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HOUSE OF REPRESENTATIVES
REPORT
117–324

PRESIDENT'S CUP CYBERSECURITY COMPETITION ACT

MAY 13, 2022.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. THOMPSON of Mississippi, from the Committee on Homeland Security, submitted the following

R E P O R T

[To accompany H.R. 6824]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security, to whom was referred the bill (H.R. 6824) 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, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "President's Cup Cybersecurity Competition Act".

SEC. 2. PRESIDENT'S CUP CYBERSECURITY COMPETITION.

(a) IN GENERAL.—The Director of the Cybersecurity and Infrastructure Security Agency (referred to in this section as the "Director") of the Department of Homeland Security is authorized to hold an annual cybersecurity competition to be known as the "Department of Homeland Security Cybersecurity and Infrastructure Security Agency's President's Cup Cybersecurity Competition" (in this section referred to as the "competition") for the purpose of identifying, challenging, and competitively awarding prizes, including cash prizes, to the United States Government's best cybersecurity practitioners and teams across offensive and defensive cybersecurity disciplines.

(b) COMPETITION DESIGN.—

(1) IN GENERAL.—Notwithstanding section 1342 of title 31, United States Code, the Director, in carrying out the competition, may consult with, and consider advice from, any person who has experience or expertise in the development, design, or execution of cybersecurity competitions.

(2) LIMITATION.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to consultations pursuant to this section.

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

(A) receive pay by reason of being so consulted; or

(B) be considered an employee of the Federal Government by reason of so consulting.

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

(d) COMPETITION ADMINISTRATION.—The Director may enter into a grant, contract, cooperative agreement, or other agreement with a private sector for-profit or nonprofit entity or State or local government agency to administer the competition.

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

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

(2) Individual and team events.

(3) Categories demonstrating offensive and defensive cyber operations, such as software reverse engineering and exploitation, network operations, forensics, big data analysis, cyber analysis, cyber defense, cyber exploitation, secure programming, obfuscated coding, or cyber-physical systems.

(4) Any other elements related to paragraphs (1), (2), or (3) as determined necessary by the Director.

(f) FUNDING.—Support for the competition, including financial support for the design and administration of the competition or funds for a cash prize, may consist of—

(1) amounts appropriated pursuant to appropriations Acts or otherwise made available for such purpose; and

(2) funds provided by other Federal agencies, which—

(A) shall be credited to, and in addition to, any amounts appropriated or otherwise made available pursuant to paragraph (1) to carry out this section; and

(B) may be obligated and expended for such purpose by the Secretary of the Homeland Security, acting through the Director.

(g) USE OF FUNDS.—Notwithstanding any other provision of law, the Director may use funds available for carrying out the competition authorized under this section for the following:

(1) Advertising, marketing, and promoting the competition.

(2) Meals for participants and organizers of the competition if attendance at the meal during the competition is necessary to maintain the integrity of the competition.

(3) Promotional items, including merchandise and apparel.

(4) Monetary and nonmonetary awards for competition participants, including members of the uniformed services.

(5) Necessary expenses for the honorary recognition of competition participants, including members of the uniformed services.

(6) Any other appropriate activity necessary to carry out the competition, as determined by the Director.

(h) PRIZE LIMITATION.—The Director may make one or more awards per competition, except that the amount or value of each shall not exceed $10,000. The Secretary of Homeland Security may make one or more awards per competition, except

the amount or the value of each shall not to exceed $25,000. A monetary award under this section shall be in addition to the regular pay of the recipient.

(i) REPORTING REQUIREMENTS.—The Director shall annually provide to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that includes the following:

(1) A description of available funds under subsection (f) for each competition conducted in the preceding year.

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

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

(4) Information relating to lessons learned from each competition and how such lessons may be applied to improve cybersecurity operations and recruitment of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

PURPOSE AND SUMMARY

H.R. 6824, the "President's Cup Cybersecurity Competition Act" authorizes the Cybersecurity and Infrastructure Security Agency (CISA) to carry out an annual cybersecurity competition for Federal civilian employees and members of the armed forces. First created by Executive Order No. 13870 in 2019, the President's Cup Cybersecurity Competition (President's Cup) seeks to identify, challenge, and reward the best cybersecurity talent in the Federal Government through a series of challenges that test a broad range of cybersecurity skills. This bill grants CISA the necessary authorities to fully implement the competition, including by authorizing CISA to accept assistance of other Federal agencies and to directly provide cash prizes to the winning individuals and teams regardless of where they work in the Federal Government.

BACKGROUND AND NEED FOR LEGISLATION

Amid a nationwide shortage of highly sought-after cyber talent, the Federal Government has struggled to compete with salaries, benefits, and work-life flexibility that private companies are able to offer cybersecurity job seekers. Since 2008, the Government Accountability Office (GAO) has observed that the Federal hiring process "is often an impediment to the very customers it is designed to serve."[1] Collectively, these challenges undermine the Federal Government's efforts to recruit and retain cyber talent.

CISA launched the first President's Cup in 2019 as part of its effort to "identify, challenge, and reward the best cybersecurity talent" in the Federal workforce.[2] The three-round competition involves both individual and team challenges focusing on areas across the National Initiative for Cybersecurity Education Cybersecurity Workforce Framework and reflecting the evolving cyberthreat landscape. The 2021 competition was broken down into three categories: incident response and forensic analysis (team); incident response and forensic analysis (individual); and exploitation analysis and vulnerability assessment (individual). Members of both the military and civilian workforce are eligible to participate.

Enthusiasm for the President's Cup continues to grow among the Federal cyber workforce. Over 1,000 individuals and 200 teams participated in the first year of the competition and, in 2020, par-

[1] "Human Capital: Transforming Federal Recruiting Efforts," Government Accountability Office, GAO–08–762T, (Mar. 8, 2008), available at https://www.gao.gov/assets/a120001.html.

[2] "CISA President's Cup 2020," Cybersecurity and Infrastructure Security Agency, available at https://www.cisa.gov/publication/cisa-presidents-cup-2020.

ticipation grew to over 1,400 individuals and nearly 250 teams. Despite enthusiasm, lack of a formal authorization has prevented the program from achieving a critical objective—rewarding the best cyber talent within the Federal Government. Notably, under current law, DHS lacks the authority to provide cash prizes to Federal workers who are employed outside of the Department. As such, CISA can only encourage other Federal departments and agencies to reward, or otherwise recognize, their employees who participated in and placed in the competition.

H.R. 6824 will specifically authorize the President's Cup Cybersecurity Competition in law in a manner that provides CISA with needed authority to award cash prizes to the winners to reward their demonstrated cybersecurity skills, which can act as an important retention tool. Codifying the President's Cup will demonstrate that both Congress is committed to addressing Federal cybersecurity recruitment and retention challenges and values the Federal cyber workforce.

HEARING

For the purposes of clause 3(c)(6) of rule XIII of the Rules of the House of Representatives, the following hearing was used to develop H.R. 6824:

- On July 29, 2021, the Subcommittee on Cybersecurity, Infrastructure Protection, and Innovation held a hearing entitled "The Cyber Talent Pipeline: Educating a Workforce to Match Today's Threats." The Subcommittee received testimony from Mr. Kevin Nolten, Director of Academic Outreach at CYBER.ORG; Dr. Tony Coulson, Executive Director of the Cybersecurity Center and Lead at the National Centers of Academic Excellence in Cybersecurity Community, California State University, San Bernardino; Mr. Ralph Ley, Department Manager of National and Homeland Security Workforce Development and Training at the Idaho National Laboratory; and Mr. Max Stier, President and CEO, Partnership for Public Service.

COMMITTEE CONSIDERATION

The Committee met on March 2, 2022, a quorum being present, to consider H.R. 6824 and ordered the measure to be favorably reported to the House, as amended, by a recorded vote of 33–0.

COMMITTEE VOTES

Clause 3(b) of rule XIII requires the Committee to list the recorded votes on the motion to report legislation and amendments thereto.

1. A motion by Mr. Cleaver to favorably report H.R. 6824, H.R. 6868, and H.R. 6873, as amended, en bloc, to the House was agreed to by a recorded vote of 33 ayes to 0 noes (Rollcall No. 32).

Committee Rollcall No. 32

Motion by Mr. Cleaver to Favorably Report H.R. 6824, H.R. 6868, and H.R. 6873, As Amended, En Bloc
Agreed to: 33 ayes to 0 noes

Majority Members	Vote	Minority Members	Vote
Ms. Jackson Lee	.....	Mr. Katko	Aye
Mr. Langevin	Aye	Mr. McCaul	.....
Mr. Payne	Aye	Mr. Higgins (LA)	Aye
Mr. Correa	Aye	Mr. Guest	Aye
Ms. Slotkin	Aye	Mr. Bishop (NC)	Aye
Mr. Cleaver	Aye	Mr. Van Drew	Aye
Mr. Green (TX)	Aye	Mr. Norman	Aye
Ms. Clarke (NY)	Aye	Mrs. Miller-Meeks	Aye
Mr. Swalwell	Aye	Mrs. Harshbarger	Aye
Ms. Titus	Aye	Mr. Clyde	Aye
Mrs. Watson Coleman	Aye	Mr. Gimenez	Aye
Miss Rice (NY)	Aye	Mr. LaTurner	Aye
Mrs. Demings	Aye	Mr. Meijer	Aye
Ms. Barragán	Aye	Mrs. Cammack	Aye
Mr. Gottheimer	Aye	Mr. Pfluger	Aye
Mrs. Luria	Aye	Mr. Garbarino	Aye
Mr. Malinowski	Aye		
Mr. Torres (NY)	Aye		
Mr. Thompson (MS), Chairman.	Aye		

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X, are incorporated in the descriptive portions of this report.

CONGRESSIONAL BUDGET OFFICE ESTIMATE, NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

With respect to the requirements of clause 3(c)(2) of rule XIII and section 308(a) of the Congressional Budget Act of 1974, and with respect to the requirements of clause 3(c)(3) of rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee adopts as its own the estimate of any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures contained in the cost estimate prepared by the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 27, 2022.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 6824, the President's Cup Cybersecurity Competition Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Aldo Prosperi.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 6824, President's Cup Cybersecurity Competition Act
As ordered reported by the House Committee on Homeland Security on March 2, 2022

By Fiscal Year, Millions of Dollars	2022	2022-2026	2022-2031
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	*	*	not estimated

Statutory pay-as-you-go procedures apply?	No	**Mandate Effects**	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

* = between zero and $500,000.

H.R. 6824 would authorize the Cybersecurity and Infrastructure Security Agency (CISA) to conduct an awards competition for the federal cybersecurity workforce. Under the bill, CISA would award financial prizes to federal employees who apply technical skills to solve real-world cybersecurity scenarios. The bill also would require CISA to report to the Congress on the effectiveness of the competition.

CISA is already operating the President's Cup Cybersecurity Competition that would be required by H.R. 6824; thus, the bill would not impose any new requirements on the agency. CBO estimates that preparing and delivering the reports required by H.R. 6824 would cost less than $500,000 over the 2022–2026 period; such spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Aldo Prosperi. The estimate was reviewed by Leo Lex, Deputy Director of Budget Analysis.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

DUPLICATIVE FEDERAL PROGRAMS

Pursuant to clause 3(c) of rule XIII, the Committee finds that H.R. 6824 does not contain any provision that establishes or reauthorizes a program known to be duplicative of another Federal program.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the objective of H.R. 6824 is to identify, challenge, and reward the best cyber talent in the Federal workforce and to encourage retention by authorizing the President's Cup Cybersecurity Competition.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with rule XXI, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that H.R. 6824 does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short Title.

This section states that the Act may be cited as the "President's Cup Cybersecurity Competition Act".

Sec. 2. President's Cup cybersecurity competition.

Subsection (a) authorizes CISA to hold an annual cybersecurity competition of cybersecurity practitioners from across the Federal Government.

Subsection (b) authorizes CISA to consult with, and consider advice from, any person who has experience or expertise in the development, design, or execution of cybersecurity competitions and exempts such consultations from the Federal Advisory Committee Act. It additionally prohibits a person engaging in consultation under this subsection from receiving pay or being considered a Federal employee by reason of such consultation.

Subsection (c) establishes that an individual must be a Federal civilian employee or member of the uniformed services to be eligible for the competition.

Subsection (d) authorizes CISA to enter into a grant, contract, cooperative agreement, or other agreement to administer the competition.

Subsection (e) directs that the competition shall include cybersecurity skills outlined in the National Initiative for Cybersecurity Education Framework, individual and team events, categories demonstrating offensive and defensive cyber operations, and other related elements identified by CISA.

Subsection (f) authorizes CISA to carry out the competition using appropriated funds or funds provided by other Federal agencies.

Subsection (g) authorizes CISA to use funds for the competition for advertising, marketing, and promoting the competition; meals for participants and organizers; promotional items; monetary and nonmonetary awards for participants; necessary expenses for honorary recognition of competition participants; and any other appropriate activity necessary to carry out the competition.

Subsection (h) authorizes CISA to provide awards up to $10,000 in value per award and Department of Homeland Security to provide awards up to $25,000 in value per award. It additionally establishes that any monetary award shall be in addition to the regular pay of the recipient.

Subsection (i) directs CISA to provide an annual report to the House Committee on Homeland Security and the Senate Committee on Homeland Security and Governmental Affairs that provides a description of funds available for each competition, a description of expenditures for each competition, information relating to participation of each competition, and information relating to lessons learned from each competition.

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