



One Hundred Fifteenth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515

September 13, 2018

COMMITTEE ACTION

The Committee on Homeland Security met, pursuant to notice, in open markup session, a quorum being present, on Thursday, September 13, 2018, in 210 of the House Visitors Center and considered the following measures:

H.R. 6620, To require the Department of Homeland Security to prepare a threat assessment relating to unmanned aircraft systems, and for other purposes.

H.R. 6735, To direct the Secretary of Homeland Security to establish a vulnerability disclosure policy for Department of Homeland Security internet websites, and for other purposes.

H.R. 6740, To amend the Homeland Security Act of 2002 to establish Border Tunnel Task Forces, and for other purposes.

H.R. 6742, To amend the Homeland Security Act of 2002 to ensure that appropriate officers and agents of U.S. Customs and Border Protection are equipped with secure radios or other two-way communication devices, supported by system interoperability, and for other purposes.

S. 1281, A bill to establish a bug bounty pilot program within the Department of Homeland Security, and for other purposes.

The Committee took the following actions:

The Chair discharged the Subcommittee on Counterterrorism and Intelligence and the Subcommittee on Oversight and Management Efficiency from further consideration of H.R. 6620.

A unanimous consent request by Mr. McCaul that H.R. 6735, H.R. 6740, and S. 1281 be considered; the amendments prefiled and listed on the roster be, adopted; the measures as amended be agreed to; the measures as so amended

be ordered to be reported to the House with a favorable recommendation; was not objected to.

H.R. 6735, To direct the Secretary of Homeland Security to establish a vulnerability disclosure policy for Department of Homeland Security internet websites, and for other purposes.

The Committee adopted H.R. 6735, as amended, by unanimous consent.

The following amendments were offered:

An Amendment offered by Mr. Ratcliffe and Mr. Langevin.

Page 1, after line 2, insert the following:

SECTION 1. SHORT TITLE. This Act may be cited as the “Public-Private Cyber3 security Cooperation Act”.

Page 2, lines 1 through 2, strike “Department of Homeland Security public internet websites that shall include” and insert “appropriate information systems of the Department of Homeland Security. Such policy shall include each of the following:”.

Page 2, lines 3 through 4, strike “the information technology to which the policy applies” and insert “The appropriate information systems of the Department that individuals, organizations, and companies may use to discover and report security vulnerabilities on appropriate information systems”.

Page 2, line 5, strike “under which parties may legally” and insert “and criteria under which individuals, organizations, and companies may”.

Page 2, line 7, strike the semicolon and insert “on appropriate information systems of the Department.”.

Page 2, line 10, after “vulnerabilities” insert “discovered on appropriate information systems of the Department”.

Page 2, line 10, strike “to the Department;” and insert a period.

Page 2, line 11, strike “the communication that parties” and insert “The ways in which the Department may communicate with individuals, organizations, and companies”.

Page 2, lines 12 through 13, strike “should expect from the Department; and” and insert a period.

Page 2, lines 14 through 16, strike “how the Department will disclose, or how parties that report security vulnerabilities may disclose, reported security vulnerabilities.” and insert “The process the Department shall use for the public disclosure of reported security vulnerabilities.”.

Page 2, lines 19 through 20, strike “Department will mitigate or remediate” and insert “mitigation or remediation of the”.

Page 3, line 18, strike “(1)” and insert “(1) DISCLOSURE POLICY AND REMEDIATION PROCESS.—”.

Page 3, line 19, insert “of Homeland Security” after “Secretary”.

Page 3, line 20, insert “a copy of” before “the policy”.

Page 3, line 23, strike “(2)” and insert “(2) REPORT

AND BRIEFING.—”.

Page 3, line 23, move the matter beginning with “Not later than” and all that follows through the period on page 4, line 14, down one line and indent such matter by two ems to the right.

Page 3, line 23, insert “(A) REPORT.—” before “Not later than”.

Page 3, line 23, strike “creating” and insert “establishing”.

Page 3, line 24, strike “subsection (a)the Secretary” and insert “subsection (a), the Secretary of Homeland Security”.

Page 3, line 25, strike “a report”.

Page 3, line 25, after Congress insert “a report on such policy and the remediation process required under subsection (b).”.

Page 3, line 25, strike “, and annually” and insert “One year after the date of the submission of the report under subparagraph (A), and annually”.

Page 3, line 25, move the matter beginning with “One year after the date” and all that follows through the period on page 4, line 14, down one line.

Page 3, line 25, insert “(B) ANNUAL BRIEFINGS.—” before “One year after the date”.

Page 4, after line 5, insert the following new subparagraph:

(C) MATTERS FOR INCLUSION.—The report required under subparagraph (A) and the briefings required under subparagraph (B) shall include each of the following with respect to the policy required under subsection (a) and the process required under subsection (b) for the matter covered by the report or briefing, as the case may be:

Page 4, lines 6 through 14, redesignate each of subparagraphs(A) through (D) as clauses (i) through (iv), respectively.

Page 4, line 17, strike “section 1501 of title 6, United States Code” and insert “section 102(17) of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C.1501(17))”.

Page 4, line 20, strike “3502” and insert “3502(12)”.

Page 4, after line 21, insert the following:

(3) The term “appropriate information system” means an information system that the Secretary of Homeland Security selects for inclusion under the vulnerability disclosure policy required by subsection(a).

Amend the title so as to read: “A bill to direct the Secretary of Homeland Security to establish a vulnerability disclosure policy for appropriate information systems of the Department of Homeland Security, and for other purposes.”.

This amendment also makes technical changes

was AGREED TO, by unanimous consent.

Without objection, staff were authorized to make technical and conforming changes.

H.R. 6740, To amend the Homeland Security Act of 2002 to establish Border Tunnel Task Forces, and for other purposes.

The Committee adopted H.R. 6740, as amended, by unanimous consent.

The following amendments were offered:

An Amendment offered by Mr. Vela (#1); Page 3, line 16, insert “unnecessarily” after “not”.

Page 3, line 18, strike the closing quotes and the second period.

Page 3, beginning line 19, insert a new subsection entitled “(e) COORDINATION AMONG COMPONENTS.— The Secretary shall—

“(1) establish targets and performance measures for the Border Tunnel Task Forces that include consideration of whether border barriers impact cross-border tunnel threats;

“(2) direct leadership of each Border Tunnel Task Force to monitor progress on such targets and performance measures for each such task force; and

“(3) periodically report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate regarding progress on such targets and performance measures.”

Was AGREED TO, by unanimous consent.

Without objection, staff were authorized to make technical and conforming changes.

S. 1281, A bill to establish a bug bounty pilot program within the Department of Homeland Security, and for other purposes.

The Committee adopted S. 1281, as amended, by unanimous consent.

The following amendment was offered:

An amendment offered by Mr. Langevin ; This amendment defines: Bug Bounty Program as: (A) individuals, organizations, and companies are temporarily authorized to identify and report vulnerabilities of appropriate information systems of the Department; and (B) eligible individuals, organizations, and companies receive compensation in exchange for such reports.

Defines Eligible Individual organization or Company as: “an individual, organization, or company that meets such criteria as the Secretary determines in order to receive compensation in compliance with Federal laws.”

Defines Information System as: “the meaning given that term by section 3502 of title 44, United States Code.”

Page 3, beginning at line 5, strike ‘Internet-facing information technology’ and insert “appropriate information systems”.

Page 3, line 7, after “establishing” insert “and conducting”.

Page 3, beginning at line 9, strike subparagraphs(A), (B), and (C) and insert the following:

- (A) designate appropriate information systems to be included in the pilot program;
- (B) provide compensation to eligible individuals, organizations, and companies for reports of previously unidentified security vulnerabilities within the information systems designated under subparagraph (A);
- (C) establish criteria for individuals, organizations, and companies to be considered eligible for compensation under the pilot program in compliance with Federal laws;

Page 4, beginning at line 5, strike subparagraph (E) and insert a new subparagraph (E)

Page 4, after line 20, inserts information on the Secretary's ability to award contracts and makes technical changes.

Page 4, line 22, after "pilot program" insert "required by subsection (b)".

This amendment was AGREED TO by unanimous consent.

Without objection, staff were authorized to make technical and conforming changes.

A unanimous consent request by Mr. McCaul that H.R. 6620, and H.R. 6742 be ordered to be reported to the House with a favorable recommendation, without amendment; was not objected to.

H.R. 6620, To require the Department of Homeland Security to prepare a threat assessment relating to unmanned aircraft systems, and for other purposes.

The Committee adopted H.R. 6620, without amendment amended, by unanimous consent.

H.R. 6742, To amend the Homeland Security Act of 2002 to ensure that appropriate officers and agents of U.S. Customs and Border Protection are equipped with secure radios or other two-way communication devices, supported by system interoperability, and for other purposes.

The Committee adopted H.R. 6742, without amended, by unanimous consent.

A motion by Mr. Fitzpatrick of Pennsylvania that, pursuant to Rule XXII, clause 1, the Committee authorizes the Chair to offer such motions as may be necessary in the House to go to conference with the Senate on H.R. 6620, H.R. 6735, H.R. 6740, H.R. 6742, or S.1281, or any similar measure, was NOT OBJECTED TO.

A motion by Mr. Thompson of Mississippi that, pursuant to Rule XI clause 2(1), Members may have two days in which to file any supplemental, minority, additional, or dissenting views on H.R. 6620, H.R. 6735, H.R. 6740, H.R. 6742, or S.1281, was NOT OBJECTED TO.

