# H. R. 2980

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# AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Cybersecurity Vulner-

3 ability Remediation Act".

4 **SEC. 2. CYBERSECURITY VULNERABILITIES.**

5 Section 2209 of the Homeland Security Act of 2002

6 (6 U.S.C. 659) is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (5), by striking "and"

9 after the semicolon at the end;

10 (B) by redesignating paragraph (6) as

11 paragraph (7); and

12 (C) by inserting after paragraph (5) the

13 following new paragraph:

14 "(6) the term 'cybersecurity vulnerability' has

15 the meaning given the term 'security vulnerability'

16 in section 102 of the Cybersecurity Information

17 Sharing Act of 2015 (6 U.S.C. 1501); and".

18 (2) in subsection (c)—

19 (A) in paragraph (5)—

20 (i) in subparagraph (A), by striking

21 "and" after the semicolon at the end;

22 (ii) by redesignating subparagraph

23 (B) as subparagraph (C);

24 (iii) by inserting after subparagraph

25 (A) the following new subparagraph:

1           "(B) sharing mitigation protocols to counter cy-

2 bersecurity vulnerabilities pursuant to subsection

3 (n); and"; and

4                 (iv) in subparagraph (C), as so redes-

5          ignated, by inserting "and mitigation pro-

6          tocols to counter cybersecurity

7          vulnerabilities in accordance with subpara-

8          graph (B)" before "with Federal";

9         (B) in paragraph (7)(C), by striking

10       "sharing" and inserting "share"; and

11         (C) in paragraph (9), by inserting "mitiga-

12       tion protocols to counter cybersecurity

13       vulnerabilities," after "measures,";

14     (3) in subsection (e)(1)(G), by striking the

15 semicolon after "and" at the end;

16     (4) by redesignating subsection (o) as sub-

17 section (p); and

18     (5) by inserting after subsection (n) following

19 new subsection:

20 "(o) PROTOCOLS TO COUNTER CERTAIN CYBERSE-

21 CURITY VULNERABILITIES.—The Director may, as appro-

22 priate, identify, develop, and disseminate actionable proto-

23 cols to mitigate cybersecurity vulnerabilities to informa-

24 tion systems and industrial control systems, including in

25 circumstances in which such vulnerabilities exist because

1 software or hardware is no longer supported by a ven-

2 dor.''.

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

4     (a) REPORT.—Not later than 1 year after the date

5 of the enactment of this Act, the Director of the Cyberse-

6 curity and Infrastructure Security Agency of the Depart-

7 ment of Homeland Security shall submit to the Committee

8 on Homeland Security of the House of Representatives

9 and the Committee on Homeland Security and Govern-

10 mental Affairs of the Senate a report on how the Agency

11 carries out subsection (n) of section 2209 of the Homeland

12 Security Act of 2002 to coordinate vulnerability disclo-

13 sures, including disclosures of cybersecurity vulnerabilities

14 (as such term is defined in such section), and subsection

15 (o) of such section (as added by section 2) to disseminate

16 actionable protocols to mitigate cybersecurity

17 vulnerabilities to information systems and industrial con-

18 trol systems, that includes the following:

19     (1) A description of the policies and procedures

20     relating to the coordination of vulnerability disclo-

21     sures.

22     (2) A description of the levels of activity in fur-

23     therance of such subsections (n) and (o) of such sec-

24     tion 2209.

1   (3) Any plans to make further improvements to

2 how information provided pursuant to such sub-

3 sections can be shared (as such term is defined in

4 such section 2209) between the Department and in-

5 dustry and other stakeholders.

6   (4) Any available information on the degree to

7 which such information was acted upon by industry

8 and other stakeholders.

9   (5) A description of how privacy and civil lib-

10 erties are preserved in the collection, retention, use,

11 and sharing of vulnerability disclosures.

12 (b) FORM.—The report required under subsection (b)

13 shall be submitted in unclassified form but may contain

14 a classified annex.

15 **SEC. 4. COMPETITION RELATING TO CYBERSECURITY**

16     **VULNERABILITIES.**

17 The Under Secretary for Science and Technology of

18 the Department of Homeland Security, in consultation

19 with the Director of the Cybersecurity and Infrastructure

20 Security Agency of the Department, may establish an in-

21 centive-based program that allows industry, individuals,

22 academia, and others to compete in identifying remedi-

23 ation solutions for cybersecurity vulnerabilities (as such

24 term is defined in section 2209 of the Homeland Security

25 Act of 2002, as amended by section 2) to information sys-

1 tems (as such term is defined in such section 2209) and

2 industrial control systems, including supervisory control

3 and data acquisition systems.

**SEC. 5. TITLE XXII TECHNICAL AND CLERICAL AMEND-**

**MENTS.**

6 (a) TECHNICAL AMENDMENTS.—

7 (1) HOMELAND SECURITY ACT OF 2002.—Sub-

8 title A of title XXII of the Homeland Security Act

9 of 2002 (6 U.S.C. 651 et seq.) is amended—

10 (A) in the first section 2215 (6 U.S.C.

11 665; relating to the duties and authorities relat-

12 ing to .gov internet domain), by amending the

13 section enumerator and heading to read as fol-

14 lows:

**"SEC. 2215. DUTIES AND AUTHORITIES RELATING TO .GOV**

**INTERNET DOMAIN.";**

17 (B) in the second section 2215 (6 U.S.C.

18 665b; relating to the joint cyber planning of-

19 fice), by amending the section enumerator and

20 heading to read as follows:

**"SEC. 2216. JOINT CYBER PLANNING OFFICE.";**

22 (C) in the third section 2215 (6 U.S.C.

23 665c; relating to the Cybersecurity State Coor-

24 dinator), by amending the section enumerator

25 and heading to read as follows:

1 **"SEC. 2217. CYBERSECURITY STATE COORDINATOR.";**

2     (D) in the fourth section 2215 (6 U.S.C.

3     665d; relating to Sector Risk Management

4     Agencies), by amending the section enumerator

5     and heading to read as follows:

6 **"SEC. 2218. SECTOR RISK MANAGEMENT AGENCIES.";**

7     (E) in section 2216 (6 U.S.C. 665e; relat-

8     ing to the Cybersecurity Advisory Committee),

9     by amending the section enumerator and head-

10     ing to read as follows:

11 **"SEC. 2219. CYBERSECURITY ADVISORY COMMITTEE.";**

12     and

13     (F) in section 2217 (6 U.S.C. 665f; relat-

14     ing to Cybersecurity Education and Training

15     Programs), by amending the section enu-

16     merator and heading to read as follows:

17 **"SEC. 2220. CYBERSECURITY EDUCATION AND TRAINING**

18         **PROGRAMS.".**

19     (2) CONSOLIDATED APPROPRIATIONS ACT,

20     2021.—Paragraph (1) of section 904(b) of division U

21     of the Consolidated Appropriations Act, 2021 (Pub-

22     lic Law 116–260) is amended, in the matter pre-

23     ceding subparagraph (A), by inserting "of 2002"

24     after "Homeland Security Act".

25     (b) CLERICAL AMENDMENT.—The table of contents

26 in section 1(b) of the Homeland Security Act of 2002 is

1 amended by striking the items relating to sections 2214

2 through 2217 and inserting the following new items:

"Sec. 2214. National Asset Database.
"Sec. 2215. Duties and authorities relating to .gov internet domain.
"Sec. 2216. Joint cyber planning office.
"Sec. 2217. Cybersecurity State Coordinator.
"Sec. 2218. Sector Risk Management Agencies.
"Sec. 2219. Cybersecurity Advisory Committee.
"Sec. 2220. Cybersecurity Education and Training Programs.".

Passed the House of Representatives July 20, 2021.

Attest:

*Clerk.*

117TH CONGRESS
1ST SESSION

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