

(ii) employees of the President under section 105 or 107 of title 3, United States Code (except to the extent otherwise directed by the President);

(iii) the Vice President; or

(iv) employees of the Vice President under section 106 of title 3, United States Code, or an annual legislative branch appropriations Act (except to the extent otherwise directed by the Vice President).

(b) REVIEW AND UPDATING.—

(1) INITIAL REVIEW AND UPDATE OF GUIDANCE.—Not later than 180 days after the date of enactment of this Act, the Director and the Director of the Office shall review and make recommendations to Congress and the President as appropriate to issue guidance to assist agencies in determining—

(A) position sensitivity designation; and

(B) the appropriate background investigation to initiate for each position designation.

(2) REVIEWS AND REVISIONS OF POSITION DESIGNATIONS.—Not less frequently than every 4 years, the President, acting through relevant agencies (as determined by the President) and in accordance with the guidance described in paragraph (1), shall review and, if necessary, revise the position designation of positions within agencies.

(c) REPORTS TO CONGRESS.—Not later than 30 days after completing a review under subsection (b)(2), the President shall submit to the appropriate congressional committees a report on—

(1) any issues identified in the review; and

(2) the number of position designations revised as a result of the review.

(d) NO CHANGE IN AUTHORITY.—Nothing in this section limits or expands the authority of any agency to designate a position as sensitive or as requiring its occupant to have access to classified information.

**SA 2211.** Mr. McCONNELL (for Mr. GRASSLEY) proposed an amendment to the bill S. 1869, to reauthorize and rename the position of Whistleblower Ombudsman to be the Whistleblower Protection Coordinator; as follows:

On page 6, strike lines 1 through 3 and insert the following:

(d) REPEAL OF SUNSET.—

(1) IN GENERAL.—Subsection (c) of section 117 of the Whistleblower Protection Enhancement Act of 2012 (Public Law 112–199; 126 Stat. 1475) is repealed.

(2) RETROACTIVE EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on November 26, 2017.

#### AUTHORITY FOR COMMITTEES TO MEET

Mrs. FISCHER. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

#### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, March 15, 2018, at 9:30 a.m. to conduct a hearing.

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on

Thursday, March 15, 2018, at 10 a.m. to conduct a hearing.

#### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, March 14, 2018, at 10 a.m. to conduct a hearing entitled, "Review of the FY 2019 State Department Budget."

#### THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, March 15, 2018, at 10 a.m. to conduct a hearing entitled "Perspective on the 340B Drug Pricing Program."

#### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, March 15, 2018, at 9:30 a.m., to conduct a hearing.

#### COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, March 14, 2018, at 10 a.m. to conduct a joint hearing.

#### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, March 14, 2018, at 10 a.m. to conduct a hearing on nomination of Lieutenant General Paul M. Nakasone, to be Director of the National Security Agency, Department of Defense.

#### PRIVILEGES OF THE FLOOR

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that Kennis Brady, a member of my staff, be granted floor privileges for the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SECURELY EXPEDITING CLEARANCES THROUGH REPORTING TRANSPARENCY ACT OF 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 264, H.R. 3210.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3210) to require the Director of the National Background Investigations Bureau to submit a report on the backlog of personnel security clearance investigations, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Securely Expediting Clearances Through Reporting Transparency Act of 2017" or the "SECRET Act of 2017".

#### SEC. 2. REPORT ON BACKLOG OF PERSONNEL SECURITY CLEARANCE INVESTIGATIONS.

Not later than 90 days after the date of enactment of this Act, and quarterly thereafter for 5 years, the Director of the National Background Investigations Bureau of the Office of Personnel Management shall submit to Congress a report on the backlog of security clearance investigations that includes, for the most recent full calendar quarter—

(1) the size of the personnel security clearance investigation process backlog, including, for each sensitivity level—

(A) the number of interim clearances granted;

(B) the number of initial investigations for Federal employees;

(C) the number of periodic reinvestigations for Federal employees;

(D) the number of initial investigations for employees of Federal contractors;

(E) the number of periodic reinvestigations for employees of Federal contractors;

(F) the number of initial investigations for employees of, and employees of contractors of, the Department of Defense;

(G) the number of periodic reinvestigations for employees of and employees of contractors of the Department of Defense;

(H) the number of Federal employees conducting background investigations; and

(I) the number of employees of Federal contractors conducting background investigations;

(2) the average length of time, for each sensitivity level, to carry out an initial investigation and a periodic reinvestigation;

(3) a discussion of the factors contributing to the average length of time to carry out an initial investigation and a periodic reinvestigation;

(4) a backlog mitigation plan, which shall include—

(A) the identification of the cause of, and recommendations to remedy, the backlog;

(B) the steps the Director shall take to reduce the backlog;

(C) process reforms to improve efficiencies in, and the quality of, background investigations; and

(D) a projection of when the backlog will be sufficiently reduced to meet required timeliness standards; and

(5) a description of improvements in information and data security.

#### SEC. 3. REPORT ON SECURITY CLEARANCE INVESTIGATIONS OF PERSONNEL OF THE EXECUTIVE OFFICE OF THE PRESIDENT.

Not later than 90 days after the date of enactment of this Act, the Director of the Office of Administration of the Executive Office of the President shall submit to Congress a report that explains the process for conducting and adjudicating security clearance investigations for personnel of the Executive Office of the President, including White House personnel.

#### SEC. 4. REPORT ON DUPLICATIVE COSTS.

Not later than 120 days after the date of enactment of this Act, the Director of the Office of Management and Budget, in consultation with the other members of the Suitability and Security Clearance Performance Accountability Council established under Executive Order 13467 (73 Fed. Reg. 38103), shall submit to Congress a report on the cost of duplicating resources under the control or direction of the National Background Investigations Bureau for implementation of the plan referenced in section 951(a)(1) of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 1564 note).

#### SEC. 5. REPORT ON CONTINUOUS EVALUATION AND RECIPROCITY.

Not later than 120 days after the date of enactment of this Act, the Director of National Intelligence and the Director of the Office of Personnel Management shall submit to Congress a report that provides—

(1) the status of implementing continuous evaluation Governmentwide, including—