S. 1281

AN ACT

To establish a bug bounty pilot program within the
Department of Homeland Security, and for other purposes.

1   *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Hack the Department of Homeland Security Act of 2017" or the "Hack DHS Act".

SEC. 2. DEPARTMENT OF HOMELAND SECURITY BUG BOUNTY PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) BUG BOUNTY PROGRAM.—The term "bug bounty program" means a program under which an approved individual, organization, or company is temporarily authorized to identify and report vulnerabilities of Internet-facing information technology of the Department in exchange for compensation.

(2) DEPARTMENT.—The term "Department" means the Department of Homeland Security.

(3) INFORMATION TECHNOLOGY.—The term "information technology" has the meaning given the term in section 11101 of title 40, United States Code.

(4) PILOT PROGRAM.—The term "pilot program" means the bug bounty pilot program required to be established under subsection (b)(1).

(5) SECRETARY.—The term "Secretary" means the Secretary of Homeland Security.

(b) ESTABLISHMENT OF PILOT PROGRAM.—

1   (1) IN GENERAL.—Not later than 180 days

2 after the date of enactment of this Act, the Sec-

3 retary shall establish, within the Office of the Chief

4 Information Officer, a bug bounty pilot program to

5 minimize vulnerabilities of Internet-facing informa-

6 tion technology of the Department.

7   (2) REQUIREMENTS.—In establishing the pilot

8 program, the Secretary shall—

9   (A) provide compensation for reports of

10   previously unidentified security vulnerabilities

11   within the websites, applications, and other

12   Internet-facing information technology of the

13   Department that are accessible to the public;

14   (B) award a competitive contract to an en-

15   tity, as necessary, to manage the pilot program

16   and for executing the remediation of

17   vulnerabilities identified as a consequence of the

18   pilot program;

19   (C) designate mission-critical operations

20   within the Department that should be excluded

21   from the pilot program;

22   (D) consult with the Attorney General on

23   how to ensure that approved individuals, orga-

24   nizations, or companies that comply with the

25   requirements of the pilot program are protected

1   from prosecution under section 1030 of title 18,

2   United States Code, and similar provisions of

3   law for specific activities authorized under the

4   pilot program;

5   (E) consult with the relevant offices at the

6   Department of Defense that were responsible

7   for launching the 2016 ''Hack the Pentagon''

8   pilot program and subsequent Department of

9   Defense bug bounty programs;

10   (F) develop an expeditious process by

11   which an approved individual, organization, or

12   company can register with the entity described

13   in subparagraph (B), submit to a background

14   check as determined by the Department, and

15   receive a determination as to eligibility for par-

16   ticipation in the pilot program; and

17   (G) engage qualified interested persons, in-

18   cluding non-government sector representatives,

19   about the structure of the pilot program as con-

20   structive and to the extent practicable.

21 (c) REPORT.—Not later than 180 days after the date

22 on which the pilot program is completed, the Secretary

23 of Homeland Security shall submit to the Committee on

24 Homeland Security and Governmental Affairs of the Sen-

25 ate and the Committee on Homeland Security of the

1 House of Representatives a report on the pilot program,

2 which shall include—

3   (1) the number of approved individuals, organi-

4   zations, or companies involved in the pilot program,

5   broken down by the number of approved individuals,

6   organizations, or companies that—

7   (A) registered;

8   (B) were approved;

9   (C) submitted security vulnerabilities; and

10   (D) received compensation;

11   (2) the number and severity of vulnerabilities

12   reported as part of the pilot program;

13   (3) the number of previously unidentified secu-

14   rity vulnerabilities remediated as a result of the pilot

15   program;

16   (4) the current number of outstanding pre-

17   viously unidentified security vulnerabilities and De-

18   partment remediation plans;

19   (5) the average length of time between the re-

20   porting of security vulnerabilities and remediation of

21   the vulnerabilities;

22   (6) the types of compensation provided under

23   the pilot program; and

24   (7) the lessons learned from the pilot program.

1   (d) AUTHORIZATION OF APPROPRIATIONS.—There

2 are authorized to be appropriated to the Department

3 $250,000 for fiscal year 2018 to carry out this Act.

Passed the Senate April 17, 2018.

Attest:

Secretary.

115TH CONGRESS
2D SESSION

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