

## **SEC. 1699B. COMMISSION TO ASSESS THE THREAT TO THE UNITED STATES FROM ELECTROMAGNETIC PULSE ATTACKS AND EVENTS.**

(a) Establishment.—There is hereby established a commission to be known as the “Commission to Assess the Threat to the United States from Electromagnetic Pulse Attacks and Events” (hereafter in this section referred to as the “Commission”). The purpose of the Commission is to assess and make recommendations with respect to the threat to the United States from electromagnetic pulse attacks and events.

### **(b) Composition.—**

(1) MEMBERSHIP.—The Commission shall be composed of 12 members appointed as follows:

(A) Three members appointed by the chair of the Committee on Armed Services of the House of Representatives.

(B) Three members appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.

(C) Three members appointed by the chair of the Committee on Armed Services of the Senate.

(D) Three members appointed by the ranking minority member of the Committee on Armed Services of the Senate.

### **(2) CHAIR AND VICE CHAIR.—**

(A) CHAIR.—The chair of the Committee on Armed Services of the House of Representative and the chair of the Committee on Armed Services of the Senate shall jointly designate one member of the Commission to serve as chair of the Commission.

(B) VICE CHAIR.—The ranking minority member of the Committee on Armed Services of the House of Representative and the ranking minority member of the Committee on Armed Services of the Senate shall jointly designate one member of the Commission to serve as vice chair of the Commission.

(3) SECURITY CLEARANCE REQUIRED.—Each individual appointed as a member of the Commission shall possess (or have recently possessed before the date of such appointment) the appropriate security clearance necessary to carry out the duties of the Commission.

(4) QUALIFICATION.—Members of the Commission shall be appointed from among private United States citizens with knowledge and expertise in the scientific, technical, and defense aspects of electromagnetic pulse threats and vulnerabilities.

(5) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall be filled in the same manner as the original appointment.

### **(c) Duties.—**

(1) REVIEW AND ASSESSMENT.—The Commission shall review and assess—

(A) the nature, magnitude, and likelihood of potential electromagnetic pulse (hereafter in section referred to as “EMP”) attacks and events, both manmade and natural, that could be directed at or affect the United States within the next 20 years;

(B) the vulnerability of United States military and civilian systems to EMP attacks and events, including with respect to emergency preparedness and immediate response;

(C) the capability of the United States to repair and recover from damage inflicted on United States military and civilian systems by EMP attacks and events; and

(D) the feasibility and cost of hardening critical military and civilian systems against EMP attack and events.

(2) RECOMMENDATIONS.—The Commission shall recommend any actions it believes should be taken by the United States to better prepare, prevent, mitigate, or recover military and civilian systems with respect to EMP attacks and events.

(d) Cooperation From Government.—

(1) COOPERATION.—In carrying out its duties, the Commission shall receive the full and timely cooperation of the Secretary of Defense and the pertinent heads of any other Federal agency in providing the Commission with analysis, briefings, and other information necessary for the fulfillment of its responsibilities.

(2) LIAISON.—The Secretary shall designate at least one officer or employee of the Department of Defense to serve as a liaison officer between the Department and the Commission.

(e) Report.—

(1) FINAL REPORT.—

(A) IN GENERAL.—Not later than December 1, 2018, the Commission shall submit to the President, the Secretary of Defense, the Committee on Armed Services of the House of Representatives, and the Committee on Armed Services of the Senate a report on the findings, conclusions, and recommendations of the Commission.

(B) FORM OF REPORT.—The report submitted to Congress under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(2) VIEWS OF THE SECRETARY.—Not later than 90 days after the submittal of the report under paragraph (1), the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report that contains the views of the Secretary with respect to the findings, conclusions, and recommendations of the Commission and any actions the Secretary intends to take as a result.

(3) INTERIM BRIEFING.—Not later than June 1, 2018, the Commission shall provide to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a briefing on the status of the activities of the Commission, including a discussion of any interim recommendations.

(f) Funding.—Of the amounts authorized to be appropriated by this Act for the Department of Defense, \$3,000,000 is available to fund the activities of the Commission, as specified in the funding tables in division D.

(g) Application Of Federal Advisory Committee Act.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(h) Termination.—The Commission shall terminate three months after the date on which the Secretary of Defense submits the report under subsection (e)(2).

(i) Repeal.—Title XIV of Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 ([Public Law 106–398](#)) is repealed.