

109TH CONGRESS  
1ST SESSION

# S. 2158

To establish a National Homeland Security Academy within the Department of Homeland Security.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 21, 2005

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

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## A BILL

To establish a National Homeland Security Academy within the Department of Homeland Security.

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 “National Homeland  
5       Security Academy Act of 2005”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

8               (1) homeland security poses a complex chal-  
9       lenge for the Nation that can only be successfully

1 addressed by the combined effort of Federal, State,  
2 and local governments and the private sector;

3 (2) the United States fields a dedicated work-  
4 force to provide homeland security, but lacks a co-  
5 ordinated homeland security education system that  
6 links a strategy-based education with hands on  
7 training and real time simulation, and fails to make  
8 such a system available to the appropriate govern-  
9 ment and private sector personnel on a wide scale;

10 (3) officials at all levels of government should  
11 understand the strategic mission of the Department  
12 of Homeland Security, and have access to continuing  
13 education and hands-on training exercises;

14 (4) the development of a program of profes-  
15 sional education and training that links strategy and  
16 training, and coordinates current training among the  
17 many academies and training facilities that fall  
18 under the jurisdiction of the Department of Home-  
19 land Security, is essential to meeting the goals and  
20 intent of the Homeland Security Act of 2002;

21 (5) lessons learned from the Department of  
22 Homeland Security's Top Official Exercises  
23 (TOPOFF), and the tragedy of Hurricane Katrina,  
24 demonstrate there is a need to build up institutional  
25 knowledge within the Department and cultivate lead-

1       ers capable of guiding the Department and the Na-  
 2       tion when catastrophic incidents occur;

3           (6) modern information technologies provide  
 4       uniquely powerful tools for ensuring that material is  
 5       presented in a way that facilitates rapid and effec-  
 6       tive learning for a diverse student body, material  
 7       being taught is continuously upgraded and reviewed,  
 8       and training is available anytime and anywhere it is  
 9       needed; and

10          (7) as the Homeland Security Act of 2002  
 11       brought together a number of Federal agencies with  
 12       specific and often nonrelated functions to form a  
 13       single department, the National Homeland Security  
 14       Academy will draw upon the expertise of a variety  
 15       of existing academic institutions and innovative pro-  
 16       grams to educate our homeland security workforce.

17 **SEC. 3. ESTABLISHMENT OF NATIONAL HOMELAND SECU-**  
 18 **RITY ACADEMY.**

19       (a) IN GENERAL.—Title VIII of the Homeland Secu-  
 20       rity Act of 2002 (6 U.S.C. 361 et seq.) is amended by  
 21       adding after section 801 the following:

22 **“SEC. 802. NATIONAL HOMELAND SECURITY ACADEMY.**

23       “(a) ESTABLISHMENT.—

24           “(1) IN GENERAL.—The Secretary—

1           “(A) shall establish the National Home-  
2           land Security Academy (referred to in this sec-  
3           tion as the ‘Academy’) within the Office of  
4           State and Local Government Coordination and  
5           Preparedness of the Department; and

6           “(B) may enter into cooperative agree-  
7           ments with other agencies or entities to utilize  
8           space and provide for the lease of real property  
9           for the Academy or any component of the Acad-  
10          emy.

11          “(2) COMPOSITION.—The Academy shall con-  
12          sist of—

13               “(A) the National Homeland Security  
14               Education and Strategy Center (referred to in  
15               this section as the ‘Strategy Center’) to provide  
16               fundamental instruction and develop a home-  
17               land security curriculum focusing primarily on  
18               the Federal Government’s overall strategy,  
19               goals, methods, and techniques;

20               “(B) a communications network capable of  
21               delivering distance learning opportunities, at  
22               the direction of the Strategy Center;

23               “(C) the programs of the Office of State  
24               and Local Government Coordination and Pre-  
25               paredness’ Center for Homeland Defense and

1 Security located at the Naval Postgraduate  
2 School, and such programs shall be incor-  
3 porated into the Academy in a manner to be de-  
4 termined by the Secretary; and

5 “(D) the National Homeland Security  
6 Education Network, which—

7 “(i) shall be composed of representa-  
8 tives from all of the academies and train-  
9 ing centers within the jurisdiction of the  
10 Department;

11 “(ii) shall work with the Academy to  
12 develop a standardized homeland security  
13 curriculum to be incorporated, as appro-  
14 priate, at each academy and training cen-  
15 ter to ensure that the focus of the indi-  
16 vidual centers is coordinated with the cen-  
17 tralized educational strategies and goals of  
18 the Academy; and

19 “(iii) shall not affect the respective  
20 missions and goals of the participating  
21 academies and training centers.

22 “(3) MISSION.—The mission of the Academy  
23 shall be to—

24 “(A) establish an educational system to—

1 “(i) cultivate leaders in homeland se-  
2 curity; and

3 “(ii) ensure that Federal, State, local,  
4 tribal, and private sector officials get the  
5 full range of skills needed to provide robust  
6 homeland security;

7 “(B) provide strategic education and train-  
8 ing to carry out the missions of the Department  
9 of Homeland Security;

10 “(C) provide cross-disciplinary and joint  
11 education and training to Federal, State, and  
12 local government officials responsible for the di-  
13 rect application and execution of vital homeland  
14 security missions; and

15 “(D) focus primarily on shorter-term class-  
16 es and exercises to maximize participation by  
17 the homeland security community.

18 “(4) ENROLLMENT TARGET.—

19 “(A) IN GENERAL.—The Strategy Center  
20 shall have an initial annual enrollment target of  
21 1,000 resident students, as described in sub-  
22 section (b)(3)(A).

23 “(B) NON-RESIDENT STUDENTS.—The en-  
24 rollment target under subparagraph (A) does  
25 not include non-resident students, including

1 students who participate in electronic learning  
2 systems.

3 “(5) RESPONSIBILITIES.—

4 “(A) IN GENERAL.—In addition to pro-  
5 viding traditional course work and hands-on  
6 training exercises, the Academy shall encourage  
7 the development and use of modern technology  
8 to ensure that the training offered at the Acad-  
9 emy, and to organizations and individuals re-  
10 ceiving instruction over electronic learning sys-  
11 tems—

12 “(i) is tailored to the unique needs of  
13 the individuals and groups that need train-  
14 ing;

15 “(ii) efficiently uses such technology;  
16 and

17 “(iii) translates directly into practical  
18 skills.

19 “(B) INSTRUCTIONAL MATERIALS.—The  
20 Academy shall develop instructional require-  
21 ments for courses related to its mission that are  
22 supported with materials that are adequately  
23 reviewed and continuously updated.

24 “(C) CERTIFICATION.—

1                   “(i) IN GENERAL.—The Academy may  
 2                   establish certification criteria for students  
 3                   in areas related to its mission, in consulta-  
 4                   tion with the Network established under  
 5                   subsection (e).

6                   “(ii) RECERTIFICATION.—The criteria  
 7                   established under clause (i) shall include  
 8                   requirements for recertification and ensure  
 9                   the availability of needed assessment tools.

10                  “(D) INFORMATION REPOSITORY.—The  
 11                  Academy shall provide a repository of approved  
 12                  instructional materials, instructional software,  
 13                  and other materials that are easily accessible by  
 14                  participants.

15                  “(E) COMMUNICATION NETWORKS.—The  
 16                  Academy shall certify, and operate, if necessary,  
 17                  a secure, reliable communication system capable  
 18                  of delivering instructional materials to partici-  
 19                  pants at any time and place.

20                  “(F) INSTRUCTION AND EXPERTISE.—The  
 21                  Academy shall certify instructors, experts, coun-  
 22                  selors, and other individuals who can provide  
 23                  answers and advice to students over commu-  
 24                  nication systems.

25                  “(6) STRATEGY CENTER.—



1                   “(A) RESPONSIBILITIES.—The Strategy  
2 Center shall—

3                   “(i) provide curriculum development  
4 and classroom instruction for resident stu-  
5 dents that focus on the strategic goals,  
6 methods, and techniques for homeland se-  
7 curity;

8                   “(ii) provide instruction—

9                   “(I) primarily to Federal employ-  
10 ees described under subsection  
11 (b)(3)(A) with homeland security re-  
12 sponsibilities; and

13                   “(II) to small numbers of State  
14 and local government officials and pri-  
15 vate individuals; and

16                   “(iii) direct the operation of the Acad-  
17 emy’s electronic learning systems.

18                   “(B) CURRICULUM.—The curriculum  
19 taught at the Strategy Center shall—

20                   “(i) include basic education about  
21 homeland security, the Department, and  
22 the relationship of the directorates within  
23 the Department;

24                   “(ii) include the relationship between  
25 the Department and other Federal, State,

1 and local agencies with homeland security  
2 responsibilities; and

3 “(iii) be developed with assistance  
4 from the National Homeland Security  
5 Education Network.

6 “(b) ADMINISTRATION.—

7 “(1) EXECUTIVE DIRECTOR.—The Secretary  
8 shall appoint an Executive Director for the Acad-  
9 emy, who shall—

10 “(A) administer the operations of the  
11 Academy;

12 “(B) establish an Academic Board, to be  
13 headed by the Dean of the Academic Board, ap-  
14 pointed under paragraph (2);

15 “(C) hire initial staff and faculty, as ap-  
16 propriate and necessary;

17 “(D) contract with practitioners and ex-  
18 perts, as appropriate, to supplement academic  
19 instruction;

20 “(E) make recommendations to the Sec-  
21 retary regarding long-term staffing and funding  
22 levels for the Academy; and

23 “(F) report to the Executive Director of  
24 the Office of State and Local Government Co-  
25 ordination and Preparedness.

1           “(2) DEAN OF THE ACADEMIC BOARD.—The  
2       Executive Director shall appoint, with the approval  
3       of the Secretary, a permanent professor to serve as  
4       Dean of the Academic Board and perform such du-  
5       ties as the Executive Director may prescribe.

6           “(3) DIRECTOR OF ADMISSIONS.—The Execu-  
7       tive Director shall appoint, with the approval of the  
8       Secretary, a Director of Admissions, who shall—

9           “(A) grant admission to the Strategy Cen-  
10      ter to—

11           “(i) new employees of the Depart-  
12      ment, who have clear homeland security re-  
13      sponsibilities;

14           “(ii) mid-level executive employees of  
15      the Department, including employees that  
16      receive academy or other training, who  
17      demonstrate a need for cross-disciplinary  
18      or advanced education and training and  
19      have been endorsed by the appropriate  
20      Under Secretary;

21           “(iii) other Federal employees with  
22      homeland security responsibilities who have  
23      been endorsed by the head of their agency;

24           “(iv) State and local employees who—

1 “(I) demonstrate a clear respon-  
 2 sibility for providing homeland secu-  
 3 rity; and

4 “(II) possess the nomination of  
 5 the Governor of their State, or Head  
 6 of applicable jurisdiction; and

7 “(v) private sector applicants who  
 8 demonstrate a clear responsibility for pro-  
 9 viding homeland security;

10 “(B) ensure that students from each level  
 11 of government and the private sector are in-  
 12 cluded in all programs and classes, whenever  
 13 appropriate; and

14 “(C) perform such duties as the Executive  
 15 Director may prescribe.

16 “(c) BOARD OF VISITORS.—

17 “(1) ESTABLISHMENT.—Before the Academy  
 18 admits any students, the Secretary shall establish a  
 19 Board of Visitors (in this section referred to as the  
 20 ‘Board’) to—

21 “(A) assist in the development of cur-  
 22 riculum and programs at the Academy; and

23 “(B) recommend the site for the location  
 24 of the Strategy Center.

25 “(2) MEMBERSHIP.—

1           “(A) COMPOSITION.—The Board will be  
2 composed of—

3           “(i) the Secretary, or designee, who  
4 shall serve as chair;

5           “(ii) the Executive Director of the  
6 Academy, or designee, who shall be a non-  
7 voting member;

8           “(iii) the Chairman of the Committee  
9 on Homeland Security and Governmental  
10 Affairs of the Senate, or designee;

11           “(iv) the Ranking Member of the  
12 Committee on Homeland Security and  
13 Governmental Affairs of the Senate, or  
14 designee;

15           “(v) the Chairman of the Committee  
16 on Homeland Security of the House of  
17 Representatives, or designee;

18           “(vi) the Ranking Member of the  
19 Committee on Homeland Security of the  
20 House of Representatives, or designee;

21           “(vii) the Secretary of Health and  
22 Human Services, or designee;

23           “(viii) the Secretary of Defense, or  
24 designee;

1 “(ix) the Secretary of Education, or  
2 designee;

3 “(x) the Secretary of Transportation,  
4 or designee;

5 “(xi) the Director of the Federal Bu-  
6 reau of Investigation, or designee;

7 “(xii) 4 persons, who shall be ap-  
8 pointed by the Secretary for 2-year terms  
9 to represent State and local governments;  
10 and

11 “(xiii) 4 persons, who shall be ap-  
12 pointed by the Secretary for 2-year terms  
13 to represent first responders.

14 “(B) PROHIBITION.—Any person described  
15 under subparagraph (A), whose membership on  
16 the Board would create a conflict of interest,  
17 shall not serve as a member of the Board.

18 “(C) VACANCIES.—If a member of the  
19 Board dies or resigns from office, the official  
20 who designated the member shall designate a  
21 successor for the unexpired portion of the term.

22 “(3) DUTIES.—

23 “(A) ACADEMY VISITS.—The Board shall  
24 visit the Academy not less than annually, and  
25 may, with the approval of the Secretary, make

1 other visits to the Academy in connection with  
2 the duties of the Board or to consult with the  
3 Executive Director of the Academy.

4 “(B) INQUIRIES.—The Board shall inquire  
5 into the curriculum, instruction, physical equip-  
6 ment, fiscal affairs, academic methods, student  
7 body composition, and other matters relating to  
8 the Academy that the Board decides to con-  
9 sider.

10 “(C) REPORTS.—

11 “(i) ANNUAL REPORT.—Not later  
12 than 60 days after each annual visit, the  
13 Board shall submit a written report to the  
14 Secretary, which describes its action, and  
15 of its views and recommendations per-  
16 taining to the Academy.

17 “(ii) ADDITIONAL REPORTS.—Any re-  
18 port of a visit, other than the annual visit,  
19 shall, if approved by a majority of the  
20 members of the Board, be submitted to the  
21 Secretary not later than 60 days after the  
22 approval.

23 “(4) TRAVEL EXPENSES.—The members of the  
24 Board shall be allowed travel expenses, including per  
25 diem in lieu of subsistence, at rates authorized for

employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Board.

“(d) REPORTS TO CONGRESS.—

“(1) CURRICULUM AND ATTENDANCE.—The Secretary shall submit an annual report that describes the curriculum of, and enrollment at, the Academy to—

“(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(B) the Committee on Homeland Security of the House of Representatives.

“(2) FEASIBILITY REPORT.—Not later than 1 year after the establishment of the Academy, the Secretary shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives that—

“(A) recommends an appropriate combination of students from Federal, State, and local government and the private sector, and the percentage of costs related to the education of each of these student groups that should be reimbursable;



1           “(B) describes the feasibility of expanding  
 2           the Academy in regional offices established by  
 3           the Department or other government or univer-  
 4           sity programs to provide ongoing education and  
 5           training for Federal employees with homeland  
 6           security responsibilities; and

7           “(C) describes the feasibility of providing  
 8           education for the general public through elec-  
 9           tronic learning systems.

10       “(e) NATIONAL HOMELAND SECURITY EDUCATION  
 11       NETWORK.—

12           “(1) ESTABLISHMENT.—The Executive Direc-  
 13           tor of the Academy shall establish a National Home-  
 14           land Security Education Network (referred to in this  
 15           section as the ‘Network’), as described under sub-  
 16           section (a)(2)(B).

17           “(2) MEMBERSHIP.—The Network shall be  
 18           comprised of representatives from Federal training  
 19           and certification organizations, including—

20           “(A) the National Homeland Security  
 21           Academy;

22           “(B) the Office of Domestic Preparedness;

23           “(C) the National Domestic Preparedness  
 24           Consortium;

1           “(D) the Center for Homeland Defense  
2           and Security at the Naval Postgraduate School;

3           “(E) the Federal Law Enforcement Train-  
4           ing Center, including all schools or training and  
5           education programs managed or co-located with  
6           the Center;

7           “(F) the Customs and Border Protection  
8           Academy;

9           “(G) the Border Patrol Academy;

10          “(H) the Bureau of Immigration and Cus-  
11          toms Enforcement Academy;

12          “(I) the Secret Service Academy;

13          “(J) the United States Coast Guard Acad-  
14          emy, including all schools within the jurisdiction  
15          of the Coast Guard Academy;

16          “(K) the Emergency Management Insti-  
17          tute;

18          “(L) the Animal and Plant Health Inspec-  
19          tion Service Training Program;

20          “(M) the Federal Air Marshal Training  
21          Center;

22          “(N) the National Fire Academy; and

23          “(O) other relevant training facilities with-  
24          in the Department.

1           “(3) CURRICULUM REQUIREMENTS.—The cur-  
2       riculum and course work developed as part of the  
3       Network shall be incorporated into the curriculum of  
4       the institutions listed under paragraph (2), as ap-  
5       propriate, to ensure that students at these institu-  
6       tions understand how their homeland security re-  
7       sponsibilities relate to other homeland security re-  
8       sponsibilities in the Department and other Federal,  
9       State, and local agencies. The training centers and  
10      academies listed under paragraph (2) shall retain  
11      their respective missions and goals.

12           “(4) SEMI-ANNUAL MEETINGS.—The Executive  
13      Director and the Dean of the Academic Board shall  
14      meet with the Network not less than once every 6  
15      months to—

16                   “(A) discuss curriculum requirements; and

17                   “(B) coordinate training activities within  
18      the Network.

19           “(5) REPORTS.—Not later than 2 years after  
20      the date of enactment of this section, and every 2  
21      years thereafter, the Network shall submit a report  
22      to the Committee on Homeland Security and Gov-  
23      ernmental Affairs of the Senate and the Committee  
24      on Homeland Security of the House of Representa-  
25      tives, which describes the Network’s—

1 “(A) strategy for using advanced instruc-  
2 tional technologies;

3 “(B) plans for future improvement; and

4 “(C) success in working with other organi-  
5 zations in achieving the goals described under  
6 subparagraphs (A) and (B).”.

7 (b) TECHNICAL AMENDMENT.—Section 1(b) of the  
8 Homeland Security Act of 2002 (Public Law 107–296)  
9 is amended by inserting after the item relating to section  
10 801 the following:

“Sec. 802. National Homeland Security Academy.”.

11 **SEC. 4. STATE AND LOCAL EDUCATION AND TRAINING CO-**  
12 **ORDINATOR.**

13 The Secretary of Homeland Security shall appoint a  
14 State and Local Education and Training Coordinator to  
15 serve in the Office of State and Local Government Coordi-  
16 nation and Preparedness, who shall—

17 (1) serve as the primary point of contact be-  
18 tween Federal, State, and local training facilities,  
19 the National Homeland Security Academy, and the  
20 Office of State and Local Government Coordination  
21 and Preparedness, in order to—

22 (A) maximize the ability of the Academy to  
23 identify non-Academy programs that meet spe-  
24 cific training goals and are crucial to the Na-  
25 tion’s homeland security mission; and

1 (B) assist the Academy and the Office of  
2 State and Local Government Coordination and  
3 Preparedness in determining where to direct  
4 Federal training funds; and

5 (2) at least semiannually, conduct meetings  
6 with a coalition of State and local education and  
7 training facilities to—

8 (A) allow State and local fire, rescue, and  
9 law enforcement training facilities to provide  
10 input on decisions made concerning the training  
11 of first responders; and

12 (B) increase curriculum coordination be-  
13 tween the Academy and Federal, State, and  
14 local facilities.

15 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated to carry out  
17 the amendment made by section 3 such sums as may be  
18 necessary for each of the fiscal years 2006 through 2009.

○