To establish a National Homeland Security Academy within the Department of Homeland Security.

IN THE SENATE OF THE UNITED STATES

December 21, 2005

Mr. LIEBERMAN (for himself and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To establish a National Homeland Security Academy within the Department of Homeland Security.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE.

This Act may be cited as the “National Homeland Security Academy Act of 2005”.

SEC. 2. FINDINGS.

Congress finds that—

(1) homeland security poses a complex challenge for the Nation that can only be successfully
addressed by the combined effort of Federal, State, and local governments and the private sector;

(2) the United States fields a dedicated workforce to provide homeland security, but lacks a coordinated homeland security education system that links a strategy-based education with hands on training and real time simulation, and fails to make such a system available to the appropriate government and private sector personnel on a wide scale;

(3) officials at all levels of government should understand the strategic mission of the Department of Homeland Security, and have access to continuing education and hands-on training exercises;

(4) the development of a program of professional education and training that links strategy and training, and coordinates current training among the many academies and training facilities that fall under the jurisdiction of the Department of Homeland Security, is essential to meeting the goals and intent of the Homeland Security Act of 2002;

(5) lessons learned from the Department of Homeland Security’s Top Official Exercises (TOPOFF), and the tragedy of Hurricane Katrina, demonstrate there is a need to build up institutional knowledge within the Department and cultivate lead-
ers capable of guiding the Department and the Nation when catastrophic incidents occur;

(6) modern information technologies provide uniquely powerful tools for ensuring that material is presented in a way that facilitates rapid and effective learning for a diverse student body, material being taught is continuously upgraded and reviewed, and training is available anytime and anywhere it is needed; and

(7) as the Homeland Security Act of 2002 brought together a number of Federal agencies with specific and often nonrelated functions to form a single department, the National Homeland Security Academy will draw upon the expertise of a variety of existing academic institutions and innovative programs to educate our homeland security workforce.

SEC. 3. ESTABLISHMENT OF NATIONAL HOMELAND SECURITY ACADEMY.

(a) In General.—Title VIII of the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) is amended by adding after section 801 the following:

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“SEC. 802. NATIONAL HOMELAND SECURITY ACADEMY.

“(a) Establishment.—

“(1) In General.—The Secretary—
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“(A) shall establish the National Homeland Security Academy (referred to in this section as the ‘Academy’) within the Office of State and Local Government Coordination and Preparedness of the Department; and

“(B) may enter into cooperative agreements with other agencies or entities to utilize space and provide for the lease of real property for the Academy or any component of the Academy.

“(2) COMPOSITION.—The Academy shall consist of—

“(A) the National Homeland Security Education and Strategy Center (referred to in this section as the ‘Strategy Center’) to provide fundamental instruction and develop a homeland security curriculum focusing primarily on the Federal Government’s overall strategy, goals, methods, and techniques;

“(B) a communications network capable of delivering distance learning opportunities, at the direction of the Strategy Center;

“(C) the programs of the Office of State and Local Government Coordination and Preparedness’ Center for Homeland Defense and
Security located at the Naval Postgraduate School, and such programs shall be incorporated into the Academy in a manner to be determined by the Secretary; and

“(D) the National Homeland Security Education Network, which—

“(i) shall be composed of representatives from all of the academies and training centers within the jurisdiction of the Department;

“(ii) shall work with the Academy to develop a standardized homeland security curriculum to be incorporated, as appropriate, at each academy and training center to ensure that the focus of the individual centers is coordinated with the centralized educational strategies and goals of the Academy; and

“(iii) shall not affect the respective missions and goals of the participating academies and training centers.

“(3) MISSION.—The mission of the Academy shall be to—

“(A) establish an educational system to—
“(i) cultivate leaders in homeland security; and

“(ii) ensure that Federal, State, local, tribal, and private sector officials get the full range of skills needed to provide robust homeland security;

“(B) provide strategic education and training to carry out the missions of the Department of Homeland Security;

“(C) provide cross-disciplinary and joint education and training to Federal, State, and local government officials responsible for the direct application and execution of vital homeland security missions; and

“(D) focus primarily on shorter-term classes and exercises to maximize participation by the homeland security community.

“(4) ENROLLMENT TARGET.—

“(A) IN GENERAL.—The Strategy Center shall have an initial annual enrollment target of 1,000 resident students, as described in subsection (b)(3)(A).

“(B) NON-RESIDENT STUDENTS.—The enrollment target under subparagraph (A) does not include non-resident students, including
students who participate in electronic learning systems.

“(5) Responsibilities.—

“(A) In general.—In addition to providing traditional course work and hands-on training exercises, the Academy shall encourage the development and use of modern technology to ensure that the training offered at the Academy, and to organizations and individuals receiving instruction over electronic learning systems—

“(i) is tailored to the unique needs of the individuals and groups that need training;

“(ii) efficiently uses such technology; and

“(iii) translates directly into practical skills.

“(B) Instructional materials.—The Academy shall develop instructional requirements for courses related to its mission that are supported with materials that are adequately reviewed and continuously updated.

“(C) Certification.—
“(i) IN GENERAL.—The Academy may establish certification criteria for students in areas related to its mission, in consultation with the Network established under subsection (e).

“(ii) RECERTIFICATION.—The criteria established under clause (i) shall include requirements for recertification and ensure the availability of needed assessment tools.

“(D) INFORMATION REPOSITORY.—The Academy shall provide a repository of approved instructional materials, instructional software, and other materials that are easily accessible by participants.

“(E) COMMUNICATION NETWORKS.—The Academy shall certify, and operate, if necessary, a secure, reliable communication system capable of delivering instructional materials to participants at any time and place.

“(F) INSTRUCTION AND EXPERTISE.—The Academy shall certify instructors, experts, counselors, and other individuals who can provide answers and advice to students over communication systems.

“(6) STRATEGY CENTER.—
“(A) Responsibilities.—The Strategy Center shall—

“(i) provide curriculum development and classroom instruction for resident students that focus on the strategic goals, methods, and techniques for homeland security;

“(ii) provide instruction—

“(I) primarily to Federal employees described under subsection (b)(3)(A) with homeland security responsibilities; and

“(II) to small numbers of State and local government officials and private individuals; and

“(iii) direct the operation of the Academy’s electronic learning systems.

“(B) Curriculum.—The curriculum taught at the Strategy Center shall—

“(i) include basic education about homeland security, the Department, and the relationship of the directorates within the Department;

“(ii) include the relationship between the Department and other Federal, State,
and local agencies with homeland security responsibilities; and

“(iii) be developed with assistance from the National Homeland Security Education Network.

“(b) ADMINISTRATION.—

“(1) EXECUTIVE DIRECTOR.—The Secretary shall appoint an Executive Director for the Academy, who shall—

“(A) administer the operations of the Academy;

“(B) establish an Academic Board, to be headed by the Dean of the Academic Board, appointed under paragraph (2);

“(C) hire initial staff and faculty, as appropriate and necessary;

“(D) contract with practitioners and experts, as appropriate, to supplement academic instruction;

“(E) make recommendations to the Secretary regarding long-term staffing and funding levels for the Academy; and

“(F) report to the Executive Director of the Office of State and Local Government Coordination and Preparedness.
“(2) Dean of the Academic Board.—The Executive Director shall appoint, with the approval of the Secretary, a permanent professor to serve as Dean of the Academic Board and perform such duties as the Executive Director may prescribe.

“(3) Director of Admissions.—The Executive Director shall appoint, with the approval of the Secretary, a Director of Admissions, who shall—

“(A) grant admission to the Strategy Center to—

“(i) new employees of the Department, who have clear homeland security responsibilities;

“(ii) mid-level executive employees of the Department, including employees that receive academy or other training, who demonstrate a need for cross-disciplinary or advanced education and training and have been endorsed by the appropriate Under Secretary;

“(iii) other Federal employees with homeland security responsibilities who have been endorsed by the head of their agency;

“(iv) State and local employees who—
“(I) demonstrate a clear responsibility for providing homeland security; and

“(II) possess the nomination of the Governor of their State, or Head of applicable jurisdiction; and

“(v) private sector applicants who demonstrate a clear responsibility for providing homeland security;

“(B) ensure that students from each level of government and the private sector are included in all programs and classes, whenever appropriate; and

“(C) perform such duties as the Executive Director may prescribe.

“(c) BOARD OF VISITORS.—

“(1) ESTABLISHMENT.—Before the Academy admits any students, the Secretary shall establish a Board of Visitors (in this section referred to as the ‘Board’) to—

“(A) assist in the development of curriculum and programs at the Academy; and

“(B) recommend the site for the location of the Strategy Center.

“(2) MEMBERSHIP.—
“(A) COMPOSITION.—The Board will be composed of—

“(i) the Secretary, or designee, who shall serve as chair;

“(ii) the Executive Director of the Academy, or designee, who shall be a non-voting member;

“(iii) the Chairman of the Committee on Homeland Security and Governmental Affairs of the Senate, or designee;

“(iv) the Ranking Member of the Committee on Homeland Security and Governmental Affairs of the Senate, or designee;

“(v) the Chairman of the Committee on Homeland Security of the House of Representatives, or designee;

“(vi) the Ranking Member of the Committee on Homeland Security of the House of Representatives, or designee;

“(vii) the Secretary of Health and Human Services, or designee;

“(viii) the Secretary of Defense, or designee;
“(ix) the Secretary of Education, or designee;

“(x) the Secretary of Transportation, or designee;

“(xi) the Director of the Federal Bureau of Investigation, or designee;

“(xii) 4 persons, who shall be appointed by the Secretary for 2-year terms to represent State and local governments; and

“(xiii) 4 persons, who shall be appointed by the Secretary for 2-year terms to represent first responders.

“(B) Prohibition.—Any person described under subparagraph (A), whose membership on the Board would create a conflict of interest, shall not serve as a member of the Board.

“(C) Vacancies.—If a member of the Board dies or resigns from office, the official who designated the member shall designate a successor for the unexpired portion of the term.

“(3) Duties.—

“(A) Academy Visits.—The Board shall visit the Academy not less than annually, and may, with the approval of the Secretary, make
other visits to the Academy in connection with
the duties of the Board or to consult with the
Executive Director of the Academy.

“(B) INQUIRIES.—The Board shall inquire
into the curriculum, instruction, physical equip-
ment, fiscal affairs, academic methods, student
body composition, and other matters relating to
the Academy that the Board decides to con-
sider.

“(C) REPORTS.—

“(i) ANNUAL REPORT.—Not later
than 60 days after each annual visit, the
Board shall submit a written report to the
Secretary, which describes its action, and
of its views and recommendations per-
taining to the Academy.

“(ii) ADDITIONAL REPORTS.—Any re-
port of a visit, other than the annual visit,
shall, if approved by a majority of the
members of the Board, be submitted to the
Secretary not later than 60 days after the
approval.

“(4) TRAVEL EXPENSES.—The members of the
Board shall be allowed travel expenses, including per
diem in lieu of subsistence, at rates authorized for
employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Board.

“(d) REPORTS TO CONGRESS.—

“(1) CURRICULUM AND ATTENDANCE.—The Secretary shall submit an annual report that describes the curriculum of, and enrollment at, the Academy to—

“(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(B) the Committee on Homeland Security of the House of Representatives.

“(2) FEASIBILITY REPORT.—Not later than 1 year after the establishment of the Academy, the Secretary shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that—

“(A) recommends an appropriate combination of students from Federal, State, and local government and the private sector, and the percentage of costs related to the education of each of these student groups that should be reimbursable;
“(B) describes the feasibility of expanding the Academy in regional offices established by the Department or other government or university programs to provide ongoing education and training for Federal employees with homeland security responsibilities; and

“(C) describes the feasibility of providing education for the general public through electronic learning systems.

“(e) NATIONAL HOMELAND SECURITY EDUCATION NETWORK.—

“(1) ESTABLISHMENT.—The Executive Director of the Academy shall establish a National Homeland Security Education Network (referred to in this section as the ‘Network’), as described under subsection (a)(2)(B).

“(2) MEMBERSHIP.—The Network shall be comprised of representatives from Federal training and certification organizations, including—

“(A) the National Homeland Security Academy;

“(B) the Office of Domestic Preparedness;

“(C) the National Domestic Preparedness Consortium;
“(D) the Center for Homeland Defense and Security at the Naval Postgraduate School;

“(E) the Federal Law Enforcement Training Center, including all schools or training and education programs managed or co-located with the Center;

“(F) the Customs and Border Protection Academy;

“(G) the Border Patrol Academy;

“(H) the Bureau of Immigration and Customs Enforcement Academy;

“(I) the Secret Service Academy;

“(J) the United States Coast Guard Academy, including all schools within the jurisdiction of the Coast Guard Academy;

“(K) the Emergency Management Institute;

“(L) the Animal and Plant Health Inspection Service Training Program;

“(M) the Federal Air Marshal Training Center;

“(N) the National Fire Academy; and

“(O) other relevant training facilities within the Department.
“(3) Curriculum Requirements.—The curriculum and course work developed as part of the Network shall be incorporated into the curriculum of the institutions listed under paragraph (2), as appropriate, to ensure that students at these institutions understand how their homeland security responsibilities relate to other homeland security responsibilities in the Department and other Federal, State, and local agencies. The training centers and academies listed under paragraph (2) shall retain their respective missions and goals.

“(4) Semi-Annual Meetings.—The Executive Director and the Dean of the Academic Board shall meet with the Network not less than once every 6 months to—

“(A) discuss curriculum requirements; and

“(B) coordinate training activities within the Network.

“(5) Reports.—Not later than 2 years after the date of enactment of this section, and every 2 years thereafter, the Network shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representa-
“(A) strategy for using advanced instructional technologies;

“(B) plans for future improvement; and

“(C) success in working with other organizations in achieving the goals described under subparagraphs (A) and (B).”.

(b) TECHNICAL AMENDMENT.—Section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296) is amended by inserting after the item relating to section 801 the following:

“Sec. 802. National Homeland Security Academy.”.

SEC. 4. STATE AND LOCAL EDUCATION AND TRAINING CO-ORDINATOR.

The Secretary of Homeland Security shall appoint a State and Local Education and Training Coordinator to serve in the Office of State and Local Government Coordination and Preparedness, who shall—

(1) serve as the primary point of contact between Federal, State, and local training facilities, the National Homeland Security Academy, and the Office of State and Local Government Coordination and Preparedness, in order to—

(A) maximize the ability of the Academy to identify non-Academy programs that meet specific training goals and are crucial to the Nation’s homeland security mission; and
(B) assist the Academy and the Office of State and Local Government Coordination and Preparedness in determining where to direct Federal training funds; and

(2) at least semiannually, conduct meetings with a coalition of State and local education and training facilities to—

(A) allow State and local fire, rescue, and law enforcement training facilities to provide input on decisions made concerning the training of first responders; and

(B) increase curriculum coordination between the Academy and Federal, State, and local facilities.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out the amendment made by section 3 such sums as may be necessary for each of the fiscal years 2006 through 2009.