AMENDMENT TO RULES COMMITTEE PRINT 116-22

OFFERED BY MR. KENNEDY OF MASSACHUSETTS

At the end of title IV add the following new section:

SEC. 403. FOREIGN THREAT RESPONSE CENTER.

(a) ESTABLISHMENT.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended by inserting after section 119B the following new section:

"SEC. 119C. FOREIGN THREAT RESPONSE CENTER.

"(a) ESTABLISHMENT.—There is within the Office of the Director of National Intelligence a Foreign Threat Response Center (in this section referred to as the ‘Center’).

"(b) MISSION.—The primary missions of the Center shall be as follows:

"(1) To serve as the primary organization in the United States Government for analyzing and integrating all intelligence possessed or acquired by the United States Government pertaining to foreign threats.

"(2) To synchronize the efforts of the intelligence community with respect to countering foreign efforts to undermine the national security, political sovereignty, and economic activity of the United States."
States and the allies of the United States, including by—

“(A) ensuring that each such element is aware of and coordinating on such efforts; and

“(B) overseeing the development and implementation of comprehensive and integrated policy responses to such efforts.

“(3) In coordination with the relevant elements of the Department of State, the Department of Defense, the Federal Bureau of Investigation, the intelligence community, and other departments and agencies of the United States—

“(A) to develop policy recommendations for the President to detect, deter, and respond to foreign threats, including with respect to covert activities pursuant to section 503; and

“(B) to monitor and assess foreign efforts to carry out such threats.

“(4) In coordination with the head of the Global Engagement Center established by section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), to examine current and emerging foreign efforts to use propaganda and information operations relating to the threats described in paragraph (1).
“(5) To identify and close gaps across the departments and agencies of the Federal Government with respect to expertise, readiness, and planning to address foreign threats.

“(c) DIRECTOR.—

“(1) APPOINTMENT.—There is a Director of the Center, who shall be the head of the Center, and who shall be appointed by the Director of National Intelligence, with the concurrence of the Secretary of State. The Director may not simultaneously serve in any other capacity in the executive branch.

“(2) REPORTING.—The Director of the Center shall directly report to the Director of National Intelligence.

“(3) RESPONSIBILITIES.—The Director of the Center shall—

“(A) ensure that the relevant departments and agencies of the Federal Government participate in the mission of the Center, including by recruiting detailees from such departments and agencies in accordance with subsection (e)(1); and

“(B) have primary responsibility within the United States Government, in coordination with the Director of National Intelligence, for estab-
lishing requirements for the collection of intelligence related to, or regarding, foreign threats, in accordance with applicable provisions of law and Executive orders.

“(d) ANNUAL REPORTS.—

“(1) IN GENERAL.—At the direction of the Director of National Intelligence, but not less than once each year, the Director of the Center shall submit to the appropriate congressional committees a report on foreign threats.

“(2) MATTERS INCLUDED.—Each report under paragraph (1) shall include, with respect to the period covered by the report, a discussion of the following:

“(A) The nature of the foreign threats.

“(B) The ability of the United States Government to address such threats.

“(C) The progress of the Center in achieving its missions.

“(D) Recommendations the Director determines necessary for legislative actions to improve the ability of the Center to achieve its missions.
“(3) FORM.—Each report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

“(e) EMPLOYEES.—

“(1) DETAILLES.—Any Federal Government employee may be detailed to the Center on a reimbursable or nonreimbursable basis, and such detail shall be without interruption or loss of civil service status or privilege for a period of not more than 8 years.

“(2) PERSONAL SERVICE CONTRACTORS.—The Director of National Intelligence, in consultation with the Secretary of State, may hire United States citizens or aliens as personal services contractors for purposes of personnel resources of the Center, if—

“(A) the Director of National Intelligence determines that existing personnel resources are insufficient;

“(B) the period in which services are provided by a personal services contractor, including options, does not exceed 3 years, unless the Director of National Intelligence determines that exceptional circumstances justify an extension of up to 1 additional year;
“(C) not more than 10 United States citizens or aliens are employed as personal services contractors under the authority of this paragraph at any time; and

“(D) the authority of this paragraph is only used to obtain specialized skills or experience or to respond to urgent needs.

“(3) Security Clearances.—Each employee detailed to the Center and contractor of the Center shall have the security clearance appropriate for the assigned duties of the employee or contractor.

“(f) Board.—

“(1) Establishment.—There is established a Board of the Foreign Threat Response Center (in this section referred to as the ‘Board’).

“(2) Functions.—The Board shall conduct oversight of the Center to ensure the Center is achieving the missions of the Center. In conducting such oversight, upon a majority vote of the members of the Board, the Board may recommend to the Director of National Intelligence that the Director of the Center should be removed for failing to achieve such missions.

“(3) Membership.—
“(A) APPOINTMENT.—The Board shall consist of 7 members. The head of each department or agency of the Federal Government specified in subparagraph (B) shall appoint a senior official from that department or agency, who shall be a member of the Senior Executive Service, as a member.

“(B) DEPARTMENTS AND AGENCIES REPRESENTED.—The department or agency of the Federal Government specified in this subparagraph are the following:

“(i) The Department of State.
“(ii) The Department of Defense.
“(iii) The Department of Justice.
“(iv) The Department of the Treasury.
“(vi) The Central Intelligence Agency.

“(4) MEETINGS.—The Board shall meet not less than biannually and shall be convened by the member appointed by the Secretary of State.
“(g) INTERNATIONAL ENGAGEMENT.—The Director of the Center may convene biannual conferences to coordinate international efforts against foreign threats.

“(h) TERMINATION.—The Center shall terminate on the date that is 8 years after the date of the enactment of this section.

“(i) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—the term ‘appropriate congressional committees’ means—

“(A) the congressional intelligence committees;

“(B) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and

“(C) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

“(2) FOREIGN THREATS.—The term ‘foreign threats’ means efforts to influence, through overt or covert malign activities, the national security, political sovereignty, or economic activity of the United States or the allies of the United States, made by the government of any of the following foreign countries:
(A) Russia.

(B) Iran.

(C) North Korea.

(D) China.

(E) Any other foreign country that the Director determines appropriate for purposes of this section.”.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of such Act is amended by inserting after the item relating to section 119B the following new item:

“Sec. 119C. Foreign Threat Response Center.”.

(c) CONFORMING AMENDMENT.—Section 507(a) of such Act (50 U.S.C. 3106) is amended by adding at the end the following new paragraph:

“(6) An annual report submitted under section 119C(d)(1).”. 

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