

AMENDMENT TO RULES COMMITTEE PRINT 115-

23

OFFERED BY MR. AGUILAR OF CALIFORNIA

At the end of subtitle D of title XVI, add the following new section:

1 **SEC. 16__.** **DEPARTMENT OF DEFENSE CYBER WORK-**
2 **FORCE DEVELOPMENT PILOT PROGRAM.**

3 (a) **ESTABLISHMENT.**—The Secretary of Defense
4 shall carry out a pilot program to be known as the “Cyber
5 Workforce Development Pilot Program” (in this section
6 referred to as the “Pilot Program”) under which the Sec-
7 retary shall provide funds, in addition to other funds that
8 may be available, for the recruitment, training,
9 professionalization, and retention of personnel in the cyber
10 workforce of the Department of Defense.

11 (b) **PURPOSE.**—The purpose of the Pilot Program
12 shall be to assess the effectiveness of carrying out a full-
13 scale talent management program to ensure that the cyber
14 workforce of the Department of Defense has the capacity,
15 in both personnel and skills, needed to effectively perform
16 its cyber missions and the kinetic missions impacted by
17 cyber activities.

1 (c) MANAGEMENT.—The Pilot Program shall be
2 managed by the Chief Information Officer of the Depart-
3 ment of Defense, in consultation with the Principal Cyber
4 Advisor to the Secretary of Defense.

5 (d) GUIDANCE.—The Chief Information Officer of
6 the Department of Defense, in consultation with the Prin-
7 cipal Cyber Advisor to the Secretary of Defense, shall
8 issue guidance for the administration of the Pilot Pro-
9 gram. Such guidance shall include provisions that—

10 (1) identify areas of need in the cyber work-
11 force that funds under the Pilot Program may be
12 used to address, including—

13 (A) changes to the types of skills needed in
14 the cyber workforce;

15 (B) capabilities to develop the cyber work-
16 force and assist members of the cyber workforce
17 in achieving qualifications and
18 professionalization through activities such as
19 training, education, and exchange programs;

20 (C) incentives to retain qualified, experi-
21 enced cyber workforce personnel; and

22 (D) incentives for attracting new, high-
23 quality personnel to the cyber workforce;

1 (2) describe the process under which entities
2 may submit an application to receive funds under
3 the Pilot Program;

4 (3) describe the evaluation criteria to be used
5 for approving or prioritizing applications for funds
6 under the Pilot Program in any fiscal year; and

7 (4) describe measurable objectives of perform-
8 ance for determining whether funds under the Pilot
9 Program are being used in compliance with this sec-
10 tion.

11 (e) USES OF FUNDS.—

12 (1) IN GENERAL.—Subject to paragraphs (2)
13 through (4), funds under the Pilot Program shall be
14 available to the Secretary of Defense for expendi-
15 ture, or for transfer to a military department or De-
16 fense Agency, for the recruitment, training,
17 professionalization, and retention of cyber personnel
18 of the Department of Defense, including for the pro-
19 vision of training, recruitment, and retention incen-
20 tives for the cyber workforce of the Department. In
21 the case of temporary members of the cyber work-
22 force designated pursuant to subsection (h)(2),
23 funds under the Pilot Program shall be available
24 only for the limited purpose of providing training to

1 such personnel in the performance of cyber-related
2 functions and duties.

3 (2) LIMITATION ON PAYMENTS FOR CONTRAC-
4 TORS.—Funds under the Pilot Program shall not be
5 available for payments to contractors or contractor
6 employees, except that such funds may be used to
7 pay contractors or contractor employees to provide
8 advanced training to Department of Defense cyber
9 personnel.

10 (3) PROHIBITION ON PAYMENT OF BASE SAL-
11 ARY OF CURRENT EMPLOYEES.—Funds under the
12 Pilot Program may not be used to pay the base sal-
13 ary of any person who was an employee of the De-
14 partment of Defense serving in a position in the
15 cyber workforce as of the date of the enactment of
16 this Act, and who has continued in the employment
17 of the Department since such date without a break
18 in such employment of more than one year.

19 (4) PROHIBITION.—Funds under the Pilot Pro-
20 gram may not be obligated or expended for any pur-
21 pose other than the purposes described in this sub-
22 section.

23 (5) CONSIDERATIONS.—In the selecting an enti-
24 ty to receive funds under the Pilot Program, consid-
25 eration shall be given to whether the entity that

1 would provide training and education under the Pilot
2 Program is a Center of Academic Excellence in In-
3 formation Assurance Education (as that term is de-
4 fined in section 2200e of title 10, United States
5 Code).

6 (f) ANNUAL REPORT.—Not later than 120 days after
7 the end of each of fiscal year for which funds are appro-
8 priated for the Pilot Program, the Secretary of Defense
9 shall submit to the congressional defense committees a re-
10 port on the operation of the Pilot Program during such
11 fiscal year. Each report shall include, for the fiscal year
12 covered by such report, the following:

13 (1) A description of the expenditures made
14 under the Pilot Program (including expenditures fol-
15 lowing a transfer of funds under the Pilot Program
16 to a military department or Defense Agency) in such
17 fiscal year, including the purpose of such expendi-
18 tures.

19 (2) A description and assessment of improve-
20 ments in the Department of Defense cyber workforce
21 resulting from such expenditures.

22 (3) Recommendations for additional authorities
23 to fulfill the purpose of the Pilot Program.

1 (4) A statement of the funds that remain avail-
2 able under the Pilot Program at the end of such fis-
3 cal year.

4 (g) TERMINATION.—The Pilot Program shall termi-
5 nate on the date that is five years after the date on which
6 funds are first appropriated for the Pilot Program and
7 any funds not obligated or expended under the Pilot Pro-
8 gram on that date shall be deposited in the general fund
9 of the Treasury of the United States.

10 (h) CYBER WORKFORCE DEFINED.—In this Act, the
11 term “cyber workforce” means the following:

12 (1) Personnel in positions that require the per-
13 formance of cybersecurity or other cyber-related
14 functions as so identified pursuant to the Federal
15 Cybersecurity Workforce Assessment Act of 2015
16 (Public Law 114–113; 5 U.S.C. 301 note) .

17 (2) Military personnel or civilian employees of
18 the Department of Defense who are not described in
19 paragraph (1) but who—

20 (A) are assigned functions that contribute
21 significantly to cyber operations; and

22 (B) are designated as temporary members
23 of the cyber workforce by the Chief Information
24 Officer of the Department of Defense, or by the
25 head of a military department or Defense Agen-

- 1 cy, for the limited purpose of receiving training
- 2 for the performance of cyber-related functions.

