

115TH CONGRESS
1ST SESSION

S. 291

To amend the National Security Act of 1947 to modify the requirements for membership in the National Security Council and cabinet-level policy forum, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 2, 2017

Mr. WARNER (for himself, Mr. LEAHY, Mr. MERKLEY, Mr. HEINRICH, Mrs. FEINSTEIN, and Ms. HARRIS) introduced the following bill; which was read twice and referred to the Select Committee on Intelligence

A BILL

To amend the National Security Act of 1947 to modify the requirements for membership in the National Security Council and cabinet-level policy forum, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthening Over-
5 sight of National Security Act of 2017”.

1 **SEC. 2. MODIFICATION OF MEMBERSHIP REQUIREMENTS**
 2 **FOR NATIONAL SECURITY COUNCIL AND CAB-**
 3 **INET-LEVEL POLICY FORUM.**

4 (a) NATIONAL SECURITY COUNCIL.—Section 101(c)
 5 of the National Security Act of 1947 (50 U.S.C. 3021(c))
 6 is amended—

7 (1) in paragraph (1)—

8 (A) by striking “The Council” and insert-
 9 ing “Except as provided in paragraph (2), the
 10 Council”;

11 (B) by inserting “the Director of National
 12 Intelligence and the Chairman of the Joint
 13 Chiefs of Staff,” after “the Secretary of En-
 14 ergy,”; and

15 (C) by striking “and such other officers of
 16 the United States Government as the President
 17 may designate.” and inserting “appointed by
 18 the President, by and with the advice and con-
 19 sent of the Senate.”; and

20 (2) by striking paragraph (2) and inserting the
 21 following:

22 “(2) LIMITATION ON MEMBERSHIP AND PAR-
 23 TICIPATION.—

24 “(A) APPROVAL BY CONGRESS.—The
 25 President may not designate as a member or
 26 attendee a covered individual under paragraph

1 (1) (excluding the National Security Advisor
 2 and Deputies, the Homeland Security Advisor
 3 and Deputies, the Assistant to the President
 4 and Chief of Staff, the Counsel to the Presi-
 5 dent, the Assistant to the President for Eco-
 6 nomic Policy, and the Assistant to the Vice
 7 President for National Security) unless a joint
 8 resolution or bill is enacted approving of the
 9 designation of the covered individual by the
 10 President.

11 “(B) COVERED INDIVIDUAL DEFINED.—In
 12 this paragraph, the term ‘covered individual’
 13 means an individual in a position that is not
 14 subject to confirmation by the Senate.”.

15 **SEC. 3. INTERAGENCY FORUM FOR POLICY CONSIDER-**
 16 **ATION AND DECISIONMAKING.**

17 (a) CREATION.—There is a cabinet-level interagency
 18 forum for policy consideration and decisionmaking to sup-
 19 port the National Security Council.

20 (b) COMPOSITION.—Except as provided in subsection
 21 (c), the composition of the interagency forum for policy
 22 consideration and decisionmaking to support the National
 23 Security Council shall reflect the membership of the Na-
 24 tional Security Council and any member of the executive

1 branch who is appointed by the President and confirmed
2 by the Senate, as determined by the President.

3 (c) EXCEPTIONS.—

4 (1) IN GENERAL.—Any exception to the re-
5 quirement of subsection (b) shall only be permitted
6 for a one-time decisionmaking action.

7 (2) NOTIFICATION TO CONGRESS.—The Presi-
8 dent shall submit to Congress a notification of any
9 exercise of an exception permitted by this subsection
10 not later than 24 hours after the execution of such
11 exception.

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