

116TH CONGRESS
1ST SESSION

H. R. 2589

IN THE SENATE OF THE UNITED STATES

OCTOBER 15, 2019

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

AN ACT

To amend the Homeland Security Act of 2002 to establish
a homeland intelligence doctrine for 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Unifying DHS Intel-
3 ligence Enterprise Act”.

4 **SEC. 2. HOMELAND INTELLIGENCE DOCTRINE.**

5 (a) IN GENERAL.—Subtitle A of title II of the Home-
6 land Security Act of 2002 (6 U.S.C. 121 et seq.) is amend-
7 ed by adding at the end the following new section:

8 **“SEC. 210H. HOMELAND INTELLIGENCE DOCTRINE.**

9 “(a) IN GENERAL.—Not later than 180 days after
10 the date of the enactment of this section, the Secretary,
11 acting through the Chief Intelligence Officer of the De-
12 partment, in coordination with intelligence components of
13 the Department, the Office of the General Counsel, the
14 Privacy Office, and the Office for Civil Rights and Civil
15 Liberties, shall develop and disseminate written Depart-
16 ment-wide guidance for the processing, analysis, produc-
17 tion, and dissemination of homeland security information
18 (as such term is defined in section 892) and terrorism in-
19 formation (as such term is defined in section 1016 of the
20 Intelligence Reform and Terrorism Prevention Act of
21 2004 (6 U.S.C. 485)).

22 “(b) CONTENTS.—The guidance required under sub-
23 section (a) shall, at a minimum, include the following:

24 “(1) A description of guiding principles and
25 purposes of the Department’s intelligence enterprise.

1 “(2) A summary of the roles, responsibilities,
2 and programs of each intelligence component of the
3 Department in the processing, analysis, production,
4 or dissemination of homeland security information
5 and terrorism information, including relevant au-
6 thorities and restrictions applicable to each such in-
7 telligence component.

8 “(3) Guidance for the processing, analysis, and
9 production of such information.

10 “(4) Guidance for the dissemination of such in-
11 formation, including within the Department, among
12 and between Federal departments and agencies,
13 among and between State, local, Tribal, and terri-
14 torial governments, including law enforcement, and
15 with foreign partners and the private sector, con-
16 sistent with the protection of privacy, civil rights,
17 and civil liberties.

18 “(5) A description of how the dissemination to
19 the intelligence community (as such term is defined
20 in section 3(4) of the National Security Act of 1947
21 (50 U.S.C. 3003(4))) and Federal law enforcement
22 of such information assists such entities in carrying
23 out their respective missions.

1 “(c) FORM.—The guidance required under subsection
2 (a) shall be submitted in unclassified form, but may in-
3 clude a classified annex.

4 “(d) ANNUAL REVIEW.—For each of the 5 fiscal
5 years beginning with the first fiscal year that begins after
6 the date of the enactment of this section, the Secretary
7 shall conduct a review of the guidance required under sub-
8 section (a) and, as appropriate, revise such guidance.”.

9 (b) CLERICAL AMENDMENT.—The table of contents
10 in section 1(b) of the Homeland Security Act of 2002 is
11 amended by inserting after the item relating to section
12 210G the following new item:

“Sec. 210H. Homeland intelligence doctrine.”.

13 **SEC. 3. COMPTROLLER GENERAL ASSESSMENT.**

14 (a) ANNUAL ASSESSMENT REQUIRED.—Not later
15 than 1 year after the date of the enactment of this Act
16 and again not later than 5 years thereafter, the Comp-
17 troller General of the United States shall submit to the
18 Committee on Homeland Security of the House of Rep-
19 resentatives and the Committee on Homeland Security
20 and Governmental Affairs of the Senate an assessment of
21 the degree to which guidance established pursuant to sec-
22 tion 210H of the Homeland Security Act of 2002 (as
23 added by section 2 of this Act) is implemented across the
24 Department of Homeland Security. Such assessment
25 should evaluate the extent to which such guidance is car-

1 ried out in a manner that protects privacy, civil rights,
2 and civil liberties.

3 (b) ELEMENTS OF ASSESSMENT.—In conducting
4 each assessment under subsection (a), the Comptroller
5 General of the United States shall—

6 (1) use standard methodology and reporting
7 formats in order to demonstrate and display any
8 changes over time; and

9 (2) include any other subject matter the Comp-
10 troller General determines appropriate.

11 (c) ACCESS TO RELEVANT DATA.—To carry out this
12 section, the Secretary of Homeland Security shall ensure
13 that the Comptroller General of the United States has ac-
14 cess to all relevant data.

15 **SEC. 4. ANALYSTS FOR THE CHIEF INTELLIGENCE OFFI-**
16 **CER.**

17 Paragraph (1) of section 201(e) of the Homeland Se-
18 curity Act of 2002 (6 U.S.C. 121(e)) is amended by add-
19 ing at the end the following new sentence: “The Secretary
20 shall also provide the Chief Intelligence Officer with a

