

Union Calendar No. 10

116TH CONGRESS
1ST SESSION

H. R. 1589

[Report No. 116–24]

To amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2019

Mr. WALKER (for himself and Mr. KING of New York) introduced the following bill; which was referred to the Committee on Homeland Security

MARCH 28, 2019

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on March 7, 2019]

A BILL

To amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to 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,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “CBRN Intelligence and*
 5 *Information Sharing Act of 2019”.*

6 **SEC. 2. CHEMICAL, BIOLOGICAL, RADIOLOGICAL, AND NU-**
 7 **CLEAR INTELLIGENCE AND INFORMATION**
 8 **SHARING.**

9 *(a) IN GENERAL.—Subtitle A of title II of the Home-*
 10 *land Security Act of 2002 (6 U.S.C. 121 et seq.) is amended*
 11 *by inserting after section 210E the following new section:*

12 **“SEC. 210F. CHEMICAL, BIOLOGICAL, RADIOLOGICAL, AND**
 13 **NUCLEAR INTELLIGENCE AND INFORMATION**
 14 **SHARING.**

15 *“(a) IN GENERAL.—The Office of Intelligence and*
 16 *Analysis of the Department of Homeland Security shall—*

17 *“(1) support homeland security-focused intel-*
 18 *ligence analysis of terrorist actors, their claims, and*
 19 *their plans to conduct attacks involving chemical, bio-*
 20 *logical, radiological, or nuclear materials against the*
 21 *United States, including critical infrastructure;*

22 *“(2) support homeland security-focused intel-*
 23 *ligence analysis of global infectious disease, public*
 24 *health, food, agricultural, and veterinary issues;*

1 “(3) support homeland security-focused risk
2 analysis and risk assessments of the homeland secu-
3 rity hazards described in paragraphs (1) and (2), in-
4 cluding the transportation of chemical, biological, nu-
5 clear, and radiological materials, by providing rel-
6 evant quantitative and nonquantitative threat infor-
7 mation;

8 “(4) leverage existing and emerging homeland se-
9 curity intelligence capabilities and structures to en-
10 hance early detection, prevention, protection, re-
11 sponse, and recovery efforts with respect to a chem-
12 ical, biological, radiological, or nuclear attack;

13 “(5) share information and provide tailored ana-
14 lytical support on such threats to State, local, Tribal,
15 and territorial authorities, and other Federal agen-
16 cies, as well as relevant national biosecurity and bio-
17 defense stakeholders, as appropriate; and

18 “(6) perform other responsibilities, as assigned
19 by the Secretary.

20 “(b) COORDINATION.—Where appropriate, the Office of
21 Intelligence and Analysis shall coordinate with other rel-
22 evant Department components, including the Countering
23 Weapons of Mass Destruction Office and the National Bio-
24 surveillance Integration Center, agencies within the intel-
25 ligence community, including the National Counter Pro-

1 *liferation Center, and other Federal, State, local, Tribal,*
 2 *and territorial authorities, including officials from high-*
 3 *threat urban areas, State and major urban area fusion cen-*
 4 *ters, and local public health departments, as appropriate,*
 5 *and enable such entities to provide recommendations on op-*
 6 *timal information sharing mechanisms, including expedi-*
 7 *tious sharing of classified information, and on how such*
 8 *entities can provide information to the Department.*

9 “(c) *DEFINITIONS.—In this section:*

10 “(1) *INTELLIGENCE COMMUNITY.—The term ‘in-*
 11 *telligence community’ has the meaning given such*
 12 *term in section 3(4) of the National Security Act of*
 13 *1947 (50 U.S.C. 3003(4)).*

14 “(2) *NATIONAL BIOSECURITY AND BIODEFENSE*
 15 *STAKEHOLDERS.—The term ‘national biosecurity and*
 16 *biodefense stakeholders’ means officials from Federal,*
 17 *State, local, Tribal, and territorial authorities and*
 18 *individuals from the private sector who are involved*
 19 *in efforts to prevent, protect against, respond to, and*
 20 *recover from a biological attack or other phenomena*
 21 *that may have serious health consequences for the*
 22 *United States, including infectious disease out-*
 23 *breaks.”.*

24 (b) *CLERICAL AMENDMENT.—The table of contents in*
 25 *section 1(b) of the Homeland Security Act of 2002 is*

1 *amended by inserting after the item relating to section*
 2 *210E the following new item:*

“Sec. 210F. Chemical, biological, radiological, and nuclear intelligence and information sharing.”.

3 *(c) REPORT.—*

4 *(1) IN GENERAL.—Not later than one year after*
 5 *the date of the enactment of this Act and annually*
 6 *thereafter for each of the following four years, the Sec-*
 7 *retary of Homeland Security shall report to the ap-*
 8 *propriate congressional committees on the following:*

9 *(A) The intelligence and information shar-*
 10 *ing activities under section 210F of the Home-*
 11 *land Security Act of 2002 (as added by sub-*
 12 *section (a) of this section) and of all relevant en-*
 13 *tities within the Department of Homeland Secu-*
 14 *rity to counter the threat from attacks using*
 15 *chemical, biological, radiological, or nuclear ma-*
 16 *terials.*

17 *(B) The Department’s activities in accord-*
 18 *ance with relevant intelligence strategies.*

19 *(2) ASSESSMENT OF IMPLEMENTATION.—The re-*
 20 *ports required under paragraph (1) shall include the*
 21 *following:*

22 *(A) An assessment of the progress of the Of-*
 23 *fice of Intelligence and Analysis of the Depart-*

1 *ment of Homeland Security in implementing*
 2 *such section 210F.*

3 *(B) A description of the methods established*
 4 *to carry out such assessment.*

5 *(3) DEFINITION.—In this subsection, the term*
 6 *“appropriate congressional committees” means the*
 7 *Committee on Homeland Security of the House of*
 8 *Representatives and the Committee on Homeland Se-*
 9 *curity and Governmental Affairs of the Senate and*
 10 *any committee of the House of Representatives or the*
 11 *Senate having legislative jurisdiction under the rules*
 12 *of the House of Representatives or Senate, respec-*
 13 *tively, over the matter concerned.*

14 **SEC. 3. DISSEMINATION OF INFORMATION ANALYZED BY**
 15 **THE DEPARTMENT TO STATE, LOCAL, TRIBAL,**
 16 **TERRITORIAL, AND PRIVATE ENTITIES WITH**
 17 **RESPONSIBILITIES RELATING TO HOMELAND**
 18 **SECURITY.**

19 *Paragraph (6) of section 201(d) of the Homeland Secu-*
 20 *rity Act of 2002 (6 U.S.C. 121(d)) is amended by striking*
 21 *“and to agencies of State” and all that follows through the*
 22 *period at the end and inserting “to State, local, tribal, ter-*
 23 *ritorial, and private entities with such responsibilities, and,*
 24 *as appropriate, to the public, in order to assist in pre-*

- 1 *venting, deterring, or responding to acts of terrorism*
- 2 *against the United States.”.*

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