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H. Con. Res. 128: Ms. ROS-LEHTINEN, Mr. PASTOR, Mr. CARSON, Mr. SMITH of Washington, Mr. CALVEY, and Mr. GREEN of Texas.

H. Res. 19: Mr. FRELINGHUYSEN, Mr. BAIRD, Mr. GARY Miller of California, and Mr. KILDENE.

H. Res. 88: Mr. CAPUANO and Mr. LANTOS.

H. Res. 147: Mr. LEWIS of Georgia and Mr. McGovern.

H. Res. 155: Mr. BONIOR, Mr. BILIKARIS, Mrs. BONO, Mr. CONDET, Mr. DELAHUNT, Mr. DIAZ-BALART, Mr. DREHER, Mr. DUNCAN, Mr. ENGLE, Mr. FELNER, Mr. FUX, Ms. KILPATRICK, Mr. LOBONDI, Mr. MATSU, Mr. NADLER, Mrs. NAPOLITANO, Mrs. TAUSCHER, and Mr. WYGOAND.

H. Res. 169: Mr. PORTER and Mr. Brown of California.

H. Res. 183: Mr. ROHRABACHER, Mr. WICKER, Mrs. KELLY, and Mr. CHAMBLES.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

[Omitted from the Record of June 7, 1999]

H. Res. 111: Mr. FARR of California.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H. R. 1401

OFFERED BY: Mr. COY of CALIFORNIA

AMENDMENT NO. 14: At the end of division A (page 326, after line 16), insert the following new title:

TITLE XIV—PROLIFERATION AND EXPORT CONTROL MATTERS

SEC. 1401. REPORT ON COMPLIANCE BY THE PEOPLE’S REPUBLIC OF CHINA AND OTHER COUNTRIES WITH THE MISSILE TECHNOLOGY CONTROL REGIME.

(a) Report Required.—Not later than October 31, 1999, the President shall transmit to Congress a report on the implementation of subsection (a) of section 1514 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2174; 22 U.S.C. 2778 note), transferring satellites and related items from the Commerce Control List of dual-use items to the United States Munitions List. The report shall update the information provided in the report under subsection (d) of that section.

SEC. 1402. ANNUAL REPORT ON TECHNOLOGY TRANSFERS TO THE PEOPLE’S REPUBLIC OF CHINA.

(a) Annual Report.—The President shall transmit to Congress an annual report on technology transfers to the People’s Republic of China by the United States and other countries of technology with potential military applications, during the 1-year period preceding the transmittal of the report.

(b) Initial Report.—The initial report under this section shall be transmitted not later than October 31, 1999.

SEC. 1403. REPORT ON IMPLEMENTATION OF TRANSFER OF SATELLITE EXPORT CONTROL AUTHORITY.

Not later than August 31, 1999, the President shall submit to Congress a report on the implementation of subsection (a) of section 1513 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2175; 22 U.S.C. 2778 note), transferring satellites and related items from the Commerce Control List of dual-use items to the United States Munitions List. The report shall update the information provided in the report under subsection (d) of that section.

SEC. 1404. SECURITY IN CONNECTION WITH SATELLITE EXPORT LICENSING.

(a) Security at Foreign launches.—As a condition of the export license for any satellite to be launched outside the jurisdiction of the United States, the Secretary of State shall require the following:

(1) That the technology transfer control plan required by section 1514(a)(1) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 112 Stat. 2175; 22 U.S.C. 2778 note) be prepared by the Department of Defense, and agreed to by the licensor, and that the plan set forth the security arrangements for the launch of the satellite, both before and during launch operations, and include enhanced security measures if the satellite is transferred to any other country of missile technology with potential military applications in violation of the Missile Technology Control Regime.

(b) Matters to Be Included.—The report under subsection (a) shall also include information concerning—

(1) actual or suspected use by the People’s Republic of China of United States missile technology;

(2) actual or suspected missile proliferation activities by the People’s Republic of China;

(3) actual or suspected transfer of missile technology by Russia or other countries to the People’s Republic of China.

(c) Security at Foreign Launches.—The Secretary of Defense shall—
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(1) ensure that persons assigned as space launch campaign monitors are provided sufficient training and have adequate experience in the ITAR and have significant experience and expertise with satellite technology, launch vehicle technology, and launch operations security.

(2) ensure that adequate numbers of such monitors are assigned to space launch campaigns so that 24-hour, 7-day per week coverage is provided.

(3) take steps to ensure, to the maximum extent possible, the continuity of service by monitoring space launch campaigns from the launch site to the receipt of the satellite in space.

(4) adopt measures designed to make servicing as a space launch campaign monitor an attractive career opportunity.

SEC. 1405. REPORTING OF TECHNOLOGY PASSED TO PEOPLE'S REPUBLIC OF CHINA AND OF FOREIGN LAUNCH SECURITY VIOLATIONS.

(a) MONITORING OR INFORMATION.—The Secretary of Defense shall ensure that space launch monitors of the Department of Defense assigned to monitor launches in the People's Republic of China maintain records of all equipment intended to be transmitted to the People's Republic of China, including copies of any documents authorized for such transmission, and reports on launch-related activities.

(b) TRANSMISSION TO OTHER AGENCIES.—The Secretary of Defense shall ensure that records under subsection (a) are transmitted on a current basis to appropriate elements of the Department of Defense and to the Department of State, the Department of Commerce, and the Central Intelligence Agency.

(c) ADVISORY BOARD.—The Secretary of Defense shall establish an advisory board to assist in the promotion of the objectives of this section, which shall consist of representatives of the armed services, the Department of State, the Department of Commerce, the Department of Energy, and the Central Intelligence Agency.

SEC. 1406. REPORT ON NATIONAL SECURITY IMPLICATIONS OF EXPORTING HIGH-PERFORMANCE COMPUTERS TO THE PEOPLE'S REPUBLIC OF CHINA.

(a) REVIEW.—The Secretary of Energy, the Secretary of Defense, and the Secretary of State, in consultation with other appropriate departments and agencies, shall conduct a comprehensive review of the national security implications of exporting high-performance computers to the People's Republic of China. As part of the review, the Secretary of Energy shall (1) submit to Congress a report on a current basis to appropriate elements of the Department of Defense, the Department of State, the Department of Commerce, and the Central Intelligence Agency; and (2) ensure that adequate numbers of such monitors are assigned to space launch campaigns so that 24-hour, 7-day per week coverage is provided.

(b) TRANSMISSION TO OTHER AGENCIES.—The Secretary of Defense shall ensure that records under subsection (a) are transmitted on a current basis to appropriate elements of the Department of Defense and to the Department of State, the Department of Commerce, and the Central Intelligence Agency.

(c) ADVISORY BOARD.—The Secretary of Defense shall establish an advisory board to assist in the promotion of the objectives of this section, which shall consist of representatives of the armed services, the Department of State, the Department of Commerce, the Department of Energy, and the Central Intelligence Agency.

(d) GUIDELINES.—The Secretary of Defense shall issue guidelines providing space launch monitors of the Department of Defense with the responsibility and the ability to report serious security violations, problems, and trends that affect the United States so that the United States can track and control related computer technology so that the United States can track and control related computer technology.
SEC. 3181. SHORT TITLE.

This subtitle may be cited as the “National Security Information Protection Improvement Act.”

SEC. 3182. SEMIANNUAL REPORT BY THE PRESIDENT ON ESPIONAGE BY THE PEOPLE’S REPUBLIC OF CHINA.

(a) REPORTS REQUIRED.—The President shall transmit to Congress a report, not less often than every six months, on the steps being taken by the Department of Energy, the Department of Defense, the Federal Bureau of Investigation, the Central Intelligence Agency, and all other relevant executive departments and agencies to respond to espionage and other intelligence activities by the People’s Republic of China, particularly with respect to the theft of sophisticated United States nuclear weapons design information and the targeting by the People’s Republic of China of United States nuclear weapons codes and other national security information of strategic concern.

(b) INITIAL REPORT.—The first report under this section shall be transmitted not later than January 1, 2000.

SEC. 3183. REPORT ON WHETHER DEPARTMENT OF ENERGY SHOULD CONTINUE TO MAINTAIN NUCLEAR WEAPONS RESPONSIBILITY.

Not later than January 1, 2000, the President shall transmit to Congress a report regarding the feasibility of alternatives to the current arrangements for controlling United States nuclear weapons development, testing, and maintenance within the Department of Energy, including the reestablishment of the Atomic Energy Commission as an independent nuclear agency. The report shall describe the benefits and shortcomings of each such alternative, as well as the current system, from the standpoint of protecting such weapons and related research and technology from theft and exploitation. The President shall include with such report the President’s recommendation for the appropriate arrangements for controlling United States nuclear weapons development, testing, and maintenance outside the Department of Energy if it should be determined that the Department of Energy should no longer have that responsibility.

SEC. 3184. DEPARTMENT OF ENERGY OFFICE OF FOREIGN INTELLIGENCE AND OFFICE OF COUNTERINTELLIGENCE.

(a) In General.—The Department of Energy Organization Act is amended by inserting after section 212 (42 U.S.C. 7132) the following new sections:

“OFFICE OF FOREIGN INTELLIGENCE

“Sec. 213. (a) There shall be within the Department of Foreign Intelligence, to be headed by a Director, who shall report directly to the Secretary.

“(b) The Director shall be responsible for the Department relating to the analysis of intelligence with respect to nuclear weapons and materials, other nuclear matters, and energy security.

“(c) The Secretary may delegate to the Deputy Secretary of Energy the day-to-day supervision of the Director.

“OFFICE OF COUNTERINTELLIGENCE

“Sec. 214. (a) There shall be within the Department an Office of Counterintelligence, to be headed by a Director, who shall report directly to the Secretary.

“(b) The Director shall carry out all counterintelligence activities in the Department relating to the defense activities of the Department.

“(c) The Secretary may delegate to the Deputy Secretary of Energy the day-to-day supervision of the Director.

“(d)(1) The Director shall keep the intelligence community fully and currently informed of all significant security breaches at any of the national laboratories.

“(2) For purposes of this subsection, the term ‘intelligence community’ means the Permanent Select Committee of the House of Representatives and the Select Committee on Intelligence of the Senate.

“(e) N O CHANGE IN OTHER POLYGRAPH AUTHORITY.—This section shall not be construed to affect any other provision of law requiring the Secretary to administer a polygraph examination.

“SEC. 3185. COUNTERINTELLIGENCE PROGRAM AT DEPARTMENT OF ENERGY NATIONAL LABORATORIES.

(a) PROGRAM REQUIRED.—The Secretary of Energy shall establish and maintain at each national laboratory a counterintelligence program for the defense-related activities of the Department of Energy at such laboratory.

(b) HEAD OF PROGRAM.—The Secretary shall ensure that, for each national laboratory, the head of the counterintelligence program of that laboratory—

(1) has extensive experience in counterintelligence activities within the Federal Government; and

(2) with respect to the counterintelligence program assigned to it, and is hired with the concurrence of, the Director of Counterintelligence of the Department of Energy and the director of the national laboratory.

“SEC. 3186. COUNTERINTELLIGENCE ACTIVITIES AT OTHER DEPARTMENT OF ENERGY FACILITIES.

(a) ASSIGNMENT OF COUNTERINTELLIGENCE PERSONNEL.—(1) The Secretary of Energy shall assign to each Department of Energy facility, other than a national laboratory, at which Restricted Data is located an individual who shall assess security and counterintelligence matters at that facility.

(2) An individual assigned to a facility under this subsection shall be stationed at the facility.

(b) SUPERVISION.—Each individual assigned under subsection (a) shall report directly to the Director of Counterintelligence of the Department of Energy.

“SEC. 3187. DEPARTMENT OF ENERGY POLYGRAPH EXAMINATIONS.

(a) COUNTERINTELLIGENCE POLYGRAPH PROGRAM REQUIRED.—The Secretary of Energy, acting through the Director of Counterintelligence of the Department of Energy, shall carry out a counterintelligence polygraph program for the defense activities of the Department of Energy. The program shall consist of the administration on a regular basis of a polygraph examination to each covered person who has access to a program that the Director of Counterintelligence and the Assistant Secretary assigned the functions under section 204(a)(5) of the Department of Energy Organization Act determine requires special access restrictions.

(b) COVERED PERSONS.—For purposes of subsection (a), a covered person is any of the following:

(1) An officer or employee of the Department.

(2) An expert or consultant under contract to the Department.

(3) An officer or employee of any contractor of the Department.

(c) ADDITIONAL POLYGRAPH EXAMINATIONS.—In addition to the polygraph examinations administered under subsection (a), the Secretary, in carrying out the defense activities of the Department—

(1) may administer a polygraph examination to any employee of the Department or of any contractor of the Department, for counterintelligence purposes;

(2) may administer a polygraph examination to any such employee in connection with an investigation of such employee, if such employee requests administration of a polygraph examination for exculpatory purposes.

(d) REGULATIONS.—(1) The Secretary shall prescribe any regulations necessary to carry out this section. Such regulations shall include procedures, to be developed in consultation with the Director of the Federal Bureau of Investigation, for identifying and addressing ‘false positive’ results of polygraph examinations.

“SEC. 3188. CIVIL MONETARY PENALTIES FOR VIOLATIONS OF DEPARTMENT OF ENERGY REGULATIONS RELATING TO THE SAFEGUARDING AND SECURITY OF RESTRICTED DATA.

(a) IN GENERAL.—Chapter 18 of title I of the Atomic Energy Act of 1954 (42 U.S.C. 2271 et seq.) is amended by inserting after section 234A the following new section:

“Sec. 234B. CIVIL MONETARY PENALTIES FOR VIOLATIONS OF DEPARTMENT OF ENERGY REGULATIONS RELATING TO THE SAFEGUARDING AND SECURITY OF RESTRICTED DATA.

“(a) In General.—Chapter 18 of title I of the Atomic Energy Act of 1954 (42 U.S.C. 2271 et seq.) is amended by inserting after section 234A the following new section:

“(b) The Secretary shall include, in each contract entered into after the date of the enactment of this section with a contractor on the Department, a provision which provides for an appropriate reduction in the fees or amounts paid to the contractor under the
contract in the event of a violation by the contractor or contractor employee of any rule, regulation, or order relating to the safeguarding or security of Restricted Data or other classified or sensitive information. The provisions shall specify various degrees of violation and the amount of the reduction attributable to each degree of violation.

Sec. 3189. INCREASED PENALTIES FOR MISUSE OF RESTRICTED DATA

(a) COMMUNICATION OF RESTRICTED DATA.—Section 224 of the Atomic Energy Act of 1954 (42 U.S.C. 2247) is amended—

(1) in clause a., by striking "$30,000" and inserting "$400,000"; and

(2) in clause b., by striking "$10,000" and inserting "$200,000.

(b) RECEPT OF RESTRICTED DATA.—Section 225 of such Act (42 U.S.C. 2247 and 2277) is amended by striking "$30,000" and inserting "$400,000.

(c) INCREASED PENALTIES.—Section 227 of such Act (42 U.S.C. 2277) is amended by striking "$2,500" and inserting "$50,000.

Sec. 3190. RESTRICTIONS ON ACCESS TO NATIONAL LABORATORIES BY FOREIGN VISITORS FROM SENSITIVE COUNTRIES.

(a) BACKGROUND REVIEW REQUIRED.—The Secretary of Energy may not admit to any facility of a national laboratory any individual who is a citizen or agent of a nation that is—

(1) the Secretary, acting through the Director of Counterintelligence, determines is engaged in espionage of the United States; and

(2) the Director of Counterintelligence determines that such admission is necessary for the national security of the United States.

(b) MORATORIUM PENDING CERTIFICATION.—(1) During the period described in paragraph (2), the Secretary may not admit to—

(i) any national laboratory, or facility of such laboratory; and

(ii) a facility of a national laboratory, any individual who is a citizen of a foreign nation unless—

(A) the Secretary, acting through the Director of Counterintelligence, determines that such admission is necessary for the national security of the United States.

(2) Not later than the seventh day of the month following a month in which a waiver is made, the Secretary shall submit a report to the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives, which shall include—

(A) the name and nationality of each individual whose admission was made, and with respect to each such individual or delegation, the following information:

(i) A detailed justification for the waiver.

(ii) For each individual with respect to whom a background review was conducted, whether the background review determined that negative information exists with respect to that individual.

(iii) The Secretary’s certification that the admission of that individual or delegation to a national laboratory is in the interest of the national security of the United States.

(iv) The authority of the Secretary under paragraph (1) may be delegated only to the Director of Counterintelligence of the Department of Energy.

(v) If the Secretary issues a waiver under subsection (a) the moratorium under subsection (b) shall not apply to any person who—

(A) is, on the date of the enactment of this Act, an employee of the Department of Energy, of a contractor of the Department, and; and

(B) has undergone a background review in accordance with paragraph (a).

(c) EXCEPTION TO MORATORIUM FOR CERTAIN INDIVIDUALS.—The moratorium under subsection (b) shall not apply to any person who—

(1) is a member of the Select Committee on Intelligence of the Senate, or the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) has undergone a background review in accordance with paragraph (a).

Sec. 3191. REQUIREMENTS RELATING TO ACCESS BY FOREIGN PERSONNEL AND EMPLOYEES TO DEPARTMENT OF ENERGY FACILITIES ENGAGED IN DEFENSE ACTIVITIES.

(a) SECURITY CLEARANCE REVIEW REQUIRED.—The Secretary of Energy may not allow unescorted access to any classified area, access to classified information, or access to any facility of the Department of Energy engaged in the defense activities of the Department to any individual who is a citizen of a foreign nation unless—

(1) the Secretary, acting through the Director of Counterintelligence, determines that such admission is necessary for the national security of the United States; and

(2) the Secretary submits to Congress a report that includes—

(A) a detailed justification for the waiver.

(B) for each individual with respect to whom a background review was conducted, whether the background review determined that negative information exists with respect to that individual.

(c) EXCEPTION TO MORATORIUM FOR CERTAIN INDIVIDUALS.—(1) The Secretary, acting through the Director of Counterintelligence, determines that such admission is necessary for the national security of the United States.

(2) Not later than the seventh day of the month following a month in which a waiver is made, the Secretary shall submit a report to the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives, which shall include—

(A) the name and nationality of each individual whose admission was made, and with respect to each such individual or delegation, the following information:

(i) A detailed justification for the waiver.

(ii) For each individual with respect to whom a background review was conducted, whether the background review determined that negative information exists with respect to that individual.

(iii) The Secretary’s certification that the admission of that individual or delegation to a national laboratory is in the interest of the national security of the United States.

(iv) The authority of the Secretary under paragraph (1) may be delegated only to the Director of Counterintelligence of the Department of Energy.

(v) If the Secretary issues a waiver under subsection (a) the moratorium under subsection (b) shall not apply to any person who—

(A) is a member of the Select Committee on Intelligence of the Senate, or the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) has undergone a background review in accordance with paragraph (a).

(d) EXCEPTION TO MORATORIUM FOR CERTAIN INDIVIDUALS.—The Secretary, acting through the Director of Counterintelligence, determines that such admission is necessary for the national security of the United States.

Sec. 3192. ANNUAL REPORT ON SECURITY AND COUNTERINTELLIGENCE STANDARDS AT NATIONAL LABORATORIES AND OTHER DEFENSE FACILITIES OF THE DEPARTMENT OF ENERGY

(a) REPORT ON SECURITY AND COUNTERINTELLIGENCE STANDARDS AT NATIONAL LABORATORIES AND OTHER DEFENSE FACILITIES OF THE DEPARTMENT OF ENERGY.

(1) The Secretary of Energy, acting through the Director of Counterintelligence, shall submit to the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives, an annual report on the security and counterintelligence standards at the national laboratories, and other facilities of the Department of Energy engaged in the defense activities of the Department, for the following:

(1) The Committee on Armed Services and the Select Committee on Intelligence of the Senate.

(2) The Committee on Armed Services and the Select Committee on Intelligence of the House of Representatives.

(b) CONTENTS OF REPORT.—The report shall be in classified form and shall contain, for each such national laboratory or facility, the following information:

(1) A description of all security measures that are in place to prevent access by unauthorized individuals to classified information of the national laboratory or facility; and

(2) A certification by the Director of Counterintelligence of the Department of Energy as to whether—

(A) all security measures are in place to prevent access by unauthorized individuals to classified information of the national laboratory or facility; and

(B) such security measures comply with Presidential Decision Directives and other applicable Federal requirements relating to the safeguarding and security of classified information.

(c) REQUIREMENTS RELATING TO ACCESS BY FOREIGN PERSONNEL AND EMPLOYEES TO DEPARTMENT OF ENERGY FACILITIES ENGAGED IN DEFENSE ACTIVITIES.

(1) SECURITY CLEARANCE REVIEW REQUIRED.—The Secretary of Energy may not
review required by that section determined that information relevant to security exists with respect to that individual.

SEC. 3193. REPORT ON SECURITY VULNERABILITIES OF NATIONAL LABORATORY COMPUTERS.

(a) REPORT REQUIRED.—Not later than March 1 of each year, the National Counterintelligence Policy Board shall prepare a report, in consultation with the Director of Counterintelligence of the Department of Energy, on the security vulnerabilities of the computers of the national laboratories.

(b) PREPARATION OF REPORT.—In preparing the report, the National Counterintelligence Policy Board shall establish a so-called “red team” of individuals to perform an operational evaluation of the security vulnerabilities of the computers of the national laboratories, including by direct experimentation. Such individuals shall be selected by the National Counterintelligence Policy Board from among employees of the Department of Defense, the National Security Agency, the Central Intelligence Agency, the Federal Bureau of Investigation, and of other agencies, and may be detailed to the National Counterintelligence Policy Board from such agencies without reimbursement and without interruption or loss of civil service status or privilege.

(c) SUBMISSION OF REPORT TO SECRETARY OF ENERGY AND TO FBI DIRECTOR.—Not later than March 1 of each year, the report shall be submitted in classified and unclassified form to the Secretary of Energy and the Director of the Federal Bureau of Investigation.

(d) FORWARDING TO CONGRESSIONAL COMMITTEES.—Not later than 30 days after the report is submitted, the Secretary and the Director shall each separately forward that report, with the recommendations in classified and unclassified form of the Secretary or the Director, as applicable, in response to the findings of that report, to the following:

(1) The Committee on Armed Services and the Select Committee on Intelligence of the Senate.

(2) The Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 3194. GOVERNMENT ACCESS TO CLASSIFIED INFORMATION ON DEPARTMENT OF ENERGY DEFENSE-RELATED COMPUTERS.

(a) PROCEDURES REQUIRED.—The Secretary of Energy shall establish procedures to govern access to classified information on DOE defense-related computers. Those procedures shall, at a minimum, provide that each employee of the Department of Energy who requires access to classified information shall be required as a condition of such access to provide to the Secretary written consent which permits access by an authorized investigative agency to any DOE defense-related computer used in the performance of the defense-related duties of such employee during the period of that employee’s access to classified information and for a period of three years thereafter.

(b) EXPECTATION OF PRIVACY IN DOE DEFENSE-RELATED COMPUTERS.—Notwithstanding any other provision of law (including any provision of law enacted by the Electronic Communications Privacy Act of 1986), no user of a DOE defense-related computer shall have any expectation of privacy in the use of that computer.

(c) DEFINITIONS.—For purposes of this section:

(1) The term ‘DOE defense-related computer’ means a computer of the Department of Energy or a Department of Energy contractor that is used, in whole or in part, for a Department of Energy defense-related activity.

(2) The term “computer” means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions, and includes any data storage facility or communications facility directly related to, or operating in conjunction with, such device.

(3) The term “authorized investigative agency” means an agency authorized by law or regulation to conduct a counterintelligence investigation or investigations of persons who are proposed for access to classified information to ascertain whether such persons satisfy the criteria for obtaining and retaining access to such information.

(4) The term “classified information” means any information that has been determined pursuant to Executive Order No. 12356 of April 2, 1982, or successor orders, or the Atomic Energy Act of 1954, to require protection against unauthorized disclosure and that is so designated.

(5) The term “employee” includes any person who receives a salary or compensation of any kind from the Department of Energy, is a contractor of the Department of Energy or an employee thereof, is an unpaid consultant of the Department of Energy, or otherwise acts for or on behalf of the Department of Energy.

(d) ESTABLISHMENT OF PROCEDURES.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Energy shall prescribe such regulations as may be necessary to implement this section.

SEC. 3195. DEFINITION OF NATIONAL LABORATORY.

For purposes of this subtitle, the term “national laboratory” means any of the following:

(1) The Lawrence Livermore National Laboratory, Livermore, California.

(2) The Los Alamos National Laboratory, Los Alamos, New Mexico.

(3) The Sandia National Laboratories, Albuquerque, New Mexico.

(4) The Oak Ridge National Laboratories, Oak Ridge, Tennessee.