

# Union Calendar No. 462

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5079

**[Report No. 115–606]**

To amend the Homeland Security Act of 2002 to require the Department of Homeland Security to develop an engagement strategy with fusion centers, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 2018

Mr. BACON (for himself, Mr. McCAUL, Mr. KEATING, Mr. FITZPATRICK, Mr. KATKO, Mr. HIGGINS of Louisiana, and Mr. GALLAGHER) introduced the following bill; which was referred to the Committee on Homeland Security

MARCH 19, 2018

Additional sponsor: Mr. BARLETTA

MARCH 19, 2018

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 February 23, 2018]

# **A BILL**

To amend the Homeland Security Act of 2002 to require the Department of Homeland Security to develop an engagement strategy with fusion centers, 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 “DHS Field Engagement*  
 5       *Accountability Act”.*

6       **SEC. 2. ENGAGEMENT STRATEGY WITH FUSION CENTERS.**

7       *Section 210A of the Homeland Security Act of 2002*  
 8       *(6 U.S.C. 124h) is amended by—*

9               *(1) redesigning subsections (j) and (k) as sub-*  
 10       *sections (k) and (l), respectively; and*

11              *(2) inserting after subsection (i) the following*  
 12       *new subsection:*

13       *“(j) FUSION CENTER INFORMATION SHARING STRAT-*  
 14       *EGY.—Not later than one year after the date of the enact-*  
 15       *ment of this subsection, the Secretary shall develop and up-*  
 16       *date at least once every five years a strategy for Department*  
 17       *engagement with fusion centers. Such strategy shall be de-*  
 18       *veloped and updated in consultation with the heads of intel-*  
 19       *ligence components of the Department, the Chief Privacy*  
 20       *Officer of the Department, the Officer for Civil Rights and*  
 21       *Civil Liberties of the Department, officials of fusion centers,*  
 22       *officers designated as Homeland Security Advisors, and the*  
 23       *heads of other relevant agencies, as appropriate. Such strat-*  
 24       *egy shall include the following:*

1           “(1) *Specific goals and objectives for sharing in-*  
 2           *formation and engaging with fusion centers—*

3                   “(A) *through the direct deployment of per-*  
 4                   *sonnel from intelligence components of the De-*  
 5                   *partment;*

6                   “(B) *through the use of Department unclas-*  
 7                   *sified and classified information sharing sys-*  
 8                   *tems, including the Homeland Security Informa-*  
 9                   *tion Sharing Network and the Homeland Secure*  
 10                  *Data Network, or any successor systems; and*

11                  “(C) *through any additional means.*

12           “(2) *The performance metrics to be used to meas-*  
 13           *ure success in achieving the goals and objectives re-*  
 14           *ferred to in paragraph (1).*

15           “(3) *A five-year plan for continued engagement*  
 16           *with fusion centers.”.*

17   **SEC. 3. OFFICE OF INTELLIGENCE AND ANALYSIS FIELD**  
 18           **PERSONNEL SUPPORT TO FUSION CENTERS.**

19           (a) *PERFORMANCE METRICS.*—*Not later than 180*  
 20           *days after the date of the enactment of this Act, the Under*  
 21           *Secretary for Intelligence and Analysis of the Department*  
 22           *of Homeland Security shall—*

23                   (1) *consider the effectiveness of existing processes*  
 24                   *to identify and prepare field personnel for deployment*  
 25                   *to support fusion centers and internal mechanisms to*

1       *ensure oversight and accountability of such field per-*  
2       *sonnel, including field personnel assigned to one cen-*  
3       *ter and field personnel assigned to multiple centers;*  
4       *and*

5               (2)   *publish and disseminate performance*  
6       *metrics, taking into account, as appropriate, regional*  
7       *and threat diversity, for—*

8                       (A) *field personnel from the Office of Intel-*  
9                       *ligence and Analysis assigned to an individual*  
10                      *fusion center;*

11                     (B) *field personnel from the Office of Intel-*  
12                     *ligence and Analysis assigned to multiple fusion*  
13                     *centers; and*

14                     (C) *regional Directors of the Office of Intel-*  
15                     *ligence and Analysis to ensure accountability for*  
16                     *monitoring all field personnel under the super-*  
17                     *vision of such Regional Directors.*

18       (b) *TRAINING.—In consultation with the Chief Infor-*  
19       *mation Officer of the Department of Homeland Security,*  
20       *the Under Secretary for Intelligence and Analysis of the De-*  
21       *partment shall develop and implement a formalized train-*  
22       *ing module for fusion center personnel regarding the classi-*  
23       *fied Homeland Secure Data Network of the Department, or*  
24       *any successor system.*

1       (c) *FUSION CENTER DEFINED.*—*In this section, the*  
 2 *term “fusion center” has the meaning given such term in*  
 3 *section 210A of the Homeland Security Act of 2002 (6*  
 4 *U.S.C. 124h).*

5       **SEC. 4. DHS COMPONENT USAGE OF THE HOMELAND SECU-**  
 6                               **RITY INFORMATION NETWORK.**

7       (a) *IN GENERAL.*—*Not later than 180 days after the*  
 8 *date of the enactment of this Act, the Chief Intelligence Offi-*  
 9 *cer of the Department of Homeland Security, in consulta-*  
 10 *tion with the Chief Information Officer of the Department,*  
 11 *shall—*

12               (1) *develop policies and metrics to ensure effec-*  
 13 *tive use by components of the Department of the De-*  
 14 *partment’s unclassified Homeland Security Informa-*  
 15 *tion Sharing Network, or any successor system; and*

16               (2) *develop policies for posting unclassified prod-*  
 17 *ucts on the Homeland Security Information Sharing*  
 18 *Network, or any successor system.*

19       (b) *TECHNICAL ENHANCEMENTS.*—*The Chief Informa-*  
 20 *tion Officer of the Department of Homeland Security, in*  
 21 *consultation with the Chief Intelligence Officer of the De-*  
 22 *partment, shall assess and implement, as appropriate, tech-*  
 23 *nical enhancements to the Homeland Security Information*  
 24 *Sharing Network (HSIN) to improve usability, including*

1 *search functionality, data analysis, and collaboration capa-*  
2 *bilities.*

3 **SEC. 5. REPORT.**

4 *Not later than 18 months after the date of the enact-*  
5 *ment of this Act, the Secretary of Homeland Security shall*  
6 *submit to the Committee on Homeland Security of the*  
7 *House of Representatives and the Committee on Homeland*  
8 *Security and Governmental Affairs of the Senate a report*  
9 *on the implementation of the following:*

10 *(1) The fusion center information sharing strat-*  
11 *egy required under subsection (j) of section 210A of*  
12 *the Homeland Security Act of 2002 (6 U.S.C. 124h),*  
13 *as added by section 2 of this Act, based on perform-*  
14 *ance metrics developed pursuant to such strategy.*

15 *(2) Field personnel deployed to fusion centers (as*  
16 *such term is defined in section 210A of the Homeland*  
17 *Security Act of 2002 (6 U.S.C. 124h)) in accordance*  
18 *with section 3, based on performance metrics devel-*  
19 *oped pursuant to such section.*

20 *(3) Policies that seek to ensure the effective use*  
21 *of the Homeland Security Information Sharing Net-*  
22 *work in accordance with section 4, based on the*  
23 *metrics developed pursuant to such section.*

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