

Calendar No. 158

116TH CONGRESS
1ST SESSION

S. 411

[Report No. 116-59]

To establish a Counterterrorism Advisory Board, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2019

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

JULY 22, 2019

Reported by Mr. JOHNSON, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To establish a Counterterrorism Advisory Board, 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 “Counterterrorism Advi-
5 sory Board Act of 2019”.

1 **SEC. 2. DEPARTMENT OF HOMELAND SECURITY COUNTER-**
 2 **TERRORISM ADVISORY BOARD.**

3 (a) **IN GENERAL.**—Subtitle A of title II of the Home-
 4 land Security Act of 2002 (6 U.S.C. 121 et seq.) is amend-
 5 ed by inserting after section 210E the following:

6 **“SEC. 210F. DEPARTMENTAL COORDINATION ON COUNTER-**
 7 **TERRORISM.**

8 “(a) **AUTHORIZATION.**—There is authorized in the
 9 Department a Counterterrorism Advisory Board (in this
 10 section referred to as the ‘Board’) which shall—

11 “(1) be composed of senior representatives of
 12 departmental operational components and head-
 13 quarters elements; and

14 “(2) coordinate departmental intelligence activi-
 15 ties and policy and information related to the mis-
 16 sion and functions of the Department that counter
 17 terrorist threats.

18 “(b) **CHARTER.**—There shall be a charter to govern
 19 the structure and mission of the Board, which shall—

20 “(1) direct the Board to focus on the current
 21 threat environment and the importance of aligning
 22 departmental activities to counter threats under the
 23 guidance of the Secretary; and

24 “(2) be reviewed and updated as appropriate.

25 “(c) **MEMBERS.**—

1 “(1) IN GENERAL.—The Board shall be com-
2 posed of senior representatives of departmental oper-
3 ational components and headquarters elements.

4 “(2) CHAIR.—The Under Secretary for Intel-
5 ligence and Analysis shall serve as the Chair of the
6 Board.

7 “(3) MEMBERS.—The Secretary shall appoint
8 additional members of the Board from among the
9 following:

10 “(A) The Transportation Security Admin-
11 istration.

12 “(B) U.S. Customs and Border Protection.

13 “(C) U.S. Immigration and Customs En-
14 forcement.

15 “(D) The Federal Emergency Management
16 Agency.

17 “(E) The Coast Guard.

18 “(F) U.S. Citizenship and Immigration
19 Services.

20 “(G) The United States Secret Service.

21 “(H) The Cybersecurity and Infrastructure
22 Security Agency.

23 “(I) The Office of Operations Coordina-
24 tion.

25 “(J) The Office of the General Counsel.

1 “(K) The Office of Intelligence and Anal-
2 ysis:

3 “(L) The Office of Strategy, Policy, and
4 Plans:

5 “(M) The Science and Technology Direc-
6 torate:

7 “(N) The Office for State and Local Law
8 Enforcement:

9 “(O) The Privacy Office:

10 “(P) The Office for Civil Rights and Civil
11 Liberties:

12 “(Q) Other departmental offices and pro-
13 grams as determined appropriate by the Sec-
14 retary:

15 “(d) MEETINGS.—The Board shall—

16 “(1) meet on a regular basis to discuss intel-
17 ligence and coordinate ongoing threat mitigation ef-
18 forts and departmental activities, including coordina-
19 tion with other Federal, State, local, tribal, terri-
20 torial, and private sector partners; and

21 “(2) make recommendations to the Secretary.

22 “(e) TERRORISM ALERTS.—The Board shall advise
23 the Secretary on the issuance of terrorism alerts under
24 section 203.

1 “(f) PROHIBITION ON ADDITIONAL FUNDS.—No ad-
2 ditional funds are authorized to carry out this section.

3 “(g) SUNSET.—The authority under this section shall
4 terminate on the date that is 2 years after the date of
5 enactment of the Counterterrorism Advisory Board Act of
6 2019.”.

7 (b) TECHNICAL AND CONFORMING AMENDMENT.—
8 The table of contents in section 1(b) of the Homeland Se-
9 curity Act of 2002 (Public Law 107–296; 116 Stat. 2135)
10 is amended by inserting after the item relating to section
11 210E the following:

“Sec. 210F. Departmental coordination on counterterrorism.”.

12 (c) REPORT.—Not later than 90 days after the date
13 of enactment of this Act, the Secretary of Homeland Secu-
14 rity, acting through the Chair of the Counterterrorism Ad-
15 visory Board established under section 210F of the Home-
16 land Security Act of 2002, as added by subsection (a),
17 shall submit to the Committee on Homeland Security and
18 Governmental Affairs of the Senate and the Committee
19 on Homeland Security of the House of Representatives a
20 report on the status and activities of the Counterterrorism
21 Advisory Board.

22 (d) NOTICE.—The Secretary of Homeland Security
23 shall provide written notification to and brief the Com-
24 mittee on Homeland Security and Governmental Affairs
25 of the Senate and the Committee on Homeland Security

1 of the House of Representatives on any changes to or in-
 2 troductions of new mechanisms to coordinate threats
 3 across the Department of Homeland Security.

4 **SECTION 1. SHORT TITLE.**

5 *This Act may be cited as the “Counter Threats Advi-
 6 sory Board Act of 2019”.*

7 **SEC. 2. DEPARTMENT OF HOMELAND SECURITY COUNTER
 8 THREATS ADVISORY BOARD.**

9 *(a) IN GENERAL.—Subtitle A of title II of the Home-
 10 land Security Act of 2002 (6 U.S.C. 121 et seq.) is amended
 11 by inserting after section 210E the following:*

12 **“SEC. 210F. DEPARTMENTAL COORDINATION ON COUNTER
 13 THREATS.**

14 *“(a) ESTABLISHMENT.—There is authorized in the De-
 15 partment, for a period of 2 years beginning after the date
 16 of enactment of this section, a Counter Threats Advisory
 17 Board (in this section referred to as the ‘Board’) which
 18 shall—*

19 *“(1) be composed of senior representatives of de-
 20 partmental operational components and headquarters
 21 elements; and*

22 *“(2) coordinate departmental intelligence activi-
 23 ties and policy and information related to the mis-
 24 sion and functions of the Department that counter
 25 threats.*

1 “(b) *CHARTER.*—*There shall be a charter to govern the*
2 *structure and mission of the Board, which shall—*

3 “(1) *direct the Board to focus on the current*
4 *threat environment and the importance of aligning*
5 *departmental activities to counter threats under the*
6 *guidance of the Secretary; and*

7 “(2) *be reviewed and updated as appropriate.*

8 “(c) *MEMBERS.*—

9 “(1) *IN GENERAL.*—*The Board shall be composed*
10 *of senior representatives of departmental operational*
11 *components and headquarters elements.*

12 “(2) *CHAIR.*—*The Under Secretary for Intel-*
13 *ligence and Analysis shall serve as the Chair of the*
14 *Board.*

15 “(3) *MEMBERS.*—*The Secretary shall appoint*
16 *additional members of the Board from among the fol-*
17 *lowing:*

18 “(A) *The Transportation Security Adminis-*
19 *tration.*

20 “(B) *U.S. Customs and Border Protection.*

21 “(C) *U.S. Immigration and Customs En-*
22 *forcement.*

23 “(D) *The Federal Emergency Management*
24 *Agency.*

25 “(E) *The Coast Guard.*

1 “(F) *U.S. Citizenship and Immigration*
2 *Services.*

3 “(G) *The United States Secret Service.*

4 “(H) *The Cybersecurity and Infrastructure*
5 *Security Agency.*

6 “(I) *The Office of Operations Coordination.*

7 “(J) *The Office of the General Counsel.*

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9 *ysis.*

10 “(L) *The Office of Strategy, Policy, and*
11 *Plans.*

12 “(M) *The Science and Technology Direc-*
13 *torate.*

14 “(N) *The Office for State and Local Law*
15 *Enforcement.*

16 “(O) *The Privacy Office.*

17 “(P) *The Office for Civil Rights and Civil*
18 *Liberties.*

19 “(Q) *Other departmental offices and pro-*
20 *grams as determined appropriate by the Sec-*
21 *retary.*

22 “(d) *MEETINGS.—The Board shall—*

23 “(1) *meet on a regular basis to discuss intel-*
24 *ligence and coordinate ongoing threat mitigation ef-*
25 *forts and departmental activities, including coordina-*

1 *tion with other Federal, State, local, tribal, terri-*
2 *torial, and private sector partners; and*

3 *“(2) make recommendations to the Secretary.*

4 *“(e) TERRORISM ALERTS.—The Board shall advise the*
5 *Secretary on the issuance of terrorism alerts under section*
6 *203.*

7 *“(f) PROHIBITION ON ADDITIONAL FUNDS.—No addi-*
8 *tional funds are authorized to carry out this section.”.*

9 *(b) TECHNICAL AND CONFORMING AMENDMENT.—The*
10 *table of contents in section 1(b) of the Homeland Security*
11 *Act of 2002 (Public Law 107–296; 116 Stat. 2135) is*
12 *amended by inserting after the item relating to section*
13 *210E the following:*

“Sec. 210F. Departmental coordination on counter threats.”.

14 *(c) REPORT.—Not later than 90 days after the date*
15 *of enactment of this Act, the Secretary of Homeland Secu-*
16 *rity, acting through the Chair of the Counter Threats Advi-*
17 *sory Board established under section 210F of the Homeland*
18 *Security Act of 2002, as added by subsection (a), shall sub-*
19 *mit to the Committee on Homeland Security and Govern-*
20 *mental Affairs of the Senate and the Committee on Home-*
21 *land Security of the House of Representatives a report on*
22 *the status and activities of the Counter Threats Advisory*
23 *Board.*

24 *(d) NOTICE.—The Secretary of Homeland Security*
25 *shall provide written notification to and brief the Com-*

1 *mittee on Homeland Security and Governmental Affairs of*
2 *the Senate and the Committee on Homeland Security of the*
3 *House of Representatives on any changes to or introduc-*
4 *tions of new mechanisms to coordinate threats across the*
5 *Department of Homeland Security.*

Amend the title so as to read: “A bill to establish a Counter Threats Advisory Board, and for other purposes.”.

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