

**AMENDMENT TO RULES COMM. PRINT 117-54**  
**OFFERED BY MS. ROSS OF NORTH CAROLINA**

Add at the end of subtitle E of title X the following:

1 **SEC. 1051. DISCLOSURE OF RANSOM PAYMENTS.**

2 (a) DEFINITIONS.—In this section:

3 (1) COVERED ENTITY.—The term “covered en-  
4 tity”—

5 (A) means a public or private entity that  
6 receives Federal defense funds; and

7 (B) does not include an individual.

8 (2) INFORMATION SYSTEM.—The term “infor-  
9 mation system” has the meaning given such term in  
10 section 3502 of title 44, United States Code.

11 (3) RANSOM PAYMENT.—The term “ransom  
12 payment” means the transmission of any money or  
13 other property or asset, including virtual currency,  
14 or any portion thereof, which has at any time been  
15 delivered as ransom in connection with a  
16 ransomware attack.

17 (4) RANSOMWARE ATTACK.—The term  
18 “ransomware attack”—

19 (A) means an incident that includes the  
20 use or threat of use of unauthorized or mali-

1           cious code on an information system, or the use  
2           or threat of use of another digital mechanism  
3           such as a denial of service attack, to interrupt  
4           or disrupt the operations of an information sys-  
5           tem or compromise the confidentiality, avail-  
6           ability, or integrity of electronic data stored on,  
7           processed by, or transiting an information sys-  
8           tem to extort a demand for a ransom payment;  
9           and

10                 (B) does not include any such event where  
11           the demand for payment is—

12                         (i) not genuine; or

13                         (ii) made in good faith by an entity in  
14           response to a specific request by the owner  
15           or operator of the information system.

16           (5) SECRETARY.—The term “Secretary” means  
17           the Secretary of Defense.

18           (b) DISCLOSURE REQUIRED.—Not later than 72  
19           hours after a covered entity makes a ransom payment, the  
20           covered entity shall disclose to the Secretary, in accord-  
21           ance with subsection (b), such payment.

22           (c) CONTENTS.—A disclosure made under subsection  
23           (b) shall include, with respect to the ransom payment at  
24           issue, the following:

1           (1) The date on which such ransom payment  
2 was demanded.

3           (2) The date on which such ransom payment  
4 was made.

5           (3) The amount of such ransom payment de-  
6 manded.

7           (4) The amount of such ransom payment made.

8           (5) An identification of the currency, including  
9 if virtual currency, used for payment of such ransom  
10 payment.

11          (6) Any known information regarding the iden-  
12 tity of the actor demanding such ransom payment.

13          (7) As applicable and relevant, the elements de-  
14 scribed in subsection (c) of section 2242 of the  
15 Homeland Security Act of 2002 (6 U.S.C. 681b).

16          (d) NONCOMPLIANCE.—The Secretary shall establish  
17 by regulation appropriate penalties for a covered entity  
18 that fails to make a disclosure required under subsection  
19 (b).

20          (e) PUBLIC AVAILABILITY.—

21           (1) IN GENERAL.—Not later than one year  
22 after the date of the enactment of this Act and an-  
23 nually thereafter, the Secretary shall publish on a  
24 publicly available website of the Department of De-  
25 fense the information disclosed under subsection (b)

1 during the preceding 1-year period, including the  
2 total dollar amount of ransom payments made by  
3 covered entities during such period.

4 (2) EXCLUSION OF IDENTIFYING INFORMA-  
5 TION.—Information that reveals the identity of a  
6 covered entity that made a disclosure under sub-  
7 section (b) shall be excluded from the information  
8 published under paragraph (1).

