

115TH CONGRESS  
1ST SESSION

# S. 1281

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

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IN THE SENATE OF THE UNITED STATES

MAY 25, 2017

Ms. HASSAN (for herself, Mr. PORTMAN, Mrs. MCCASKILL, and Ms. HARRIS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## 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 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 compensation for re-  
2 ports 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 with the Department, 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 provisions of law for specific  
21 activities 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, including  
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 of Homeland Security shall submit to the Committee on  
15 Homeland Security and Governmental Affairs of the Sen-  
16 ate and the Committee on Homeland Security of the  
17 House of Representatives a report on the pilot program,  
18 which shall include—

19 (1) the number of computer security research-  
20 ers involved in the pilot program, broken down by  
21 the number of computer security researchers who—

22 (A) registered;

23 (B) were approved;

24 (C) submitted security vulnerabilities; and

25 (D) received monetary compensation;

1           (2) the number and severity of previously un-  
2 identified vulnerabilities reported as part of the pilot  
3 program;

4           (3) the number of previously unidentified secu-  
5 rity vulnerabilities remediated as a result of the pilot  
6 program;

7           (4) the average length of time between the re-  
8 porting of security vulnerabilities and remediation of  
9 the vulnerabilities;

10          (5) the average amount of monetary compensa-  
11 tion paid per unique vulnerability submitted under  
12 the pilot program and the total amount of monetary  
13 compensation paid to computer security researchers  
14 under the pilot program; and

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

16          (d) AUTHORIZATION OF APPROPRIATIONS.—There  
17 are authorized to be appropriated to the Department  
18 \$250,000 for fiscal year 2018 to carry out this Act.

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