

amounts available in the Fund, and amounts available in the Fund shall be in addition to any other appropriations available to the Cybersecurity and Infrastructure Security Agency for such purpose.

(Pub. L. 107–296, title XXII, § 2233, as added Pub. L. 117–58, div. G, title VI, § 70602(a), Nov. 15, 2021, 135 Stat. 1268.)

§ 677c. Cyber Response and Recovery Fund

(a) In general

There is established a Cyber Response and Recovery Fund, which shall be available for—

(1) the coordination of activities described in section 677b(b) of this title;

(2) response and recovery support for the specific significant incident associated with a declaration to Federal, State, local, and Tribal, entities and public and private entities on a reimbursable or non-reimbursable basis, including through asset response activities and technical assistance, such as—

- (A) vulnerability assessments and mitigation;
- (B) technical incident mitigation;
- (C) malware analysis;
- (D) analytic support;
- (E) threat detection and hunting; and
- (F) network protections;

(3) as the Director determines appropriate, grants for, or cooperative agreements with, Federal, State, local, and Tribal public and private entities to respond to, and recover from, the specific significant incident associated with a declaration, such as—

- (A) hardware or software to replace, update, improve, harden, or enhance the functionality of existing hardware, software, or systems; and
- (B) technical contract personnel support; and

(4) advance actions taken by the Secretary under section 677b(f)(1)(B) of this title.

(b) Deposits and expenditures

(1) In general

Amounts shall be deposited into the Fund from—

- (A) appropriations to the Fund for activities of the Fund; and
- (B) reimbursement from Federal agencies for the activities described in paragraphs (1), (2), and (4) of subsection (a), which shall only be from amounts made available in advance in appropriations Acts for such reimbursement.

(2) Expenditures

Any expenditure from the Fund for the purposes of this part shall be made from amounts available in the Fund from a deposit described in paragraph (1), and amounts available in the Fund shall be in addition to any other appropriations available to the Cybersecurity and Infrastructure Security Agency for such purposes.

(c) Supplement not supplant

Amounts in the Fund shall be used to supplement, not supplant, other Federal, State, local,

or Tribal funding for activities in response to a declaration.

(d) Reporting

The Secretary shall require an entity that receives amounts from the Fund to submit a report to the Secretary that details the specific use of the amounts.

(Pub. L. 107–296, title XXII, § 2234, as added Pub. L. 117–58, div. G, title VI, § 70602(a), Nov. 15, 2021, 135 Stat. 1270.)

§ 677d. Notification and reporting

(a) Notification

Upon a declaration or renewal, the Secretary shall immediately notify the National Cyber Director and appropriate congressional committees and include in the notification—

(1) an estimation of the planned duration of the declaration;

(2) with respect to a notification of a declaration, the reason for the declaration, including information relating to the specific significant incident or imminent specific significant incident, including—

(A) the operational or mission impact or anticipated impact of the specific significant incident on Federal and non-Federal entities;

(B) if known, the perpetrator of the specific significant incident; and

(C) the scope of the Federal and non-Federal entities impacted or anticipated to be impacted by the specific significant incident;

(3) with respect to a notification of a renewal, the reason for the renewal;

(4) justification as to why available resources, other than the Fund, are insufficient to respond to or mitigate the specific significant incident; and

(5) a description of the coordination activities described in section 677b(b) of this title that the Secretary anticipates the Director to perform.

(b) Report to Congress

Not later than 180 days after the date of a declaration or renewal, the Secretary shall submit to the appropriate congressional committees a report that includes—

(1) the reason for the declaration or renewal, including information and intelligence relating to the specific significant incident that led to the declaration or renewal;

(2) the use of any funds from the Fund for the purpose of responding to the incident or threat described in paragraph (1);

(3) a description of the actions, initiatives, and projects undertaken by the Department and State and local governments and public and private entities in responding to and recovering from the specific significant incident described in paragraph (1);

(4) an accounting of the specific obligations and outlays of the Fund; and

(5) an analysis of—

(A) the impact of the specific significant incident described in paragraph (1) on Federal and non-Federal entities;