

year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . NATIONAL BIODEFENSE ANALYSIS AND COUNTERMEASURES CENTER.**

(a) IN GENERAL.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended by adding at the end the following:

**“SEC. 324. NATIONAL BIODEFENSE ANALYSIS AND COUNTERMEASURES CENTER.**

“(a) IN GENERAL.—The Secretary, acting through the Under Secretary for Science and Technology, shall designate the laboratory described in subsection (b) as an additional laboratory pursuant to the authority under section 308(c)(2), which shall be the lead Federal facility dedicated to defending the United States against biological threats by—

“(1) understanding the risks posed by intentional, accidental, and natural biological events; and

“(2) providing the operational capabilities to support the investigation, prosecution, and prevention of biocrimes and bioterrorism.

“(b) LABORATORY DESCRIBED.—The laboratory described in this subsection may be a federally funded research and development center—

“(1) known, as of the date of enactment of this section, as the National Biodefense Analysis and Countermeasures Center;

“(2) that may include—

“(A) the National Bioforensic Analysis Center, which conducts technical analyses in support of Federal law enforcement investigations; and

“(B) the National Biological Threat Characterization Center, which conducts experiments and studies to better understand biological vulnerabilities and hazards; and

“(3) transferred to the Department pursuant to subparagraphs (A), (D), and (F) of section 303(1) and section 303(2).

“(c) LABORATORY ACTIVITIES.—The National Biodefense Analysis and Countermeasures Center shall—

“(1) conduct studies and experiments to better understand current and future biological threats and hazards and pandemics;

“(2) provide the scientific data required to assess vulnerabilities, conduct risk assessments, and determine potential impacts to guide the development of countermeasures;

“(3) conduct and facilitate the technical forensic analysis and interpretation of materials recovered following a biological attack, or in other law enforcement investigations requiring evaluation of biological materials, in support of the appropriate lead Federal agency;

“(4) coordinate with other national laboratories to enhance research capabilities, share lessons learned, and provide training more efficiently;

“(5) collaborate with the Homeland Security Enterprise, as defined in section 2200, to plan and conduct research to address gaps and needs in biodefense; and

“(6) carry out other such activities as the Secretary determines appropriate.

“(d) WORK FOR OTHERS.—The National Biodefense Analysis and Countermeasures Center shall engage in a continuously operating Work for Others program to make the unique biocontainment and bioforensic capabilities of the National Biodefense Analysis and Countermeasures Center available to other Federal agencies.

“(e) FACILITY REPAIR AND ROUTINE EQUIPMENT REPLACEMENT.—The National Biodefense Analysis and Countermeasures Center shall—

“(1) perform regularly scheduled and required maintenance of laboratory infrastructure; and

“(2) procure mission-critical equipment and capability upgrades.

“(f) FACILITY MISSION NEEDS ASSESSMENT.—

“(1) IN GENERAL.—To address capacity concerns and accommodate future mission needs and advanced capabilities, the Under Secretary for Science and Technology shall conduct a mission needs assessment, to include scoping for potential future needs or expansion, of the National Biodefense Analysis and Countermeasures Center.

“(2) SUBMISSION.—Not later than 120 days after the date of enactment of this section, the Under Secretary for Science and Technology shall provide the assessment conducted under paragraph (1) to—

“(A) the Committee on Homeland Security and Governmental Affairs and the Subcommittee on Homeland Security Appropriations of the Committee on Appropriations of the Senate; and

“(B) the Committee on Homeland Security and the Subcommittee on Homeland Security Appropriations of the House of Representatives.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to support the activities of the laboratory designated under this section.

“(h) RULE OF CONSTRUCTION.—Nothing in this section may be construed as affecting in any manner the authorities or responsibilities of the Countering Weapons of Mass Destruction Office of the Department.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by inserting after the item relating to section 323 the following:

“Sec. 324. National Biodefense Analysis and Countermeasures Center.”.

**SA 705.** Mr. CARDIN (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

**Subtitle H—Combating Global Corruption**

**SEC. 12990. SHORT TITLE.**

This subtitle may be cited as the “Combating Global Corruption Act”.

**SEC. 1299P. DEFINITIONS.**

In this subtitle:

(1) CORRUPT ACTOR.—The term “corrupt actor” means—

(A) any foreign person or entity that is a government official or government entity responsible for, or complicit in, an act of corruption; and

(B) any company, in which a person or entity described in subparagraph (A) has a significant stake, which is responsible for, or complicit in, an act of corruption.

(2) CORRUPTION.—The term “corruption” means the unlawful exercise of entrusted public power for private gain, including by bribery, nepotism, fraud, or embezzlement.

(3) SIGNIFICANT CORRUPTION.—The term “significant corruption” means corruption committed at a high level of government that has some or all of the following characteristics:

(A) Illegitimately distorts major decision-making, such as policy or resource deter-

minations, or other fundamental functions of governance.

(B) Involves economically or socially large-scale government activities.

**SEC. 1299Q. PUBLICATION OF TIERED RANKING LIST.**

(a) IN GENERAL.—The Secretary of State shall annually publish, on a publicly accessible website, a tiered ranking of all foreign countries.

(b) TIER 1 COUNTRIES.—A country shall be ranked as a tier 1 country in the ranking published under subsection (a) if the government of such country is complying with the minimum standards set forth in section 1299R.

(c) TIER 2 COUNTRIES.—A country shall be ranked as a tier 2 country in the ranking published under subsection (a) if the government of such country is making efforts to comply with the minimum standards set forth in section 1299R, but is not achieving the requisite level of compliance to be ranked as a tier 1 country.

(d) TIER 3 COUNTRIES.—A country shall be ranked as a tier 3 country in the ranking published under subsection (a) if the government of such country is making de minimis or no efforts to comply with the minimum standards set forth in section 1299R.

**SEC. 1299R. MINIMUM STANDARDS FOR THE ELIMINATION OF CORRUPTION AND ASSESSMENT OF EFFORTS TO COMBAT CORRUPTION.**

(a) IN GENERAL.—The government of a country is complying with the minimum standards for the elimination of corruption if the government—

(1) has enacted and implemented laws and established government structures, policies, and practices that prohibit corruption, including significant corruption;

(2) enforces the laws described in paragraph (1) by punishing any person who is found, through a fair judicial process, to have violated such laws;

(3) prescribes punishment for significant corruption that is commensurate with the punishment prescribed for serious crimes; and

(4) is making serious and sustained efforts to address corruption, including through prevention.

(b) FACTORS FOR ASSESSING GOVERNMENT EFFORTS TO COMBAT CORRUPTION.—In determining whether a government is making serious and sustained efforts to address corruption, the Secretary of State shall consider, to the extent relevant or appropriate, factors such as—

(1) whether the government of the country has criminalized corruption, investigates and prosecutes acts of corruption, and convicts and sentences persons responsible for such acts over which it has jurisdiction, including, as appropriate, incarcerating individuals convicted of such acts;

(2) whether the government of the country vigorously investigates, prosecutes, convicts, and sentences public officials who participate in or facilitate corruption, including nationals of the country who are deployed in foreign military assignments, trade delegations abroad, or other similar missions, who engage in or facilitate significant corruption;

(3) whether the government of the country has adopted measures to prevent corruption, such as measures to inform and educate the public, including potential victims, about the causes and consequences of corruption;

(4) what steps the government of the country has taken to prohibit government officials from participating in, facilitating, or condoning corruption, including the investigation, prosecution, and conviction of such officials;

(5) the extent to which the country provides access, or, as appropriate, makes adequate resources available, to civil society organizations and other institutions to combat corruption, including reporting, investigating, and monitoring;

(6) whether an independent judiciary or judicial body in the country is responsible for, and effectively capable of, deciding corruption cases impartially, on the basis of facts and in accordance with the law, without any improper restrictions, influences, inducements, pressures, threats, or interferences (direct or indirect);

(7) whether the government of the country is assisting in international investigations of transnational corruption networks and in other cooperative efforts to combat significant corruption, including, as appropriate, cooperating with the governments of other countries to extradite corrupt actors;

(8) whether the government of the country recognizes the rights of victims of corruption, ensures their access to justice, and takes steps to prevent victims from being further victimized or persecuted by corrupt actors, government officials, or others;

(9) whether the government of the country protects victims of corruption or whistleblowers from reprisal due to such persons having assisted in exposing corruption, and refrains from other discriminatory treatment of such persons;

(10) whether the government of the country is willing and able to recover and, as appropriate, return the proceeds of corruption;

(11) whether the government of the country is taking steps to implement financial transparency measures in line with the Financial Action Task Force recommendations, including due diligence and beneficial ownership transparency requirements;

(12) whether the government of the country is facilitating corruption in other countries in connection with state-directed investment, loans or grants for major infrastructure, or other initiatives; and

(13) such other information relating to corruption as the Secretary of State considers appropriate.

(C) **ASSESSING GOVERNMENT EFFORTS TO COMBAT CORRUPTION IN RELATION TO RELEVANT INTERNATIONAL COMMITMENTS.**—In determining whether a government is making serious and sustained efforts to address corruption, the Secretary of State shall consider the government of a country's compliance with the following, as relevant:

(1) The Inter-American Convention against Corruption of the Organization of American States, done at Caracas March 29, 1996.

(2) The Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of the Organisation of Economic Co-operation and Development, done at Paris December 21, 1997 (commonly referred to as the "Anti-Bribery Convention").

(3) The United Nations Convention against Transnational Organized Crime, done at New York November 15, 2000.

(4) The United Nations Convention against Corruption, done at New York October 31, 2003.

(5) Such other treaties, agreements, and international standards as the Secretary of State considers appropriate.

**SEC. 1299S. IMPOSITION OF SANCTIONS UNDER GLOBAL MAGNITSKY HUMAN RIGHTS ACCOUNTABILITY ACT.**

(a) **IN GENERAL.**—The Secretary of State, in coordination with the Secretary of the Treasury, should evaluate whether there are foreign persons engaged in significant corruption for the purposes of potential imposition of sanctions under the Global Magnitsky Human Rights Accountability

Act (subtitle F of title XII of Public Law 114-328; 22 U.S.C. 2656 note)—

(1) in all countries identified as tier 3 countries under section 1299Q(d); or

(2) in relation to the planning or construction or any operation of the Nord Stream 2 pipeline.

(b) **REPORT REQUIRED.**—Not later than 180 days after publishing the list required by section 1299Q(a) and annually thereafter, the Secretary of State shall submit to the committees specified in subsection (e) a report that includes—

(1) a list of foreign persons with respect to which the President imposed sanctions pursuant to the evaluation under subsection (a);

(2) the dates on which such sanctions were imposed;

(3) the reasons for imposing such sanctions; and

(4) a list of all foreign persons that have been engaged in significant corruption in relation to the planning, construction, or operation of the Nord Stream 2 pipeline.

(c) **FORM OF REPORT.**—Each report required by subsection (b) shall be submitted in unclassified form but may include a classified annex.

(d) **BRIEFING IN LIEU OF REPORT.**—The Secretary of State, in coordination with the Secretary of the Treasury, may (except with respect to the list required by subsection (b)(4)) provide a briefing to the committees specified in subsection (e) instead of submitting a written report required under subsection (b), if doing so would better serve existing United States anti-corruption efforts or the national interests of the United States.

(e) **TERMINATION OF REQUIREMENTS RELATING TO NORD STREAM 2.**—The requirements under subsections (a)(2) and (b)(4) shall terminate on the date that is 5 years after the date of the enactment of this Act.

(f) **COMMITTEES SPECIFIED.**—The committees specified in this subsection are—

(1) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on the Judiciary of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Financial Services, and the Committee on the Judiciary of the House of Representatives.

**SEC. 1299T. DESIGNATION OF EMBASSY ANTI-CORRUPTION POINTS OF CONTACT.**

(a) **IN GENERAL.**—The Secretary of State shall annually designate an anti-corruption point of contact at the United States diplomatic post to each country identified as tier 2 or tier 3 under section 1299Q, or which the Secretary otherwise determines is in need of such a point of contact. The point of contact shall be the chief of mission or the chief of mission's designee.

(b) **RESPONSIBILITIES.**—Each anti-corruption point of contact designated under subsection (a) shall be responsible for enhancing coordination and promoting the implementation of a whole-of-government approach among the relevant Federal departments and agencies undertaking efforts to—

(1) promote good governance in foreign countries; and

(2) enhance the ability of such countries—

(A) to combat public corruption; and

(B) to develop and implement corruption risk assessment tools and mitigation strategies.

(c) **TRAINING.**—The Secretary of State shall implement appropriate training for anti-corruption points of contact designated under subsection (a).

**SA 706.** Mr. PETERS (for himself and Mr. LANKFORD) submitted an amend-

ment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, the following:

**DIVISION F—COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

**TITLE LX—FEDERAL DATA AND INFORMATION SECURITY**

**Subtitle A—Federal Information Security Modernization Act of 2023**

**SECTION 6001. SHORT TITLE.**

(a) **SHORT TITLE.**—This subtitle may be cited as the "Federal Information Security Modernization Act of 2023".

**SEC. 6002. DEFINITIONS.**

In this subtitle, unless otherwise specified:

(1) **AGENCY.**—The term "agency" has the meaning given the term in section 3502 of title 44, United States Code.

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term "appropriate congressional committees" means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Oversight and Accountability of the House of Representatives; and

(C) the Committee on Homeland Security of the House of Representatives.

(3) **AWARDEE.**—The term "awardee" has the meaning given the term in section 3591 of title 44, United States Code, as added by this subtitle.

(4) **CONTRACTOR.**—The term "contractor" has the meaning given the term in section 3591 of title 44, United States Code, as added by this subtitle.

(5) **DIRECTOR.**—The term "Director" means the Director of the Office of Management and Budget.

(6) **FEDERAL INFORMATION SYSTEM.**—The term "Federal information system" has the meaning given the term in section 3591 of title 44, United States Code, as added by this subtitle.

(7) **INCIDENT.**—The term "incident" has the meaning given the term in section 3552(b) of title 44, United States Code.

(8) **NATIONAL SECURITY SYSTEM.**—The term "national security system" has the meaning given the term in section 3552(b) of title 44, United States Code.

(9) **PENETRATION TEST.**—The term "penetration test" has the meaning given the term in section 3552(b) of title 44, United States Code, as amended by this subtitle.

(10) **THREAT HUNTING.**—The term "threat hunting" means proactively and iteratively searching systems for threats and vulnerabilities, including threats or vulnerabilities that may evade detection by automated threat detection systems.

(11) **ZERO TRUST ARCHITECTURE.**—The term "zero trust architecture" has the meaning given the term in Special Publication 800-207 of the National Institute of Standards and Technology, or any successor document.

**SEC. 6003. AMENDMENTS TO TITLE 44.**

(a) **SUBCHAPTER I AMENDMENTS.**—Subchapter I of chapter 35 of title 44, United States Code, is amended—

(1) in section 3504—

(A) in subsection (a)(1)(B)—

(i) by striking clause (v) and inserting the following:

"(v) privacy, confidentiality, disclosure, and sharing of information;"

(ii) by redesignating clause (vi) as clause (vii); and