

Calendar No. 95

114TH CONGRESS
1ST SESSION**H. R. 615****[Report No. 114–53]**

IN THE SENATE OF THE UNITED STATES

FEBRUARY 3, 2015

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

MAY 21, 2015

Reported by Mr. JOHNSON, with an amendment

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

AN ACT

To amend the Homeland Security Act of 2002 to require the Under Secretary for Management of the Department of Homeland Security to take administrative action to achieve and maintain interoperable communications capabilities among the components of 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Department of Home-
3 land Security Interoperable Communications Act” or the
4 “DHS Interoperable Communications Act”.

5 **SEC. 2. INCLUSION OF INTEROPERABLE COMMUNICATIONS**
6 **CAPABILITIES IN RESPONSIBILITIES OF**
7 **UNDER SECRETARY FOR MANAGEMENT.**

8 Section 701 of the Homeland Security Act of 2002
9 (6 U.S.C. 341) is amended—

10 (1) in paragraph (4) of subsection (a), by in-
11 serting before the period at the end the following: “,
12 including policies and directives to achieve and main-
13 tain interoperable communications among the com-
14 ponents of the Department”; and

15 (2) by adding at the end the following new sub-
16 section:

17 “(d) **INTEROPERABLE COMMUNICATIONS DE-**
18 **FINED.**—In this section, the term ‘interoperable commu-
19 nications’ means the ability of components of the Depart-
20 ment to communicate with each other as necessary, uti-
21 lizing information technology systems and radio commu-
22 nications systems to exchange voice, data, and video in
23 real time, as necessary, for acts of terrorism, daily oper-
24 ations, planned events, and emergencies.”.

1 **SEC. 3. STRATEGY.**

2 ~~(a) IN GENERAL.~~—Not later than 120 days after the
3 date of the enactment of this Act, the Under Secretary
4 for Management of the Department of Homeland Security
5 shall submit to the Committee on Homeland Security of
6 the House of Representatives and the Committee on
7 Homeland Security and Governmental Affairs of the Sen-
8 ate a strategy, which shall be updated as necessary, for
9 achieving and maintaining interoperable communications
10 (as such term is defined in subsection (d) of section 701
11 of the Homeland Security Act of 2002, as added by section
12 2 of this Act) among the components of the Department
13 of Homeland Security, including for daily operations,
14 planned events, and emergencies, with corresponding mile-
15 stones, that includes, at a minimum the following:

16 (1) An assessment of interoperability gaps in
17 radio communications among the components of the
18 Department, as of the date of the enactment of this
19 Act.

20 (2) Information on efforts and activities, includ-
21 ing current and planned policies, directives, and
22 training, of the Department since November 1,
23 2012, to achieve and maintain interoperable commu-
24 nications among the components of the Department,
25 and planned efforts and activities of the Department

1 to achieve and maintain such interoperable commu-
2 nications.

3 ~~(3) An assessment of obstacles and challenges~~
4 ~~to achieving and maintaining interoperable commu-~~
5 ~~nications among the components of the Department.~~

6 ~~(4) Information on, and an assessment of, the~~
7 ~~adequacy of mechanisms available to the Under Sec-~~
8 ~~retary for Management to enforce and compel com-~~
9 ~~pliance with interoperable communications policies~~
10 ~~and directives of the Department.~~

11 ~~(5) Guidance provided to the components of the~~
12 ~~Department to implement interoperable communica-~~
13 ~~tions policies and directives of the Department.~~

14 ~~(6) The total amount of funds expended by the~~
15 ~~Department since November 1, 2012, and projected~~
16 ~~future expenditures, to achieve interoperable commu-~~
17 ~~nications, including on equipment, infrastructure,~~
18 ~~and maintenance.~~

19 ~~(7) Dates upon which Department-wide inter-~~
20 ~~operability is projected to be achieved for voice,~~
21 ~~data, and video communications, respectively, and~~
22 ~~interim milestones that correspond to the achieve-~~
23 ~~ment of each such mode of communication.~~

24 ~~(b) SUPPLEMENTARY MATERIAL.—Together with the~~
25 ~~strategy required under subsection (a), the Under Sec-~~

1 retary for Management shall submit to the Committee on
2 Homeland Security of the House of Representatives and
3 the Committee on Homeland Security and Governmental
4 Affairs of the Senate information on any intra-agency ef-
5 fort or task force that has been delegated certain respon-
6 sibilities by the Under Secretary relating to achieving and
7 maintaining interoperable communications among the
8 components of the Department by the dates referred to
9 in paragraph (9) of subsection (a); and on who, within
10 each such component, is responsible for implementing poli-
11 cies and directives issued by the Under Secretary to so
12 achieve and maintain such interoperable communications.

13 **SEC. 4. REPORT.**

14 Not later than 220 days after the date of the enact-
15 ment of this Act and biannually thereafter, the Under Sec-
16 retary for Management shall submit to the Committee on
17 Homeland Security of the House of Representatives and
18 the Committee on Homeland Security and Governmental
19 Affairs of the Senate a report on the status of efforts,
20 since the issuance of the strategy required under section
21 3, to implement such strategy, including the following:

22 (1) Progress on each interim milestone referred
23 to in paragraph (9) of subsection (a) toward achiev-
24 ing and maintaining interoperable communications
25 among the components of the Department.

1 (2) Information on any policies, directives,
2 guidance, and training established by the Under Sec-
3 retary.

4 (3) An assessment of the level of compliance,
5 adoption, and participation among the components
6 of the Department with the policies, directives, guid-
7 ance, and training established by the Under Sec-
8 retary to achieve and maintain interoperable commu-
9 nications among such components.

10 (4) Information on any additional resources or
11 authorities needed by the Under Secretary.

12 **SECTION 1. SHORT TITLE.**

13 *This Act may be cited as the “Department of Home-*
14 *land Security Interoperable Communications Act” or the*
15 *“DHS Interoperable Communications Act”.*

16 **SEC. 2. DEFINITIONS.**

17 *In this Act—*

18 (1) *the term “Department” means the Depart-*
19 *ment of Homeland Security;*

20 (2) *the term “interoperable communications” has*
21 *the meaning given that term in section 701(d) of the*
22 *Homeland Security Act of 2002, as added by section*
23 *3; and*

1 (3) the term “Under Secretary for Management”
 2 means the Under Secretary for Management of the
 3 Department of Homeland Security.

4 **SEC. 3. INCLUSION OF INTEROPERABLE COMMUNICATIONS**
 5 **CAPABILITIES IN RESPONSIBILITIES OF**
 6 **UNDER SECRETARY FOR MANAGEMENT.**

7 Section 701 of the Homeland Security Act of 2002 (6
 8 U.S.C. 341) is amended—

9 (1) in subsection (a)(4), by inserting before the
 10 period at the end the following: “, including policies
 11 and directives to achieve and maintain interoperable
 12 communications among the components of the Depart-
 13 ment”; and

14 (2) by adding at the end the following:

15 “(d) *INTEROPERABLE COMMUNICATIONS DEFINED.*—
 16 In this section, the term ‘interoperable communications’ has
 17 the meaning given that term in section 7303(g) of the Intel-
 18 ligence Reform and Terrorism Prevention Act of 2004 (6
 19 U.S.C. 194(g)).”.

20 **SEC. 4. STRATEGY.**

21 (a) *IN GENERAL.*—Not later than 180 days after the
 22 date of enactment of this Act, the Under Secretary for Man-
 23 agement shall submit to the Committee on Homeland Secu-
 24 rity of the House of Representatives and the Committee on
 25 Homeland Security and Governmental Affairs of the Senate

1 *a strategy, which shall be updated as necessary, for achiev-*
2 *ing and maintaining interoperable communications among*
3 *the components of the Department, including for daily oper-*
4 *ations, planned events, and emergencies, with cor-*
5 *responding milestones, that includes the following:*

6 (1) *An assessment of interoperability gaps in*
7 *radio communications among the components of the*
8 *Department, as of the date of enactment of this Act.*

9 (2) *Information on efforts and activities, includ-*
10 *ing current and planned policies, directives, and*
11 *training, of the Department since November 1, 2012*
12 *to achieve and maintain interoperable communica-*
13 *tions among the components of the Department, and*
14 *planned efforts and activities of the Department to*
15 *achieve and maintain such interoperable communica-*
16 *tions.*

17 (3) *An assessment of obstacles and challenges to*
18 *achieving and maintaining interoperable communica-*
19 *tions among the components of the Department.*

20 (4) *Information on, and an assessment of, the*
21 *adequacy of mechanisms available to the Under Sec-*
22 *retary for Management to enforce and compel compli-*
23 *ance with interoperable communications policies and*
24 *directives of the Department.*

1 (5) *Guidance provided to the components of the*
2 *Department to implement interoperable communica-*
3 *tions policies and directives of the Department.*

4 (6) *The total amount of funds expended by the*
5 *Department since November 1, 2012 and projected fu-*
6 *ture expenditures, to achieve interoperable commu-*
7 *nications, including on equipment, infrastructure,*
8 *and maintenance.*

9 (7) *Dates upon which Department-wide inter-*
10 *operability is projected to be achieved for voice, data,*
11 *and video communications, respectively, and interim*
12 *milestones that correspond to the achievement of each*
13 *such mode of communication.*

14 (b) *SUPPLEMENTARY MATERIAL.—Together with the*
15 *strategy required under subsection (a), the Under Secretary*
16 *for Management shall submit to the Committee on Home-*
17 *land Security of the House of Representatives and the Com-*
18 *mittee on Homeland Security and Governmental Affairs of*
19 *the Senate information on—*

20 (1) *any intra-agency effort or task force that has*
21 *been delegated certain responsibilities by the Under*
22 *Secretary for Management relating to achieving and*
23 *maintaining interoperable communications among*
24 *the components of the Department by the dates re-*
25 *ferred to in subsection (a)(7); and*

1 (2) *who, within each such component, is respon-*
2 *sible for implementing policies and directives issued*
3 *by the Under Secretary for Management to so achieve*
4 *and maintain such interoperable communications.*

5 **SEC. 5. REPORT.**

6 *Not later than 100 days after the date on which the*
7 *strategy required under section 4(a) is submitted, and every*
8 *2 years thereafter for 6 years, the Under Secretary for Man-*
9 *agement shall submit to the Committee on Homeland Secu-*
10 *rity of the House of Representatives and the Committee on*
11 *Homeland Security and Governmental Affairs of the Senate*
12 *a report on the status of efforts to implement the strategy*
13 *required under section 4(a), including the following:*

14 (1) *Progress on each interim milestone referred*
15 *to in section 4(a)(7) toward achieving and maintain-*
16 *ing interoperable communications among the compo-*
17 *nents of the Department.*

18 (2) *Information on any policies, directives, guid-*
19 *ance, and training established by the Under Secretary*
20 *for Management.*

21 (3) *An assessment of the level of compliance,*
22 *adoption, and participation among the components of*
23 *the Department with the policies, directives, guidance,*
24 *and training established by the Under Secretary for*

1 *Management to achieve and maintain interoperable*
2 *communications among the components.*

3 *(4) Information on any additional resources or*
4 *authorities needed by the Under Secretary for Man-*
5 *agement.*

6 **SEC. 6. APPLICABILITY.**

7 *Sections 4 and 5 shall only apply with respect to the*
8 *interoperable communications capabilities within the De-*
9 *partment and components of the Department to commu-*
10 *nicate within the Department.*

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