

Union Calendar No. 326

112TH CONGRESS
2^D SESSION

H. R. 2764

[Report No. 112-466]

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.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2011

Mr. MEEHAN (for himself, Ms. SPEIER, Mr. PASCRELL, Mr. MARINO, Mr. KING of New York, and Mr. ROGERS of Alabama) introduced the following bill; which was referred to the Committee on Homeland Security

MAY 8, 2012

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 August 1, 2011]

A BILL

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 amended*
10 *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, bio-*
18 *logical, 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 se-
7 curity intelligence capabilities and structures to en-
8 hance prevention, protection, response, and recovery
9 efforts with respect to a chemical, biological, radio-
10 logical, or nuclear attack;

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

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

17 “(b) COORDINATION.—Where appropriate, the Office of
18 Intelligence and Analysis shall coordinate with other rel-
19 evant Department components, others in the Intelligence
20 Community, including the National Counter Proliferation
21 Center, and other Federal, State, local, and tribal authori-
22 ties, including officials from high-threat areas, and enable
23 such entities to provide recommendations on optimal infor-
24 mation sharing mechanisms, including expeditious sharing

1 *of classified information, and on how they can provide in-*
2 *formation to the Department.*

3 “(c) *REPORT.*—

4 “(1) *IN GENERAL.*—*Not later than one year after*
5 *the date of the enactment of this section and annually*
6 *thereafter, the Secretary shall report to the appro-*
7 *priate 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; and*

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

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

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

19 “(B) *such assessment.*

20 “(d) *DEFINITIONS.*—*In this section:*

21 “(1) *The term ‘appropriate congressional com-*
22 *mittees’ means the Committee on Homeland Security*
23 *of the House of Representatives and any committee of*
24 *the House of Representatives or the Senate having leg-*
25 *islative jurisdiction under the rules of the House of*

1 *Representatives or Senate, respectively, over the mat-*
2 *ter concerned.*

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

6 “(3) *The term ‘national biosecurity and bio-*
7 *defense stakeholders’ means officials from the Federal,*
8 *State, local, and tribal authorities and individuals*
9 *from the private sector who are involved in efforts to*
10 *prevent, protect against, respond to, and recover from*
11 *a biological attack or other phenomena that may have*
12 *serious health consequences for the United States, in-*
13 *cluding wide-scale fatalities or infectious disease out-*
14 *breaks.”.*

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

 “*Sec. 210G. Weapons of mass destruction intelligence and information sharing.*”.

18 **SEC. 3. DISSEMINATION OF INFORMATION ANALYZED BY**
19 **THE DEPARTMENT TO STATE, LOCAL, TRIBAL,**
20 **AND PRIVATE ENTITIES WITH RESPONSIBIL-**
21 **ITIES RELATING TO HOMELAND SECURITY.**

22 *Section 201(d)(8) of the Homeland Security Act of*
23 *2002 (6 U.S.C. 121(d)(8)) is amended by striking “and to*
24 *agencies of State” and all that follows and inserting “to*
25 *State, local, tribal, and private entities with such respon-*

1 *sibilities, and, as appropriate, to the public, in order to*
2 *assist in preventing, deterring, or responding to acts of ter-*
3 *rorism against the United States.”.*

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