

**Calendar No. 204**118TH CONGRESS  
1ST SESSION**S. 885****[Report No. 118-96]**

To establish a Civilian Cybersecurity Reserve in the Department of Homeland Security as a pilot project to address the cybersecurity needs of the United States with respect to national security, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

MARCH 21, 2023

Ms. ROSEN (for herself and Mrs. BLACKBURN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

SEPTEMBER 11, 2023

Reported by Mr. PETERS, with an amendment

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

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**A BILL**

To establish a Civilian Cybersecurity Reserve in the Department of Homeland Security as a pilot project to address the cybersecurity needs of the United States with respect to national security, 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 “Department of Home-  
3 land Security Civilian Cybersecurity Reserve Act”.

4 **SEC. 2. CIVILIAN CYBERSECURITY RESERVE PILOT**  
5 **PROJECT.**

6 (a) **DEFINITIONS.**—In this section:

7 (1) **AGENCY.**—The term “Agency” means the  
8 Cybersecurity and Infrastructure Security Agency.

9 (2) **APPROPRIATE CONGRESSIONAL COMMIT-**  
10 **TEES.**—The term “appropriate congressional com-  
11 mittees” means—

12 (A) the Committee on Homeland Security  
13 and Governmental Affairs of the Senate;

14 (B) the Committee on Appropriations of  
15 the Senate;

16 (C) the Committee on Homeland Security  
17 of the House of Representatives;

18 (D) the Committee on Oversight and Ac-  
19 countability of the House of Representatives;  
20 and

21 (E) the Committee on Appropriations of  
22 the House of Representatives.

23 (3) **COMPETITIVE SERVICE.**—The term “com-  
24 petitive service” has the meaning given the term in  
25 section 2102 of title 5, United States Code.

1           (4) DIRECTOR.—The term “Director” means  
2 the Director of the Agency.

3           (5) EXCEPTED SERVICE.—The term “excepted  
4 service” has the meaning given the term in section  
5 2103 of title 5, United States Code.

6           (6) SIGNIFICANT INCIDENT.—The term “sig-  
7 nificant incident”—

8           (A) means an incident or a group of re-  
9 lated incidents that results, or is likely to re-  
10 sult, in demonstrable harm to—

11           (i) the national security interests, for-  
12 eign relations, or economy of the United  
13 States; or

14           (ii) the public confidence, civil lib-  
15 erties, or public health and safety of the  
16 people of the United States; and

17           (B) does not include an incident or a por-  
18 tion of a group of related incidents that occurs  
19 on—

20           (i) a national security system, as de-  
21 fined in section 3552 of title 44, United  
22 States Code; or

23           (ii) an information system described  
24 in paragraph (2) or (3) of section 3553(e)  
25 of title 44, United States Code.

1           (7) TEMPORARY POSITION.—The term “tem-  
2           porary position” means a position in the competitive  
3           or excepted service for a period of 6 months or less.

4           (8) UNIFORMED SERVICES.—The term “uni-  
5           formed services” has the meaning given the term in  
6           section 2101 of title 5, United States Code.

7           (b) PILOT PROJECT.—

8           (1) IN GENERAL.—The Director may carry out  
9           a pilot project to establish a Civilian Cybersecurity  
10          Reserve at the Agency.

11          (2) PURPOSE.—The purpose of a Civilian Cy-  
12          bersecurity Reserve is to enable the Agency to effec-  
13          tively respond to significant incidents.

14          (3) ALTERNATIVE METHODS.—Consistent with  
15          section 4703 of title 5, United States Code, in ear-  
16          rying out a pilot project authorized under paragraph  
17          (1), the Director may, without further authorization  
18          from the Office of Personnel Management, provide  
19          for alternative methods of—

20                  (A) establishing qualifications require-  
21                  ments for, recruitment of, and appointment to  
22                  positions; and

23                  (B) classifying positions.

1           (4) APPOINTMENTS.—Under the pilot project  
2 authorized under paragraph (1), upon occurrence of  
3 a significant incident, the Director—

4           (A) may activate members of the Civilian  
5 Cybersecurity Reserve by—

6           (i) noncompetitively appointing mem-  
7 bers of the Civilian Cybersecurity Reserve  
8 to temporary positions in the competitive  
9 service; or

10          (ii) appointing members of the Civil-  
11 ian Cybersecurity Reserve to temporary po-  
12 sitions in the excepted service;

13          (B) shall notify Congress whenever a mem-  
14 ber is activated under subparagraph (A); and

15          (C) may appoint not more than 30 mem-  
16 bers to the Civilian Cybersecurity Reserve  
17 under subparagraph (A) at any time.

18          (5) STATUS AS EMPLOYEES.—An individual ap-  
19 pointed under subsection (b)(4) shall be considered  
20 a Federal civil service employee under section 2105  
21 of title 5, United States Code.

22          (6) ADDITIONAL EMPLOYEES.—Individuals ap-  
23 pointed under subsection (b)(4) shall be in addition  
24 to any employees of the Agency who provide cyberse-  
25 curity services.

1           (7) EMPLOYMENT PROTECTIONS.—The Sec-  
2       retary of Labor shall prescribe such regulations as  
3       necessary to ensure the reemployment, continuation  
4       of benefits, and non-discrimination in reemployment  
5       of individuals appointed under subsection (b)(4),  
6       provided that such regulations shall include, at a  
7       minimum, those rights and obligations set forth  
8       under chapter 43 of title 38, United States Code.

9           (8) STATUS IN RESERVE.—During the period  
10      beginning on the date on which an individual is re-  
11      cruited by the Agency to serve in the Civilian Cyber-  
12      security Reserve and ending on the date on which  
13      the individual is appointed under subsection (b)(4),  
14      and during any period in between any such appoint-  
15      ments, the individual shall not be considered a Fed-  
16      eral employee.

17      (c) ELIGIBILITY; APPLICATION AND SELECTION.—

18           (1) IN GENERAL.—Under the pilot project au-  
19      thorized under subsection (b), the Director shall es-  
20      tablish criteria for—

21                   (A) individuals to be eligible for the Civil-  
22                   ian Cybersecurity Reserve; and

23                   (B) the application and selection processes  
24                   for the Civilian Cybersecurity Reserve.

1           (2) REQUIREMENTS FOR INDIVIDUALS.—The  
2 criteria established under paragraph (1)(A) with re-  
3 spect to an individual shall include—

4           (A) previous employment—

5                 (i) by the executive branch;

6                 (ii) within the uniformed services;

7                 (iii) as a Federal contractor within  
8 the executive branch; or

9                 (iv) by a State, local, Tribal, or terri-  
10 torial government;

11           (B) if the individual has previously served  
12 as a member of the Civilian Cybersecurity Re-  
13 serve of the Agency, that the previous appoint-  
14 ment ended not less than 60 days before the in-  
15 dividual may be appointed for a subsequent  
16 temporary position in the Civilian Cybersecurity  
17 Reserve of the Agency; and

18           (C) cybersecurity expertise.

19           (3) PRESCREENING.—The Agency shall—

20           (A) conduct a prescreening of each indi-  
21 vidual prior to appointment under subsection  
22 (b)(4) for any topic or product that would cre-  
23 ate a conflict of interest; and

24           (B) require each individual appointed  
25 under subsection (b)(4) to notify the Agency if

1 a potential conflict of interest arises during the  
2 appointment.

3 (4) AGREEMENT REQUIRED.—An individual  
4 may become a member of the Civilian Cybersecurity  
5 Reserve only if the individual enters into an agree-  
6 ment with the Director to become such a member,  
7 which shall set forth the rights and obligations of  
8 the individual and the Agency.

9 (5) EXCEPTION FOR CONTINUING MILITARY  
10 SERVICE COMMITMENTS.—A member of the Selected  
11 Reserve under section 10143 of title 10, United  
12 States Code, may not be a member of the Civilian  
13 Cybersecurity Reserve.

14 (6) PRIORITY.—In appointing individuals to the  
15 Civilian Cybersecurity Reserve, the Agency shall  
16 prioritize the appointment of individuals described in  
17 clause (i) or (ii) of paragraph (2)(A) before consid-  
18 ering individuals described in clause (iii) or (iv) of  
19 paragraph (2)(A).

20 (7) PROHIBITION.—Any individual who is an  
21 employee of the executive branch may not be re-  
22 cruited or appointed to serve in the Civilian Cyberse-  
23 curity Reserve.

24 (d) SECURITY CLEARANCES.—



1           (1) IN GENERAL.—The Director shall ensure  
2           that all members of the Civilian Cybersecurity Re-  
3           serve undergo the appropriate personnel vetting and  
4           adjudication commensurate with the duties of the  
5           position, including a determination of eligibility for  
6           access to classified information where a security  
7           clearance is necessary, according to applicable policy  
8           and authorities.

9           (2) COST OF SPONSORING CLEARANCES.—If a  
10          member of the Civilian Cybersecurity Reserve re-  
11          quires a security clearance in order to carry out  
12          their duties, the Agency shall be responsible for the  
13          cost of sponsoring the security clearance of a mem-  
14          ber of the Civilian Cybersecurity Reserve.

15         (c) STUDY AND IMPLEMENTATION PLAN.—

16           (1) STUDY.—Not later than 60 days after the  
17           date of enactment of this Act, the Agency shall  
18           begin a study on the design and implementation of  
19           the pilot project authorized under subsection (b)(1)  
20           at the Agency, including—

21                   (A) compensation and benefits for mem-  
22                   bers of the Civilian Cybersecurity Reserve;

23                   (B) activities that members may undertake  
24                   as part of their duties;

1           (C) methods for identifying and recruiting  
2 members, including alternatives to traditional  
3 qualifications requirements;

4           (D) methods for preventing conflicts of in-  
5 terest or other ethical concerns as a result of  
6 participation in the pilot project and details of  
7 mitigation efforts to address any conflict of in-  
8 terest concerns;

9           (E) resources, including additional fund-  
10 ing, needed to carry out the pilot project;

11           (F) possible penalties for individuals who  
12 do not respond to activation when called, in ac-  
13 cordance with the rights and procedures set  
14 forth under title 5, Code of Federal Regula-  
15 tions; and

16           (G) processes and requirements for train-  
17 ing and onboarding members.

18           (2) IMPLEMENTATION PLAN.—Not later than 1  
19 year after beginning the study required under para-  
20 graph (1), the Agency shall—

21           (A) submit to the appropriate congres-  
22 sional committees an implementation plan for  
23 the pilot project authorized under subsection  
24 (b)(1); and

1           (B) provide to the appropriate congres-  
2           sional committees a briefing on the implementa-  
3           tion plan.

4           (3) PROHIBITION.—The Agency may not take  
5           any action to begin implementation of the pilot  
6           project authorized under subsection (b)(1) until the  
7           Agency fulfills the requirements under paragraph  
8           (2).

9           (f) PROJECT GUIDANCE.—Not later than 2 years  
10          after the date of enactment of this Act, the Director shall,  
11          in consultation with the Office of Personnel Management  
12          and the Office of Government Ethics, issue guidance es-  
13          tablishing and implementing the pilot project authorized  
14          under subsection (b)(1) at the Agency.

15          (g) BRIEFINGS AND REPORT.—

16               (1) BRIEFINGS.—Not later than 1 year after  
17          the date on which the Director issues the guidance  
18          required under subsection (f), and every year there-  
19          after, the Agency shall provide to the appropriate  
20          congressional committees a briefing on activities ear-  
21          ried out under the pilot project of the Agency, in-  
22          cluding—

23                       (A) participation in the Civilian Cybersecu-  
24                       rity Reserve, including the number of partici-  
25                       pants, the diversity of participants, and any

1 barriers to recruitment or retention of mem-  
2 bers;

3 (B) an evaluation of the ethical require-  
4 ments of the pilot project;

5 (C) whether the Civilian Cybersecurity Re-  
6 serve has been effective in providing additional  
7 capacity to the Agency during significant inci-  
8 dents; and

9 (D) an evaluation of the eligibility require-  
10 ments for the pilot project.

11 (2) REPORT.—Not earlier than 6 months and  
12 not later than 3 months before the date on which  
13 the pilot project of the Agency terminates under  
14 subsection (i), the Agency shall submit to the appro-  
15 priate congressional committees a report and provide  
16 a briefing on recommendations relating to the pilot  
17 project, including recommendations for—

18 (A) whether the pilot project should be  
19 modified, extended in duration, or established  
20 as a permanent program, and if so, an appro-  
21 priate scope for the program;

22 (B) how to attract participants, ensure a  
23 diversity of participants, and address any bar-  
24 riers to recruitment or retention of members of  
25 the Civilian Cybersecurity Reserve;

1           (C) the ethical requirements of the pilot  
2 project and the effectiveness of mitigation ef-  
3 forts to address any conflict of interest con-  
4 cerns; and

5           (D) an evaluation of the eligibility require-  
6 ments for the pilot project.

7       (h) EVALUATION.—Not later than 3 years after the  
8 pilot project authorized under subsection (b) is established  
9 in the Agency, the Comptroller General of the United  
10 States shall—

11           (1) conduct a study evaluating the pilot project  
12 at the Agency; and

13           (2) submit to Congress—

14               (A) a report on the results of the study;  
15 and

16               (B) a recommendation with respect to  
17 whether the pilot project should be modified,  
18 extended in duration, or established as a per-  
19 manent program.

20       (i) SUNSET.—The pilot project authorized under this  
21 section shall terminate on the date that is 4 years after  
22 the date on which the pilot project is established.

23       (j) NO ADDITIONAL FUNDS.—



1           (D) *the Committee on Oversight and Ac-*  
2           *countability of the House of Representatives; and*

3           (E) *the Committee on Appropriations of the*  
4           *House of Representatives.*

5           (3) *COMPETITIVE SERVICE.*—*The term “competi-*  
6           *tive service” has the meaning given the term in sec-*  
7           *tion 2102 of title 5, United States Code.*

8           (4) *DIRECTOR.*—*The term “Director” means the*  
9           *Director of the Agency.*

10          (5) *EXCEPTED SERVICE.*—*The term “excepted*  
11          *service” has the meaning given the term in section*  
12          *2103 of title 5, United States Code.*

13          (6) *SIGNIFICANT INCIDENT.*—*The term “signifi-*  
14          *cant incident”—*

15                 (A) *means an incident or a group of related*  
16                 *incidents that results, or is likely to result, in de-*  
17                 *monstrable harm to—*

18                         (i) *the national security interests, for-*  
19                         *ign relations, or economy of the United*  
20                         *States; or*

21                         (ii) *the public confidence, civil lib-*  
22                         *erties, or public health and safety of the*  
23                         *people of the United States; and*

1           (B) does not include an incident or a por-  
2           tion of a group of related incidents that occurs  
3           on—

4                   (i) a national security system, as de-  
5                   fined in section 3552 of title 44, United  
6                   States Code; or

7                   (ii) an information system described in  
8                   paragraph (2) or (3) of section 3553(e) of  
9                   title 44, United States Code.

10           (7) *TEMPORARY POSITION.*—The term “tem-  
11           porary position” means a position in the competitive  
12           or excepted service for a period of 6 months or less.

13           (8) *UNIFORMED SERVICES.*—The term “uni-  
14           formed services” has the meaning given the term in  
15           section 2101 of title 5, United States Code.

16           (b) *PILOT PROJECT.*—

17                   (1) *IN GENERAL.*—The Director may carry out  
18                   a pilot project to establish a Civilian Cybersecurity  
19                   Reserve at the Agency.

20                   (2) *PURPOSE.*—The purpose of a Civilian Cyber-  
21                   security Reserve is to enable the Agency to effectively  
22                   respond to significant incidents.

23                   (3) *ALTERNATIVE METHODS.*—Consistent with  
24                   section 4703 of title 5, United States Code, in car-  
25                   rying out a pilot project authorized under paragraph



1       (1), the Director may, without further authorization  
2       from the Office of Personnel Management, provide for  
3       alternative methods of—

4               (A) establishing qualifications requirements  
5       for, recruitment of, and appointment to posi-  
6       tions; and

7               (B) classifying positions.

8       (4) APPOINTMENTS.—Under the pilot project au-  
9       thorized under paragraph (1), upon occurrence of a  
10      significant incident, the Director—

11              (A) may activate members of the Civilian  
12      Cybersecurity Reserve by—

13              (i) noncompetitively appointing mem-  
14      bers of the Civilian Cybersecurity Reserve to  
15      temporary positions in the competitive serv-  
16      ice; or

17              (ii) appointing members of the Civil-  
18      ian Cybersecurity Reserve to temporary po-  
19      sitions in the excepted service;

20              (B) shall notify Congress whenever a mem-  
21      ber is activated under subparagraph (A); and

22              (C) may appoint not more than 30 mem-  
23      bers to temporary positions.

24      (5) STATUS AS EMPLOYEES.—An individual ap-  
25      pointed under paragraph (4) shall be considered a

1 *Federal civil service employee under section 2105 of*  
2 *title 5, United States Code.*

3 (6) *ADDITIONAL EMPLOYEES.—Individuals ap-*  
4 *pointed under paragraph (4) shall be in addition to*  
5 *any employees of the Agency who provide cybersecu-*  
6 *rity services.*

7 (7) *EMPLOYMENT PROTECTIONS.—The Secretary*  
8 *of Labor shall prescribe such regulations as necessary*  
9 *to ensure the reemployment, continuation of benefits,*  
10 *and non-discrimination in reemployment of individ-*  
11 *uals appointed under paragraph (4), provided that*  
12 *such regulations shall include, at a minimum, those*  
13 *rights and obligations set forth under chapter 43 of*  
14 *title 38, United States Code.*

15 (8) *STATUS IN RESERVE.—During the period be-*  
16 *ginning on the date on which an individual is re-*  
17 *cruted by the Agency to serve in the Civilian Cyber-*  
18 *security Reserve and ending on the date on which the*  
19 *individual is appointed under paragraph (4), and*  
20 *during any period in between any such appoint-*  
21 *ments, the individual shall not be considered a Fed-*  
22 *eral employee.*

23 (c) *ELIGIBILITY; APPLICATION AND SELECTION.—*

1           (1) *IN GENERAL.*—Under the pilot project au-  
2           thorized under subsection (b)(1), the Director shall es-  
3           tablish criteria for—

4                   (A) *individuals to be eligible for the Civil-*  
5                   *ian Cybersecurity Reserve; and*

6                   (B) *the application and selection processes*  
7                   *for the Civilian Cybersecurity Reserve.*

8           (2) *REQUIREMENTS FOR INDIVIDUALS.*—The cri-  
9           teria established under paragraph (1)(A) with respect  
10          to an individual shall include—

11                   (A) *previous employment—*

12                           (i) *by the executive branch;*

13                           (ii) *within the uniformed services;*

14                           (iii) *as a Federal contractor within the*  
15                           *executive branch; or*

16                           (iv) *by a State, local, Tribal, or terri-*  
17                           *torial government;*

18                   (B) *if the individual has previously served*  
19                   *as a member of the Civilian Cybersecurity Re-*  
20                   *serve of the Agency, that the previous appoint-*  
21                   *ment ended not less than 60 days before the indi-*  
22                   *vidual may be appointed for a subsequent tem-*  
23                   *porary position in the Civilian Cybersecurity*  
24                   *Reserve of the Agency; and*

25                   (C) *cybersecurity expertise.*

1           (3) *PRESCREENING.*—*The Agency shall—*

2                   (A) *conduct a prescreening of each indi-*  
3                   *vidual prior to appointment under subsection*  
4                   *(b)(4) for any topic or product that would create*  
5                   *a conflict of interest; and*

6                   (B) *require each individual appointed*  
7                   *under subsection (b)(4) to notify the Agency if a*  
8                   *potential conflict of interest arises during the ap-*  
9                   *pointment.*

10           (4) *AGREEMENT REQUIRED.*—*An individual*  
11           *may become a member of the Civilian Cybersecurity*  
12           *Reserve only if the individual enters into an agree-*  
13           *ment with the Director to become such a member,*  
14           *which shall set forth the rights and obligations of the*  
15           *individual and the Agency.*

16           (5) *EXCEPTION FOR CONTINUING MILITARY SERV-*  
17           *ICE COMMITMENTS.*—*A member of the Selected Re-*  
18           *serve under section 10143 of title 10, United States*  
19           *Code, may not be a member of the Civilian Cyberse-*  
20           *curity Reserve.*

21           (6) *PRIORITY.*—*In appointing individuals to the*  
22           *Civilian Cybersecurity Reserve, the Agency shall*  
23           *prioritize the appointment of individuals described in*  
24           *clause (i) or (ii) of paragraph (2)(A) before consid-*

1        *ering individuals described in clause (iii) or (iv) of*  
2        *paragraph (2)(A).*

3                (7) *PROHIBITION.—Any individual who is an*  
4        *employee (as defined in section 2105 of title 5, United*  
5        *States Code) of the executive branch may not be re-*  
6        *cruted or appointed to serve in the Civilian Cyberse-*  
7        *curity Reserve.*

8        (d) *SECURITY CLEARANCES.—*

9                (1) *IN GENERAL.—The Director shall ensure that*  
10        *all members of the Civilian Cybersecurity Reserve un-*  
11        *dergo the appropriate personnel vetting and adjudica-*  
12        *tion commensurate with the duties of the position, in-*  
13        *cluding a determination of eligibility for access to*  
14        *classified information where a security clearance is*  
15        *necessary, according to applicable policy and authori-*  
16        *ties.*

17                (2) *COST OF SPONSORING CLEARANCES.—If a*  
18        *member of the Civilian Cybersecurity Reserve requires*  
19        *a security clearance in order to carry out their duties,*  
20        *the Agency shall be responsible for the cost of spon-*  
21        *soring the security clearance of that member.*

22        (e) *STUDY AND IMPLEMENTATION PLAN.—*

23                (1) *STUDY.—Not later than 60 days after the*  
24        *date of enactment of this Act, the Agency shall begin*  
25        *a study on the design and implementation of the pilot*

1       *project authorized under subsection (b)(1) at the*  
2       *Agency, including—*

3               *(A) compensation and benefits for members*  
4               *of the Civilian Cybersecurity Reserve;*

5               *(B) activities that members may undertake*  
6               *as part of their duties;*

7               *(C) methods for identifying and recruiting*  
8               *members, including alternatives to traditional*  
9               *qualifications requirements;*

10              *(D) methods for preventing conflicts of in-*  
11              *terest or other ethical concerns as a result of par-*  
12              *ticipation in the pilot project and details of*  
13              *mitigation efforts to address any conflict of in-*  
14              *terest concerns;*

15              *(E) resources, including additional funding,*  
16              *needed to carry out the pilot project;*

17              *(F) possible penalties for individuals who*  
18              *do not respond to activation when called, in ac-*  
19              *cordance with the rights and procedures set forth*  
20              *under title 5, Code of Federal Regulations; and*

21              *(G) processes and requirements for training*  
22              *and onboarding members.*

23              (2) *IMPLEMENTATION PLAN.—Not later than 1*  
24              *year after beginning the study required under para-*  
25              *graph (1), the Agency shall—*

1           (A) submit to the appropriate congressional  
2 committees an implementation plan for the pilot  
3 project authorized under subsection (b)(1); and

4           (B) provide to the appropriate congressional  
5 committees a briefing on the implementation  
6 plan.

7           (3) *PROHIBITION.*—The Agency may not take  
8 any action to begin implementation of the pilot  
9 project authorized under subsection (b)(1) until the  
10 Agency fulfills the requirements under paragraph (2).

11          (f) *PROJECT GUIDANCE.*—Not later than 2 years after  
12 the date of enactment of this Act, the Director shall, in con-  
13 sultation with the Office of Government Ethics, issue guid-  
14 ance establishing and implementing the pilot project au-  
15 thorized under subsection (b)(1) at the Agency.

16          (g) *BRIEFINGS AND REPORT.*—

17           (1) *BRIEFINGS.*—Not later than 1 year after the  
18 date on which the Director issues the guidance re-  
19 quired under subsection (f), and every year thereafter,  
20 the Agency shall provide to the appropriate congres-  
21 sional committees a briefing on activities carried out  
22 under the pilot project authorized under subsection  
23 (b)(1), including—

24           (A) participation in the Civilian Cybersecu-  
25 rity Reserve, including the number of partici-

1 pants, the diversity of participants, and any  
2 barriers to recruitment or retention of members;

3 (B) an evaluation of the ethical require-  
4 ments of the pilot project;

5 (C) whether the Civilian Cybersecurity Re-  
6 serve has been effective in providing additional  
7 capacity to the Agency during significant inci-  
8 dents; and

9 (D) an evaluation of the eligibility require-  
10 ments for the pilot project.

11 (2) *REPORT.*—Not earlier than 6 months and  
12 not later than 3 months before the date on which the  
13 pilot project of the Agency terminates under sub-  
14 section (i), the Agency shall submit to the appropriate  
15 congressional committees a report on, and provide a  
16 briefing on recommendations relating to, the pilot  
17 project, including recommendations for—

18 (A) whether the pilot project should be  
19 modified, extended in duration, or established as  
20 a permanent program, and if so, an appropriate  
21 scope for the program;

22 (B) how to attract participants, ensure a  
23 diversity of participants, and address any bar-  
24 riers to recruitment or retention of members of  
25 the Civilian Cybersecurity Reserve;



1           (C) the ethical requirements of the pilot  
2           project and the effectiveness of mitigation efforts  
3           to address any conflict of interest concerns; and

4           (D) an evaluation of the eligibility require-  
5           ments for the pilot project.

6           (h) *EVALUATION.*—Not later than 3 years after the  
7           pilot project authorized under subsection (b)(1) is estab-  
8           lished in the Agency, the Comptroller General of the United  
9           States shall—

10           (1) conduct a study evaluating the pilot project  
11           at the Agency; and

12           (2) submit to Congress—

13           (A) a report on the results of the study; and

14           (B) a recommendation with respect to  
15           whether the pilot project should be modified, ex-  
16           tended in duration, or established as a perma-  
17           nent program.

18           (i) *SUNSET.*—The pilot project authorized under sub-  
19           section (b)(1) shall terminate on the date that is 4 years  
20           after the date on which the pilot project is established, ex-  
21           cept that an activated member of the Civilian Cybersecurity  
22           Reserve who was appointed to and is serving in a tem-  
23           porary position under this section as of the day before that  
24           termination date may continue to serve until the end of  
25           the appointment.

1       (j) *NO ADDITIONAL FUNDS.*—*No additional funds are*  
2 *authorized to be appropriated for the purpose of carrying*  
3 *out this Act.*



**Calendar No. 204**

118<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 885**

[Report No. 118-96]

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**A BILL**

To establish a Civilian Cybersecurity Reserve in the Department of Homeland Security as a pilot project to address the cybersecurity needs of the United States with respect to national security, and for other purposes.

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SEPTEMBER 11, 2023

Reported with an amendment