

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4289

To amend the Homeland Security Act of 2002 to require the Under Secretary for Management of the Department of Homeland Security to take administrative action to achieve and maintain interoperable communications capabilities among the components of the Department of Homeland Security, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 2014

Mr. PAYNE (for himself and Mrs. BROOKS of Indiana) introduced the following bill; which was referred to the Committee on Homeland Security

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## A BILL

To amend the Homeland Security Act of 2002 to require the Under Secretary for Management of the Department of Homeland Security to take administrative action to achieve and maintain interoperable communications capabilities among the components of the Department of 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 “Department of Home-  
5       land Security Interoperable Communications Act” or the  
6       “DHS Interoperable Communications Act”.

1 **SEC. 2. INCLUSION OF INTEROPERABLE COMMUNICATIONS**  
2 **CAPABILITIES IN RESPONSIBILITIES OF**  
3 **UNDER SECRETARY FOR MANAGEMENT.**

4 Section 701 of the Homeland Security Act of 2002  
5 (6 U.S.C. 341) is amended—

6 (1) in paragraph (4) of subsection (a), by in-  
7 serting before the period at the end the following: “,  
8 including policies and directives to achieve and main-  
9 tain interoperable communications among the com-  
10 ponents of the Department”; and

11 (2) by adding at the end the following new sub-  
12 section:

13 “(d) INTEROPERABLE COMMUNICATIONS DE-  
14 FINED.—In this section, the term ‘interoperable commu-  
15 nications’ means the ability of components of the Depart-  
16 ment to communicate with each other as necessary, uti-  
17 lizing information technology systems and radio commu-  
18 nications systems to exchange voice, data, and video in  
19 real time, as necessary, for acts of terrorism, daily oper-  
20 ations, planned events, and emergencies.”.

21 **SEC. 3. STRATEGY.**

22 (a) IN GENERAL.—Not later than 120 days after the  
23 date of the enactment of this Act, the Under Secretary  
24 for Management of the Department of Homeland Security  
25 shall submit to the Committee on Homeland Security of  
26 the House of Representatives and the Committee on

1 Homeland Security and Governmental Affairs of the Sen-  
2 ate a strategy, which shall be updated as necessary, for  
3 achieving and maintaining interoperable communications  
4 (as such term is defined in subsection (d) of section 701  
5 of the Homeland Security Act of 2002, as added by section  
6 2 of this Act) among the components of the Department  
7 of Homeland Security, including for daily operations,  
8 planned events, and emergencies, with corresponding mile-  
9 stones, that includes, at a minimum the following:

10           (1) An assessment of interoperability gaps in  
11           radio communications among the components of the  
12           Department, as of the date of the enactment of this  
13           Act.

14           (2) Information on efforts and activities, includ-  
15           ing current and planned policies, directives, and  
16           training, of the Department since November 1,  
17           2012, to achieve and maintain interoperable commu-  
18           nications among the components of the Department,  
19           and planned efforts and activities of the Department  
20           to achieve and maintain such interoperable commu-  
21           nications.

22           (3) An assessment of obstacles and challenges  
23           to achieving and maintaining interoperable commu-  
24           nications among the components of the Department.

1           (4) Information on, and an assessment of, the  
2           adequacy of mechanisms available to the Under Sec-  
3           retary for Management to enforce and compel com-  
4           pliance with interoperable communications policies  
5           and directives of the Department.

6           (5) Guidance provided to the components of the  
7           Department to implement interoperable communica-  
8           tions policies and directives of the Department.

9           (6) The total amount of funds expended by the  
10          Department since November 1, 2012, and projected  
11          future expenditures, to achieve interoperable commu-  
12          nications, including on equipment, infrastructure,  
13          and maintenance.

14          (7) Dates upon which Department-wide inter-  
15          operability is projected to be achieved for voice,  
16          data, and video communications, respectively, and  
17          interim milestones that correspond to the achieve-  
18          ment of each such mode of communication.

19          (b) SUPPLEMENTARY MATERIAL.—Together with the  
20          strategy required under subsection (a), the Under Sec-  
21          retary for Management shall submit to the Committee on  
22          Homeland Security of the House of Representatives and  
23          the Committee on Homeland Security and Governmental  
24          Affairs of the Senate information on any intra-agency ef-  
25          fort or task force that has been delegated certain respon-

1 sibilities by the Under Secretary relating to achieving and  
2 maintaining interoperable communications among the  
3 components of the Department by the dates referred to  
4 in paragraph (9) of subsection (a), and on who, within  
5 each such component, is responsible for implementing poli-  
6 cies and directives issued by the Under Secretary to so  
7 achieve and maintain such interoperable communications.

8 **SEC. 4. REPORT.**

9 Not later than 220 days after the date of the enact-  
10 ment of this Act and biannually thereafter, the Under Sec-  
11 retary for Management shall submit to the Committee on  
12 Homeland Security of the House of Representatives and  
13 the Committee on Homeland Security and Governmental  
14 Affairs of the Senate a report on the status of efforts,  
15 since the issuance of the strategy required under section  
16 3, to implement such strategy, including the following:

17 (1) Progress on each interim milestone referred  
18 to in paragraph (9) of subsection (a) toward achiev-  
19 ing and maintaining interoperable communications  
20 among the components of the Department.

21 (2) Information on any policies, directives,  
22 guidance, and training established by the Under Sec-  
23 retary.

24 (3) An assessment of the level of compliance,  
25 adoption, and participation among the components

1 of the Department with the policies, directives, guid-  
2 ance, and training established by the Under Sec-  
3 retary to achieve and maintain interoperable commu-  
4 nications among such components.

5 (4) Information on any additional resources or  
6 authorities needed by the Under Secretary.

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