

109TH CONGRESS
2^D SESSION

H. R. 5178

To direct the Secretary of Homeland Security to conduct a study to identify best practices for the communication of information concerning a terrorist threat, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 2006

Mr. FOSSELLA (for himself and Mr. HOEKSTRA) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Select Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Homeland Security to conduct a study to identify best practices for the communication of information concerning a terrorist threat, 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. STUDY.**

4 (a) IN GENERAL.—The Secretary of Homeland Secu-
5 rity and the Director of National Intelligence shall conduct
6 jointly, or contract with an entity to conduct, a study of

1 the operations of Federal, State, and local government en-
2 tities to identify best practices for the communication of
3 information concerning a terrorist threat.

4 (b) CONTENTS.—

5 (1) IDENTIFICATION OF BEST PRACTICES.—The
6 study conducted under this section shall be focused
7 on an analysis and identification of the best prac-
8 tices of the information sharing processes of the fol-
9 lowing government entities:

10 (A) Joint Terrorism Task Forces, which
11 are operated by the Federal Bureau of Inves-
12 tigation with the participation of local law en-
13 forcement agencies.

14 (B) State Homeland Security Fusion Cen-
15 ters, which are established by a State and share
16 information with Federal departments.

17 (C) The Homeland Security Operations
18 Center, which is operated by the Department of
19 Homeland Security for the purposes of coordi-
20 nating information.

21 (D) State and local law enforcement agen-
22 cies that collect, utilize, and disseminate infor-
23 mation on potential terrorist attacks.

24 (E) The appropriate elements of the intel-
25 ligence community, as defined in section 3 of

1 the National Security Act of 1947 (50 U.S.C.
2 401a), involved in the sharing of counter-ter-
3 rorism information.

4 (2) COORDINATION OF GOVERNMENT ENTI-
5 TIES.—The study conducted under this section shall
6 include an examination of methods for coordinating
7 the activities of Federal, State, and local entities in
8 responding to a terrorist threat, and specifically the
9 communication to the general public of information
10 concerning the threat. The study shall not include
11 an examination of the sources and methods used in
12 the collection of the information.

13 (c) OBTAINING OFFICIAL DATA.—In conducting the
14 study, the Secretary, in conjunction with the Director,
15 with due regard for the protection of classified informa-
16 tion, may secure directly from any department or agency
17 of the United States information necessary to enable the
18 Secretary to carry out this section. Classified information
19 shall be handled through established methods for control-
20 ling such information.

21 (d) TEMPORARY DUTY OF FEDERAL PERSONNEL.—
22 The Secretary, in conjunction with the Director, may re-
23 quest the head of any department or agency of the United
24 States to detail to temporary duty personnel within the
25 administrative jurisdiction of the head of the department

1 or agency that the Secretary may need to carry out this
2 section, each detail to be without loss of seniority, pay,
3 or other employee status.

4 (e) REPORT.—

5 (1) IN GENERAL.—Not later than 6 months
6 after the date of enactment of this Act, the Sec-
7 retary, in conjunction with the Director, shall submit
8 to Congress a report that contains—

9 (A) a detailed statement of the findings
10 and conclusions of the study, including identi-
11 fication of the best practices for the processing,
12 analysis, and dissemination of information be-
13 tween the government entities referred to in
14 subsection (b)(1); and

15 (B) recommendations for a formalized
16 process of consultation, communication, and
17 confidentiality between Federal, State, and local
18 governments, incorporating the best practices of
19 the various entities studied, to facilitate com-
20 munication and help prevent the unauthorized
21 dissemination of information and criticism of
22 decisions concerning terrorist threats.

23 (2) CLASSIFIED INFORMATION.—To the extent
24 determined appropriate by the Secretary, in conjunc-

1 tion with the Director, the Secretary may submit a
2 portion of the report in classified form.

3 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 \$5,000,000 for fiscal year 2007.

6 **SEC. 2. CENTERS OF BEST PRACTICES.**

7 (a) IN GENERAL.—The Secretary of Homeland Secu-
8 rity, in consultation with the Director of National Intel-
9 ligence, shall make grants for the establishment and oper-
10 ation of 3 centers to implement the best practices, identi-
11 fied by the study conducted under section 1, for the proc-
12 essing, analysis, and dissemination of information con-
13 cerning a terrorist threat (in this Act, each referred to
14 as a “Center”).

15 (b) LOCATION OF CENTERS.—In carrying out sub-
16 section (a), the Secretary, in consultation with the Direc-
17 tor, shall make grants to—

18 (1) the State of New York for the establishment
19 of a Center to be located in New York City;

20 (2) the State of Michigan for the establishment
21 of a Center to be located in Detroit; and

22 (3) the State of California for the establishment
23 of a Center to be located in Los Angeles.

24 (c) PURPOSE OF CENTERS.—Each Center shall—

1 (1) implement the best practices, identified by
2 the study conducted under section 1, for information
3 sharing concerning a terrorist threat;

4 (2) coordinate the communication of these best
5 practices with other metropolitan areas;

6 (3) coordinate with the Secretary and the Di-
7 rector to develop a training curriculum to implement
8 these best practices;

9 (4) provide funding and technical assistance to
10 other metropolitan areas to assist the metropolitan
11 areas in the implementation of the curriculum devel-
12 oped under paragraph (3); and

13 (5) coordinate with the Secretary and the Di-
14 rector to establish a method to advertise and dis-
15 seminate these best practices.

16 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated for making grants under
18 this section—

19 (1) \$10,000,000 for fiscal year 2007 for the es-
20 tablishment of the Centers; and

21 (2) \$3,000,000 for each of fiscal years 2008
22 through 2012 for the operation of the Centers.

23 (e) REPORT TO CONGRESS.—Not later than March
24 31, 2010, the Secretary, in consultation with the Director,
25 shall submit to Congress a report evaluating the oper-

- 1 ations of the Centers and making recommendations for fu-
- 2 ture funding.

