

Federal, State, tribal, or local government to regulate, including an enforcement action, the lawful activities of any non-Federal entity or any activities taken by a non-Federal entity pursuant to mandatory standards, including activities relating to monitoring, operating defensive measures, or sharing cyber threat indicators.

(ii) Exceptions

(I) Regulatory authority specifically relating to prevention or mitigation of cybersecurity threats

Cyber threat indicators and defensive measures provided to the Federal Government under this subchapter may, consistent with Federal or State regulatory authority specifically relating to the prevention or mitigation of cybersecurity threats to information systems, inform the development or implementation of regulations relating to such information systems.

(II) Procedures developed and implemented under this subchapter

Clause (i) shall not apply to procedures developed and implemented under this subchapter.

(Pub. L. 114–113, div. N, title I, § 105, Dec. 18, 2015, 129 Stat. 2943.)

§ 1505. Protection from liability

(a) Monitoring of information systems

No cause of action shall lie or be maintained in any court against any private entity, and such action shall be promptly dismissed, for the monitoring of an information system and information under section 1503(a) of this title that is conducted in accordance with this subchapter.

(b) Sharing or receipt of cyber threat indicators

No cause of action shall lie or be maintained in any court against any private entity, and such action shall be promptly dismissed, for the sharing or receipt of a cyber threat indicator or defensive measure under section 1503(c) of this title if—

(1) such sharing or receipt is conducted in accordance with this subchapter; and

(2) in a case in which a cyber threat indicator or defensive measure is shared with the Federal Government, the cyber threat indicator or defensive measure is shared in a manner that is consistent with section 1504(c)(1)(B) of this title and the sharing or receipt, as the case may be, occurs after the earlier of—

(A) the date on which the interim policies and procedures are submitted to Congress under section 1504(a)(1) of this title and guidelines are submitted to Congress under section 1504(b)(1) of this title; or

(B) the date that is 60 days after December 18, 2015.

(c) Construction

Nothing in this subchapter shall be construed—

(1) to create—

(A) a duty to share a cyber threat indicator or defensive measure; or

(B) a duty to warn or act based on the receipt of a cyber threat indicator or defensive measure; or

(2) to undermine or limit the availability of otherwise applicable common law or statutory defenses.

(Pub. L. 114–113, div. N, title I, § 106, Dec. 18, 2015, 129 Stat. 2950.)

§ 1506. Oversight of government activities

(a) Report on implementation

(1) In general

Not later than 1 year after December 18, 2015, the heads of the appropriate Federal entities shall jointly submit to Congress a detailed report concerning the implementation of this subchapter.

(2) Contents

The report required by paragraph (1) may include such recommendations as the heads of the appropriate Federal entities may have for improvements or modifications to the authorities, policies, procedures, and guidelines under this subchapter and shall include the following:

(A) An evaluation of the effectiveness of real-time information sharing through the capability and process developed under section 1504(c) of this title, including any impediments to such real-time sharing.

(B) An assessment of whether cyber threat indicators or defensive measures have been properly classified and an accounting of the number of security clearances authorized by the Federal Government for the purpose of sharing cyber threat indicators or defensive measures with the private sector.

(C) The number of cyber threat indicators or defensive measures received through the capability and process developed under section 1504(c) of this title.

(D) A list of Federal entities that have received cyber threat indicators or defensive measures under this subchapter.

(b) Biennial report on compliance

(1) In general

Not later than 2 years after December 18, 2015 and not less frequently than once every 2 years thereafter, the inspectors general of the appropriate Federal entities, in consultation with the Inspector General of the Intelligence Community and the Council of Inspectors General on Financial Oversight, shall jointly submit to Congress an interagency report on the actions of the executive branch of the Federal Government to carry out this subchapter during the most recent 2-year period.

(2) Contents

Each report submitted under paragraph (1) shall include, for the period covered by the report, the following:

(A) An assessment of the sufficiency of the policies, procedures, and guidelines relating to the sharing of cyber threat indicators within the Federal Government, including those policies, procedures, and guidelines relating to the removal of information not di-