

116TH CONGRESS
1ST SESSION

H. R. 3710

To amend the Homeland Security Act of 2002 to provide for the remediation of cybersecurity vulnerabilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 11, 2019

Ms. JACKSON LEE (for herself, Mr. PAYNE, and Mr. LANGEVIN) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cybersecurity Vulner-

5 ability Remediation Act”.

6 **SEC. 2. CYBERSECURITY VULNERABILITIES.**

7 Section 2209 of the Homeland Security Act of 2002

8 (6 U.S.C. 659) is amended—

9 (1) in subsection (a)—

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

3 (B) by redesignating paragraph (6) as
4 paragraph (7); and

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

7 “(6) the term ‘cybersecurity vulnerability’ has
8 the meaning given the term ‘security vulnerability’
9 in section 102 of the Cybersecurity Information
10 Sharing Act of 2015 (6 U.S.C. 1501); and”.

11 (2) in subsection (c)—

12 (A) in paragraph (5)—

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

15 (ii) by redesignating subparagraph
16 (B) as subparagraph (C);

17 (iii) by inserting after subparagraph
18 (A) the following new subparagraph:

19 “(B) sharing mitigation protocols to counter cy-
20 bersecurity vulnerabilities pursuant to subsection
21 (n); and”; and

22 (iv) in subparagraph (C), as so redес-
23 igned, by inserting “and mitigation pro-
24 tocols to counter cybersecurity

1 vulnerabilities in accordance with subpara-
2 graph (B)” before “with Federal”;

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

5 (C) in paragraph (9), by inserting “mitiga-
6 tion protocols to counter cybersecurity
7 vulnerabilities,” after “measures,”;

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

10 (4) by adding at the end the following new sub-
11 section:

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

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

20 (a) REPORT.—Not later than one year after the date
21 of the enactment of this Act, the Director of the Cyberse-
22 curity and Infrastructure Security Agency of the Depart-
23 ment of Homeland Security shall submit to the Committee
24 on Homeland Security of the House of Representatives
25 and the Committee on Homeland Security and Govern-

1 mental Affairs of the Senate a report on how the Agency
2 carries out subsection (m) of section 2209 of the Home-
3 land Security Act of 2002 to coordinate vulnerability dis-
4 closures, including disclosures of cybersecurity
5 vulnerabilities (as such term is defined in such section),
6 and subsection (n) of such section (as added by section
7 2) to disseminate actionable protocols to mitigate cyberse-
8 curity vulnerabilities, that includes the following:

9 (1) A description of the policies and procedures
10 relating to the coordination of vulnerability disclo-
11 sures.

12 (2) A description of the levels of activity in fur-
13 therance of such subsections (m) and (n) of such
14 section 2209.

15 (3) Any plans to make further improvements to
16 how information provided pursuant to such sub-
17 sections can be shared (as such term is defined in
18 such section 2209) between the Department and in-
19 dustry and other stakeholders.

20 (4) Any available information on the degree to
21 which such information was acted upon by industry
22 and other stakeholders.

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

1 (b) FORM.—The report required under subsection (b)
2 shall be submitted in unclassified form but may contain
3 a classified annex.

4 **SEC. 4. COMPETITION RELATING TO CYBERSECURITY**
5 **VULNERABILITIES.**

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

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