

(ii) by striking the third undesignated paragraph (relating to the term “foreign government”); and

(5) by adding at the end the following:

“§ 800. Definitions

“In this chapter—

“(1) the term ‘classified information’ has the meaning given the term in section 1 of the Classified Information Procedures Act (18 U.S.C. App.);

“(2) the term ‘foreign power’ has the meaning given the term in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801); and

“(3) the term ‘national security’ has the meaning given the term in section 1 of the Classified Information Procedures Act (18 U.S.C. App.).”

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of section for chapter 37 of title 18, United States Code, is amended—

(1) by striking the item relating to section 793 and inserting the following:

“793. Gathering, transmitting, or losing national security information.”;

(2) by striking the item relating to section 794 and inserting the following:

“794. Gathering or delivering national security information to aid foreign powers.”; and

(3) by adding at the end the following:

“800. Definitions.”.

SEC. 4. VIOLATION OF CLASSIFIED INFORMATION NONDISCLOSURE AGREEMENT.

(a) **IN GENERAL.**—Chapter 93 of title 18, United States Code, is amended by adding at the end the following:

“§ 1925. Violation of classified information nondisclosure agreement

“(a) **DEFINITIONS.**—In this section—

“(1) the term ‘classified information’ has the meaning given the term in section 1 of the Classified Information Procedures Act (18 U.S.C. App.); and

“(2) the term ‘covered individual’ means an officer, employee, contractor, or consultant of an agency of the Federal Government who, by virtue of the office, employment, position, or contract held by the individual, knowingly and intentionally agrees to be legally bound by the terms of a classified information nondisclosure agreement.

“(b) **OFFENSE.**—

“(1) **IN GENERAL.**—Except as otherwise provided in this section, it shall be unlawful for a covered individual to intentionally disclose, deliver, communicate, or transmit classified information, without the authorization of the head of the Federal agency, or an authorized designee, knowing or having reason to know that the disclosure, delivery, communication, or transmission of the classified information is a violation of the terms of the classified information nondisclosure agreement entered by the covered individual.

“(2) **PENALTY.**—A covered individual who violates paragraph (1) shall be fined under this title, imprisoned for not more than 5 years, or both.

“(c) **WHISTLEBLOWER PROTECTION.**—The disclosure, delivery, communication, or transmission of classified information by a covered individual in accordance with a Federal whistleblower protection statute or regulation applicable to the Federal agency of which the covered individual is an officer, employee, contractor, or consultant shall not be a violation of subsection (b)(1).

“(d) **REBUTTABLE PRESUMPTION.**—For purposes of this section, there shall be a rebuttable presumption that information has been properly classified if the information has been marked as classified information in accordance with Executive Order 12958 (60 Fed. Reg. 19825) or a successor or predecessor to the order.

“(e) **DEFENSE OF IMPROPER CLASSIFICATION.**—The disclosure, delivery, communication, or transmission of classified information by a covered individual shall not violate subsection (b)(1) if the covered individual proves by clear and convincing evidence that at the time the information was originally classified, no reasonable person with original classification authority under Executive Order 13292 (68 Fed. Reg. 15315), or any successor order, could have identified or described any damage to national security that reasonably could be expected to be caused by the unauthorized disclosure of the information.

“(f) **EXTRATERRITORIAL JURISDICTION.**—There is extraterritorial jurisdiction over an offense under this section.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 93 of title 18, United States Code, is amended by adding at the end the following:

“1925. Violation of classified information nondisclosure agreement.”.

SEC. 5. DIRECTIVE TO SENTENCING COMMISSION.

(a) **IN GENERAL.**—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission, shall review and, if appropriate, amend the Federal Sentencing Guidelines and policy statements applicable to a person convicted of an offense under section 1925 of title 18, United States Code, as added by this Act.

(b) **CONSIDERATIONS.**—In carrying out this section, the Sentencing Commission shall ensure that the sentencing guidelines account for all relevant conduct, including—

(1) multiple instances of unauthorized disclosure, delivery, communication, or transmission of the classified information;

(2) the volume of the classified information that was disclosed, delivered, communicated, or transmitted;

(3) the classification level of the classified information;

(4) the harm to the national security of the United States that reasonably could be expected to be caused by the disclosure, delivery, communication, or transmission of the classified information; and

(5) the nature and manner in which the classified information was disclosed, delivered, communicated, or transmitted.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 50—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. BOXER submitted the following resolution; from the Committee on Environment and Public Works; which was referred to the Committee on Rules and Administration:

S. RES. 50

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Environment and Public Works is authorized from March 1, 2011, through September 30, 2011; October 1, 2011, through September 30, 2012; and October 1, 2012, through February 28, 2013, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ per-

sonnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2(a). The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this resolution shall not exceed \$3,612,391, of which amount (1) not to exceed \$4,666.67 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))), and (2) not to exceed \$1,166.67 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(b) For the period October 1, 2011, through September 30, 2012, expenses of the committee under this resolution shall not exceed \$6,192,669, of which amount (1) not to exceed \$8,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))), and (2) not to exceed \$2,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

(c) For the period October 1, 2012, through February 28, 2013, expenses of the committee under this resolution shall not exceed \$2,580,278, of which amount (1) not to exceed \$3,333.33 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))), and (2) not to exceed \$833.33 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of that Act).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2013.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2011, through September 30, 2011; October 1, 2011 through September 30, 2012; and October 1, 2012, through February 28, 2013, to be paid from the Appropriations account for “Expenses of Inquiries and Investigations”.

SENATE RESOLUTION 51—RECOGNIZING THE 190TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE AND CELEBRATING GREEK AND AMERICAN DEMOCRACY

Mr. MENENDEZ (for himself and Ms. SNOWE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 51

Whereas the ancient Greeks developed the concept of democracy, in which the supreme power to govern was vested in the people;

Whereas the Founding Fathers of the United States, many of whom read Greek political philosophy in the original Greek, drew heavily on the political experience and philosophy of ancient Greece in forming our representative democracy;

Whereas Greek Commander in Chief Petros Mavromichalis, a founder of the modern Greek state, said to the citizens of the United States in 1821 that "it is in your land that liberty has fixed her abode and . . . in imitating you, we shall imitate our ancestors and be thought worthy of them if we succeed in resembling you";

Whereas the Greek national anthem, the "Hymn to Liberty", includes the words, "Most heartily was gladdened George Washington's brave land";

Whereas the people of the United States generously offered humanitarian assistance to the Greek people during their struggle for independence;

Whereas Greece played a major role in the World War II struggle to protect freedom and democracy through such bravery as was shown in the historic Battle of Crete, which provided the Axis land war with its first major setback, setting off a chain of events that significantly affected the outcome of World War II;

Whereas hundreds of thousands of Greek civilians were killed in Greece during World War II in defense of the values of the Allies;

Whereas, throughout the 20th century, Greece was one of a few countries that allied with the United States in every major international conflict;

Whereas Greece is a strategic partner and ally of the United States in bringing political stability and economic development to the volatile Balkan region, having invested more than \$20,000,000,000 in the countries of the region, thereby helping to create more than 200,000 new jobs, and having contributed more than \$750,000,000 in development aid for the region;

Whereas Greece actively participates in peacekeeping and peace-building operations conducted by international organizations including the United Nations, the North Atlantic Treaty Organization, the European Union, and the Organization for Security and Co-operation in Europe;

Whereas Greece received worldwide praise for its extraordinary handling during the 2004 Olympic Games of more than 14,000 athletes and more than 2,000,000 spectators and journalists, a feat Greece handled efficiently, securely, and with hospitality;

Whereas Greece, located in a region where Christianity meets Islam and Judaism, maintains excellent relations with Muslim nations and Israel;

Whereas the Government of Greece has taken important steps in recent years to further cross-cultural understanding and rapprochement with Turkey, as seen by Prime Minister of Greece George Papandreou's trip to Turkey, just days after being elected and the Prime Minister of Turkey Recep Tayyip Erdogan's visit to Greece in May 2010, during which Greece and Turkey established a Joint

Ministerial Council, made up of 10 ministers from each country, to discuss tangible ways to enhance cooperation in various fields of interest;

Whereas Greece and the United States are at the forefront of the effort for freedom, democracy, peace, stability, and human rights;

Whereas those and similar ideals have forged a close bond between Greece and the United States; and

Whereas it is proper and desirable for the United States to celebrate March 25, 2011, Greek Independence Day, with the Greek people and to reaffirm the democratic principles from which these two great nations were born: Now, therefore, be it

Resolved, That the Senate—

(1) extends warm congratulations and best wishes to the people of Greece as they celebrate the 190th anniversary of the independence of Greece;

(2) expresses support for the principles of democratic governance to which the people of Greece are committed; and

(3) notes the important role that Greece has played in the wider European region and in the community of nations since gaining its independence 190 years ago.

SENATE RESOLUTION 52—AUTHORIZING EXPENDITURES BY THE SPECIAL COMMITTEE ON AGING

Mr. KOHL submitted the following resolution; from the Special Committee on Aging; which was referred to the Committee on Rules and Administration:

S. RES. 52

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Special Committee on Aging is authorized from March 1, 2011, through September 30, 2011; October 1, 2011, through September 30, 2012; and October 1, 2012, through February 28, 2013, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period March 1, 2011, through September 30, 2011, under this resolution shall not exceed \$1,937,114, of which amount (1) not to exceed \$117,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946), and (2) not to exceed \$10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2011, through September 30, 2012, expenses of the committee under this resolution shall not exceed \$3,320,767, of which amount (1) not to exceed \$200,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946), and (2) not to exceed \$15,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j)

of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2012, through February 28, 2013, expenses of the committee under this resolution shall not exceed \$1,383,653, of which amount (1) not to exceed \$85,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946), and (2) not to exceed \$5,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2013, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SENATE RESOLUTION 53—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. LIEBERMAN submitted the following resolution; from the Committee on Homeland Security and Governmental Affairs; which was referred to the Committee on Rules and Administration:

S. RES. 53

Resolved,

SECTION 1. COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules and S. Res. 445 (108th Congress), including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Homeland Security and Governmental Affairs (referred to in this resolution as the "committee") is authorized from March 1, 2011, through February 28, 2013, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2011.—The expenses of the committee for the period March 1, 2011, through