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Al Franken

AMENDMENT NO. _____ Calendar No. _____

Purpose: To improve the definitions of cybersecurity threat and cyber threat indicator.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S 754

AMENDMENT N° 2612

By FRANKEN _____ es through en-
cybersecurity

To: _____ and

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Page(s) printed

GPO: 2014 91-623 (mac) FRANKEN (for
himself and Mr. LEAHY and Mr. Wyden)

Viz:

- 1 Beginning on page 3, strike line 21 and all that fol-
- 2 lows through page 5, line 8, and insert the following:
- 3 system that is reasonably likely to result in an
- 4 unauthorized effort to adversely impact the se-
- 5 curity, availability, confidentiality, or integrity
- 6 of an information system or information that is
- 7 stored on, processed by, or transiting an infor-
- 8 mation system.
- 9 (B) EXCLUSION.—The term “cybersecurity
- 10 threat” does not include any action that solely

1 involves a violation of a consumer term of serv-
2 ice or a consumer licensing agreement.

3 (6) CYBER THREAT INDICATOR.—The term
4 “cyber threat indicator” means information that is
5 necessary to describe or identify—

6 (A) malicious reconnaissance, including
7 anomalous patterns of communications that ap-
8 pear to be transmitted for the purpose of gath-
9 ering technical information related to a cyberse-
10 curity threat or security vulnerability;

11 (B) a method of defeating a security con-
12 trol or exploitation of a security vulnerability;

13 (C) a security vulnerability, including
14 anomalous activity that appears to indicate the
15 existence of a security vulnerability;

16 (D) a method of causing a user with legiti-
17 mate access to an information system or infor-
18 mation that is stored on, processed by, or
19 transiting an information system to unwittingly
20 enable the defeat of a security control or exploi-
21 tation of a security vulnerability;

22 (E) malicious cyber command and control;

23 (F) the harm caused by an incident, in-
24 cluding a description of the information

1 exfiltrated as a result of a particular cybersecu-
2 rity threat;

3 (G) any other attribute of a cybersecurity
4 threat, if disclosure of such information is not
5 otherwise prohibited by law; or