

Calendar No. 234

114TH CONGRESS
1ST SESSION**H. R. 623****[Report No. 114–145]**

IN THE SENATE OF THE UNITED STATES

FEBRUARY 3, 2015

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

SEPTEMBER 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 authorize
the Department of Homeland Security to establish a
social media working group, 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 “Social Media Working
5 Group Act of 2015”.

1 **SEC. 2. SOCIAL MEDIA WORKING GROUP.**

2 (a) IN GENERAL.—Title III of the Homeland Secu-
 3 rity Act of 2002 (6 U.S.C. 181 et seq.) is amended by
 4 adding at the end the following new section:

5 **“SEC. 318. SOCIAL MEDIA WORKING GROUP.**

6 “(a) ESTABLISHMENT.—The Secretary shall estab-
 7 lish within the Department a social media working group
 8 (in this section referred to as the ‘Group’).

9 “(b) PURPOSE.—In order to enhance information
 10 sharing between the Department and appropriate stake-
 11 holders, the Group shall provide guidance and best prac-
 12 tices to the emergency preparedness and response commu-
 13 nity on the use of social media technologies before, during,
 14 and after a terrorist attack or other emergency.

15 “(c) MEMBERSHIP.—

16 “(1) IN GENERAL.—The Under Secretary for
 17 Science and Technology shall serve as the permanent
 18 chairperson of the Group, and shall designate, on a
 19 rotating basis, a representative from a State or local
 20 government who is a member of the Group to serve
 21 as co-chairperson. The Under Secretary shall estab-
 22 lish term limits for individuals appointed to the
 23 Group pursuant to paragraph (2). Membership of
 24 the Group shall be composed of a cross section of
 25 subject matter experts from Federal, State, local,
 26 tribal, and nongovernmental organization practi-

tioners, including representatives from the following
entities:

“(A) The Office of Public Affairs of the
Department.

“(B) The Office of the Chief Information
Officer of the Department.

“(C) The Privacy Office of the Depart-
ment.

“(D) The Federal Emergency Management
Agency.

“(E) The Office of Disability Integration
and Coordination of the Federal Emergency
Management Agency.

“(F) The American Red Cross.

“(G) The Forest Service.

“(H) The Centers for Disease Control and
Prevention.

“(I) The United States Geological Survey.

“(J) The National Oceanic and Atmos-
pheric Administration.

“(2) ~~ADDITIONAL MEMBERS.~~—The Under Sec-
retary for Science and Technology shall appoint, on
a rotating basis, qualified individuals to the Group.
The total number of such additional members
shall—

1 “(A) be equal to or greater than the total
2 number of regular members under paragraph
3 ~~(1)~~; and

4 “(B) include—

5 “(i) not fewer than three representa-
6 tives from the private sector; and

7 “(ii) representatives from—

8 “(I) State, local, and tribal enti-
9 ties, including from—

10 “(aa) law enforcement;

11 “(bb) fire services;

12 “(cc) emergency manage-
13 ment; and

14 “(dd) public health entities;

15 “(H) universities and academia;

16 and

17 “(III) nonprofit disaster relief or-
18 ganizations.

19 “(d) CONSULTATION WITH NON-MEMBERS.—To the
20 extent practicable, the Group shall work with existing bod-
21 ies in the public and private sectors to carry out subsection
22 ~~(b)~~.

23 “(e) MEETINGS.—

24 “(1) INITIAL MEETING.—Not later than 90
25 days after the date of the enactment of this section;

1 the Group shall hold its initial meeting. Such initial
2 meeting may be held virtually.

3 “(2) SUBSEQUENT MEETINGS.—After the initial
4 meeting under paragraph (1), the Group shall meet
5 at least twice each year, or at the call of the Chair-
6 person. Such subsequent meetings may be held vir-
7 tually.

8 “(f) NONAPPLICABILITY OF FACA.—The Federal
9 Advisory Committee Act (5 U.S.C. App.) shall not apply
10 to the Group.

11 “(g) REPORTS.—Not later than March 30 of each
12 year, the Group shall submit to the appropriate congres-
13 sional committees a report that includes the following:

14 “(1) A review of current and emerging social
15 media technologies being used to support prepared-
16 ness and response activities related to terrorist at-
17 tacks and other emergencies.

18 “(2) A review of best practices and lessons
19 learned on the use of social media during the re-
20 sponse to terrorist attacks and other emergencies
21 that occurred during the period covered by the re-
22 port at issue.

23 “(3) Recommendations to improve the Depart-
24 ment’s use of social media for emergency manage-
25 ment purposes.

1 “(4) Recommendations to improve public
2 awareness of the type of information disseminated
3 through social media, and how to access such infor-
4 mation, during a terrorist attack or other emer-
5 gency.

6 “(5) Recommendations to improve information
7 sharing among the Department and its components.

8 “(6) Recommendations to improve information
9 sharing among State and local governments.

10 “(7) A review of available training for Federal,
11 State, local, and tribal officials on the use of social
12 media in response to a terrorist attack or other
13 emergency.

14 “(8) A summary of coordination efforts with
15 the private sector to discuss and resolve legal, oper-
16 ational, technical, privacy, and security concerns.”.

17 (b) CLERICAL AMENDMENT.—The table of contents
18 in section 1(b) of the Homeland Security Act of 2002 is
19 amended by inserting after the item relating to section
20 317 the following new item:

“Sec. 318. Social media working group.”.

21 **SECTION 1. SHORT TITLE.**

22 *This Act may be cited as the “DHS Social Media Im-*
23 *provement Act of 2015”.*

1 **SEC. 2. SOCIAL MEDIA WORKING GROUP.**

2 (a) *IN GENERAL.*—*Title III of the Homeland Security*
3 *Act of 2002 (6 U.S.C. 181 et seq.) is amended by adding*
4 *at the end the following:*

5 **“SEC. 318. SOCIAL MEDIA WORKING GROUP.**

6 “(a) *ESTABLISHMENT.*—*The Secretary shall establish*
7 *within the Department a social media working group (in*
8 *this section referred to as the ‘Group’).*

9 “(b) *PURPOSE.*—*In order to enhance the dissemination*
10 *of information through social media technologies between*
11 *the Department and appropriate stakeholders and to im-*
12 *prove use of social media technologies in support of pre-*
13 *paredness, response, and recovery, the Group shall identify,*
14 *and provide guidance and best practices to the emergency*
15 *preparedness and response community on, the use of social*
16 *media technologies before, during, and after a natural dis-*
17 *aster or an act of terrorism or other man-made disaster.*

18 “(c) *MEMBERSHIP.*—

19 “(1) *IN GENERAL.*—*Membership of the Group*
20 *shall be composed of a cross section of subject matter*
21 *experts from Federal, State, local, tribal, territorial,*
22 *and nongovernmental organization practitioners, in-*
23 *cluding representatives from the following entities:*

24 “(A) *The Office of Public Affairs of the De-*
25 *partment.*

1 “(B) *The Office of the Chief Information Of-*
 2 *ficer of the Department.*

3 “(C) *The Privacy Office of the Department.*

4 “(D) *The Federal Emergency Management*
 5 *Agency.*

6 “(E) *The Office of Disability Integration*
 7 *and Coordination of the Federal Emergency*
 8 *Management Agency.*

9 “(F) *The American Red Cross.*

10 “(G) *The Forest Service.*

11 “(H) *The Centers for Disease Control and*
 12 *Prevention.*

13 “(I) *The United States Geological Survey.*

14 “(J) *The National Oceanic and Atmos-*
 15 *spheric Administration.*

16 “(2) *CHAIRPERSON; CO-CHAIRPERSON.—*

17 “(A) *CHAIRPERSON.—The Secretary, or a*
 18 *designee of the Secretary, shall serve as the*
 19 *chairperson of the Group.*

20 “(B) *CO-CHAIRPERSON.—The chairperson*
 21 *shall designate, on a rotating basis, a representa-*
 22 *tive from a State or local government who is a*
 23 *member of the Group to serve as the co-chair-*
 24 *person of the Group.*

1 “(3) *ADDITIONAL MEMBERS.*—*The chairperson*
 2 *shall appoint, on a rotating basis, qualified individ-*
 3 *uals to the Group. The total number of such addi-*
 4 *tional members shall—*

5 “(A) *be equal to or greater than the total*
 6 *number of regular members under paragraph*
 7 *(1); and*

8 “(B) *include—*

9 “(i) *not fewer than 3 representatives*
 10 *from the private sector; and*

11 “(ii) *representatives from—*

12 “(I) *State, local, tribal, and terri-*
 13 *torial entities, including from—*

14 “(aa) *law enforcement;*

15 “(bb) *fire services;*

16 “(cc) *emergency manage-*
 17 *ment; and*

18 “(dd) *public health entities;*

19 “(II) *universities and academia;*

20 *and*

21 “(III) *nonprofit disaster relief or-*
 22 *ganizations.*

23 “(4) *TERM LIMITS.*—*The chairperson shall estab-*
 24 *lish term limits for individuals appointed to the*
 25 *Group under paragraph (3).*

1 “(d) *CONSULTATION WITH NON-MEMBERS.*—*To the ex-*
 2 *tent practicable, the Group shall work with entities in the*
 3 *public and private sectors to carry out subsection (b).*

4 “(e) *MEETINGS.*—

5 “(1) *INITIAL MEETING.*—*Not later than 90 days*
 6 *after the date of enactment of this section, the Group*
 7 *shall hold its initial meeting.*

8 “(2) *SUBSEQUENT MEETINGS.*—*After the initial*
 9 *meeting under paragraph (1), the Group shall meet—*

10 “(A) *at the call of the chairperson; and*

11 “(B) *not less frequently than twice each*
 12 *year.*

13 “(3) *VIRTUAL MEETINGS.*—*Each meeting of the*
 14 *Group may be held virtually.*

15 “(f) *REPORTS.*—*During each year in which the Group*
 16 *meets, the Group shall submit to the appropriate congres-*
 17 *sional committees a report that includes the following:*

18 “(1) *A review and analysis of current and*
 19 *emerging social media technologies being used to sup-*
 20 *port preparedness and response activities related to*
 21 *natural disasters and acts of terrorism and other*
 22 *man-made disasters.*

23 “(2) *A review of best practices and lessons*
 24 *learned on the use of social media technologies during*
 25 *the response to natural disasters and acts of terrorism*

1 *and other man-made disasters that occurred during*
2 *the period covered by the report at issue.*

3 “(3) *Recommendations to improve the Depart-*
4 *ment’s use of social media technologies for emergency*
5 *management purposes.*

6 “(4) *Recommendations to improve public aware-*
7 *ness of the type of information disseminated through*
8 *social media technologies, and how to access such in-*
9 *formation, during a natural disaster or an act of ter-*
10 *rorism or other man-made disaster.*

11 “(5) *A review of available training for Federal,*
12 *State, local, tribal, and territorial officials on the use*
13 *of social media technologies in response to a natural*
14 *disaster or an act of terrorism or other man-made*
15 *disaster.*

16 “(6) *A review of coordination efforts with the*
17 *private sector to discuss and resolve legal, operational,*
18 *technical, privacy, and security concerns.*

19 “(g) *DURATION OF GROUP.—*

20 “(1) *IN GENERAL.—The Group shall terminate*
21 *on the date that is 5 years after the date of enactment*
22 *of this section unless the chairperson renews the*
23 *Group for a successive 5-year period, prior to the date*
24 *on which the Group would otherwise terminate, by*
25 *submitting to the Committee on Homeland Security*

1 *and Governmental Affairs of the Senate and the Com-*
2 *mittee on Homeland Security of the House of Rep-*
3 *resentatives a certification that the continued exist-*
4 *ence of the Group is necessary to fulfill the purpose*
5 *described in subsection (b).*

6 “(2) *CONTINUED RENEWAL.*—*The chairperson*
7 *may continue to renew the Group for successive 5-*
8 *year periods by submitting a certification in accord-*
9 *ance with paragraph (1) prior to the date on which*
10 *the Group would otherwise terminate.”.*

11 “(b) *CLERICAL AMENDMENT.*—*The table of contents in*
12 *section 1(b) of the Homeland Security Act of 2002 is*
13 *amended by inserting after the item relating to section 317*
14 *the following:*

 “*Sec. 318. Social media working group.*”.

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