

Union Calendar No. 69

116TH CONGRESS
1ST SESSION

H. R. 2589

[Report No. 116–94]

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

MAY 30, 2019

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on May 8, 2019]

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”.*

6 **SEC. 2. HOMELAND INTELLIGENCE DOCTRINE.**

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 amended*
 9 *by adding at the end the following new section:*

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

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

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

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

3 “(2) *A summary of the roles, responsibilities,*
4 *and programs of each intelligence component of the*
5 *Department in the processing, analysis, production,*
6 *or dissemination of homeland security information*
7 *and terrorism information, including relevant au-*
8 *thorities and restrictions applicable to each such in-*
9 *telligence component.*

10 “(3) *Guidance for the processing, analysis, and*
11 *production of such information.*

12 “(4) *Guidance for the dissemination of such in-*
13 *formation, including within the Department, among*
14 *and between Federal departments and agencies,*
15 *among and between State, local, Tribal, and terri-*
16 *torial governments, including law enforcement, and*
17 *with foreign partners and the private sector, con-*
18 *sistent with the protection of privacy, civil rights,*
19 *and civil liberties.*

20 “(5) *A description of how the dissemination to*
21 *the intelligence community (as such term is defined*
22 *in section 3(4) of the National Security Act of 1947*
23 *(50 U.S.C. 3003(4))) and Federal law enforcement of*
24 *such information assists such entities in carrying out*
25 *their respective missions.*

1 “(c) *FORM.*—The guidance required under subsection
 2 (a) shall be submitted in unclassified form, but may include
 3 a classified annex.

4 “(d) *ANNUAL REVIEW.*—For each of the five fiscal
 5 years beginning with the first fiscal year that begins after
 6 the date of the enactment of this section, the Secretary shall
 7 conduct a review of the guidance required under subsection
 8 (a) and, as appropriate, revise such guidance.”.

9 (b) *CLERICAL AMENDMENT.*—The table of contents in
 10 section 1(b) of the Homeland Security Act of 2002 is
 11 amended by inserting after the item relating to section
 12 210G the following new item:

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

13 **SEC. 3. COMPTROLLER GENERAL ASSESSMENT.**

14 (a) *ANNUAL ASSESSMENT REQUIRED.*—Not later than
 15 one year after the date of the enactment of this Act and
 16 again not later than five years thereafter, the Comptroller
 17 General of the United States shall submit to the Committee
 18 on Homeland Security of the House of Representatives and
 19 the Committee on Homeland Security and Governmental
 20 Affairs of the Senate an assessment of the degree to which
 21 guidance established pursuant to section 210H of the Home-
 22 land Security Act of 2002 (as added by section 2 of this
 23 Act) is implemented across the Department of Homeland
 24 Security. Such assessment should evaluate the extent to

1 *which such guidance is carried out in a manner that pro-*
2 *pects privacy, civil rights, and civil liberties.*

3 (b) *ELEMENTS OF ASSESSMENT.*—*In conducting each*
4 *assessment under subsection (a), the Comptroller General*
5 *of the United States shall—*

6 (1) *use standard methodology and reporting for-*
7 *mats in order to demonstrate and display any*
8 *changes over time; and*

9 (2) *include any other subject matter the Comp-*
10 *troller General determines appropriate.*

11 (c) *ACCESS TO RELEVANT DATA.*—*To carry out this*
12 *section, the Secretary of Homeland Security shall ensure*
13 *that the Comptroller General of the United States has access*
14 *to all relevant data.*

15 **SEC. 4. ANALYSTS FOR THE CHIEF INTELLIGENCE OFFICER.**

16 *Paragraph (1) of section 201(e) of the Homeland Secu-*
17 *rity Act of 2002 (6 U.S.C. 121(e)) is amended by adding*
18 *at the end the following new sentence: “The Secretary shall*
19 *also provide the Chief Intelligence Officer with a staff hav-*
20 *ing appropriate expertise and experience to assist the Chief*
21 *Intelligence Officer.”.*

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