

Calendar No. 547

118TH CONGRESS
2D SESSION**S. 3635****[Report No. 118–234]**

To improve the President’s Cup Cybersecurity Competitions.

IN THE SENATE OF THE UNITED STATES

JANUARY 22, 2024

Mr. PETERS (for himself and Mr. BRAUN) introduced the following bill; which
was read twice and referred to the Committee on Homeland Security and
Governmental Affairs

NOVEMBER 12, 2024

Reported by Mr. PETERS, with an amendment

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

A BILL

To improve the President’s Cup Cybersecurity Competitions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Industrial Control Sys-
5 tems Cybersecurity Competition Act”.

1 **SEC. 2. PRESIDENT'S CUP CYBERSECURITY COMPETITIONS.**

2 Section 7121(d) of the James M. Inhofe National De-
 3 fense Authorization Act for Fiscal Year 2023 (6 U.S.C.
 4 665m(d)) is amended—

5 (1) by striking paragraph (3);

6 (2) by redesignating paragraphs (1), (2), and
 7 (4) as subparagraphs (A), (B), and (C), respectively,
 8 and adjusting the margin accordingly;

9 (3) by striking “Each competition” and insert-
 10 ing the following:

11 “(1) IN GENERAL.—Each competition”;

12 (4) in subparagraph (C) of paragraph (1), as so
 13 redesignated, by striking “paragraphs (1), (2), or
 14 (3)” and inserting “subparagraph (A) or (B)”; and

15 (5) by adding at the end the following:

16 “(2) BIENNIAL REQUIREMENTS.—Not less fre-
 17 quently than every second competition, the competi-
 18 tion shall incorporate categories demonstrating of-
 19 fensive and defensive cyber operations involving—

20 “(A) information technology (as defined in
 21 section 11101 of title 40, United States Code),
 22 such as software reverse engineering and exploi-
 23 tation, network operations, forensics, big data
 24 analysis, cyber analysis, cyber defense, cyber ex-
 25 ploitation, secure programming, and obfuscated
 26 coding;

“(B) operational technology (as defined in section 3 of the IoT Cybersecurity Improvement Act of 2020 (15 U.S.C. 278g–3a)) or industrial control systems (as defined in section 2220C of the Homeland Security Act of 2002 (6 U.S.C. 665i)); such as knowledge of supervisory control and data acquisition systems and the protocols and communication methods used in these systems; detection of anomalies; and responding to and recovering after incidents involving such systems; or

“(C) any other category of technological system requiring cybersecurity or information security, as determined appropriate by the Director.”.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Industrial Control Systems Cybersecurity Competition Act”.

SEC. 2. PRESIDENT’S CUP CYBERSECURITY COMPETITIONS.

(a) *IN GENERAL.*—Section 7121 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (6 U.S.C. 665m) is amended—

(1) *in subsection (d)*—

(A) *by striking paragraph (3);*

(B) by redesignating paragraphs (1), (2), and (4) as subparagraphs (A), (B), and (C), respectively, and adjusting the margin accordingly;

(C) by striking “Each competition” and inserting the following:

“(1) *IN GENERAL.—Each competition*”;

(D) in subparagraph (C) of paragraph (1), as so redesignated, by striking “paragraphs (1), (2), or (3)” and inserting “subparagraph (A) or (B)”; and

(E) by adding at the end the following:

“(2) *BIENNIAL REQUIREMENTS.—Not less frequently than every second competition, the competition shall incorporate categories demonstrating offensive and defensive cyber operations involving—*

“(A) *information technology (as defined in section 11101 of title 40, United States Code), such as software reverse engineering and exploitation, network operations, forensics, big data analysis, cyber analysis, cyber defense, cyber exploitation, secure programming, and obfuscated coding*;

“(B) *operational technology (as defined in section 3 of the IoT Cybersecurity Improvement*

1 *Act of 2020 (15 U.S.C. 278g–3a)) or industrial*
 2 *control systems (as defined in section 2220C of*
 3 *the Homeland Security Act of 2002 (6 U.S.C.*
 4 *665i)), such as knowledge of supervisory control*
 5 *and data acquisition systems and the protocols*
 6 *and communication methods used in such sys-*
 7 *tems, detection of anomalies, exploitation of*
 8 *operational technology or industrial control sys-*
 9 *tems, and responding to and recovering after in-*
 10 *cidents involving operational technology or in-*
 11 *dustrial control systems; or*

12 *“(C) any other category of technological sys-*
 13 *tem requiring cybersecurity or information secu-*
 14 *rity, as determined appropriate by the Direc-*
 15 *tor.”;*

16 *(2) in subsection (e)(1)—*

17 *(A) in subparagraph (A), by inserting “,*
 18 *which shall not exceed 20 percent of the amounts*
 19 *made available for the competition during any*
 20 *fiscal year” after “the competition”;*

21 *(B) in subparagraph (B), by inserting “,*
 22 *which shall not exceed 20 percent of the amounts*
 23 *made available for the competition during any*
 24 *fiscal year” after “integrity of the competition”;*

1 (C) in subparagraph (C), by inserting “,
 2 which shall not exceed 20 percent of the amounts
 3 made available for the competition during any
 4 fiscal year” after “and apparel”; and

5 (D) in subparagraph (D), by inserting “,
 6 which shall not exceed 20 percent of the amounts
 7 made available for the competition during any
 8 fiscal year” after “the uniformed services”; and

9 (3) by adding at the end the following:

10 “(h) *LIMITATION.*—The Director may not hold an an-
 11 nual cybersecurity competition under this section for a year
 12 until after the Director submits the report required under
 13 subsection (g) with respect to the competition held under
 14 this section during the previous year.

15 “(i) *SUNSET.*—The Director may not conduct a com-
 16 petition under the authority under this section on or after
 17 the first day of the first year that begins more than 5 years
 18 after the date of enactment of the Industrial Control Sys-
 19 tems Cybersecurity Competition Act.”.

20 (b) *NO NEW FUNDING.*—No additional funds are au-
 21 thorized to be appropriated for the purpose of carrying out
 22 the amendments made by this Act.

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