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(Original Signature of Member)

115TH CONGRESS
1ST SESSION

H. R.

To amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. MCSALLY introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “CBRN Intelligence and
3 Information Sharing Act of 2017”.

4 **SEC. 2. CHEMICAL, BIOLOGICAL, RADIOLOGICAL, AND NU-**
5 **CLEAR INTELLIGENCE AND INFORMATION**
6 **SHARING.**

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

10 **“SEC. 210G. CHEMICAL, BIOLOGICAL, RADIOLOGICAL, AND**
11 **NUCLEAR INTELLIGENCE AND INFORMATION**
12 **SHARING.**

13 “(a) IN GENERAL.—The Office of Intelligence and
14 Analysis of the Department of Homeland Security shall—

15 “(1) support homeland security-focused intel-
16 ligence analysis of terrorist actors, their claims, and
17 their plans to conduct attacks involving chemical, bi-
18 ological, radiological, or nuclear materials against
19 the United States;

20 “(2) support homeland security-focused intel-
21 ligence analysis of global infectious disease, public
22 health, food, agricultural, and veterinary issues;

23 “(3) support homeland security-focused risk
24 analysis and risk assessments of the homeland secu-
25 rity hazards described in paragraphs (1) and (2), in-
26 cluding the transportation of chemical, biological,

1 nuclear, and radiological materials, by providing rel-
2 evant quantitative and nonquantitative threat infor-
3 mation;

4 “(4) leverage existing and emerging homeland
5 security intelligence capabilities and structures to
6 enhance prevention, protection, response, and recov-
7 ery efforts with respect to a chemical, biological, ra-
8 diological, or nuclear attack;

9 “(5) share information and provide tailored an-
10 alytical support on these threats to State, local, and
11 tribal authorities, other Federal agencies, as well as
12 relevant national biosecurity and biodefense stake-
13 holders, as appropriate; and

14 “(6) perform other responsibilities, as assigned
15 by the Secretary.

16 “(b) COORDINATION.—Where appropriate, the Office
17 of Intelligence and Analysis shall coordinate with other
18 relevant Department components, including the National
19 Biosurveillance Integration Center, other agencies within
20 in the intelligence community, including the National
21 Counter Proliferation Center, and other Federal, State,
22 local, and tribal authorities, including officials from high-
23 threat urban areas, State and major urban area fusion
24 centers, and local public health departments, as appro-
25 priate, and enable such entities to provide recommenda-

1 tions on optimal information sharing mechanisms, includ-
2 ing expeditious sharing of classified information, and on
3 how such entities can provide information to the Depart-
4 ment.

5 “(c) DEFINITIONS.—In this section:

6 “(1) INTELLIGENCE COMMUNITY.—The term
7 ‘intelligence community’ has the meaning given such
8 term in section 3(4) of the National Security Act of
9 1947 (50 U.S.C. 401a(4)).

10 “(2) NATIONAL BIOSECURITY AND BIODEFENSE
11 STAKEHOLDERS.—The term ‘national biosecurity
12 and biodefense stakeholders’ means officials from
13 Federal, State, local, and tribal authorities and indi-
14 viduals from the private sector who are involved in
15 efforts to prevent, protect against, respond to, and
16 recover from a biological attack or other phenomena
17 that may have serious health consequences for the
18 United States, including infectious disease out-
19 breaks.”.

20 (b) CLERICAL AMENDMENT.—The table of contents
21 in section 1(b) of the Homeland Security Act of 2002 is
22 amended by inserting after the item relating to section
23 201F the following new item:

“Sec. 210G. Chemical, biological, radiological, and nuclear intelligence and in-
formation sharing.”.

24 (c) REPORT.—

1 (1) IN GENERAL.—Not later than one year
2 after the date of the enactment of this Act and an-
3 nually thereafter, the Secretary of Homeland Secu-
4 rity shall report to the appropriate congressional
5 committees on—

6 (A) the intelligence and information shar-
7 ing activities under section 210G of the Home-
8 land Security Act of 2002 (as added by sub-
9 section (a) of this section) and of all relevant
10 entities within the Department of Homeland
11 Security to counter the threat from attacks
12 using chemical, biological, radiological, or nu-
13 clear materials; and

14 (B) the Department’s activities in accord-
15 ance with relevant intelligence strategies.

16 (2) ASSESSMENT OF IMPLEMENTATION.—The
17 reports required under paragraph (1) shall include—

18 (A) an assessment of the progress of the
19 Office of Intelligence and Analysis of the De-
20 partment of Homeland Security in imple-
21 menting such section 210G; and

22 (B) a description of the methods estab-
23 lished to carry out such assessment.

1 (3) TERMINATION.—This subsection shall ter-
2 minate on the date that is five years after the date
3 of the enactment of this Act.

4 (4) DEFINITION.—In this subsection, the term
5 “appropriate congressional committees” means the
6 Committee on Homeland Security of the House of
7 Representatives and the Committee on Homeland
8 Security and Governmental Affairs of the Senate
9 and any committee of the House of Representatives
10 or the Senate having legislative jurisdiction under
11 the rules of the House of Representatives or Senate,
12 respectively, over the matter concerned.

13 **SEC. 3. DISSEMINATION OF INFORMATION ANALYZED BY**
14 **THE DEPARTMENT TO STATE, LOCAL, TRIB-**
15 **AL, AND PRIVATE ENTITIES WITH RESPON-**
16 **SIBILITIES RELATING TO HOMELAND SECU-**
17 **RITY.**

18 Paragraph (8) of section 201(d) of the Homeland Se-
19 curity Act of 2002 (6 U.S.C. 121(d)) is amended by strik-
20 ing “and to agencies of State” and all that follows through
21 the period at the end and inserting “to State, local, tribal,
22 and private entities with such responsibilities, and, as ap-
23 propriate, to the public, in order to assist in preventing,
24 deterring, or responding to acts of terrorism against the
25 United States.”.