

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.

S. 3635

To improve the President’s Cup Cybersecurity Competitions.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. PETERS

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. PRESIDENT’S CUP CYBERSECURITY COMPETITIONS.**

7 (a) IN GENERAL.—Section 7121 of the James M.
8 Inhofe National Defense Authorization Act for Fiscal Year
9 2023 (6 U.S.C. 665m) is amended—

10 (1) in subsection (d)—

11 (A) by striking paragraph (3);

12 (B) by redesignating paragraphs (1), (2),

13 and (4) as subparagraphs (A), (B), and (C), re-

1 spectively, and adjusting the margin accord-
2 ingly;

3 (C) by striking “Each competition” and in-
4 serting the following:

5 “(1) IN GENERAL.—Each competition”;

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

10 (E) by adding at the end the following:

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

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

22 “(B) operational technology (as defined in
23 section 3 of the IoT Cybersecurity Improvement
24 Act of 2020 (15 U.S.C. 278g–3a)) or industrial
25 control systems (as defined in section 2220C of

1 the Homeland Security Act of 2002 (6 U.S.C.
2 665i)), such as knowledge of supervisory control
3 and data acquisition systems and the protocols
4 and communication methods used in such sys-
5 tems, detection of anomalies, exploitation of
6 operational technology or industrial control sys-
7 tems, and responding to and recovering after
8 incidents involving operational technology or in-
9 dustrial control systems; or

10 “(C) any other category of technological
11 system requiring cybersecurity or information
12 security, as determined appropriate by the Di-
13 rector.”;

14 (2) in subsection (e)(1)—

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

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

24 (C) in subparagraph (C), by inserting “,
25 which shall not exceed 20 percent of the

1 amounts made available for the competition
2 during any fiscal year” after “and apparel”;
3 and

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

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

10 “(h) LIMITATION.—The Director may not hold an
11 annual cybersecurity competition under this section for a
12 year until after the Director submits the report required
13 under subsection (g) with respect to the competition held
14 under 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
18 years after the date of enactment of the Industrial Control
19 Systems Cybersecurity Competition Act.”.

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