

DHS TRADE AND ECONOMIC SECURITY COUNCIL ACT OF 2021

FEBRUARY 1, 2022.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. THOMPSON of Mississippi, from the Committee on Homeland
Security, submitted the following

R E P O R T

[To accompany H.R. 4476]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security, to whom was referred the bill (H.R. 4476) to establish the Department of Homeland Security (DHS) Trade and Economic Security Council and the position of Assistant Secretary for Trade and Economic Security within the Department of Homeland Security, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “DHS Trade and Economic Security Council Act of 2021”.

SEC. 2. DHS TRADE AND ECONOMIC SECURITY COUNCIL.

(a) IN GENERAL.—Subtitle H of title VIII of the Homeland Security Act of 2002 (6 U.S.C. 451 et seq.) is amended by adding at the end the following new section:

“SEC. 890B. DHS TRADE AND ECONOMIC SECURITY COUNCIL.

“(a) ESTABLISHMENT.—There is established in the Department the DHS Trade and Economic Security Council (referred to in this section as the ‘Council’).

“(b) DUTIES OF THE COUNCIL.—The Council shall provide to the Secretary advice and recommendations on matters of trade and economic security, including—

- “(1) identifying concentrated risks for trade and economic security;
- “(2) setting priorities for securing the Nation’s trade and economic security;
- “(3) coordinating Department-wide activity on trade and economic security matters;

“(4) with respect to the President’s continuity of the economy plan under section 9603 of the William M. (Mac) Thornberry National Defense Authorization Act of Fiscal Year 2021;

“(5) proposing statutory and regulatory changes impacting trade and economic security; and

“(6) any other matters the Secretary considers appropriate.

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Council shall be composed of the following members:

“(A) The Assistant Secretary for Trade and Economic Security of the Office of Strategy, Policy, and Plans of the Department.

“(B) An officer or an employee, selected by the Secretary, from each of the following components and offices of the Department:

- “(i) The Cybersecurity and Infrastructure Security Agency.
- “(ii) The Federal Emergency Management Agency.
- “(iii) The Office of Intelligence and Analysis.
- “(iv) The Science and Technology Directorate.
- “(v) United States Citizenship and Immigration Services.
- “(vi) The Coast Guard.
- “(vii) U.S. Customs and Border Protection.
- “(viii) U.S. Immigration and Customs Enforcement.
- “(ix) The Transportation Security Administration.

“(2) CHAIR AND VICE CHAIR.—The Assistant Secretary for Trade and Economic Security shall serve as Chair of the Council. The Assistant Secretary for Trade and Economic Security may designate a Council member as a Vice Chair.

“(d) MEETINGS.—The Council shall meet not less frequently than quarterly, as well as—

- “(1) at the call of the Chair; or
- “(2) at the direction of the Secretary.

“(e) BRIEFINGS.—Not later than 180 days after the date of the enactment of this section and every six months thereafter for four years, the Council shall brief the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the actions and activities of the Council.

“(f) DEFINITION.—In this section, the term ‘economic security’ means the condition of having secure and resilient domestic production capacity combined with reliable access to the global resources necessary to maintain an acceptable standard of living and protect core national values.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 890A the following new item:

“Sec. 890B. DHS Trade and Economic Security Council.”.

SEC. 3. ASSISTANT SECRETARY FOR TRADE AND ECONOMIC SECURITY.

Section 709 of the Homeland Security Act of 2002 (6 U.S.C. 349) is amended—

- (1) by redesignating subsection (g) as subsection (h); and
- (2) by inserting after subsection (f) the following new subsection:

“(g) ASSISTANT SECRETARY FOR TRADE AND ECONOMIC SECURITY.—

“(1) IN GENERAL.—There is within the Office of Strategy, Policy, and Plans an Assistant Secretary for Trade and Economic Security.

“(2) DUTIES.—The Assistant Secretary for Trade and Economic Security shall be responsible for policy formulation regarding matters relating to economic security and trade, as such matters relate to the mission and the operations of the Department.

“(3) ADDITIONAL RESPONSIBILITIES.—In addition to the duties specified in paragraph (2), the Assistant Secretary for Trade and Economic Security shall—

“(A) oversee—

“(i) the activities and enhancements of requirements for supply chain mapping not otherwise assigned by law or by the Secretary to another officer; and

“(ii) assessments and reports to Congress related to critical economic security domains;

“(B) serve as the executive for the Department on the Committee on Foreign Investment in the United States (CFIUS), the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector, and the Federal Acquisition Security Council (in addition to any position on such Council occupied by a representative of the Cybersecurity and Infrastructure Security Agency of the Department);

“(C) coordinate with stakeholders in other Federal departments and agencies and non-governmental entities with trade and economic security interests, authorities, and responsibilities; and

“(D) perform such additional duties as the Secretary or the Under Secretary of Strategy, Policy, and Plans may prescribe.

“(4) DEFINITIONS.—In this subsection:

“(A) CRITICAL ECONOMIC SECURITY DOMAIN.—The term ‘critical economic security domain’ means any infrastructure, industry, technology, or intellectual property (or combination thereof) that is essential for the economic security of the United States.

“(B) ECONOMIC SECURITY.—The term ‘economic security’ has the meaning given such term in section 890B.”.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of Homeland Security \$3,000,000 for each of fiscal years 2022 through 2026 to carry out section 890B and subsection (g) of section 709 of the Homeland Security Act of 2002, as added and inserted, respectively, by sections 2 and 3 of this Act.

PURPOSE AND SUMMARY

H.R. 4476, the “DHS Trade and Economic Security Council Act of 2021” codifies the Department of Homeland Security’s (DHS) Trade and Economic Security Council (“the Council”) as well as the position of Assistant Secretary for Trade and Economic Security within the Office of Strategy, Policy, and Plans. The bill specifies that the Council shall provide the Secretary of Homeland Security advice and recommendations on matters of trade and economic security such as identifying risks, setting priorities, and coordinating Department-wide activity. In addition, the bill outlines the duties and additional responsibilities that the Assistant Secretary for Trade and Economic Security would perform. Finally, the bill authorizes \$3,000,000 for each of fiscal years 2022 through 2026 to conduct these activities.

BACKGROUND AND NEED FOR LEGISLATION

One of DHS’s core missions is to advance American prosperity and economic security long into the future. The prosperity and security of the U.S. are integral to DHS’s homeland security operations in international trade, national transportation systems, maritime activities, and U.S. financial systems. This requires DHS to proactively consider potential threats and vulnerabilities that could be exploited by adversaries or exacerbated during a natural disaster, public health emergency, or other events. The COVID–19 pandemic exposed supply chain vulnerabilities, disrupting our economic security, and illustrated why the U.S. must move away from its dependence on other countries for goods that are critical to the well-being of Americans.

In 2020, DHS's Homeland Security Advisory Council (HSAC) issued a report that found that the supply chain threat to American economic security is growing.¹ Additionally, the DHS 2020 Economic Security Assessment emphasized that COVID-19 "laid bare some growing gaps in the U.S. economy, particularly around manufacturing and supply chains for tangible goods."² The 2020 economic assessment concluded that, to ensure the United States has a secure, resilient, and prosperous economy today, tomorrow, and into the future, it is imperative to proactively mitigate risks in these domains to minimize the opportunity for adversaries to exploit them. In response to a recommendation in the HSAC's 2020 report that seeks to solidify DHS' economic security efforts,³ H.R. 4476 seeks to codify two existing entities within the Department: (1) the DHS Trade and Economic Security Council, and (2) the position of Assistant Secretary for Trade and Economic Security within the Office of Strategy, Policy, and Plans.

HEARINGS

For the purposes of clause 3(c)(6) of rule XIII of the Rules of the House of Representatives, the following hearings were used to develop H.R. 4476:

- On July 15, 2021, the Committee held a hearing entitled "Securing the Homeland: Reforming DHS to Meet Today's Threats." The Committee received testimony from Mr. Tom Warrick, Senior Fellow and Director of the Future of DHS Project, Atlantic Council; Ms. Carrie Cordero, Senior Fellow and General Counsel, Center for a New American Security; Ms. Katrina Mulligan, Acting Vice President, National Security and International Policy, Center for American Progress; and Mr. Frank Cilluffo, Director, McCrory Institute for Cyber and Critical Infrastructure Security.
- On March 17, 2021, the Committee held a hearing entitled, "The Way Forward on Homeland Security." The Committee received testimony from the Honorable Alejandro Mayorkas, Secretary of Homeland Security.
- On February 24, 2021, the Committee held a hearing entitled, "Confronting the Coronavirus: Perspectives on the COVID-19 Pandemic One Year Later." The Committee received testimony from A. Nicole Clowers, Managing Director, Health Care Team, U.S. Government Accountability Office; Crystal Watson, DrPH, Senior Scholar, Johns Hopkins Center for Health Security, Assistant Professor in the Department of Environmental Health and Engineering, Johns Hopkins Bloomberg School of Public Health; Ngozi O. Ezike, MD, Director, Illinois Department of Public Health; and J. Ryan McMahon II, County Executive, Onondaga County, New York.

¹"Final Report: Economic Security Subcommittee," Homeland Security Advisory Council, (Nov. 2020), available at https://www.dhs.gov/sites/default/files/publications/final_economic_security_subcommittee_report_1.pdf.

²"2020 Economic Security Assessment," U.S. Department of Homeland Security, Office of Strategy, Policy, and Plans; Trade and Economic Security, (Jan. 2021), available at https://www.dhs.gov/sites/default/files/publications/21_0111_economic-security-assessment-annual-report.pdf.

³"Final Report: Economic Security Subcommittee," Homeland Security Advisory Council, (Nov. 2020), available at https://www.dhs.gov/sites/default/files/publications/final_economic_security_subcommittee_report_1.pdf.

COMMITTEE CONSIDERATION

The Committee met on October 26, 2021, a quorum being present, to consider H.R. 4476 and ordered the measure to be favorably reported to the House, as amended, by voice vote.

COMMITTEE VOTES

Clause 3(b) of rule XIII requires the Committee to list the recorded votes on the motion to report legislation and amendments thereto.

No recorded votes were requested during consideration of H.R. 4476.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X, are incorporated in the descriptive portions of this report.

CONGRESSIONAL BUDGET OFFICE ESTIMATE, NEW BUDGET
AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

With respect to the requirements of clause 3(c)(2) of rule XIII and section 308(a) of the Congressional Budget Act of 1974, and with respect to the requirements of clause 3(c)(3) of rule XIII and section 402 of the Congressional Budget Act of 1974, the Committee adopts as its own the estimate of any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures contained in the cost estimate prepared by the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, January 27, 2022.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4476, the DHS Trade and Economic Security Council Act of 2021.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Lindsay Wylie.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 4476, DHS Trade and Economic Security Council Act of 2021			
As ordered reported by the House Committee on Homeland Security on October 26, 2021			
By Fiscal Year, Millions of Dollars	2022	2022-2026	2022-2031
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	2	14	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2032?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 4476 would establish a Trade and Economic Security Council within the Department of Homeland Security (DHS). The council would consist of representatives from multiple DHS offices and subagencies and would be responsible for identifying risks to trade and economic security and recommending new policies in those areas. Under the bill, the council would be required to meet at least four times a year and brief the Congress every six months on its activities. H.R. 4476 also would establish the position of Assistant Secretary for Trade and Economic Security within the department, which would be responsible for chairing the council and coordinating DHS activities on trade and economic security.

The bill would authorize the appropriation of \$3 million each year from 2022 to 2026. Using historical patterns of spending for similar programs and assuming appropriation of the authorized amounts, CBO estimates implementing H.R. 4476 would cost DHS about \$14 million over the 2022–2026 period, with the remaining authorized amount spent after 2026.

The CBO staff contact for this estimate is Lindsay Wylie. The estimate was reviewed by Leo Lex, Deputy Director of Budget Analysis.

CORRESPONDENCE WITH OTHER COMMITTEES

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, January 27, 2022.

Hon. BENNIE G. THOMPSON,
*Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.*

DEAR CHAIRMAN THOMPSON: I write concerning H.R. 4476, the “DHS Trade and Economic Security Council Act of 2021,” which was additionally referred to the Committee on Energy and Commerce.

In recognition of the desire to expedite consideration of H.R. 4476, the Committee agrees to waive formal consideration of the bill as to provisions that fall within the Rule X jurisdiction of the Committee. The Committee takes this action with the mutual un-

derstanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues within our jurisdiction. I also request that you support my request to name members of the Committee to any conference committee to consider such provisions.

Finally, I would appreciate the inclusion of this letter into the report on H.R. 4476.

Sincerely,

FRANK PALLONE, JR.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, January 27, 2022.

Hon. FRANK PALLONE, JR.,
*Chairman, Committee on Energy and Commerce,
House of Representatives, Washington, DC.*

DEAR CHAIRMAN PALLONE: Thank you for your letter regarding H.R. 4476, the “DHS Trade and Economic Security Council Act of 2021.” I recognize that the Committee on Energy and Commerce has a jurisdictional interest in H.R. 4476, and I appreciate your effort to allow this bill to be considered on the House floor.

I concur with you that forgoing action on the bill does not in any way prejudice the Committee on Energy and Commerce with respect to its jurisdictional prerogatives on this bill or similar legislation in the future, and I would support your effort to seek appointment of an appropriate number of conferees to any House–Senate conference involving this legislation.

I will include our letters on H.R. 4476 in the Committee report on this measure and in the *Congressional Record* during floor consideration of this bill. I look forward to working with you on this legislation and other matters of great importance to this Nation.

Sincerely,

BENNIE G. THOMPSON,
Chairman.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

DUPLICATIVE FEDERAL PROGRAMS

Pursuant to clause 3(c) of rule XIII, the Committee finds that H.R. 4476 does not contain any provision that establishes or reauthorizes a program known to be duplicative of another Federal program.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the objective of H.R. 4476 is to solidify DHS’ efforts to address supply chain vulnerabilities and support the Nation’s economic security by codifying two exist-

ing entities within the Department: (1) the DHS Trade and Economic Security Council, and (2) the position of Assistant Secretary for Trade and Economic Security within the Office of Strategy, Policy, and Plans.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with rule XXI, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that H.R. 4476 does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short Title.

This section states that the Act may be cited as the “DHS Trade and Economic Security Council Act of 2021”.

Sec. 2. DHS Trade and Economic Security Council.

This section amends the Homeland Security Act of 2002 by adding a new section entitled, “DHS Trade and Economic Security Council.” This section establishes a Trade and Economic Security Council within the Department. This section details the duties of the Council, outlines membership requirements, names the Assistant Secretary for Trade and Economic Security as the Chair, and establishes when the Council shall meet. In addition, this section requires the Council to brief the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the activities and actions of the Council not later than 180 days after enactment of this Act.

Sec. 3. Assistant Secretary for Trade and Economic Security.

This section requires that one of the Assistant Secretaries within the Office of Strategy, Policy, and Plans shall be an Assistant Secretary for Trade and Economic Security. This section also delineates the duties and additional responsibilities of the Assistant Secretary for Trade and Economic Security to include: overseeing activities related to supply chain mapping, serving as the Department’s representative on the Committee on Foreign Investment in the United States, and coordinating with stakeholders.

Sec. 4. Authorization of Appropriations.

This section authorizes \$3,000,000 for each of fiscal years 2022 through 2026 to carry out the activities in section 890B and subsection (g) of section 709 of the Homeland Security Act of 2002.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

HOMELAND SECURITY ACT OF 2002

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Homeland Security Act of 2002”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

* * * * *

TITLE VIII—COORDINATION WITH NON-FEDERAL ENTITIES; INSPECTOR GENERAL; UNITED STATES SECRET SERVICE; COAST GUARD; GENERAL PROVISIONS

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Subtitle H—Miscellaneous Provisions

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Sec. 890B. DHS Trade and Economic Security Council.

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TITLE VII—MANAGEMENT

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SEC. 709. OFFICE OF STRATEGY, POLICY, AND PLANS.

(a) **IN GENERAL.**—There is established in the Department an Office of Strategy, Policy, and Plans.

(b) **HEAD OF OFFICE.**—The Office of Strategy, Policy, and Plans shall be headed by an Under Secretary for Strategy, Policy, and Plans, who shall serve as the principal policy advisor to the Secretary. The Under Secretary for Strategy, Policy, and Plans shall be appointed by the President, by and with the advice and consent of the Senate.

(c) **FUNCTIONS.**—The Under Secretary for Strategy, Policy, and Plans shall—

(1) lead, conduct, and coordinate Department-wide policy development and implementation and strategic planning;

(2) develop and coordinate policies to promote and ensure quality, consistency, and integration for the programs, components, offices, and activities across the Department;

(3) develop and coordinate strategic plans and long-term goals of the Department with risk-based analysis and planning to improve operational mission effectiveness, including consultation with the Secretary regarding the quadrennial homeland security review under section 707;

(4) manage Department leadership councils and provide analytics and support to such councils;

(5) manage international coordination and engagement for the Department;

(6) review and incorporate, as appropriate, external stakeholder feedback into Department policy; and

(7) carry out such other responsibilities as the Secretary determines appropriate.

(d) DEPUTY UNDER SECRETARY.—

(1) IN GENERAL.—The Secretary may—

(A) establish within the Office of Strategy, Policy, and Plans a position of Deputy Under Secretary to support the Under Secretary for Strategy, Policy, and Plans in carrying out the Under Secretary’s responsibilities; and

(B) appoint a career employee to such position.

(2) LIMITATION ON ESTABLISHMENT OF DEPUTY UNDER SECRETARY POSITIONS.—A Deputy Under Secretary position (or any substantially similar position) within the Office of Strategy, Policy, and Plans may not be established except for the position provided for by paragraph (1), unless the Secretary receives prior authorization from Congress.

(3) DEFINITIONS.—For purposes of paragraph (1)—

(A) the term “career employee” means any employee (as such term is defined in section 2105 of title 5, United States Code), but does not include a political appointee; and

(B) the term “political appointee” means any employee who occupies a position which has been excepted from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character.

(e) COORDINATION BY DEPARTMENT COMPONENTS.—To ensure consistency with the policy priorities of the Department, the head of each component of the Department shall coordinate with the Office of Strategy, Policy, and Plans in establishing or modifying policies or strategic planning guidance with respect to each such component.

(f) HOMELAND SECURITY STATISTICS AND JOINT ANALYSIS.—

(1) HOMELAND SECURITY STATISTICS.—The Under Secretary for Strategy, Policy, and Plans shall—

(A) establish standards of reliability and validity for statistical data collected and analyzed by the Department;

(B) be provided by the heads of all components of the Department with statistical data maintained by the Department regarding the operations of the Department;

(C) conduct or oversee analysis and reporting of such data by the Department as required by law or as directed by the Secretary; and

(D) ensure the accuracy of metrics and statistical data provided to Congress.

(2) TRANSFER OF RESPONSIBILITIES.—There shall be transferred to the Under Secretary for Strategy, Policy, and Plans the maintenance of all immigration statistical information of U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and United States Citizenship and Immigration Services, which shall include information and statistics of the type contained in the publication entitled “Yearbook of Immigration Statistics” prepared by the Office of Immigra-

tion Statistics, including region-by-region statistics on the aggregate number of applications and petitions filed by an alien (or filed on behalf of an alien) and denied, and the reasons for such denials, disaggregated by category of denial and application or petition type.

(g) *ASSISTANT SECRETARY FOR TRADE AND ECONOMIC SECURITY.*—

(1) *IN GENERAL.*—*There is within the Office of Strategy, Policy, and Plans an Assistant Secretary for Trade and Economic Security.*

(2) *DUTIES.*—*The Assistant Secretary for Trade and Economic Security shall be responsible for policy formulation regarding matters relating to economic security and trade, as such matters relate to the mission and the operations of the Department.*

(3) *ADDITIONAL RESPONSIBILITIES.*—*In addition to the duties specified in paragraph (2), the Assistant Secretary for Trade and Economic Security shall—*

(A) *oversee—*

(i) *the activities and enhancements of requirements for supply chain mapping not otherwise assigned by law or by the Secretary to another officer; and*

(ii) *assessments and reports to Congress related to critical economic security domains;*

(B) *serve as the executive for the Department on the Committee on Foreign Investment in the United States (CFIUS), the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector, and the Federal Acquisition Security Council (in addition to any position on such Council occupied by a representative of the Cybersecurity and Infrastructure Security Agency of the Department);*

(C) *coordinate with stakeholders in other Federal departments and agencies and non-governmental entities with trade and economic security interests, authorities, and responsibilities; and*

(D) *perform such additional duties as the Secretary or the Under Secretary of Strategy, Policy, and Plans may prescribe.*

(4) *DEFINITIONS.*—*In this subsection:*

(A) *CRITICAL ECONOMIC SECURITY DOMAIN.*—*The term “critical economic security domain” means any infrastructure, industry, technology, or intellectual property (or combination thereof) that is essential for the economic security of the United States.*

(B) *ECONOMIC SECURITY.*—*The term “economic security” has the meaning given such term in section 890B.*

[(g)] (h) *LIMITATION.*—*Nothing in this section overrides or otherwise affects the requirements specified in section 888.*

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TITLE VIII—COORDINATION WITH NON-FEDERAL ENTITIES; INSPECTOR GENERAL; UNITED STATES SECRET SERVICE; COAST GUARD; GENERAL PROVISIONS

* * * * *

Subtitle H—Miscellaneous Provisions

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SEC. 890B. DHS TRADE AND ECONOMIC SECURITY COUNCIL.

(a) *ESTABLISHMENT.*—*There is established in the Department the DHS Trade and Economic Security Council (referred to in this section as the “Council”).*

(b) *DUTIES OF THE COUNCIL.*—*The Council shall provide to the Secretary advice and recommendations on matters of trade and economic security, including—*

(1) identifying concentrated risks for trade and economic security;

(2) setting priorities for securing the Nation’s trade and economic security;

(3) coordinating Department-wide activity on trade and economic security matters;

(4) with respect to the President’s continuity of the economy plan under section 9603 of the William M. (Mac) Thornberry National Defense Authorization Act of Fiscal Year 2021;

(5) proposing statutory and regulatory changes impacting trade and economic security; and

(6) any other matters the Secretary considers appropriate.

(c) *MEMBERSHIP.*—

(1) IN GENERAL.—*The Council shall be composed of the following members:*

(A) The Assistant Secretary for Trade and Economic Security of the Office of Strategy, Policy, and Plans of the Department.

(B) An officer or an employee, selected by the Secretary, from each of the following components and offices of the Department:

(i) The Cybersecurity and Infrastructure Security Agency.

(ii) The Federal Emergency Management Agency.

(iii) The Office of Intelligence and Analysis.

(iv) The Science and Technology Directorate.

(v) United States Citizenship and Immigration Services.

(vi) The Coast Guard.

(vii) U.S. Customs and Border Protection.

(viii) U.S. Immigration and Customs Enforcement.

(ix) The Transportation Security Administration.

(2) CHAIR AND VICE CHAIR.—*The Assistant Secretary for Trade and Economic Security shall serve as Chair of the Coun-*

cil. The Assistant Secretary for Trade and Economic Security may designate a Council member as a Vice Chair.

(d) MEETINGS.—The Council shall meet not less frequently than quarterly, as well as—

(1) at the call of the Chair; or

(2) at the direction of the Secretary.

(e) BRIEFINGS.—Not later than 180 days after the date of the enactment of this section and every six months thereafter for four years, the Council shall brief the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the actions and activities of the Council.

(f) DEFINITION.—In this section, the term “economic security” means the condition of having secure and resilient domestic production capacity combined with reliable access to the global resources necessary to maintain an acceptable standard of living and protect core national values.

* * * * *

