

cal year thereafter until September 30, 2028, which shall remain available until September 30, 2028.

(Pub. L. 107-296, title XXII, § 2237, as added Pub. L. 117-58, div. G, title VI, § 70602(a), Nov. 15, 2021, 135 Stat. 1272.)

§ 677g. Sunset

The authorities granted to the Secretary or the Director under this part shall expire on the date that is 7 years after November 15, 2021.

(Pub. L. 107-296, title XXII, § 2238, as added Pub. L. 117-58, div. G, title VI, § 70602(a), Nov. 15, 2021, 135 Stat. 1272.)

PART D—CYBER INCIDENT REPORTING

§ 681. Definitions

In this part:

(1) Center

The term “Center” means the center established under section 659 of this title.

(2) Council

The term “Council” means the Cyber Incident Reporting Council described in section 681f of this title.

(3) Covered cyber incident

The term “covered cyber incident” means a substantial cyber incident experienced by a covered entity that satisfies the definition and criteria established by the Director in the final rule issued pursuant to section 681b(b) of this title.

(4) Covered entity

The term “covered entity” means an entity in a critical infrastructure sector, as defined in Presidential Policy Directive 21, that satisfies the definition established by the Director in the final rule issued pursuant to section 681b(b) of this title.

(5) Cyber incident

The term “cyber incident”—

(A) has the meaning given the term “incident” in section 659¹ of this title; and

(B) does not include an occurrence that imminently, but not actually, jeopardizes—

- (i) information on information systems; or
- (ii) information systems.

(6) Cyber threat

The term “cyber threat” has the meaning given the term “cybersecurity threat” in section 650 of this title.

(7) Federal entity

The term “Federal entity” has the meaning given the term in section 1501 of this title.

(8) Ransom payment

The term “ransom payment” means the transmission of any money or other property or asset, including virtual currency, or any portion thereof, which has at any time been delivered as ransom in connection with a ransomware attack.

(9) Significant cyber incident

The term “significant cyber incident” means a cyber incident, or a group of related cyber incidents, that the Secretary determines is likely to result in demonstrable harm to the national security interests, foreign relations, or economy of the United States or to the public confidence, civil liberties, or public health and safety of the people of the United States.

(10) Virtual currency

The term “virtual currency” means the digital representation of value that functions as a medium of exchange, a unit of account, or a store of value.

(11) Virtual currency address

The term “virtual currency address” means a unique public cryptographic key identifying the location to which a virtual currency payment can be made.

(Pub. L. 107-296, title XXII, § 2240, as added Pub. L. 117-103, div. Y, § 103(a)(2), Mar. 15, 2022, 136 Stat. 1039; amended Pub. L. 117-263, div. G, title LXXI, § 7143(b)(2)(N), Dec. 23, 2022, 136 Stat. 3661.)

Editorial Notes

REFERENCES IN TEXT

Section 659 of this title, referred to in par. (5)(A), was subsequently amended, and section 659(a) no longer defines the term “incident”. Reference to term, “incident”, as defined in this chapter deemed to be a reference to that term as defined in section 650(12) of this title, see section 7143(f)(2) of Pub. L. 117-263, set out as a Rule of Construction note under section 650 of this title.

AMENDMENTS

2022—Par. (2). Pub. L. 117-263, § 7143(b)(2)(N)(i), (ii), redesignated par. (3) as (2) and struck out former par. (2). Prior to amendment, text of par. (2) read as follows: “The term ‘cloud service provider’ means an entity offering products or services related to cloud computing, as defined by the National Institute of Standards and Technology in NIST Special Publication 800-145 and any amendatory or superseding document relating thereto.”

Pars. (3) to (5). Pub. L. 117-263, § 7143(b)(2)(N)(ii), redesignated pars. (4) to (6) as pars. (3) to (5), respectively. Former par. (3) redesignated (2).

Par. (6). Pub. L. 117-263, § 7143(b)(2)(N)(ii), (iii), redesignated par. (7) as (6) and substituted “section 650 of this title” for “section 651 of this title”. Former par. (6) redesignated (5).

Par. (7). Pub. L. 117-263, § 7143(b)(2)(N)(iv), added par. (7). Former par. (7) redesignated (6).

Par. (8). Pub. L. 117-263, § 7143(b)(2)(N)(iv), (vi), redesignated par. (13) as (8) and struck out former par. (8). Prior to amendment, text of par. (8) read as follows: “The terms ‘cyber threat indicator’, ‘cybersecurity purpose’, ‘defensive measure’, ‘Federal entity’, and ‘security vulnerability’ have the meanings given those terms in section 1501 of this title.”

Par. (9). Pub. L. 117-263, § 7143(b)(2)(N)(v), (vi), redesignated par. (16) as (9) and struck out former par. (9). Prior to amendment, text of par. (9) read as follows: “The terms ‘incident’ and ‘sharing’ have the meanings given those terms in section 659 of this title.”

Par. (10). Pub. L. 117-263, § 7143(b)(2)(N)(v), (vi), redesignated par. (18) as (10) and struck out former par. (10). Prior to amendment, text of par. (10) read as follows: “The term ‘Information Sharing and Analysis Organization’ has the meaning given the term in section 671 of this title.”

Par. (11). Pub. L. 117-263, § 7143(b)(2)(N)(v), (vi), redesignated par. (19) as (11) and struck out former par. (11).

¹ See References in Text note below.