

(1) With respect to an award of a contract that requires a subcontracting plan, a mentor firm may receive evaluation credit for participating in the Program.

(2) With respect to an award of a contract that requires a subcontracting plan, a mentor firm may receive credit for a protégé firm performing as a first tier subcontractor or a subcontractor at any tier in an amount equal to the total dollar value of any subcontracts awarded to such protégé firm.

(3) A protégé firm may receive technical, managerial, financial, or any other mutually agreed upon benefit from a mentor firm, including a subcontract award.

#### (f) Reporting

Not later than one year after December 23, 2022, and annually thereafter, the head of the Office of Small and Disadvantaged Business Utilization shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Homeland Security and the Committee on Small Business of the House of Representatives a report that—

(1) identifies each agreement between a mentor firm and a protégé firm entered into under this section, including the number of protégé firm participants that are—

- (A) small business concerns;
- (B) small business concerns owned and controlled by veterans;
- (C) small business concerns owned and controlled by service-disabled veterans;
- (D) qualified HUBZone small business concerns;
- (E) small business concerns owned and controlled by socially and economically disadvantaged individuals;
- (F) small business concerns owned and controlled by women;
- (G) historically Black colleges and universities; and
- (H) minority-serving institutions;

(2) describes the type of assistance provided by mentor firms to protégé firms;

(3) identifies contracts within the Department in which a mentor firm serving as the prime contractor provided subcontracts to a protégé firm under the Program; and

(4) assesses the degree to which there has been—

- (A) an increase in the technical capabilities of protégé firms; and
- (B) an increase in the quantity and estimated value of prime contract and subcontract awards to protégé firms for the period covered by the report.

#### (g) Rule of construction

Nothing in this section may be construed to limit, diminish, impair, or otherwise affect the authority of the Department to participate in any program carried out by or requiring approval of the Small Business Administration or adopt or follow any regulation or policy that the Administrator of the Small Business Administration may promulgate, except that, to the extent that any provision of this section (includ-

ing subsection (h)) conflicts with any other provision of law, regulation, or policy, this section shall control.

#### (h) Definitions

In this section:

##### (1) Historically Black college or university

The term “historically Black college or university” has the meaning given the term “part B institution” in section 1061 of title 20.

##### (2) Mentor firm

The term “mentor firm” means a for-profit business concern that is not a small business concern that—

- (A) has the ability to assist and commits to assisting a protégé to compete for Federal prime contracts and subcontracts; and
- (B) satisfies any other requirements imposed by the Secretary.

##### (3) Minority-serving institution

The term “minority-serving institution” means an institution of higher education described in section 1067q(a) of title 20.<sup>1</sup>

##### (4) Protégé firm

The term “protégé firm” means a small business concern, a historically Black college or university, or a minority-serving institution that—

- (A) is eligible to enter into a prime contract or subcontract with the Department; and
- (B) satisfies any other requirements imposed by the Secretary.

##### (5) Small Business Act definitions

The terms “small business concern”, “small business concern owned and controlled by veterans”, “small business concern owned and controlled by service-disabled veterans”, “qualified HUBZone small business concern”, “and small<sup>2</sup> business concern owned and controlled by women” have the meanings given such terms, respectively, under section 632 of title 15. The term “small business concern owned and controlled by socially and economically disadvantaged individuals” has the meaning given such term in section 637(d)(3)(C) of title 15.

(Pub. L. 107–296, title VIII, §890D, as added Pub. L. 117–263, div. G, title LXXI, §7115(a), Dec. 23, 2022, 136 Stat. 3633.)

#### Editorial Notes

##### REFERENCES IN TEXT

Section 1067q(a) of title 20, referred to in subsec. (h)(3), was in the original “section 317 of the Higher Education Act of 1965 (20 U.S.C. 1067q(a))” and was translated as reading “section 371(a) of the Higher Education Act of 1965”, to reflect the probable intent of Congress.

#### PART I—INFORMATION SHARING

### § 481. Short title; findings; and sense of Congress

#### (a) Short title

This part may be cited as the “Homeland Security Information Sharing Act”.

<sup>1</sup> See References in Text note below.

<sup>2</sup> So in original. The opening quotation marks preceding “and” probably should precede “small”.

**(b) Findings**

Congress finds the following:

(1) The Federal Government is required by the Constitution to provide for the common defense, which includes terrorist attack.

(2) The Federal Government relies on State and local personnel to protect against terrorist attack.

(3) The Federal Government collects, creates, manages, and protects classified and sensitive but unclassified information to enhance homeland security.

(4) Some homeland security information is needed by the State and local personnel to prevent and prepare for terrorist attack.

(5) The needs of State and local personnel to have access to relevant homeland security information to combat terrorism must be reconciled with the need to preserve the protected status of such information and to protect the sources and methods used to acquire such information.

(6) Granting security clearances to certain State and local personnel is one way to facilitate the sharing of information regarding specific terrorist threats among Federal, State, and local levels of government.

(7) Methods exist to declassify, redact, or otherwise adapt classified information so it may be shared with State and local personnel without the need for granting additional security clearances.

(8) State and local personnel have capabilities and opportunities to gather information on suspicious activities and terrorist threats not possessed by Federal agencies.

(9) The Federal Government and State and local governments and agencies in other jurisdictions may benefit from such information.

(10) Federal, State, and local governments and intelligence, law enforcement, and other emergency preparation and response agencies must act in partnership to maximize the benefits of information gathering and analysis to prevent and respond to terrorist attacks.

(11) Information systems, including the National Law Enforcement Telecommunications System and the Terrorist Threat Warning System, have been established for rapid sharing of classified and sensitive but unclassified information among Federal, State, and local entities.

(12) Increased efforts to share homeland security information should avoid duplicating existing information systems.

**(c) Sense of Congress**

It is the sense of Congress that Federal, State, and local entities should share homeland security information to the maximum extent practicable, with special emphasis on hard-to-reach urban and rural communities.

(Pub. L. 107-296, title VIII, § 891, Nov. 25, 2002, 116 Stat. 2252.)

**Editorial Notes****REFERENCES IN TEXT**

This part, referred to in subsec. (a), was in the original “This subtitle”, meaning subtitle I (§§ 891-899) of title VIII of Pub. L. 107-296, Nov. 25, 2002, 116 Stat. 2252,

which enacted this part, amended section 2517 of Title 18, Crimes and Criminal Procedure, Rule 6 of the Federal Rules of Criminal Procedure, set out in the Appendix to Title 18, and sections 1806, 1825, and 3365 of Title 50, War and National Defense, and amended provisions set out as a note under section 2517 of Title 18. For complete classification of subtitle I to the Code, see Tables.

**Statutory Notes and Related Subsidiaries****REPORTS TO CONGRESS**

Pub. L. 110-28, title III, May 25, 2007, 121 Stat. 139, provided in part: “That starting July 1, 2007, the Secretary of Homeland Security shall submit quarterly reports to the Committees on Appropriations of the Senate and the House of Representatives detailing the information required in House Report 110-107.”

**§ 482. Facilitating homeland security information sharing procedures****(a) Procedures for determining extent of sharing of homeland security information**

(1) The President shall prescribe and implement procedures under which relevant Federal agencies—

(A) share relevant and appropriate homeland security information with other Federal agencies, including the Department, and appropriate State and local personnel;

(B) identify and safeguard homeland security information that is sensitive but unclassified; and

(C) to the extent such information is in classified form, determine whether, how, and to what extent to remove classified information, as appropriate, and with which such personnel it may be shared after such information is removed.

(2) The President shall ensure that such procedures apply to all agencies of the Federal Government.

(3) Such procedures shall not change the substantive requirements for the classification and safeguarding of classified information.

(4) Such procedures shall not change the requirements and authorities to protect sources and methods.

**(b) Procedures for sharing of homeland security information**

(1) Under procedures prescribed by the President, all appropriate agencies, including the intelligence community, shall, through information sharing systems, share homeland security information with Federal agencies and appropriate State and local personnel to the extent such information may be shared, as determined in accordance with subsection (a), together with assessments of the credibility of such information.

(2) Each information sharing system through which information is shared under paragraph (1) shall—

(A) have the capability to transmit unclassified or classified information, though the procedures and recipients for each capability may differ;

(B) have the capability to restrict delivery of information to specified subgroups by geographic location, type of organization, position of a recipient within an organization, or a recipient's need to know such information;