

108TH CONGRESS  
1ST SESSION

# S. 266

To provide for the access and handling by personnel of State and local governments of classified information to facilitate preparation and response to terrorist attacks, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 30, 2003

Mr. EDWARDS (for himself and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Select Committee on Intelligence

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## A BILL

To provide for the access and handling by personnel of State and local governments of classified information to facilitate preparation and response to terrorist attacks, 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 “Antiterrorism Intel-  
5 ligence Distribution Act of 2003”.



1           “(5) in consultation with the chief executive of-  
2           ficer of each State, identify appropriate officials of  
3           such State, and of the political subdivisions of such  
4           State, whose performance of functions within the  
5           government of such State or political subdivision  
6           with respect to the health and safety of the citizens  
7           of such State and political subdivision will require  
8           the access of such officials to classified informa-  
9           tion.”; and

10           (2) by adding at the end the following new sub-  
11           sections:

12           “(c) IDENTIFICATION OF STATE AND LOCAL OFFI-  
13           CIALS.—In identifying State and local officials under sub-  
14           section (b)(5), the Office shall ensure each of the fol-  
15           lowing:

16           “(1) Adequate representation among personnel  
17           identified of personnel of law enforcement, rescue,  
18           fire, health, and other first responder agencies.

19           “(2) Adequate representation among personnel  
20           identified of personnel located in the major popu-  
21           lation center or centers of each State.

22           “(3) Adequate representation among personnel  
23           identified of personnel in each of the major geo-  
24           graphic regions of each State.

1       “(d) STATE DEFINED.—In this section, the term  
2 ‘State’ means the several States and the District of Co-  
3 lumbia.”.

4       (c) RESPONSIBILITIES OF DIRECTOR OF CENTRAL  
5 INTELLIGENCE.—Section 103(a)(1) of the National Secu-  
6 rity Act of 1947 (50 U.S.C. 403–3(a)(1)) is amended—

7           (1) in subparagraph (C), by striking “and” at  
8       the end;

9           (2) in subparagraph (D), by striking the period  
10       at the end and inserting “; and”; and

11          (3) by adding at the end the following new sub-  
12       paragraph:

13           “(E) where appropriate, to officials of State  
14       and local governments who are designated by the  
15       Secretary of Homeland Security from among such  
16       officials identified by the Office for State and Local  
17       Government Coordination of the Department of  
18       Homeland Security under section 801(a)(5) of the  
19       Department of Homeland Security Act (Public Law  
20       107–296).”.

21       (d) RESPONSIBILITIES OF SECRETARY OF HOME-  
22       LAND SECURITY.—(1) Not later than 180 days after the  
23       date of the enactment of this Act, the Secretary of Home-  
24       land Security shall ensure that officials of State and local  
25       governments who are identified by the Office for State and

1 Local Government Coordination of the Department of  
2 Homeland Security under section 801(a)(5) of the Depart-  
3 ment of Homeland Security Act, as added by subsection  
4 (b), and designated by the Secretary for purposes of sec-  
5 tion 103(a)(1)(E) of the National Security Act of 1947,  
6 as added by subsection (c), have received the security  
7 clearances required to permit such officials who qualify for  
8 security clearances to have access to national intelligence  
9 under section 103(a)(1) of the National Security Act of  
10 1947.

11 (2) The Secretary shall ensure that each official who  
12 receives a security clearance under paragraph (1) receives  
13 appropriate training in the proper receipt and handling  
14 of classified information of the Federal Government.

15 (3) Not later than 180 days after the date of the en-  
16 actment of this Act, the Secretary shall provide for appro-  
17 priate technology and facilities to ensure the prompt, effi-  
18 cient, and secure transmittal, receipt, and storage of clas-  
19 sified information of the Federal Government by officials  
20 of State and local governments who are designated to re-  
21 ceive national intelligence under section 103(a)(1)(E) of  
22 the National Security Act of 1947, as added by subsection  
23 (c).

1       (4) The Secretary shall carry out this subsection in  
2 consultation with the Director of Central Intelligence and  
3 the Director of the Federal Bureau of Investigation.

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