

Suspend the Rules and Pass the Bill, H.R. 2589, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

116TH CONGRESS
1ST SESSION

H. R. 2589

To amend the Homeland Security Act of 2002 to establish a homeland intelligence doctrine for the Department of Homeland Security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2019

Mr. GREEN of Tennessee introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To amend the Homeland Security Act of 2002 to establish a homeland intelligence doctrine for the Department of Homeland Security, 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 “Unifying DHS Intel-
5 ligence Enterprise Act”.

1 **SEC. 2. HOMELAND INTELLIGENCE DOCTRINE.**

2 (a) IN GENERAL.—Subtitle A of title II of the Home-
3 land Security Act of 2002 (6 U.S.C. 121 et seq.) is amend-
4 ed by adding at the end the following new section:

5 **“SEC. 210H. HOMELAND INTELLIGENCE DOCTRINE.**

6 “(a) IN GENERAL.—Not later than 180 days after
7 the date of the enactment of this section, the Secretary,
8 acting through the Chief Intelligence Officer of the De-
9 partment, in coordination with intelligence components of
10 the Department, the Office of the General Counsel, the
11 Privacy Office, and the Office for Civil Rights and Civil
12 Liberties, shall develop and disseminate written Depart-
13 ment-wide guidance for the processing, analysis, produc-
14 tion, and dissemination of homeland security information
15 (as such term is defined in section 892) and terrorism in-
16 formation (as such term is defined in section 1016 of the
17 Intelligence Reform and Terrorism Prevention Act of
18 2004 (6 U.S.C. 485)).

19 “(b) CONTENTS.—The guidance required under sub-
20 section (a) shall, at a minimum, include the following:

21 “(1) A description of guiding principles and
22 purposes of the Department’s intelligence enterprise.

23 “(2) A summary of the roles, responsibilities,
24 and programs of each intelligence component of the
25 Department in the processing, analysis, production,
26 or dissemination of homeland security information

1 and terrorism information, including relevant au-
2 thorities and restrictions applicable to each such in-
3 telligence component.

4 “(3) Guidance for the processing, analysis, and
5 production of such information.

6 “(4) Guidance for the dissemination of such in-
7 formation, including within the Department, among
8 and between Federal departments and agencies,
9 among and between State, local, Tribal, and terri-
10 torial governments, including law enforcement, and
11 with foreign partners and the private sector, con-
12 sistent with the protection of privacy, civil rights,
13 and civil liberties.

14 “(5) A description of how the dissemination to
15 the intelligence community (as such term is defined
16 in section 3(4) of the National Security Act of 1947
17 (50 U.S.C. 3003(4))) and Federal law enforcement
18 of such information assists such entities in carrying
19 out their respective missions.

20 “(c) FORM.—The guidance required under subsection
21 (a) shall be submitted in unclassified form, but may in-
22 clude a classified annex.

23 “(d) ANNUAL REVIEW.—For each of the five fiscal
24 years beginning with the first fiscal year that begins after
25 the date of the enactment of this section, the Secretary

1 shall conduct a review of the guidance required under sub-
2 section (a) and, as appropriate, revise such guidance.”.

3 (b) CLERICAL AMENDMENT.—The table of contents
4 in section 1(b) of the Homeland Security Act of 2002 is
5 amended by inserting after the item relating to section
6 210G the following new item:

“Sec. 210H. Homeland intelligence doctrine.”.

7 **SEC. 3. COMPTROLLER GENERAL ASSESSMENT.**

8 (a) ANNUAL ASSESSMENT REQUIRED.—Not later
9 than one year after the date of the enactment of this Act
10 and again not later than five years thereafter, the Comp-
11 troller General of the United States shall submit to the
12 Committee on Homeland Security of the House of Rep-
13 resentatives and the Committee on Homeland Security
14 and Governmental Affairs of the Senate an assessment of
15 the degree to which guidance established pursuant to sec-
16 tion 210H of the Homeland Security Act of 2002 (as
17 added by section 2 of this Act) is implemented across the
18 Department of Homeland Security. Such assessment
19 should evaluate the extent to which such guidance is car-
20 ried out in a manner that protects privacy, civil rights,
21 and civil liberties.

22 (b) ELEMENTS OF ASSESSMENT.—In conducting
23 each assessment under subsection (a), the Comptroller
24 General of the United States shall—

1 (1) use standard methodology and reporting
2 formats in order to demonstrate and display any
3 changes over time; and

4 (2) include any other subject matter the Comp-
5 troller General determines appropriate.

6 (c) ACCESS TO RELEVANT DATA.—To carry out this
7 section, the Secretary of Homeland Security shall ensure
8 that the Comptroller General of the United States has ac-
9 cess to all relevant data.

10 **SEC. 4. ANALYSTS FOR THE CHIEF INTELLIGENCE OFFI-**
11 **CER.**

12 Paragraph (1) of section 201(e) of the Homeland Se-
13 curity Act of 2002 (6 U.S.C. 121(e)) is amended by add-
14 ing at the end the following new sentence: “The Secretary
15 shall also provide the Chief Intelligence Officer with a
16 staff having appropriate expertise and experience to assist
17 the Chief Intelligence Officer.”.