

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, September 6, 2017.

Hon. BOB GOODLATTE,
Chairman, Committee on Judiciary,
Washington, DC.

DEAR CHAIRMAN GOODLATTE, Thank you for your letter regarding H.R. 2442, the "Federal Information Resource to Strengthen Ties with State and Local Law Enforcement Act of 2017". I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Judiciary will forego further consideration of the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing consideration of this bill at this time, the Judiciary does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee on Judiciary represented on the conference committee.

I will insert copies of this exchange in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security.

Miss RICE of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2442, the Federal Information Resource to Strengthen Ties with State and Local Law Enforcement Act of 2017, or the FIRST with State and Local Law Enforcement Act.

Mr. Speaker, today we consider H.R. 2442, a bill to require the DHS to submit an annual report to Congress on the activities of the Office for State and Local Law Enforcement.

This bill, authored by the gentlewoman from Texas (Ms. JACKSON LEE), seeks to highlight the activities of this important hub of outreach to State and local law enforcement within the DHS.

The report is to include detailed information on those efforts, including steps taken to improve them and performance metrics to evaluate the effectiveness, and feedback received from State, local, and Tribal law enforcement agencies.

Yesterday, the Committee on Homeland Security released a staff report that looked at the DHS' progress, over the past decade, at implementing the 9/11 Commission Act.

With respect to information sharing, it found that policies and procedures have been reformed, at all levels, to ensure that critical national security information is shared, and recommended that the DHS continue to refine its channels for sharing such information to ensure that they evolve to address the threat, landscape, and stakeholder needs.

Constructive engagement, through the Office for State and Local Law Enforcement, is central to this effort.

Sixteen years after the September 11 attacks, it is important that we stand together and recommit ourselves to doing all we can to prevent future terrorist attacks. I urge my House colleagues to support this bill.

Mr. Speaker, in closing, the FIRST with State and Local Law Enforcement Act seeks to ensure that, for years to come, State and local law enforcement know that the DHS is a full partner in their efforts to keep their communities secure.

As such, I encourage my colleagues to support this bill, H.R. 2442, and I yield back the balance of my time.

Mr. HURD. Mr. Speaker, I urge my colleagues once again to support H.R. 2442, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HURD) that the House suspend the rules and pass the bill, H.R. 2442, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DEPARTMENT OF HOMELAND SECURITY CLASSIFIED FACILITY INVENTORY ACT

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2443) to require an inventory of all facilities certified by the Department of Homeland Security to host infrastructure or systems classified above the Secret level, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2443

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Homeland Security Classified Facility Inventory Act".

SEC. 2. INVENTORY.

(a) IN GENERAL.—The Secretary of Homeland Security shall, to the extent practicable—

(1) maintain an inventory of those Department of Homeland Security facilities that the Department certifies to house classified infrastructure or systems at the secret level and above;

(2) update such inventory on a regular basis; and

(3) share part or all of such inventory with—

(A) Department personnel who have been granted the appropriate security clearance;

(B) non-Federal governmental personnel who have been granted a Top Secret security clearance; and

(C) other personnel as determined appropriate by the Secretary.

(b) INVENTORY.—The inventory of facilities described in subsection (a) may include—

(1) the location of such facilities;

(2) the attributes of such facilities (including the square footage of, the total capacity of, the number of workstations in, and the number of conference rooms in, such facilities);

(3) the entities that operate such facilities; and

(4) the date of establishment of such facilities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Pennsylvania (Mr. BARLETTA) and the gentlewoman from New York (Miss RICE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARLETTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we are advancing another bill to support the men and women who answer the call to keep their neighbors safe.

Yesterday we honored the first responders and countless other Americans who were murdered in the September 11 terrorist attacks. We will never forget them, nor their great sacrifices of their families and loved ones.

I come from Pennsylvania, which has a proud history of service, from the National Guard to police, to fire houses, to EMTs. Even one of our former Governors, Tom Ridge, was a key player in setting up the Department of Homeland Security.

Today, we, in Congress, continue to work to reduce the blind spots that led to 9/11, and ensure our Nation's newest Department is able to get local law enforcement officers the resources that they need to keep our communities safe.

Having served as mayor of Hazleton, Pennsylvania, I have long known that it will be the police officer on the streets of Hazleton, Shamokin or Shippensburg, not some analyst in Washington, who will recognize when a member of our community has radicalized or been recruited by a gang or terrorist sect.

That is one of the reasons why I worked with the committee to introduce H.R. 2443, the Department of Homeland Security Classified Facility Inventory Act.

My bill strengthens information sharing between local, State, and Federal law enforcement by requiring the DHS to maintain an inventory of facilities certified to store information classified above the secret level.

This is a follow-up to the Fusion Center Enhancement Act of 2017, which I first introduced last Congress and has successfully passed the committee in the House.

I come from a State with three fusion centers: the Pennsylvania Criminal Intelligence Center, known as PaCIC, in Harrisburg; Delaware Valley Intelligence Center in Philadelphia; and Southwestern PA Region 13 Fusion Center in Pittsburgh.

This bill is part of my efforts to make the DHS share information with its State and local partners.

□ 1315

More and more, State and local officials are now getting the security clearances they need to get important national security information that will help them; however, gaps remain.

This bill will ensure that DHS is tracking the specific location of all the Department's secure facilities and make this information available to the appropriate State and local personnel as well as Department employees.

To be honest, it is frustrating that this legislation is even needed. Congress and DHS share the same goal of keeping our communities safe. We must make it clear that information needs to be shared to allow for proper oversight both now and in the future. Our State and local law enforcement officials are professionals and leaders of our communities. However, far too often, I have heard complaints that Federal officials do not take local information seriously simply because someone has not been able to obtain a certain security clearance. My legislation will help address this concern.

Specifically, this bill requires greater transparency and information sharing on the locations of all facilities certified by DHS to store classified infrastructure or systems above the secret level, commonly known as SCIFs. This will give local law enforcement the tools that they need to protect their communities and our Nation as a whole.

Additionally, by requiring DHS to maintain an updated list of all of these facilities, this bill will ensure that the Department does not invest in new facilities in areas already covered, in turn, reducing the chances of wasteful spending.

I urge my colleagues to support this measure, which passed the House once already as part of the larger DHS authorization bill in July. I hope that my colleagues in the Senate will realize the critical need for my bill and will act quickly so President Trump can sign it into law.

Mr. Speaker, I reserve the balance of my time.

Miss RICE of New York. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2443, the Department of Homeland Security Classified Facility Inventory Act of 2017.

This measure addresses a concern to many of us in the counterterrorism arena—the absence of a centralized inventory of classified systems within DHS.

DHS is the third largest Federal agency and has a vast footprint, yet DHS does not maintain a centralized list of all the spaces around the country where individuals with clearances can access classified information.

H.R. 2443 tackles this issue by requiring DHS to maintain an inventory of all DHS certified facilities that house classified systems above the secret level on a regular basis. It requires

DHS to share part or all of the inventory, in accordance with standard information-sharing procedures and policies. This legislation will enhance Congress' ability to assist DHS with protecting classified facilities.

Mr. Speaker, I urge my House colleagues to support this bipartisan legislation.

Mr. Speaker, H.R. 2443 is an important piece of legislation. It has strong support on both sides of the aisle.

Extensive efforts have been made to enhance information sharing, establish the DHS intelligence enterprise, and support the National Network of Fusion Centers. It is important that DHS' partners at all levels know where to go to access classified information, particularly when a terrorist or other national security incident occurs.

Mr. Speaker, I encourage my colleagues to support H.R. 2443, and I yield back the balance of my time.

Mr. BARLETTA. Mr. Speaker, I once again urge my colleagues to support H.R. 2443, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 2443, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

TERRORIST RELEASE ANNOUNCEMENTS TO COUNTER EXTREMIST RECIDIVISM ACT

Mr. MCCAUL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2471) to direct the Secretary of Homeland Security to share with State, local, and regional fusion centers release information from a Federal correctional facility, including name, charging date, and expected place and date of release, of certain individuals who may pose a terrorist threat, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2471

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Terrorist Release Announcements to Counter Extremist Recidivism Act" or the "TRACER Act".

SEC. 2. TERROR INMATE INFORMATION SHARING.

(a) IN GENERAL.—The Secretary of Homeland Security, in coordination with the Attorney General and in consultation with other appropriate Federal officials, shall, as appropriate, share with State, local, and regional fusion centers through the Department of Homeland Security Fusion Center Partnership Initiative under section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as well as other relevant law enforcement entities, release information from a Federal correctional facility, including the

name, charging date, and expected place and date of release, of certain individuals who may pose a terrorist threat.

(b) SCOPE.—The information shared pursuant to subsection (a) shall be—

(1) for homeland security purposes; and

(2) regarding individuals convicted of a Federal crime of terrorism (as such term is defined in section 2332b of title 18, United States Code).

(c) PERIODIC THREAT ASSESSMENTS.—Consistent with the protection of classified information and controlled unclassified information, the Secretary of Homeland Security shall coordinate with appropriate Federal officials to provide State, local, and regional fusion centers described in subsection (a) with periodic assessments regarding the overall threat from known or suspected terrorists currently incarcerated in a Federal correctional facility, including the assessed risks of such populations engaging in terrorist activity upon release.

(d) PRIVACY PROTECTION.—Prior to affecting the information sharing described in subsection (a), the Secretary shall receive input and advice from the Officer for Civil Rights and Civil Liberties, the Officer for Privacy, and the Chief Intelligence Officer of the Department of Homeland Security.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed as requiring the establishment of a list or registry of individuals convicted of terrorism.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MCCAUL) and the gentleman from New York (Miss RICE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. MCCAUL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MCCAUL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to honor the victims of the 9/11 attacks and to voice my support for the TRACER Act.

Mr. Speaker, 16 years ago, 19 cowardly terrorists hijacked four airplanes and used them as missiles to kill 3,000 innocent people. The souls that were lost belonged to moms and dads, brothers and sisters, sons and daughters.

It was a day that we will never forget. Each year, as we look back, we all remember something different about that morning. There are those who remember getting a phone call and listening to a frantic voice on the other end. Some remember running into the streets as the Twin Towers fell and feared for their lives. Others saw the Pentagon in flames and wondered who did this and why.

There are many other images and thoughts that are seared into our minds. However, we can also remember the heroism of our first responders, the brave firefighters and police officers who raced to the scene and charged up the stairs of the World Trade Center to save their fellow countrymen.