

Oversight and Reform Committee Policy

Akin Gump
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Division E of the *America COMPETES Act* versus the *U.S. Innovation and Competition Act*

Overview

The America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education and Science (COMPETES) Act includes a Division related to two programs that are in the jurisdiction of the House Committee on Oversight and Reform, which are only partially related to provisions in the U.S. Innovation and Competition Act (USICA). USICA also establishes an identical Federal Rotational Cyber Workforce Program under Title III – Personnel, Subtitle B – Federal Rotational Cyber Workforce Program. And, while USICA does not contain a section providing increased governance and oversight authority to the Privacy and Civil Liberties Oversight Board as it relates to artificial intelligence and counterterrorism, the bill text does direct the Secretary of Homeland Security to, in conjunction with other relevant officers, issue policies and procedures for the Department related to the acquisition and use of AI generally within 180 days of enactment (Sec. 4204 – Principles and Policies for the Use of Artificial Intelligence in Government),

	HOUSE: America COMPETES Act	SENATE: USICA
Federal Rotational Cyber Workforce Program	✓	✓
AI in Counterterrorism Oversight Enhancement	✓	✗

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	HOUSE: America COMPETES Act	SENATE: USICA
Federal Rotational Cyber Workforce Program	This section directs the Office of Personnel Management to establish a Federal Rotational Cyber Workforce Program plan within 270 days of enactment. This program promotes interagency collaboration by allowing cybersecurity professionals to 'rotate' to other agencies while staying in the cybersecurity field. The program sunsets in five years. (Sec. 40101)	Identical provision. (Secs. 4351-4356)
AI in Counterterrorism Oversight Enhancement	Amends the Intelligence Reform and Terrorism Prevention Act of 2004 by providing the Privacy and Civil Liberties Oversight Board increased authority and oversight over the use of artificial intelligence in counterterrorism. (Sec. 40102)	Section 4204(a) directs the Office of Management and Budget to consider the input of the Privacy and Civil Liberties Oversight Board among other agencies and the recommendations of the National Security Commission on AI when developing its guidance on the acquisition and uses of AI and tools enabled by AI. Section 4204(b) directs the Secretary of Homeland Security, in participation with the Chief Procurement Officer, the Chief Information Officer, the Chief Privacy Officer, and the Officer for Civil Rights and Civil Liberties of the Department, to issue policies related to the acquisition and use of AI with consideration for the risks related to AI-enabled systems.