

115TH CONGRESS
1ST SESSION

H. R. 666

AN ACT

To amend the Homeland Security Act of 2002 to establish the Insider Threat Program, 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 “Department of Home-
3 land Security Insider Threat and Mitigation Act of 2017”.

4 **SEC. 2. ESTABLISHMENT OF INSIDER THREAT PROGRAM.**

5 (a) IN GENERAL.—Title I of the Homeland Security
6 Act of 2002 (6 U.S.C. 111 et seq.) is amended by adding
7 at the end the following new section:

8 **“SEC. 104. INSIDER THREAT PROGRAM.**

9 “(a) ESTABLISHMENT.—The Secretary shall estab-
10 lish an Insider Threat Program within the Department.
11 Such Program shall—

12 “(1) provide training and education for Depart-
13 ment personnel to identify, prevent, mitigate, and re-
14 spond to insider threat risks to the Department’s
15 critical assets;

16 “(2) provide investigative support regarding po-
17 tential insider threats that may pose a risk to the
18 Department’s critical assets; and

19 “(3) conduct risk mitigation activities for in-
20 sider threats.

21 “(b) STEERING COMMITTEE.—

22 “(1) IN GENERAL.—The Secretary shall estab-
23 lish a Steering Committee within the Department.

24 The Under Secretary for Intelligence and Analysis
25 shall serve as the Chair of the Steering Committee.

26 The Chief Security Officer shall serve as the Vice

1 Chair. The Steering Committee shall be comprised
2 of representatives of the Office of Intelligence and
3 Analysis, the Office of the Chief Information Officer,
4 the Office of the General Counsel, the Office for
5 Civil Rights and Civil Liberties, the Privacy Office,
6 the Office of the Chief Human Capital Officer, the
7 Office of the Chief Financial Officer, the Federal
8 Protective Service, the Office of the Chief Procure-
9 ment Officer, the Science and Technology Direc-
10 torate, and other components or offices of the De-
11 partment as appropriate. Such representatives shall
12 meet on a regular basis to discuss cases and issues
13 related to insider threats to the Department’s crit-
14 ical assets, in accordance with subsection (a).

15 “(2) RESPONSIBILITIES.—Not later than 1 year
16 after the date of the enactment of this section, the
17 Under Secretary for Intelligence and Analysis and
18 the Chief Security Officer, in coordination with the
19 Steering Committee established pursuant to para-
20 graph (1), shall—

21 “(A) develop a holistic strategy for Depart-
22 ment-wide efforts to identify, prevent, mitigate,
23 and respond to insider threats to the Depart-
24 ment’s critical assets;

1 “(B) develop a plan to implement the in-
2 sider threat measures identified in the strategy
3 developed under subparagraph (A) across the
4 components and offices of the Department;

5 “(C) document insider threat policies and
6 controls;

7 “(D) conduct a baseline risk assessment of
8 insider threats posed to the Department’s crit-
9 ical assets;

10 “(E) examine existing programmatic and
11 technology best practices adopted by the Fed-
12 eral Government, industry, and research insti-
13 tutions to implement solutions that are vali-
14 dated and cost-effective;

15 “(F) develop a timeline for deploying work-
16 place monitoring technologies, employee aware-
17 ness campaigns, and education and training
18 programs related to identifying, preventing,
19 mitigating, and responding to potential insider
20 threats to the Department’s critical assets;

21 “(G) require the Chair and Vice Chair of
22 the Steering Committee to consult with the
23 Under Secretary for Science and Technology
24 and other appropriate stakeholders to ensure
25 the Insider Threat Program is informed, on an

1 ongoing basis, by current information regarding
2 threats, beset practices, and available tech-
3 nology; and

4 “(H) develop, collect, and report metrics
5 on the effectiveness of the Department’s insider
6 threat mitigation efforts.

7 “(c) DEFINITIONS.—In this section:

8 “(1) CRITICAL ASSETS.—The term ‘critical as-
9 sets’ means the people, facilities, information, and
10 technology required for the Department to fulfill its
11 mission.

12 “(2) INSIDER.—The term ‘insider’ means—

13 “(A) any person who has access to classi-
14 fied national security information and is em-
15 ployed by, detailed to, or assigned to the De-
16 partment, including members of the Armed
17 Forces, experts or consultants to the Depart-
18 ment, industrial or commercial contractors, li-
19 censees, certificate holders, or grantees of the
20 Department, including all subcontractors, per-
21 sonal services contractors, or any other category
22 of person who acts for or on behalf of the De-
23 partment, as determined by the Secretary; or

1 “(B) State, local, tribal, territorial, and
2 private sector personnel who possess security
3 clearances granted by the Department.

4 “(3) INSIDER THREAT.—The term ‘insider
5 threat’ means the threat that an insider will use his
6 or her authorized access, wittingly or unwittingly, to
7 do harm to the security of the United States, includ-
8 ing damage to the United States through espionage,
9 terrorism, the unauthorized disclosure of classified
10 national security information, or through the loss or
11 degradation of departmental resources or capabili-
12 ties.”.

13 (b) REPORTING.—

14 (1) IN GENERAL.—Not later than 2 years after
15 the date of the enactment of section 104 of the
16 Homeland Security Act of 2002 (as added by sub-
17 section (a) of this section) and the biennially there-
18 after for the next 4 years, the Secretary of Home-
19 land Security shall submit to the Committee on
20 Homeland Security and the Permanent Select Com-
21 mittee on Intelligence of the House of Representa-
22 tives and the Committee on Homeland Security and
23 Governmental Affairs and the Select Committee on
24 Intelligence of the Senate a report on how the De-
25 partment of Homeland Security and its components

1 and offices have implemented the strategy developed
2 pursuant to subsection (b)(2)(A) of such section
3 104, the status of the Department’s risk assessment
4 of critical assets, the types of insider threat training
5 conducted, the number of Department employees
6 who have received such training, and information on
7 the effectiveness of the Insider Threat Program (es-
8 tablished pursuant to subsection (a) of such section
9 104), based on metrics developed, collected, and re-
10 ported pursuant to subsection (b)(2)(H) of such sec-
11 tion 104.

12 (2) DEFINITIONS.—In this subsection, the
13 terms “critical assets”, “insider”, and “insider
14 threat” have the meanings given such terms in sec-
15 tion 104 of the Homeland Security Act of 2002 (as
16 added by subsection (a) of this section).

17 (c) CLERICAL AMENDMENT.—The table of contents
18 of the Homeland Security Act of 2002 is amended by in-

- 1 serring after the item relating to section 103 the following
- 2 new item:

“Sec. 104. Insider Threat Program.”.

Passed the House of Representatives January 31,
2017.

Attest:

Clerk.

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