

117TH CONGRESS
2D SESSION

H. R. 4476

IN THE SENATE OF THE UNITED STATES

APRIL 6, 2022

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

2 This Act may be cited as the “DHS Trade and Eco-
3 nomic Security Council Act of 2021”.

(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:

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

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

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

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

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

5 “(c) MEMBERSHIP.—

6 “(1) IN GENERAL.—The Council shall be com-
7 posed of the following members:

8 “(A) The Assistant Secretary for Trade
9 and Economic Security of the Office of Strat-
10 egy, Policy, and Plans of the Department.

11 “(B) An officer or an employee, selected by
12 the Secretary, from each of the following com-
13 ponents and offices of the Department:

14 “(i) The Cybersecurity and Infra-
15 structure Security Agency.

16 “(ii) The Federal Emergency Manage-
17 ment Agency.

18 “(iii) The Office of Intelligence and
19 Analysis.

20 “(iv) The Science and Technology Di-
21 rectorate.

22 “(v) United States Citizenship and
23 Immigration Services.

24 “(vi) The Coast Guard.

1 “(vii) U.S. Customs and Border Pro-
2 tection.

3 “(viii) U.S. Immigration and Customs
4 Enforcement.

5 “(ix) The Transportation Security Ad-
6 ministration.

7 “(2) CHAIR AND VICE CHAIR.—The Assistant
8 Secretary for Trade and Economic Security shall
9 serve as Chair of the Council. The Assistant Sec-
10 retary for Trade and Economic Security may des-
11 ignate a Council member as a Vice Chair.

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

14 “(1) at the call of the Chair; or

15 “(2) at the direction of the Secretary.

16 “(e) BRIEFINGS.—Not later than 180 days after the
17 date of the enactment of this section and every six months
18 thereafter for four years, the Council shall brief the Com-
19 mittee on Homeland Security of the House of Representa-
20 tives and the Committee on Homeland Security and Gov-
21 ernmental Affairs of the Senate on the actions and activi-
22 ties of the Council.

23 “(f) DEFINITION.—In this section, the term ‘eco-
24 nomic security’ means the condition of having secure and
25 resilient domestic production capacity combined with reli-

1 able access to the global resources necessary to maintain
 2 an acceptable standard of living and protect core national
 3 values.”.

4 (b) CLERICAL AMENDMENT.—The table of contents
 5 in section 1(b) of the Homeland Security Act of 2002 is
 6 amended by inserting after the item relating to section
 7 890A the following new item:

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

8 **SEC. 3. ASSISTANT SECRETARY FOR TRADE AND ECONOMIC**
 9 **SECURITY.**

10 Section 709 of the Homeland Security Act of 2002
 11 (6 U.S.C. 349) is amended—

12 (1) by redesignating subsection (g) as sub-
 13 section (h); and

14 (2) by inserting after subsection (f) the fol-
 15 lowing new subsection:

16 “(g) ASSISTANT SECRETARY FOR TRADE AND ECO-
 17 NOMIC SECURITY.—

18 “(1) IN GENERAL.—There is within the Office
 19 of Strategy, Policy, and Plans an Assistant Sec-
 20 retary for Trade and Economic Security.

21 “(2) DUTIES.—The Assistant Secretary for
 22 Trade and Economic Security shall be responsible
 23 for policy formulation regarding matters relating to
 24 economic security and trade, as such matters relate

1 to the mission and the operations of the Depart-
2 ment.

3 “(3) ADDITIONAL RESPONSIBILITIES.—In addi-
4 tion to the duties specified in paragraph (2), the As-
5 sistant Secretary for Trade and Economic Security
6 shall—

7 “(A) oversee—

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

12 “(ii) assessments and reports to Con-
13 gress related to critical economic security
14 domains;

15 “(B) serve as the executive for the Depart-
16 ment on the Committee on Foreign Investment
17 in the United States (CFIUS), the Committee
18 for the Assessment of Foreign Participation in
19 the United States Telecommunications Services
20 Sector, and the Federal Acquisition Security
21 Council (in addition to any position on such
22 Council occupied by a representative of the Cy-
23 bersecurity and Infrastructure Security Agency
24 of the Department);

1 “(C) coordinate with stakeholders in other
2 Federal departments and agencies and non-gov-
3 ernmental entities with trade and economic se-
4 curity interests, authorities, and responsibilities;
5 and

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

9 “(4) DEFINITIONS.—In this subsection:

10 “(A) CRITICAL ECONOMIC SECURITY DO-
11 MAIN.—The term ‘critical economic security do-
12 main’ means any infrastructure, industry, tech-
13 nology, or intellectual property (or combination
14 thereof) that is essential for the economic secu-
15 rity of the United States.

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

19 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated to the Sec-
21 retary of Homeland Security \$3,000,000 for each of fiscal
22 years 2022 through 2026 to carry out section 890B and
23 subsection (g) of section 709 of the Homeland Security

1 Act of 2002, as added and inserted, respectively, by sec-
2 tions 2 and 3 of this Act.

Passed the House of Representatives April 5, 2022.

Attest: CHERYL L. JOHNSON,
Clerk.