

Union Calendar No. 245

114TH CONGRESS
1ST SESSION

H. R. 3503

[Report No. 114-322]

To require an assessment of fusion center personnel needs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 11, 2015

Ms. MCSALLY (for herself, Mr. MCCAUL, Mr. KING of New York, Mr. LOUDERMILK, and Mr. BARLETTA) introduced the following bill; which was referred to the Committee on Homeland Security

NOVEMBER 2, 2015

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 *italie*]

[For text of introduced bill, see copy of bill as introduced on September 11, 2015]

A BILL

To require an assessment of fusion center personnel needs,
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 Support to Fusion Centers Act of 2015”.*

6 **SEC. 2. FUSION CENTER PERSONNEL NEEDS ASSESSMENT.**

7 *(a) IN GENERAL.—Not later than 120 days after the*
8 *date of the enactment of this Act, the Under Secretary of*
9 *Intelligence and Analysis of the Department of Homeland*
10 *Security, in coordination with the appropriate components*
11 *and offices of the Department and the Homeland Security*
12 *Advisors of the States, shall, in consultation with the prin-*
13 *cipal officials of the fusion centers in the National Network*
14 *of Fusion Centers, conduct a needs assessment of Depart-*
15 *ment personnel assigned to fusion centers pursuant to sub-*
16 *section (c) of section 210A of the Homeland Security Act*
17 *of 2002 (6 U.S.C. 124h), including an assessment of whether*
18 *deploying additional Department personnel to such fusion*
19 *centers would enhance the Department’s mission under sec-*
20 *tion 101(b) of such Act and the National Network of Fusion*
21 *Centers. The assessment required under this subsection shall*
22 *include the following:*

23 *(1) Information on the current deployment of the*
24 *Department’s personnel to each fusion center.*

1 (2) *Information on the roles and responsibilities*
2 *of the Office of Intelligence and Analysis' intelligence*
3 *officers, intelligence analysts, senior reports officers,*
4 *reports officers, and regional directors deployed to fu-*
5 *sion centers.*

6 (3) *Information on Federal resources, in addi-*
7 *tion to personnel, provided to each fusion center.*

8 (4) *An assessment of whether deploying addi-*
9 *tional personnel, as described in paragraph (2),*
10 *would enhance intelligence and information sharing*
11 *between the Department and Federal, State, local,*
12 *tribal, and territorial partners.*

13 (5) *An assessment of fusion centers located in ju-*
14 *risdictions along land and maritime borders of the*
15 *United States, and the degree to which deploying per-*
16 *sonnel, as appropriate, from the U.S. Customs and*
17 *Border Protection, U.S. Immigration and Customs*
18 *Enforcement, and the Coast Guard to such fusion cen-*
19 *ters would enhance the integrity and security at such*
20 *borders by helping Federal, State, local, and tribal*
21 *law enforcement authorities to identify, investigate,*
22 *and interdict persons, weapons, and related contra-*
23 *band that pose a threat to homeland security.*

24 (6) *An assessment of fusion centers located in ju-*
25 *risdictions with large and medium hub airports, and*

1 *the degree to which deploying, as appropriate, per-*
2 *sonnel from the Transportation Security Administra-*
3 *tion to such fusion centers would enhance the integ-*
4 *riety and security of aviation security.*

5 *(b) REPORT.—Not later than 60 days after the comple-*
6 *tion of the assessment required under subsection (a), the*
7 *Under Secretary of Intelligence and Analysis of the Depart-*
8 *ment of Homeland Security, in coordination with the ap-*
9 *propriate components and offices of the Department of*
10 *Homeland Security shall submit to the Committee on*
11 *Homeland Security of the House of Representatives and the*
12 *Committee on Homeland Security and Governmental Af-*
13 *airs of the Senate such assessment, together with a report*
14 *on the following:*

15 *(1) The number of personnel assigned to fusion*
16 *centers from the Office of Intelligence and Analysis of*
17 *the Department of Homeland Security, including a*
18 *breakdown of the types of positions assigned and the*
19 *methodology for determining the fusion centers to*
20 *which such personnel are assigned.*

21 *(2) The number of personnel assigned to the Na-*
22 *tional Network of Fusion Centers from components*
23 *and offices of the Department of Homeland Security*
24 *and the methodology for determining the fusion cen-*
25 *ters to which such personnel are assigned.*

1 (3) *An implementation plan for determining*
2 *how the Department's personnel resources will be allo-*
3 *cated to fusion centers in the future.*

4 **SEC. 3. PROGRAM FOR STATE AND LOCAL ANALYST CLEAR-**
5 **ANCES.**

6 (a) *IN GENERAL.*—*The Under Secretary of Intelligence*
7 *and Analysis of the Department of Homeland Security, in*
8 *collaboration with the Chief Security Officer of the Depart-*
9 *ment, shall establish a program to provide eligibility for*
10 *access to information classified as Top Secret pursuant to*
11 *Executive Order 13526 (50 U.S.C. 3161 note) for State and*
12 *local analysts located in fusion centers.*

13 (b) *REPORT.*—*Not later than two years after the estab-*
14 *lishment of the program required under subsection (a), the*
15 *Under Secretary of Intelligence and Analysis of the Depart-*
16 *ment of Homeland Security shall submit to the Committee*
17 *on Homeland Security of the House of Representatives and*
18 *the Committee on Homeland Security and Governmental*
19 *Affairs of the Senate a report on the following:*

20 (1) *The effects of such program on the Depart-*
21 *ment's ability to sponsor such Top Secret clearances*
22 *for State and local analysts located in designated fu-*
23 *sion centers.*

1 (2) *The effects of such program on enhancing in-*
2 *formation sharing with State, local, tribal, and terri-*
3 *torial partners.*

4 (3) *The cost for providing additional training*
5 *and providing such Top Secret clearances for State*
6 *and local analysts.*

7 (4) *The effect of such program on increasing the*
8 *situational awareness of key stakeholders of the fusion*
9 *centers, including Federal, State, local, tribal, and*
10 *territorial law enforcement and emergency response*
11 *providers.*

12 **SEC. 4. INFORMATION TECHNOLOGY ASSESSMENT.**

13 *The Under Secretary of Intelligence and Analysis of*
14 *the Department of Homeland Security, in collaboration*
15 *with the Chief Information Officer of the Department and*
16 *representatives from the National Network of Fusion Cen-*
17 *ters, shall conduct an assessment of information systems (as*
18 *such term is defined in section 3502 of title 44, United*
19 *States Code) used to share homeland security information*
20 *between the Department and fusion centers in the National*
21 *Network of Fusion Centers and make upgrades to such sys-*
22 *tems, as appropriate. Such assessment shall include the fol-*
23 *lowing:*

1 (1) *An evaluation of the accessibility and ease of*
2 *use of such systems by fusion centers in the National*
3 *Network of Fusion Centers.*

4 (2) *A review to determine how to establish im-*
5 *proved interoperability of departmental information*
6 *systems with existing information systems used by fu-*
7 *sion centers in the National Network of Fusion Cen-*
8 *ters.*

9 (3) *An evaluation of participation levels of de-*
10 *partmental components and offices of information*
11 *systems used to share homeland security information*
12 *with fusion centers in the National Network of Fusion*
13 *Centers.*

14 **SEC. 5. MEMORANDUM OF UNDERSTANDING.**

15 *Not later than one year after the date of the enactment*
16 *of this Act, the Under Secretary of Intelligence and Analysis*
17 *of the Department of Homeland Security shall enter into*
18 *a memorandum of understanding with each fusion center*
19 *in the National Network of Fusion Centers regarding the*
20 *type of information fusion centers will provide to the De-*
21 *partment and whether such information may be subject to*
22 *public disclosure.*

23 **SEC. 6. DEFINITIONS.**

24 *In this Act:*

1 (1) *FUSION CENTER.*—*The term “fusion center”*
2 *has the meaning given such term in subsection (j) of*
3 *section 210A of the Homeland Security Act of 2002*
4 *(6 U.S.C. 124h).*

5 (2) *NATIONAL NETWORK OF FUSION CENTERS.*—
6 *The term “National Network of Fusion Centers”*
7 *means a decentralized arrangement of fusion centers*
8 *intended to enhance individual State and urban area*
9 *fusion centers’ ability to leverage the capabilities and*
10 *expertise of all such fusion centers for the purpose of*
11 *enhancing analysis and homeland security informa-*
12 *tion sharing nationally.*

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