

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# 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,*

1 **SECTION 1. SHORT TITLE.**

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

5 **SEC. 2. DEPARTMENT OF HOMELAND SECURITY BUG BOUN-**  
6 **TY PILOT PROGRAM.**

7 (a) DEFINITIONS.—In this section:

8 (1) BUG BOUNTY PROGRAM.—The term “bug  
9 bounty program” means a program under which an  
10 approved individual, organization, or company is  
11 temporarily authorized to identify and report  
12 vulnerabilities of Internet-facing information tech-  
13 nology of the Department in exchange for compensa-  
14 tion.

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

17 (3) INFORMATION TECHNOLOGY.—The term  
18 “information technology” has the meaning given the  
19 term in section 11101 of title 40, United States  
20 Code.

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

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

26 (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.*



115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 1281**

---

**AN ACT**

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