

116TH CONGRESS  
1ST SESSION

# H. R. 3710

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## AN ACT

To amend the Homeland Security Act of 2002 to provide for the remediation of cybersecurity vulnerabilities, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Cybersecurity Vulner-  
3 ability Remediation Act”.

4 **SEC. 2. CYBERSECURITY VULNERABILITIES.**

5 Section 2209 of the Homeland Security Act of 2002  
6 (6 U.S.C. 659) is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (5), by striking “and”  
9 after the semicolon at the end;

10 (B) by redesignating paragraph (6) as  
11 paragraph (7); and

12 (C) by inserting after paragraph (5) the  
13 following new paragraph:

14 “(6) the term ‘cybersecurity vulnerability’ has  
15 the meaning given the term ‘security vulnerability’  
16 in section 102 of the Cybersecurity Information  
17 Sharing Act of 2015 (6 U.S.C. 1501); and”.

18 (2) in subsection (c)—

19 (A) in paragraph (5)—

20 (i) in subparagraph (A), by striking  
21 “and” after the semicolon at the end;

22 (ii) by redesignating subparagraph  
23 (B) as subparagraph (C);

24 (iii) by inserting after subparagraph  
25 (A) the following new subparagraph:

1           “(B) sharing mitigation protocols to counter cy-  
2           bersecurity vulnerabilities pursuant to subsection  
3           (n); and”; and

4                       (iv) in subparagraph (C), as so reded-  
5                       ignated, by inserting “and mitigation pro-  
6                       tocols to counter cybersecurity  
7                       vulnerabilities in accordance with subpara-  
8                       graph (B)” before “with Federal”;

9           (B) in paragraph (7)(C), by striking  
10           “sharing” and inserting “share”; and

11                       (C) in paragraph (9), by inserting “mitiga-  
12                       tion protocols to counter cybersecurity  
13                       vulnerabilities,” after “measures,”;

14           (3) in subsection (e)(1)(G), by striking the  
15           semicolon after “and” at the end; and

16           (4) by adding at the end the following new sub-  
17           section:

18           “(n) PROTOCOLS TO COUNTER CYBERSECURITY  
19           VULNERABILITIES.—The Director may, as appropriate,  
20           identify, develop, and disseminate actionable protocols to  
21           mitigate cybersecurity vulnerabilities, including in cir-  
22           cumstances in which such vulnerabilities exist because  
23           software or hardware is no longer supported by a ven-  
24           dor.”.

1 **SEC. 3. REPORT ON CYBERSECURITY VULNERABILITIES.**

2 (a) REPORT.—Not later than 1 year after the date  
3 of the enactment of this Act, the Director of the Cyberse-  
4 curity and Infrastructure Security Agency of the Depart-  
5 ment of Homeland Security shall submit to the Committee  
6 on Homeland Security of the House of Representatives  
7 and the Committee on Homeland Security and Govern-  
8 mental Affairs of the Senate a report on how the Agency  
9 carries out subsection (m) of section 2209 of the Home-  
10 land Security Act of 2002 to coordinate vulnerability dis-  
11 closures, including disclosures of cybersecurity  
12 vulnerabilities (as such term is defined in such section),  
13 and subsection (n) of such section (as added by section  
14 2) to disseminate actionable protocols to mitigate cyberse-  
15 curity vulnerabilities, that includes the following:

16 (1) A description of the policies and procedures  
17 relating to the coordination of vulnerability dislo-  
18 sures.

19 (2) A description of the levels of activity in fur-  
20 therance of such subsections (m) and (n) of such  
21 section 2209.

22 (3) Any plans to make further improvements to  
23 how information provided pursuant to such sub-  
24 sections can be shared (as such term is defined in  
25 such section 2209) between the Department and in-  
26 dustry and other stakeholders.

1           (4) Any available information on the degree to  
2           which such information was acted upon by industry  
3           and other stakeholders.

4           (5) A description of how privacy and civil lib-  
5           erties are preserved in the collection, retention, use,  
6           and sharing of vulnerability disclosures.

7           (b) FORM.—The report required under subsection (b)  
8           shall be submitted in unclassified form but may contain  
9           a classified annex.

10 **SEC. 4. COMPETITION RELATING TO CYBERSECURITY**  
11 **VULNERABILITIES.**

12           The Under Secretary for Science and Technology of  
13           the Department of Homeland Security, in consultation  
14           with the Director of the Cybersecurity and Infrastructure  
15           Security Agency of the Department, may establish an in-  
16           centive-based program that allows industry, individuals,  
17           academia, and others to compete in providing remediation  
18           solutions for cybersecurity vulnerabilities (as such term is  
19           defined in section 2209 of the Homeland Security Act of  
20           2002, as amended by section 2).

          Passed the House of Representatives September 26,  
2019.

Attest:

*Clerk.*

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