

Calendar No. 679

117TH CONGRESS
2D SESSION

H. R. 6824

[Report No. 117–280]

IN THE SENATE OF THE UNITED STATES

MAY 17, 2022

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

DECEMBER 19, 2022

Reported by Mr. PETERS, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

AN ACT

To authorize the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security to hold an annual cybersecurity competition relating to offensive and defensive cybersecurity disciplines, 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 “President’s Cup Cyber-
3 security Competition Act”.

4 **SEC. 2. PRESIDENT’S CUP CYBERSECURITY COMPETITION.**

5 (a) **IN GENERAL.**—The Director of the Cybersecurity
6 and Infrastructure Security Agency (in this section re-
7 ferred to as the “Director”) of the Department of Home-
8 land Security is authorized to hold an annual cybersecu-
9 rity competition to be known as the “Department of
10 Homeland Security Cybersecurity and Infrastructure Se-
11 curity Agency’s President’s Cup Cybersecurity Competi-
12 tion” (in this section referred to as the “competition”) for
13 the purpose of identifying, challenging, and competitively
14 awarding prizes, including cash prizes, to the United
15 States Government’s best cybersecurity practitioners and
16 teams across offensive and defensive cybersecurity dis-
17 ciplines.

18 (b) **COMPETITION DESIGN.**—

19 (1) **IN GENERAL.**—Notwithstanding section
20 1342 of title 31, United States Code, the Director,
21 in carrying out the competition, may consult with,
22 and consider advice from, any person who has expe-
23 rience or expertise in the development, design, or
24 execution of cybersecurity competitions.

1 (2) ~~LIMITATION.~~—The Federal Advisory Com-
 2 mittee Act (5 U.S.C. App.) shall not apply to con-
 3 sultations pursuant to this section.

4 (3) ~~PROHIBITION.~~—A person with whom the
 5 Director consults under paragraph (1) may not—

6 (A) receive pay by reason of being so con-
 7 sulted; or

8 (B) be considered an employee of the Fed-
 9 eral Government by reason of so consulting.

10 (c) ~~ELIGIBILITY.~~—To be eligible to participate in the
 11 competition, an individual shall be a Federal civilian em-
 12 ployee or member of the uniformed services (as such term
 13 is defined in section 2101(3) of title 5, United States
 14 Code) and shall comply with any rules promulgated by the
 15 Director regarding the competition.

16 (d) ~~COMPETITION ADMINISTRATION.~~—The Director
 17 may enter into a grant, contract, cooperative agreement,
 18 or other agreement with a private sector for-profit or non-
 19 profit entity or State or local government agency to ad-
 20 minister the competition.

21 (e) ~~COMPETITION PARAMETERS.~~—Each competition
 22 shall incorporate the following elements:

23 (1) Cybersecurity skills outlined in the National
 24 Initiative for Cybersecurity Education Framework,
 25 or any successor framework.

1 (2) Individual and team events.

2 (3) Categories demonstrating offensive and de-
3 fensive cyber operations, such as software reverse
4 engineering and exploitation, network operations,
5 forensics, big data analysis, cyber analysis, cyber de-
6 fense, cyber exploitation, secure programming, ob-
7 fuscated coding, or cyber-physical systems.

8 (4) Any other elements related to paragraphs
9 (1), (2), or (3) as determined necessary by the Di-
10 rector.

11 (f) USE OF FUNDS.—

12 (1) IN GENERAL.—Notwithstanding any other
13 provision of law, the Director may use amounts
14 made available to the Director for the competition
15 for the following:

16 (A) Advertising, marketing, and promoting
17 the competition.

18 (B) Meals for participants and organizers
19 of the competition if attendance at the meal
20 during the competition is necessary to maintain
21 the integrity of the competition.

22 (C) Promotional items, including merchan-
23 dise and apparel.

1 ~~(D)~~ Monetary and nonmonetary awards for
2 competition participants, including members of
3 the uniformed services.

4 ~~(E)~~ Necessary expenses for the honorary
5 recognition of competition participants, includ-
6 ing members of the uniformed services.

7 ~~(F)~~ Any other appropriate activity nec-
8 essary to carry out the competition, as deter-
9 mined by the Director.

10 ~~(2)~~ APPLICATION.—This subsection shall apply
11 to amounts appropriated on or after the date of the
12 enactment of this Act.

13 ~~(g)~~ PRIZE LIMITATION.—The Director may make one
14 or more awards per competition, except that the amount
15 or value of each shall not exceed \$10,000. The Secretary
16 of Homeland Security may make one or more awards per
17 competition, except the amount or the value of each shall
18 not to exceed \$25,000. A monetary award under this sec-
19 tion shall be in addition to the regular pay of the recipient.

20 ~~(h)~~ REPORTING REQUIREMENTS.—The Director shall
21 annually provide to the Committee on Homeland Security
22 of the House of Representatives and the Committee on
23 Homeland Security and Governmental Affairs of the Sen-
24 ate a report that includes the following:

1 ~~(1) A description of available funds under sub-~~
 2 ~~section (f) for each competition conducted in the~~
 3 ~~preceding year.~~

4 ~~(2) A description of expenditures authorized in~~
 5 ~~subsection (g) for each competition.~~

6 ~~(3) Information relating to the participation of~~
 7 ~~each competition.~~

8 ~~(4) Information relating to lessons learned from~~
 9 ~~each competition and how such lessons may be ap-~~
 10 ~~plied to improve cybersecurity operations and re-~~
 11 ~~ruitment of the Cybersecurity and Infrastructure~~
 12 ~~Security Agency of the Department of Homeland Se-~~
 13 ~~curity.~~

14 **SECTION 1. SHORT TITLE.**

15 *This Act may be cited as the “President’s Cup Cyberse-*
 16 *curity Competition Act”.*

17 **SEC. 2. PRESIDENT’S CUP CYBERSECURITY COMPETITION.**

18 *(a) IN GENERAL.—The Director of the Cybersecurity*
 19 *and Infrastructure Security Agency (in this section referred*
 20 *to as the “Director”) of the Department of Homeland Secu-*
 21 *rity is authorized to hold an annual cybersecurity competi-*
 22 *tion to be known as the “Department of Homeland Security*
 23 *Cybersecurity and Infrastructure Security Agency’s Presi-*
 24 *dent’s Cup Cybersecurity Competition” (in this section re-*
 25 *ferred to as the “competition”) for the purpose of identi-*

1 *fying, challenging, and competitively awarding prizes, in-*
2 *cluding cash prizes, to the best cybersecurity practitioners*
3 *and teams of the United States Government across offensive*
4 *and defensive cybersecurity disciplines.*

5 (b) *ELIGIBILITY.*—*To be eligible to participate in the*
6 *competition, an individual shall be a Federal employee in*
7 *a position of civil service or a member of the uniformed*
8 *services (as such terms are defined in section 2101 of title*
9 *5, United States Code) and shall comply with any rules*
10 *promulgated by the Director regarding the competition.*

11 (c) *COMPETITION ADMINISTRATION.*—*The Director*
12 *may award a grant to, or enter into a contract, cooperative*
13 *agreement, or other agreement with a private sector for-*
14 *profit or nonprofit entity or State or local government*
15 *agency to administer the competition.*

16 (d) *COMPETITION PARAMETERS.*—*Each competition*
17 *shall incorporate the following elements:*

18 (1) *Cybersecurity skills outlined in the National*
19 *Initiative for Cybersecurity Education Framework, or*
20 *any successor framework.*

21 (2) *Individual and team events.*

22 (3) *Categories demonstrating offensive and defen-*
23 *sive cyber operations, such as software reverse engi-*
24 *neering and exploitation, network operations,*
25 *forensics, big data analysis, cyber analysis, cyber de-*

1 *fense, cyber exploitation, secure programming, obfus-*
2 *cated coding, or cyber-physical systems.*

3 *(4) Any other elements related to paragraph (1),*
4 *(2), or (3) as determined necessary by the Director.*
5 *(e) USE OF FUNDS.—*

6 *(1) IN GENERAL.—In order to further the goals*
7 *and objectives of the competition, the Director may*
8 *use amounts made available to the Director for the*
9 *competition for reasonable expenses for—*

10 *(A) advertising, marketing, and promoting*
11 *the competition;*

12 *(B) meals for participants in and orga-*
13 *nizers of the competition if attendance at the*
14 *meal during the competition is necessary to*
15 *maintain the integrity of the competition;*

16 *(C) promotional items, including merchan-*
17 *dise and apparel;*

18 *(D) consistent with section 4503 of title 5,*
19 *United States Code, necessary expenses for the*
20 *honorary recognition of competition partici-*
21 *pants, including members of the uniformed serv-*
22 *ices, as defined in section 2101(3) of title 5,*
23 *United States Code; and*

24 *(E) subject to subsection (f), monetary and*
25 *nonmonetary awards for competition partici-*

1 *pants, including members of the uniformed serv-*
2 *ices.*

3 (2) *APPLICATION.—This subsection shall apply*
4 *to amounts appropriated on or after the date of en-*
5 *actment of this Act.*

6 (f) *PRIZE LIMITATION.—*

7 (1) *AWARDS BY THE DIRECTOR.—The Director*
8 *may make 1 or more awards per competition in an*
9 *amount or value not to exceed \$10,000 per award.*

10 (2) *AWARDS BY THE SECRETARY OF HOMELAND*
11 *SECURITY.—The Secretary of Homeland Security*
12 *may make 1 or more awards per competition in an*
13 *amount or value not to exceed \$25,000 per award.*

14 (3) *REGULAR PAY.—A monetary award under*
15 *this section shall be in addition to the regular pay of*
16 *the recipient.*

17 (4) *OVERALL YEARLY AWARD LIMIT.—The total*
18 *amount or value of awards made under this Act dur-*
19 *ing a fiscal year may not exceed \$100,000.*

20 (g) *REPORTING REQUIREMENTS.—The Director shall*
21 *annually provide to the Committee on Homeland Security*
22 *of the House of Representatives and the Committee on*
23 *Homeland Security and Governmental Affairs of the Senate*
24 *a report that includes the following:*

1 (1) *A description of funds used for expenses de-*
2 *scribed in subsection (e)(1) for each competition con-*
3 *ducted in the preceding fiscal year.*

4 (2) *A description of awards authorized in sub-*
5 *section (f) for each competition.*

6 (3) *Information relating to the participation in*
7 *each competition.*

8 (4) *Information relating to lessons learned from*
9 *each competition and how such lessons may be ap-*
10 *plied to improve cybersecurity operations and recruit-*
11 *ment of the Cybersecurity and Infrastructure Security*
12 *Agency of the Department of Homeland Security.*

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