

## Union Calendar No. 360

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

# H. R. 4289

[Report No. 113–484]

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.

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### IN THE HOUSE OF REPRESENTATIVES

MARCH 24, 2014

Mr. PAYNE (for himself and Mrs. BROOKS of Indiana) introduced the following bill; which was referred to the Committee on Homeland Security

Additional sponsor: Mr. McCAUL

JUNE 19, 2014

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

# **A BILL**

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,*

3 **SECTION 1. SHORT TITLE.**

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

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

10       Section 701 of the Homeland Security Act of 2002  
11 (6 U.S.C. 341) is amended—

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

17               (2) by adding at the end the following new sub-  
18       section:

19       “(d)   INTEROPERABLE   COMMUNICATIONS   DE-  
20   FINED.—In this section, the term ‘interoperable commu-  
21   nications’ means the ability of components of the Depart-  
22   ment to communicate with each other as necessary, uti-  
23   lizing information technology systems and radio commu-  
24   nications systems to exchange voice, data, and video in

1 real time, as necessary, for acts of terrorism, daily oper-  
2 ations, planned events, and emergencies.”.

3 **SEC. 3. STRATEGY.**

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

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

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

1       nications among the components of the Department,  
2       and planned efforts and activities of the Department  
3       to achieve and maintain such interoperable commu-  
4       nications.

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

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

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

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

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

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

15 **SEC. 4. REPORT.**

16 Not later than 220 days after the date of the enact-  
17 ment of this Act and biannually thereafter, the Under Sec-  
18 retary for Management shall submit to the Committee on  
19 Homeland Security of the House of Representatives and  
20 the Committee on Homeland Security and Governmental  
21 Affairs of the Senate a report on the status of efforts,  
22 since the issuance of the strategy required under section  
23 3, to implement such strategy, including the following:

24 (1) Progress on each interim milestone referred  
25 to in paragraph (9) of subsection (a) toward achiev-

1       ing and maintaining interoperable communications  
2       among the components of the Department.

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

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

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

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