

with respect to security clearance and position designation practices. I ask for my colleagues' support.

I yield back the balance of my time.

Mr. KING of New York. Mr. Speaker, I once again urge my colleagues to support H.R. 3505.

I commend the ranking member, the gentleman from Mississippi, for authoring this legislation. I am proud to support it. It is a commonsense, good-government bill that will reduce waste and improve security.

I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Homeland Security Committee, and Ranking Member of the Subcommittee on Border and Maritime Security, I rise in strong support of H.R. 3505 the "Fusion Center Enhancement Act," which would guarantee improvement of security for the Department of Homeland Security.

This bill requires the Homeland Security Department to provide training to appropriate staff of the Department to determine eligibility for access to classified information.

At least 88 DHS workers have been on administrative leave pending resolution of claims against them, according to the office of Senator CHARLES GRASSLEY (R-Iowa).

Four workers had been on leave for three years or more with another 17 on leave for two years or more. The 88 were placed on leave for a variety of reasons.

Amongst those reasons it was noted that 13 were placed on leave due to security clearance issues.

Earlier this year officials said that a database holding sensitive security clearance information on millions of prior, current, as well as potential federal employees and contractors was compromised, via a Chinese Breach.

That database was also breached last year by the Chinese in a separate incident.

The bill will ensure that:

1. The Secretary will review all sensitivity level designations of national security positions;

2. Access shall be administratively adjusted and an appropriate level periodic reinvestigation completed, as necessary; and

3. The Inspector General of the Department shall conduct regular audits.

With cyber security threats on the rise across the world, and our continued dependence on technology we must be ever vigilant of the threats that we face.

It is for these reasons, as well as the previously mentioned cases of threats to DHS security clearance, that I seek the support of my colleagues today to support H.R. 3505.

I am confident that my colleagues will heed my advice and realize the need for the enactment of H.R. 3505.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. KING) that the House suspend the rules and pass the bill, H.R. 3505.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FUSION CENTER ENHANCEMENT ACT OF 2015

Mr. BARLETTA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3598) to amend the Homeland Security Act of 2002 to enhance the partnership between the Department of Homeland Security and the National Network of Fusion Centers, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3598

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fusion Center Enhancement Act of 2015".

SEC. 2. DEPARTMENT OF HOMELAND SECURITY FUSION CENTER PARTNERSHIP INITIATIVE.

(a) IN GENERAL.—Section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h) is amended—

(1) by amending the section heading to read as follows:

"SEC. 210A. DEPARTMENT OF HOMELAND SECURITY FUSION CENTER PARTNERSHIP INITIATIVE.;"

(2) in subsection (a), by adding at the end the following new sentence: "Beginning on the date of the enactment of the Fusion Center Enhancement Act of 2015, such Initiative shall be known as the 'Department of Homeland Security Fusion Center Partnership Initiative'.;"

(3) by amending subsection (b) to read as follows:

"(b) INTERAGENCY SUPPORT AND COORDINATION.—Through the Department of Homeland Security Fusion Center Partnership Initiative, in coordination with principal officials of fusion centers in the National Network of Fusion Centers and the officers designated as the Homeland Security Advisors of the States, the Secretary shall—

"(1) coordinate with the heads of other Federal departments and agencies to provide operational and intelligence advice and assistance to the National Network of Fusion Centers;

"(2) support the integration of fusion centers into the information sharing environment;

"(3) support the maturation and sustainment of the National Network of Fusion Centers;

"(4) reduce inefficiencies and maximize the effectiveness of Federal resource support to the National Network of Fusion Centers;

"(5) provide analytic and reporting advice and assistance to the National Network of Fusion Centers;

"(6) review information within the scope of the information sharing environment, including homeland security information, terrorism information, and weapons of mass destruction information, that is gathered by the National Network of Fusion Centers and incorporate such information, as appropriate, into the Department's own such information;

"(7) provide for the effective dissemination of information within the scope of the information sharing environment to the National Network of Fusion Centers;

"(8) facilitate close communication and coordination between the National Network of Fusion Centers and the Department and other Federal departments and agencies;

"(9) provide the National Network of Fusion Centers with expertise on Department resources and operations;

"(10) coordinate the provision of training and technical assistance to the National Net-

work of Fusion Centers and encourage such fusion centers to participate in terrorism threat-related exercises conducted by the Department;

"(11) ensure, to the greatest extent practicable, that support for the National Network of Fusion Centers is included as a national priority in applicable homeland security grant guidance;

"(12) ensure that each fusion center in the National Network of Fusion Centers has a privacy policy approved by the Chief Privacy Officer of the Department and a civil rights and civil liberties policy approved by the Officer for Civil Rights and Civil Liberties of the Department;

"(13) coordinate the nationwide suspicious activity report initiative to ensure information gathered by the National Network of Fusion Centers is incorporated as appropriate;

"(14) lead Department efforts to ensure fusion centers in the National Network of Fusion Centers are the primary focal points for the sharing of homeland security information, terrorism information, and weapons of mass destruction information with State and local entities to the greatest extent practicable;

"(15) develop and disseminate best practices on the appropriate levels for staffing at fusion centers in the National Network of Fusion Centers of qualified representatives from State, local, tribal, and territorial law enforcement, fire, emergency medical, and emergency management services, and public health disciplines, as well as the private sector; and

"(16) carry out such other duties as the Secretary determines appropriate.;"

(4) in subsection (c)—

(A) by striking so much as precedes paragraph (3)(B) and inserting the following:

"(c) RESOURCE ALLOCATION.—

"(1) INFORMATION SHARING AND PERSONNEL ASSIGNMENT.—

"(A) INFORMATION SHARING.—The Under Secretary for Intelligence and Analysis shall ensure that, as appropriate—

"(i) fusion centers in the National Network of Fusion Centers have access to homeland security information sharing systems; and

"(ii) Department personnel are deployed to support fusion centers in the National Network of Fusion Centers in a manner consistent with the Department's mission and existing statutory limits.

"(B) PERSONNEL ASSIGNMENT.—Department personnel referred to in subparagraph (A)(ii) may include the following:

"(i) Intelligence officers.

"(ii) Intelligence analysts.

"(iii) Other liaisons from components and offices of the Department, as appropriate.

"(C) MEMORANDA OF UNDERSTANDING.—The Under Secretary for Intelligence and Analysis shall negotiate memoranda of understanding between the Department and a State or local government, in coordination with the appropriate representatives from fusion centers in the National Network of Fusion Centers, regarding the exchange of information between the Department and such fusion centers. Such memoranda shall include the following:

"(i) The categories of information to be provided by each entity to the other entity that are parties to any such memoranda.

"(ii) The contemplated uses of the exchanged information that is the subject of any such memoranda.

"(iii) The procedures for developing joint products.

"(iv) The information sharing dispute resolution processes.

"(v) Any protections necessary to ensure the exchange of information accords with applicable law and policies.

“(2) SOURCES OF SUPPORT.—

“(A) IN GENERAL.—Information shared and personnel assigned pursuant to paragraph (1) may be shared or provided, as the case may be, by the following Department components and offices, in coordination with the respective component or office head and in consultation with the principal officials of fusion centers in the National Network of Fusion Centers:

“(i) The Office of Intelligence and Analysis.

“(ii) The Office of Infrastructure Protection.

“(iii) The Transportation Security Administration.

“(iv) U.S. Customs and Border Protection.

“(v) U.S. Immigration and Customs Enforcement.

“(vi) The Coast Guard.

“(vii) Other components or offices of the Department, as determined by the Secretary.

“(B) COORDINATION WITH OTHER FEDERAL AGENCIES.—The Under Secretary for Intelligence and Analysis shall coordinate with appropriate officials throughout the Federal Government to ensure the deployment to fusion centers in the National Network of Fusion Centers of representatives with relevant expertise of other Federal departments and agencies.

“(3) RESOURCE ALLOCATION CRITERIA.—

“(A) IN GENERAL.—The Secretary shall make available criteria for sharing information and deploying personnel to support a fusion center in the National Network of Fusion Centers in a manner consistent with the Department’s mission and existing statutory limits.”; and

(B) in paragraph (4)(B), in the matter preceding clause (i), by inserting “in which such fusion center is located” after “region”;

(5) in subsection (d)—

(A) in paragraph (3), by striking “and” at the end;

(B) in paragraph (4)—

(i) by striking “government” and inserting “governments”;

(ii) by striking the period at the end and inserting “; and”;

(C) by adding at the end the following new paragraph:

“(5) utilize Department information, including information held by components and offices, to develop analysis focused on the mission of the Department under section 101(b).”;

(6) in subsection (e)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—To the greatest extent practicable, the Secretary shall make it a priority to allocate resources, including deployed personnel, under this section from U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and the Coast Guard to support fusion centers in the National Network of Fusion Centers located in jurisdictions along land or maritime borders of the United States in order to enhance the integrity of and security at such borders by helping Federal, State, local, tribal, and territorial law enforcement authorities to identify, investigate, and otherwise interdict persons, weapons, and related contraband that pose a threat to homeland security.”; and

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking “participating State, local, and regional”;

(7) in subsection (j)—

(A) in paragraph (4), by striking “and” at the end;

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following new paragraph:

“(5) the term ‘National Network of Fusion Centers’ means a decentralized arrangement of fusion centers intended to enhance individual State and urban area fusion centers’ ability to leverage the capabilities and expertise of all fusion centers for the purpose of enhancing analysis and homeland security information sharing nationally; and”;

(8) by striking subsection (k).

(b) ACCOUNTABILITY REPORT.—Not later than one year after the date of the enactment of this Act and annually thereafter through 2022, the Under Secretary for Intelligence and Analysis of the Department of Homeland Security shall report to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate on the efforts of the Office of Intelligence and Analysis of the Department and other relevant components and offices of the Department to enhance support provided to fusion centers in the National Network of Fusion Centers, including meeting the requirements specified in section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as amended by subsection (a) of this section.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 210A and inserting the following new item:

“Sec. 210A. Department of Homeland Security Fusion Centers Initiative.”.

(d) REFERENCE.—Any reference in any law, rule, or regulation to the “Department of Homeland Security State, Local, and Regional Fusion Center Initiative” shall be deemed to be a reference to the “Department of Homeland Security Fusion Center Initiative”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. BARLETTA) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. BARLETTA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARLETTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3598, the Fusion Center Enhancement Act of 2015. The purpose of this legislation is to clarify and enhance the partnership between the Department of Homeland Security and the National Network of Fusion Centers.

The bill amends the existing statute to update the Department’s responsibilities for sharing information with State and local law enforcement and other emergency personnel within the National Network of Fusion Centers.

After the 9/11 terrorist attacks, State and local governments created fusion centers as a way to communicate Fed-

eral homeland security information to State and local law enforcement officials as well as to fuse State and locally collected information with Federal intelligence.

Congress supported this partnership by mandating that the Office of Intelligence and Analysis within the Department of Homeland Security coordinate and share information with fusion centers. There are now 78 State and locally owned fusion centers across the country.

H.R. 3598 amends existing law to improve the relationship and flow of information between the Federal Government and fusion centers.

The bill includes language updating the responsibilities of the Department of Homeland Security related to support and coordination within the National Network. This includes improving coordination with other Federal departments to provide better operational intelligence, reducing inefficiencies, and coordinating nationwide suspicious activity reporting.

As a member of the Homeland Security Committee and a former mayor, a concern I have heard from law enforcement in my district is a lack of information and coordination from ICE, CBP, and other DHS component agencies.

I have seen this problem firsthand and know that more can be done to help our local law enforcement get the support that they need from the Federal Government.

This bill is one small step to make that fusion center a better resource for the people who know our communities the best: our local law enforcement officers.

The bill includes language to direct DHS to ensure that each component is providing information and personnel to work with the fusion centers.

To address the need for better accountability, language is included throughout the bill requiring DHS to coordinate with fusion centers and State Homeland Security advisers in carrying out the assigned responsibilities.

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Additionally, I added a requirement for the Department to submit a report to Congress on their efforts, including the components, to support fusion centers and specifically report on how they are meeting the requirements set forth in this bill.

I want to thank House Intelligence Committee Chairman NUNES, Committee on Homeland Security Chairman MCCAUL and Ranking Member THOMPSON, and Subcommittee on Counterterrorism and Intelligence Chairman KING and Ranking Member HIGGINS for working with me to bring this bill to the floor. The bill went through regular order and received bipartisan support during subcommittee and full committee consideration.

Mr. Speaker, I urge my colleagues to support this bill so we can add important requirements and accountability

in how the Department of Homeland Security interacts and shares information with key State and local stakeholders.

Mr. Speaker, I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

Washington, DC, October 28, 2015.

Hon. MICHAEL MCCAUL,
Chairman, House Committee on Homeland Security, Ford Office Building, Washington, DC.

DEAR CHAIRMAN MCCAUL: On September 30, 2015, your committee ordered H.R. 3503, the "Department of Homeland Security Support to Fusion Centers Act of 2015," reported. Additionally, on that same day, your committee ordered H.R. 3598, the "Fusion Center Enhancement Act of 2015," reported.

As you know, both H.R. 3503 and H.R. 3598 contain provisions within the jurisdiction of the Permanent Select Committee on Intelligence. On the basis of your consultations with the Committee and in order to expedite the House's consideration of both bills, the Permanent Select Committee on Intelligence will not assert a jurisdictional claim over either bill by seeking a sequential referral. This courtesy is, however, conditioned on our mutual understanding and agreement that it will in no way diminish or alter the jurisdiction of the Permanent Select Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bills or any similar legislation.

I would appreciate your response to this letter confirming this understanding and would request that you include a copy of this letter and your response in the committee reports for both bills and in the Congressional Record during their floor consideration. Thank you in advance for your cooperation.

Sincerely,

DEVIN NUNES,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, October 29, 2015.

Hon. DEVIN NUNES,
Chairman, Permanent Select Committee on Intelligence, The Capitol, Washington, DC.

DEAR CHAIRMAN NUNES: Thank you for your letter regarding H.R. 3503, the "Department of Homeland Security Support to Fusion Centers Act of 2015," and H.R. 3598, the "Fusion Center Enhancement Act of 2015."

I appreciate your support in bringing both of these measures before the House of Representatives, and accordingly, understand that the Permanent Select Committee on Intelligence will not seek a sequential referral on either bill. I acknowledge that by foregoing a sequential referral on these two pieces of legislation, your Committee is not diminishing or altering its jurisdiction with respect to any future jurisdictional claim over the subject matters contained in these bills or any similar legislation. Additionally, should a conference on either bill be necessary, I would support your request to have the Permanent Select Committee represented on the conference committee.

I will include copies of this exchange in the reports for H.R. 3503 and H.R. 3598 and in the Congressional Record during consideration of these bills on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman,
Committee on Homeland Security.

Mr. THOMPSON of Mississippi. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3598, the Fusion Center Enhancement Act of 2015. First of all, let me compliment Mr. BARLETTA for his bill. Those of us who have been around kind of know the confusion that exists among fusion centers throughout the country, and any effort to streamline that confusion is much appreciated.

Mr. Speaker, this bipartisan bill seeks to update the law to reflect the evolution of the Department of Homeland Security's National Network of Fusion Centers as well as the relationship of the Department's Office of Intelligence and Analysis with the fusion centers in the network.

H.R. 3598, as introduced by the gentleman from Pennsylvania (Mr. BARLETTA), clarifies that fusion centers are State- and locally owned and operated and requires the Department's Office of Intelligence and Analysis to provide support to centers in its network through the deployment of appropriate personnel and providing access to information.

Importantly, H.R. 3598 also adds several new responsibilities to the Under Secretary of Intelligence and Analysis related to grant guidance, coordinating nationwide suspicious activity reports, and ensuring that fusion centers are the focal points for sharing information.

This bill makes several technical changes to existing statutory language to help ensure increased information-sharing resources are made available to Federal, State, and local law enforcement officials at our National Network of Fusion Centers.

If enacted, H.R. 3598 will go a long way to providing States and localities that have invested significant resources in standing up fusion centers to participate in DHS' National Network with the support they need to keep their communities and, ultimately, the Nation secure.

In closing, Mr. Speaker, I want to express my support again for this bill and commend the leaders of the committee's Counterterrorism and Intelligence Subcommittee, Mr. KING and Mr. HIGGINS, for working together to advance this timely and important piece of legislation.

Again, let me thank Mr. BARLETTA and talk about the longstanding confusion that has existed with fusion centers around the country. When created, it was Congress' hope that everybody would be singing from the same sheet of music. Hopefully this gets us real close to that performance. I urge the passage of H.R. 3598 and look forward to its passage.

Mr. Speaker, I yield back the balance of my time.

Mr. BARLETTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, one of the most critical responsibilities of the Department of Homeland Security is to share threat

information with State and local first responders. Fusion centers are a key mechanism for that process. The original requirements directing DHS' responsibilities towards fusion centers were enacted in 2007. In the past 8 years, there have been significant changes to the information-sharing environment and the fusion centers across the country.

Mr. Speaker, I urge my colleagues to vote for H.R. 3598 in order to bolster the information-sharing environment within the Department and between the Department and State and local stakeholders.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. BARLETTA) that the House suspend the rules and pass the bill, H.R. 3598, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DEPARTMENT OF HOMELAND SECURITY SUPPORT TO FUSION CENTERS ACT OF 2015

Ms. MCSALLY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3503) to require an assessment of fusion center personnel needs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3503

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Homeland Security Support to Fusion Centers Act of 2015".

SEC. 2. FUSION CENTER PERSONNEL NEEDS ASSESSMENT.

Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an assessment of Department of Homeland Security personnel assigned to fusion centers pursuant to subsection (c) of section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), including an assessment of whether deploying additional Department personnel to such fusion centers would enhance the Department's mission under section 101(b) of such Act and the National Network of Fusion Centers. The assessment required under this subsection shall include the following:

(1) Information on the current deployment of the Department's personnel to each fusion center.

(2) Information on the roles and responsibilities of the Department's Office of Intelligence and Analysis' intelligence officers, intelligence analysts, senior reports officers, reports officers, and regional directors deployed to fusion centers.

(3) Information on Federal resources, in addition to personnel, provided to each fusion center.

(4) An analysis of the optimal number of personnel the Office of Intelligence and Analysis should deploy to fusion centers, including a cost-benefit analysis comparing deployed personnel with technological solutions to support information sharing.