

AMENDMENT TO
RULES COMMITTEE PRINT 119-33
OFFERED BY MS. HOULAHAN OF PENNSYLVANIA

At the end of subtitle B of title XVII, add the following new section:

1 **SEC. 17__ . NATIONAL SECURITY COMMISSION ON EMERG-**
2 **ING SCIENCE AND TECHNOLOGY.**

3 (a) **ESTABLISHMENT OF COMMISSION.—**

4 (1) **IN GENERAL.—**There is established, as of
5 the date specified in paragraph (2), an independent
6 commission in the legislative branch of the Federal
7 Government to be known as the “Congressional Na-
8 tional Security Commission on Emerging Science
9 and Technology” (in this section referred to as the
10 “Commission”).

11 (2) **DATE OF ESTABLISHMENT.—**The date of
12 the establishment referred to in paragraph (1) is the
13 earlier of—

14 (A) 30 days after the date of the enact-
15 ment of this Act; or

16 (B) the first day of the first Congress that
17 commences after the date of the enactment of
18 this Act.

1 (b) MEMBERSHIP.—

2 (1) NUMBER AND APPOINTMENT.—The Com-
3 mission shall be composed of 12 members appointed
4 as follows:

5 (A) Three members appointed by the Ma-
6 jority Leader of the Senate (after consultation
7 with the chairs of the Committee on Armed
8 Services and the Select Committee on Intel-
9 ligence of the Senate), of whom one shall be a
10 Member of the Senate and two shall not.

11 (B) Three members appointed by the Mi-
12 nority Leader of the Senate (after consultation
13 with the ranking members of the Committee on
14 Armed Services and the Select Committee on
15 Intelligence of the Senate), of whom one shall
16 be a Member of the Senate and two shall not.

17 (C) Three members appointed by the
18 Speaker of the House of Representatives (after
19 consultation with the chairs of the Committee
20 on Armed Services and the Permanent Select
21 Committee on Intelligence of the House of Rep-
22 resentatives), of whom one shall be a Member
23 of the House of Representatives and two shall
24 not.

1 (D) Three members appointed by the mi-
2 nority leader of the House of Representatives
3 (after consultation with the ranking members of
4 the Committee on Armed Services and the Per-
5 manent Select Committee on Intelligence of the
6 House of Representatives), of whom one shall
7 be a Member of the House of Representatives
8 and two shall not.

9 (2) QUALIFICATIONS.—The members of the
10 Commission appointed under paragraph (1) who are
11 not members of Congress shall be individuals from
12 private civilian life who are eligible to receive the ap-
13 propriate security clearance to effectively execute the
14 duties of the Commission and who are recognized ex-
15 perts with relevant professional experience in mat-
16 ters relating to—

17 (A) emerging science and technology re-
18 search and development;

19 (B) use of emerging science and technology
20 by national policy makers and military leaders;

21 (C) the implementation, funding, or over-
22 sight of the national security policies of the
23 United States;

1 (D) foreign affairs, the Armed Forces, or
2 other relevant aspects of United States national
3 security policy;

4 (E) investment in emerging science and
5 technology;

6 (F) oversight and regulation of emerging
7 science and technology products; or

8 (G) the effect of science and technology on
9 United States economic competitiveness and na-
10 tional security.

11 (c) CHAIR AND VICE CHAIR.—

12 (1) CHAIR.—The Majority Leader of the Senate
13 and the Speaker of the House of Representatives
14 shall jointly designate one member of the Commis-
15 sion to serve as Chair of the Commission.

16 (2) VICE CHAIR.—The Minority Leader of the
17 Senate and the Minority Leader of the House of
18 Representatives shall jointly designate one member
19 of the Commission to serve as Vice Chair of the
20 Commission.

21 (3) QUALIFICATION.—The Chair of the Com-
22 mission shall be a Member of Congress who has
23 been appointed to serve as a member of Commission,
24 but the Vice Chair shall not be a Member of Con-
25 gress.

1 (d) PERIOD OF APPOINTMENT.—Appointments under
2 subsection (b) shall have terms of appointment that are
3 staggered in a manner such that, beginning not later than
4 two years after the date on which the Commission is estab-
5 lished, one-third of the seats on the Commission shall be
6 appointed as follows:

7 (1) The four members of the Senate and the
8 House of Representatives appointed to serve on the
9 Commission shall have a term of appointment that
10 expires two years after the date on which the Com-
11 mission is established. Following such expiration,
12 such positions may be filled in the same manner as
13 the original appointment, and the terms of each sub-
14 sequent appointment shall be for a term of four
15 years.

16 (2) The second appointment shall have a term
17 of appointment which shall expire three years after
18 the date on which the Commission is established.
19 Following such expiration, such positions may be
20 filled in the same manner as the original appoint-
21 ment, and the terms of each subsequent appoint-
22 ment shall be for a term of four years.

23 (3) The third appointment shall have a term of
24 appointment which shall expire four years after the
25 date on which the Commission is established. Fol-

1 lowing such expiration, such positions may be filled
2 in the same manner as the original appointment,
3 and the terms of each subsequent appointment shall
4 be for a term of four years.

5 (e) PURPOSE.—The purposes of the Commission
6 are—

7 (1) to examine and make recommendations with
8 respect to emerging science and technology as such
9 matters pertain to current and future national secu-
10 rity missions and activities of the United States; and

11 (2) to ensure the position of the United States
12 as a leading source of scientific innovation.

13 (f) DUTIES.—

14 (1) IN GENERAL.—The Commission shall be re-
15 sponsible for reviewing advances in emerging science
16 and technology. In carrying out such review, the
17 Commission shall consider the methods, means, and
18 investments necessary to advance and secure the de-
19 velopment of emerging science and technology by the
20 United States to comprehensively address the na-
21 tional security and defense needs of the United
22 States.

23 (2) SCOPE OF THE REVIEW.—In conducting a
24 review described in paragraph (1), the Commission
25 shall consider the following:

1 (A) Associated ethical, legal, social, and
2 environmental considerations related to emerg-
3 ing science and technology as such matters will
4 be used for future applications related to na-
5 tional security and defense.

6 (B) Opportunities to strengthen and ex-
7 pand the domestic emerging technology sector.

8 (C) Necessary adaptations to national de-
9 fense strategies to address capabilities, risks,
10 and disruptions arising from emerging tech-
11 nologies.

12 (3) ADDITIONAL MATTERS FOR REVIEW.—In
13 addition to the matters specified in paragraph (2),
14 the Commission may consider any matters that are
15 referred to the Commission for examination by—

16 (A) the chair or ranking member of the
17 Committee on Armed Services of the Senate;

18 (B) the chair or vice chair of the Select
19 Committee on Intelligence of the Senate;

20 (C) the Majority Leader or the Minority
21 Leader of the Senate;

22 (D) the chair or ranking member of the
23 Committee on Armed Services of the House of
24 Representatives;

1 (E) the chair or ranking member of the
2 Permanent Select Committee on Intelligence of
3 the House of Representatives; and

4 (F) the Speaker of the House of Rep-
5 resentatives or the Minority Leader of the
6 House of Representatives.

7 (g) COMMISSION REPORTS AND RECOMMENDA-
8 TIONS.—

9 (1) ANNUAL SUBMISSION.—Not later than Feb-
10 ruary 1 of each year, the Commission shall submit
11 to Congress an annual report on the findings of the
12 Commission and such recommendations that the
13 Commission may have for legislative or administra-
14 tive action.

15 (2) INTERMITTENT SUBMISSION.—The Com-
16 mission may submit to Congress additional findings
17 and recommendations on an intermittent basis each
18 year, as the members of the Commission and Execu-
19 tive Director of the Commission consider appro-
20 priate.

21 (3) STATUTORY LANGUAGE.—Recommendations
22 for legislative action submitted by the Commission
23 under this subsection shall include proposed statu-
24 tory language.

1 (4) FORM.—Each annual report under para-
2 graph (1), and any additional finding or rec-
3 ommendation under paragraph (2), shall be sub-
4 mitted in unclassified form, but may include a classi-
5 fied annex.

6 (h) GOVERNMENT COOPERATION.—

7 (1) COOPERATION.—In carrying out the duties
8 under subsection (f), the Commission shall receive
9 the full and timely cooperation of the Secretary of
10 Defense and the heads of other Federal departments
11 and agencies in providing the Commission with anal-
12 ysis, briefings, and other information necessary for
13 the fulfillment of such duties.

14 (2) LIAISON.—The Secretary of Defense shall
15 designate at least one officer or employee of the De-
16 partment of Defense to serve as a liaison officer be-
17 tween the Department and the Commission.

18 (3) DETAILEES.—Upon request of the Commis-
19 sion, the Secretary of Defense and the head of any
20 other Federal department or agency may detail,
21 without reimbursement, any personnel of the De-
22 partment of Defense or such other department or
23 agency to the Commission to assist the Commission
24 in carrying out the duties under subsection (f).

25 (4) FACILITATION.—

1 (A) INDEPENDENT, NONGOVERNMENTAL
2 INSTITUTE.—Beginning not later than 45 days
3 after the date on which the Commission is es-
4 tablished, the Secretary of Defense may seek to
5 enter into a contract with an independent non-
6 governmental institute described in section
7 501(c)(3) of the Internal Revenue Code of
8 1986, and exempt from tax under section
9 501(a) of such Code, that has recognized cre-
10 dentials and expertise in national security and
11 military affairs under which such organization
12 shall assist the Commission in carrying out the
13 duties under subsection (f).

14 (B) FEDERALLY FUNDED RESEARCH AND
15 DEVELOPMENT CENTERS.—Upon the request of
16 the Commission, the Secretary of Defense shall
17 seek to make available the services of federally
18 funded research and development centers to as-
19 sist the Commission in carrying out the duties
20 under subsection (f), including by, on a reim-
21 bursable basis, assisting the Commission with
22 entering into contracts with such federally
23 funded research and development centers as the
24 Commission determines appropriate.

1 (5) EXPEDITION OF SECURITY CLEARANCES.—

2 The Office of Senate Security and the Office of
3 House Security shall ensure the expedited processing
4 of appropriate security clearances under processes
5 developed for the clearance of legislative branch em-
6 ployees for any personnel appointed to the Commis-
7 sion by their respective offices of the Senate and
8 House of Representatives and any personnel ap-
9 pointed by the Executive Director appointed under
10 subsection (i). Departments of the executive branch
11 of the Federal Government that are responsible for
12 processing security clearances shall ensure the expe-
13 dited processing of appropriate security clearances
14 for Commissioners and employees of the Commis-
15 sion.

16 (i) PERSONNEL MATTERS.—

17 (1) STATUS AS FEDERAL EMPLOYEES.—Not-
18 withstanding the requirements of section 2105 of
19 title 5, United States Code, including the required
20 supervision under subsection (a)(3) of such section,
21 any member of the Commission who is not a Mem-
22 ber of Congress shall be considered to be an em-
23 ployee of the legislative branch of the Federal Gov-
24 ernment.

1 (2) EXECUTIVE DIRECTOR.—The Commission
2 shall appoint and fix the rate of basic pay for an Ex-
3 ecutive Director in accordance with section 3161(d)
4 of title 5, United States Code.

5 (3) PAY.—The Executive Director may appoint
6 and fix the rate of basic pay for additional personnel
7 as staff of the Commission in accordance with sec-
8 tion 3161(d) of title 5, United States Code.

9 (4) AUTHORITY TO PROCURE PERSONNEL
10 SERVICES.—The Commission may—

11 (A) procure the services of experts or con-
12 sultants (or of organizations of experts or con-
13 sultants) in accordance with the provisions of
14 section 3109 of title 5, United States Code; and

15 (B) pay in connection with such services
16 travel expenses of individuals, including trans-
17 portation and per diem in lieu of subsistence,
18 while such individuals are traveling from their
19 homes or places of business to duty stations.

20 (5) MAXIMUM DAILY PAY RATES.—The daily
21 rate paid an expert or consultant procured pursuant
22 to paragraph (1) may not exceed the daily rate paid
23 a person occupying a position at level IV of the Ex-
24 ecutive Schedule under section 5315 of title 5,
25 United States Code.

1 (6) EXEMPTION.—Members of the Commission
2 and employees of the Commission shall be exempt
3 from the Fair Labor Standards Act of 1938 (29
4 U.S.C. 201 et seq.) and the Congressional Account-
5 ability Act of 1995 (2 U.S.C. 1301 et seq.).

6 (7) PAY.—The pay of each employee of the
7 Commission and any member of the Commission
8 who receives pay in accordance with paragraph (1)
9 shall be disbursed by the Secretary of the Senate.

10 (j) ETHICS.—

11 (1) AUTHORITY TO ACCEPT GIFTS.—The Com-
12 mission may accept, use, and dispose of gifts or do-
13 nations of services, goods, and property from non-
14 Federal entities for the purposes of aiding and facili-
15 tating the work of the Commission, provided such
16 gifts do not include the provision of funds, any gifts
17 so accepted are document, and the Commission
18 takes appropriate measures to avoid conflicts of in-
19 terest or the appearance of conflicts of interest.

20 (2) COMPLIANCE BY MEMBERS OF CON-
21 GRESS.—Subject to the authority in this section,
22 members of the Commission who are Members of
23 Congress shall continue to comply with rules set
24 forth by the Select Committee on Ethics of the Sen-

1 ate and the Committee on Ethics of the House of
2 Representatives.

3 (3) REPORTING.—Each member of the Com-
4 mission who is not a Member of Congress, and each
5 employee of the Commission, shall be deemed to be
6 an officer or employee of the Congress (as defined
7 in section 13101 of title 5, United States Code
8 (commonly referred to as the “Ethics in Government
9 Act of 1978”) and shall file any report required to
10 be filed by such member or such employee with the
11 Secretary of the Senate pursuant to section
12 13105(h)(1)(A)(ii) of such title.

13 (k) LEGISLATIVE ADVISORY COMMITTEE.—The
14 Commission shall operate as a legislative advisory com-
15 mittee and shall be exempt from section 552 of title 5,
16 United States Code (commonly referred to as the “Free-
17 dom of Information Act”) and chapter 10 of title 5 (com-
18 monly referred to as the “Federal Advisory Committee
19 Act”). The Commission may acquire information through
20 whatever fora the Commissioners deem necessary to effec-
21 tively execute their duties.

22 (l) PROVISION OF SERVICES.—The Senate Sergeant
23 at Arms and the Secretary of the Senate shall provide to
24 the Commission, on a reimbursable basis, such resources
25 that may be necessary for its operation, including the provi-

1 sion of office space, contracting services, administrative
2 support, and office supplies. To the extent or in the
3 amounts provided in advance in appropriation Acts, the
4 Commission may acquire administrative supplies and
5 equipment for use by the Commission.

6 (m) USE OF GOVERNMENT INFORMATION.—

7 (1) IN GENERAL.—The Commission may secure
8 directly from any Federal department or agency
9 such information as the Commission considers nec-
10 essary to carry out the duties under subsection (f).
11 Upon such request of the chair of the Commission,
12 the head of such department or agency shall furnish
13 such information to the Commission.

14 (2) CLASSIFIED INFORMATION.—Information
15 provided by a Federal department or agency pursu-
16 ant to paragraph (1) shall include any classified in-
17 formation the Commission considers necessary to
18 carry out its duties, provided that—

19 (A) any such classified information shall be
20 provided in a manner consistent with the pro-
21 tection of intelligence sources and methods; and

22 (B) the Executive Director of the Commis-
23 sion shall limit access to such information only
24 to those members of the Commission and em-

1 employees of the Commission who need access to
2 such information.

3 (3) ACCESS TO RESOURCES.—The Commission
4 shall have explicit access to all resources provided to
5 congressional staff, including the Government Ac-
6 countability Office, the Congressional Research Serv-
7 ice, the Office of the Legislative Counsel, and the
8 Congressional Budget Office.

9 (n) POSTAL SERVICES.—The Commission may use
10 the United States mails in the same manner and under
11 the same conditions as Federal departments and agencies.

12 (o) SPACE FOR USE OF COMMISSION.—Not later
13 than 30 days after the establishment date of the Commis-
14 sion, if the Senate Sergeant at Arms is unable to procure
15 suitable office space for the Commission, the Adminis-
16 trator of General Services, in consultation with the Com-
17 mission, shall identify and make available suitable excess
18 space within the Federal space inventory to house the op-
19 erations of the Commission. If the Administrator is not
20 able to make such suitable excess space available within
21 such 30-day period, the Commission may lease space to
22 the extent the funds are available.

23 (p) REMOVAL OF MEMBERS.—A member may be re-
24 moved from the Commission for cause by the individual
25 serving in the position responsible for the original appoint-

1 ment of such member under subsection (b)(1), provided
2 that notice has first been provided to such member of the
3 cause for removal and voted and agreed upon by three
4 quarters of the members serving. A vacancy created by
5 the removal of a member under this subsection shall not
6 affect the powers of the Commission, and shall be filled
7 in the same manner as the original appointment was
8 made.

9 (q) RECORDS.—

10 (1) IN GENERAL.—The Executive Director of
11 the Commission—

12 (A) may request the records, to the extent
13 such records exist, from the Cyberspace Solarium
14 Commission, the National Security Com-
15 mission on Artificial Intelligence, the National
16 Archives, or any other entity that may hold the
17 records of the Cyberspace Solarium Commission
18 and National Security Commission on Artificial
19 Intelligence; and

20 (B) shall have authority to determine what
21 records of the Commission shall be submitted to
22 the National Archives of the United States.

23 (2) TRANSFER OF RECORDS FROM NATIONAL
24 SECURITY COMMISSION ON EMERGING BIO-
25 TECHNOLOGY.—The Executive Director of the Na-

1 tional Security Commission on Emerging Bio-
2 technology established by section 1091(a) of the Na-
3 tional Defense Authorization Act for Fiscal Year
4 2022 (Public Law 117–81; 135 Stat. 1929) may
5 transfer all records of that Commission to the Con-
6 gressional Commission on Emerging Science and
7 Technology, under such terms and restrictions on
8 access and use as the Executive Director of the Na-
9 tional Security Commission on Emerging Bio-
10 technology may prescribe.

11 (r) DEFINITION OF NATIONAL SECURITY FOR PUR-
12 POSES OF TITLE 10, UNITED STATES CODE.—Section
13 101(a) of title 10, United States Code, is amended by add-
14 ing at the end the following new paragraph:

15 “(22) The term ‘national security’ means the
16 national defense and foreign relations of the United
17 States and includes the security of the economy of
18 the United States and the resilience of supply chains
19 for economic activity in the United States.”.

