107TH CONGRESS
2D SESSION

S. 2956

To require the Secretary of Homeland Security to submit a semi-annual report to Congress regarding the effectiveness with which information is exchanged between the Department of Homeland Security, the Federal Bureau of Investigation, and State and local law enforcement authorities.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 18, 2002

Mr. FEINGOLD introduced the following bill; which was read twice and referred to the Committee on the Judiciary

---

A BILL

To require the Secretary of Homeland Security to submit a semi-annual report to Congress regarding the effectiveness with which information is exchanged between the Department of Homeland Security, the Federal Bureau of Investigation, and State and local law enforcement authorities.

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 "Intelligence Gathering

5 Act of 2002".

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to require the Secretary of Homeland Security, for the first 5 years after the date of enactment of the National Homeland Security and Combating Terrorism Act of 2002, to submit a semi-annual report to Congress on—

(A) the specific policies and procedures governing the sharing of law enforcement, intelligence, and other information relating to threats of terrorism against the United States and other threats to homeland security within the Federal government, including the Federal Bureau of Investigation, and between the Federal Government, State and local governments, local law enforcement, and intelligence agencies;

(B) the specific policies and procedures for the tasking of information between the Department of Homeland Security and other agencies of the Federal Government, including the Federal Bureau of Investigation, and between the Federal Government, State and local governments, local law enforcement, and intelligence agencies; and

(C) the nature of law enforcement information the Department of Homeland Security has

1 　　　 received from the Federal Bureau of Investiga-

2 　　　 tion and State and local law enforcement agen-

3 　　　 cies;

4 　　(2) to provide relevant information to Congress

5 　 to assist in determining if the sharing of intelligence

6 　 between the Department of Homeland Security and

7 　 the Federal Bureau of Investigation is working effi-

8 　 ciently and effectively; and

9 　　(3) to enable Congress to accurately determine

10 　 if the Department of Homeland Security is working

11 　 effectively with the Federal, State, and local law en-

12 　 forcement agencies so that an accurate and useful

13 　 exchange of information occurs between the Depart-

14 　 ment of Homeland Security and such agencies.

15 **SEC. 3. INFORMATION ANALYSIS REPORT.**

16 　(a) IN GENERAL.—The Department of Homeland Se-

17 curity (in this section referred to as the ''Department'')

18 shall study the issues under subsection (b) and submit a

19 report of such study to Congress not less than every 6

20 months during the 5 years following the enactment of the

21 National Homeland Security and Combating Terrorism

22 Act of 2002, without disclosing the actual substance of

23 any information relating to national security.

24 　(b) ISSUES TO BE STUDIED.—The report under sub-

25 section (a) shall include—

1   (1) the policies and procedures developed by the

2   Department—

3   (A) to obtain relevant information from the

4   Federal Government (including the Federal Bu-

5   reau of Investigation) and State and local law

6   enforcement agencies;

7   (B) to request follow-up information and

8   investigation from such entities; and

9   (C) for sharing information with other

10   Federal, State, and local government agencies;

11   (2) the specific rules and practices developed

12   between the Department and other Federal, State,

13   and local government agencies;

14   (3) the nature and type of information—

15   (A) shared with Federal, State, and local

16   government agencies; and

17   (B) related to law enforcement, intel-

18   ligence, and homeland security that was re-

19   ceived by the Department during the relevant

20   reporting period, including reports, documents,

21   summaries, tapes, and photographs;

22   (4) a list of the agencies that have received in-

23   formation under paragraph (3)(A), including wheth-

24   er the information was provided by the Department

25   upon the request of such agency;

1   (5) a summary of the items received by the De-

2 partment from the Federal Bureau of Investigation,

3 including—

4   (A) individual witness grand jury tran-

5   scripts;

6   (B) notes of witness interviews

7   (C) wire-tap applications;

8   (D) wire-tap transcripts (including actual

9   tapes);

10   (E) search warrant applications;

11   (F) search warrants;

12   (G) photographs;

13   (H) videos;

14   (I) computer disks;

15   (J) summary reports; and

16   (K) any other relevant items;

17   (6) the nature of the follow-up requests made

18 by the Department—

19   (A) for information and intelligence from

20   the Federal Bureau of Investigation;

21   (B) for raw intelligence data from the Fed-

22   eral Bureau of Investigation; and

23   (C) that required additional investigation

24   by the Federal Bureau of Investigation;

1   (7) the nature of each follow-up request made

2 by the Department to the Federal Bureau of Inves-

3 tigation, including whether the request related to a

4 witness interview, subpoena information, surveil-

5 lance, or undercover work;

6   (8) the efforts that have been made by the De-

7 partment and the Federal Bureau of Investigation to

8 improve interdepartmental communication, including

9 the development of computer programs to facilitate

10 electronic communication between the Department

11 and the Federal Bureau of Investigation;

12   (9) the general nature of investigations con-

13 ducted by analysts of the Department and any simi-

14 lar analyses performed by the Federal Bureau of In-

15 vestigation; and

16   (10) the identification of the method of trans-

17 mission of all information provided to the Depart-

18 ment, whether transmitted by mail, computer, or

19 messenger.

○