

112TH CONGRESS
2^D SESSION

H. R. 2764

IN THE SENATE OF THE UNITED STATES

JUNE 4, 2012

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To amend the Homeland Security Act of 2002 to establish weapons of mass destruction 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 “WMD Intelligence and
5 Information Sharing Act of 2012”.

6 **SEC. 2. WEAPONS OF MASS DESTRUCTION INTELLIGENCE**
7 **AND INFORMATION SHARING.**

8 (a) IN GENERAL.—Subtitle A of title II of the Home-
9 land Security Act of 2002 (6 U.S.C. 121 et seq.) is amend-
10 ed by adding at the end the following:

11 **“SEC. 210G. WEAPONS OF MASS DESTRUCTION INTEL-**
12 **LIGENCE AND INFORMATION SHARING.**

13 “(a) IN GENERAL.—The Office of Intelligence and
14 Analysis of the Department of Homeland Security shall—

15 “(1) support homeland security-focused intel-
16 ligence analysis of terrorist actors, their claims, and
17 their plans to conduct attacks involving chemical, bi-
18 ological, radiological, and nuclear materials against
19 the Nation;

20 “(2) support homeland security-focused intel-
21 ligence analysis of global biological threats, including
22 global infectious disease, public health, food, agricul-
23 tural, and veterinary issues, through activities such
24 as engagement of international partners;

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) by
4 providing relevant quantitative and nonquantitative
5 threat information;

6 “(4) leverage existing and emerging homeland
7 security intelligence capabilities and structures to
8 enhance prevention, protection, response, and recov-
9 ery efforts with respect to a chemical, biological, ra-
10 diological, or nuclear attack;

11 “(5) share information and provide tailored an-
12 alytical support on these threats to State, local, and
13 tribal authorities as well as other national biosecu-
14 rity and biodefense stakeholders; and

15 “(6) perform other responsibilities, as assigned
16 by the Secretary.

17 “(b) COORDINATION.—Where appropriate, the Office
18 of Intelligence and Analysis shall coordinate with other
19 relevant Department components, others in the Intel-
20 ligence Community, including the National Counter Pro-
21 liferation Center, and other Federal, State, local, and trib-
22 al authorities, including officials from high-threat areas,
23 and enable such entities to provide recommendations on
24 optimal information sharing mechanisms, including expe-

1 ditious sharing of classified information, and on how they
2 can provide information to the Department.

3 “(c) REPORT.—

4 “(1) IN GENERAL.—Not later than one year
5 after the date of the enactment of this section and
6 annually thereafter, the Secretary shall report to the
7 appropriate congressional committees on—

8 “(A) the intelligence and information shar-
9 ing activities under subsection (a) and of all rel-
10 evant entities within the Department to counter
11 the threat from weapons of mass destruction;
12 and

13 “(B) the Department’s activities in accord-
14 ance with relevant intelligence strategies.

15 “(2) ASSESSMENT OF IMPLEMENTATION.—The
16 report shall include—

17 “(A) a description of methods established
18 to assess progress of the Office of Intelligence
19 and Analysis in implementing this section; and

20 “(B) such assessment.

21 “(d) DEFINITIONS.—In this section:

22 “(1) The term ‘appropriate congressional com-
23 mittees’ means the Committee on Homeland Secu-
24 rity of the House of Representatives and any com-
25 mittee of the House of Representatives or the Senate

1 having legislative jurisdiction under the rules of the
2 House of Representatives or Senate, respectively,
3 over the matter concerned.

4 “(2) The term ‘Intelligence Community’ has the
5 meaning given that term in section 3(4) of the Na-
6 tional Security Act of 1947 (50 U.S.C. 401a(4)).

7 “(3) The term ‘national biosecurity and bio-
8 defense stakeholders’ means officials from the Fed-
9 eral, State, local, and tribal authorities and individ-
10 uals from the private sector who are involved in ef-
11 forts to prevent, protect against, respond to, and re-
12 cover from a biological attack or other phenomena
13 that may have serious health consequences for the
14 United States, including wide-scale fatalities or in-
15 fectious disease outbreaks.”.

16 (b) CLERICAL AMENDMENT.—The table of contents
17 in section 1(b) of such Act is amended by adding at the
18 end of the items relating to such subtitle the following:

“Sec. 210G. Weapons of mass destruction intelligence and information shar-
ing.”.

1 **SEC. 3. DISSEMINATION OF INFORMATION ANALYZED BY**
2 **THE DEPARTMENT TO STATE, LOCAL, TRIB-**
3 **AL, AND PRIVATE ENTITIES WITH RESPON-**
4 **SIBILITIES RELATING TO HOMELAND SECU-**
5 **RITY.**

6 Section 201(d)(8) of the Homeland Security Act of
7 2002 (6 U.S.C. 121(d)(8)) is amended by striking “and
8 to agencies of State” and all that follows and inserting
9 “to State, local, tribal, and private entities with such re-
10 sponsibilities, and, as appropriate, to the public, in order
11 to assist in preventing, deterring, or responding to acts
12 of terrorism against the United States.”.

Passed the House of Representatives May 30, 2012.

Attest:

KAREN L. HAAS,

Clerk.