

AMENDMENT NO. _____ Calendar No. _____

Purpose: To require an annual National Counterintelligence Executive report identifying foreign government sponsors of economic or industrial espionage.

IN THE SENATE OF THE UNITED STATES—112th Cong., 2d Sess.

S. 3414

To enhance the security and resiliency of the cyber and communications infrastructure of the United States.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. COBURN

Viz:

1 At the appropriate place, insert the following:

2 **SEC. ____ . ANNUAL REPORT ON FOREIGN GOVERNMENT**

3 **SPONSORS OF ECONOMIC OR INDUSTRIAL ES-**

4 **PIONAGE.**

5 (a) IN GENERAL.—Subject to subsection (c), not
6 later than 180 days after the date of enactment of this
7 Act, and annually thereafter, the National Counterintel-
8 ligence Executive shall submit to Congress, the President,
9 the National Security Council, the Secretary of State, the
10 Secretary of Defense, the Secretary of the Treasury, and
11 the Secretary of Commerce—

1 (1) an unclassified report that contains a list of
2 foreign governments that the National Counterintel-
3 ligence Executive determines engage in, sponsor, or
4 condone economic or industrial espionage against
5 United States businesses or other persons; and

6 (2) a classified report that includes—

7 (A) the report submitted under paragraph
8 (1); and

9 (B) the information upon which the deter-
10 minations of the National Counterintelligence
11 Executive under paragraph (1) are based.

12 (b) INFORMATION.—In preparing a report under sub-
13 section (a), the National Counterintelligence Executive
14 shall rely primarily on information available to the United
15 States Government.

16 (c) REVIEW BY SECRETARY OF STATE.—

17 (1) SUBMISSION OF REPORT FOR REVIEW.—Not
18 later than 30 days before the date on which the Na-
19 tional Counterintelligence Executive submits a re-
20 port required under subsection (a), the National
21 Counterintelligence Executive shall submit the report
22 to the Secretary of State.

23 (2) FEEDBACK.—The Secretary of State may
24 provide feedback to the National Counterintelligence

1 Executive with respect to a report submitted to the
2 Secretary of State under paragraph (1).

3 (3) DELAY.—Upon the request of the Secretary
4 of State, the National Counterintelligence Executive
5 shall delay the submission of a report under sub-
6 section (a) for a period of not more than 60 days.