L. 107–296, Nov. 25, 2002, 116 Stat. 2159, which enacted part D (§161 et seq.) of subchapter II of chapter 1 of this title and amended sections 10102 and 10122 of Title 34, Crime Control and Law Enforcement. Subtitle D was redesignated subtitle C of title II of the Homeland Security Act of 2002 by Pub. L. 115–278, §2(g)(2)(K), Nov. 16, 2018, 132 Stat. 4178, and is classified principally to part C (§161 et seq.) of subchapter II of chapter 1 of this title. For complete classification of subtitle C to the Code, see Tables.

AMENDMENTS

2018—Subsec. (a)(1). Pub. L. 115–278, §2(h)(1)(F)(i)(I), substituted ''section 2213'' for ''section 230'' and struck out before period at end '', as added by section 223(a)(6) of this division''.

Subsec. (a)(4). Pub. L. 115–278, §2(h)(1)(F)(i)(II), substituted ''section 2210(b)(1)'' for ''section 228(b)(1)'' and struck out before period at end '', as added by section 223(a)(4) of this division''.

Subsec. (a)(5). Pub. L. 115–278, §2(h)(1)(F)(i)(III), substituted ''section 2213(b)'' for ''section 230(b)'' and struck out before period at end '', as added by section 223(a)(6) of this division''.

Subsec. (c)(1)(A)(vi). Pub. L. 115–278, §2(h)(1)(F)(ii), substituted ''section 2213(c)(5)'' for ''section 230(c)(5)'' and struck out '', as added by section 223(a)(6) of this division'' after ''Homeland Security Act of 2002''.

§ 1525. Termination

(a) In general

The authority provided under section 663 of this title, and the reporting requirements under section 1524(c) of this title shall terminate on the date that is 7 years after December 18, 2015.

(b) Rule of construction

Nothing in subsection (a) shall be construed to affect the limitation of liability of a private entity for assistance provided to the Secretary under section 663(d)(2) of this title, if such assistance was rendered before the termination date under subsection (a) or otherwise during a period in which the assistance was authorized.

[1] See References in Text note below.

(Pub. L. 114–113, div. N, title II, § 227, Dec. 18, 2015, 129 Stat. 2971; Pub. L. 115–278, § 2(h)(1)(G), Nov. 16, 2018, 132 Stat. 4182.)

AMENDMENTS

2018—Subsec. (a). Pub. L. 115–278, § 2(h)(1)(G)(i), substituted ''section 663 of this title'' for ''section 151 of this title, as added by section 223(a)(6) of this division,''.

Subsec. (b). Pub. L. 115–278, § 2(h)(1)(G)(ii), substituted ''section 663(d)(2) of this title'' for ''section 151(d)(2) of this title, as added by section 223(a)(6) of this division,''.

SUBCHAPTER III—OTHER CYBER MATTERS

§ 1531. Apprehension and prosecution of international cyber criminals

(a) International cyber criminal defined

In this section, the term ''international cyber criminal'' means an individual—

(1) who is believed to have committed a cybercrime or intellectual property crime against the interests of the United States or the citizens of the United States; and

(2) for whom—

(A) an arrest warrant has been issued by a judge in the United States; or

(B) an international wanted notice (commonly referred to as a ''Red Notice'') has been circulated by Interpol.

(b) Consultations for noncooperation

The Secretary of State, or designee, shall consult with the appropriate government official of each country from which extradition is not likely due to the lack of an extradition treaty with the United States or other reasons, in which one or more international cyber criminals are physically present, to determine what actions the government of such country has taken—

(1) to apprehend and prosecute such criminals; and

(2) to prevent such criminals from carrying out cybercrimes or intellectual property crimes against the interests of the United States or its citizens.

(c) Annual report

(1) In general

The Secretary of State shall submit to the appropriate congressional committees an annual report that includes—

(A) the number of international cyber criminals located in other countries, disaggregated by country, and indicating from which countries extradition is not likely due to the lack of an extradition treaty with the United States or other reasons;

(B) the nature and number of significant discussions by an official of the Department of State on ways to thwart or prosecute international cyber criminals with an official of another country, including the name of each such country; and

(C) for each international cyber criminal who was extradited to the United States during the most recently completed calendar year—

(i) his or her name;

(ii) the crimes for which he or she was charged;

(iii) his or her previous country of residence; and

(iv) the country from which he or she was extradited into the United States.

(2) Form

The report required by this subsection shall be in unclassified form to the maximum extent possible, but may include a classified annex.

(3) Appropriate congressional committees

For purposes of this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Homeland Security and Governmental Affairs, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Homeland Security, the Committee on Financial Services, the Permanent Select Committee on Intelligence, and the Committee on the Judiciary of the House of Representatives.

(Pub. L. 114–113, div. N, title IV, § 403, Dec. 18, 2015, 129 Stat. 2979.)

§ 1532. Enhancement of emergency services

(a) Collection of data

Not later than 90 days after December 18, 2015, the Secretary of Homeland Security, acting through the center established under section 659 of this title, in coordination with appropriate Federal entities and the Assistant Director for Emergency Communications, shall establish a process by which a Statewide Interoperability Coordinator may report data on any cybersecurity risk or incident involving any information system or network used by emergency response providers (as defined in section 101 of this title) within the State.

(b) Analysis of data

Not later than 1 year after December 18, 2015, the Secretary of Homeland Security, acting through the Director of the National Cybersecurity and Communications Integration Center, in coordination with appropriate entities and the Assistant Director for Emergency Communications, and in consultation with the Secretary of Commerce, acting through the Director of the National Institute of Standards and Technology, shall conduct integration and analysis of the data reported under subsection (a) to develop information and recommendations on security and resilience measures for any information system or network used by State emergency response providers.

(c) Best practices

(1) In general

Using the results of the integration and analysis conducted under subsection (b), and any other relevant information, the Director of the National Institute of Standards and Technology shall, on an ongoing basis, facili-