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(Original Signature of Member)

115TH CONGRESS
1ST SESSION

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

Mr. TED LIEU of California introduced the following bill; which was referred to the Committee on _____

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hack the Department
5 of Homeland Security Act of 2017” or the “Hack DHS
6 Act”.

7 **SEC. 2. DEPARTMENT OF HOMELAND SECURITY BUG BOUN-**
8 **TY PILOT PROGRAM.**

9 (a) **DEFINITIONS.**—In this section:

1 (1) BUG BOUNTY PROGRAM.—The term “bug
2 bounty program” means a program under which an
3 approved computer security specialist or security re-
4 searcher is temporarily authorized to identify and re-
5 port vulnerabilities within the information system of
6 the Department in exchange for cash payment.

7 (2) DEPARTMENT.—The term “Department”
8 means the Department of Homeland Security.

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

12 (4) PILOT PROGRAM.—The term “pilot pro-
13 gram” means the bug bounty pilot program required
14 to be established under subsection (b)(1).

15 (5) SECRETARY.—The term “Secretary” means
16 the Secretary of Homeland Security.

17 (b) ESTABLISHMENT OF PILOT PROGRAM.—

18 (1) IN GENERAL.—Not later than 180 days
19 after the date of the enactment of this Act, the Sec-
20 retary shall establish a bug bounty pilot program to
21 minimize vulnerabilities to the information systems
22 of the Department.

23 (2) REQUIREMENTS.—In establishing the pilot
24 program, the Secretary shall—

1 (A) provide monetary compensations for
2 reports of previously unidentified security
3 vulnerabilities within the websites, applications,
4 and other information systems of the Depart-
5 ment that are accessible to the public;

6 (B) develop an expeditious process by
7 which computer security researchers can reg-
8 ister for the pilot program, submit to a back-
9 ground check as determined by the Depart-
10 ment, and receive a determination as to ap-
11 proval for participation in the pilot program;

12 (C) designate mission-critical operations
13 within the Department that should be excluded
14 from the pilot program;

15 (D) consult with the Attorney General on
16 how to ensure that computer security specialists
17 and security researchers who participate in the
18 pilot program are protected from prosecution
19 under section 1030 of title 18, United States
20 Code, and similar statutes for specific activities
21 authorized under the pilot program;

22 (E) consult with the relevant offices at the
23 Department of Defense that were responsible
24 for launching the 2016 “Hack the Pentagon”

1 pilot program and subsequent Department of
2 Defense bug bounty programs;

3 (F) award competitive contracts as nec-
4 essary to manage the pilot program and for
5 executing the remediation of vulnerabilities
6 identified as a consequence of the pilot pro-
7 gram; and

8 (G) engage interested persons , to include
9 commercial sector representatives, about the
10 structure of the pilot program as constructive
11 and to the extent practicable.

12 (c) REPORT.—Not later than 90 days after the date
13 on which the pilot program is completed, the Secretary
14 shall submit to the Committee on Homeland Security and
15 Governmental Affairs of the Senate and the Committee
16 on Homeland Security of the House of Representatives a
17 report on the pilot program, which shall include—

18 (1) the number of computer security research-
19 ers who registered, were approved, submitted secu-
20 rity vulnerabilities, and received monetary compensa-
21 tion;

22 (2) the number and severity of previously un-
23 identified vulnerabilities reported as part of the pilot
24 program;

1 (3) the number of previously unidentified secu-
2 rity vulnerabilities remediated as a result of the pilot
3 program;

4 (4) the average length of time between the re-
5 porting of security vulnerabilities and remediation of
6 the vulnerabilities;

7 (5) the average amount of money paid per
8 unique vulnerability submitted and the total amount
9 of money paid to security researchers under the pilot
10 program; and

11 (6) the lessons learned from the pilot program.

12 (d) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated to the Department
14 \$250,000 for fiscal year 2018 to carry out this Act.