

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

H. R. 1589

To amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. JOHNSON

Viz:

- 1 Strike all after the enacting clause and insert the fol-
- 2 lowing:
- 3 **SECTION 1. SHORT TITLE.**
- 4 This Act may be cited as the “CBRN Intelligence and
- 5 Information Sharing Act of 2019”.

1 **SEC. 2. CHEMICAL, BIOLOGICAL, RADIOLOGICAL, AND NU-**
2 **CLEAR INTELLIGENCE AND INFORMATION**
3 **SHARING.**

4 (a) IN GENERAL.—Subtitle A of title II of the Home-
5 land Security Act of 2002 (6 U.S.C. 121 et seq.) is amend-
6 ed by inserting after section 210E the following:

7 **“SEC. 210F. CHEMICAL, BIOLOGICAL, RADIOLOGICAL, AND**
8 **NUCLEAR INTELLIGENCE AND INFORMATION**
9 **SHARING.**

10 “(a) IN GENERAL.—The Secretary, acting through
11 the Undersecretary for Intelligence and Analysis, and
12 working with the intelligence components of the Depart-
13 ment, shall—

14 “(1) coordinate the analysis of the intentions,
15 capabilities, and plans of individuals or organizations
16 threatening or preparing to conduct attacks against
17 the homeland (including key resources and critical
18 infrastructure of the United States) involving the
19 use of chemical, biological, radiological, or nuclear
20 materials, devices, or agents;

21 “(2) coordinate the analysis of threats to home-
22 land security from global infectious disease and
23 other food, agricultural, or veterinary threats to pub-
24 lic health;

25 “(3) ensure the integration of the analysis de-
26 scribed in paragraphs (1) and (2) with assessments

1 of the vulnerability of and risks to the people, terri-
2 tory, key resources, and critical infrastructure of the
3 United States from chemical, biological, nuclear, and
4 radiological materials, devices, or agents;

5 “(4) leverage existing and emerging homeland
6 security intelligence capabilities and structures to—

7 “(A) plan for, detect, and protect against
8 the importation, possession, storage, transpor-
9 tation, development, or use of unauthorized
10 chemical, biological, radiological, or nuclear ma-
11 terials, devices, or agents in the United States;
12 and

13 “(B) protect against an attack using such
14 materials, devices, or agents against the people,
15 territory, or interests of the United States;

16 “(5) share information and provide tailored an-
17 alytical support on these threats to State, local,
18 Tribal authorities and other Federal agencies, as ap-
19 propriate; and

20 “(6) perform other responsibilities, as assigned
21 by the Secretary.

22 “(b) COORDINATION.—Where appropriate, the Un-
23 dersecretary for Intelligence and Analysis shall—

24 “(1) coordinate with—

1 “(A) other Departmental components, in-
2 cluding the Countering Weapons of Mass De-
3 struction Office, the Cybersecurity and Infra-
4 structure Security Agency, the Science and
5 Technology Directorate; and

6 “(B) other Federal, State, local, and Trib-
7 al entities, including officials from high-threat
8 urban areas, State and major urban area fusion
9 centers, and local public health departments;
10 and

11 “(2) enable such components and entities to
12 provide recommendations on—

13 “(A) optimal information sharing mecha-
14 nisms, including expeditious sharing of classi-
15 fied information; and

16 “(B) how such components and entities
17 can provide information to the Undersecretary
18 and other components of the Department.

19 “(c) DEFINITION.—In this section, the term ‘fusion
20 center’ has the meaning given the term in section 210A.”.

21 (b) CLERICAL AMENDMENT.—The table of contents
22 in section 1(b) of the Homeland Security Act of 2002
23 (Public Law 107–296; 116 Stat. 2135) is amended by in-
24 serting after the item relating to section 210E the fol-
25 lowing:

“Sec. 210F. Chemical, biological, radiological, and nuclear intelligence and information sharing.”.

1 (c) REPORT.—

2 (1) IN GENERAL.—Not later than 1 year after
3 the date of enactment of this Act and annually
4 thereafter, the Secretary of Homeland Security shall
5 report to the appropriate congressional committees
6 on—

7 (A) the intelligence and information shar-
8 ing activities under section 210F of the Home-
9 land Security Act of 2002 (as added by sub-
10 section (a) of this section) and of all relevant
11 entities within the Department of Homeland
12 Security to counter the threat from global infec-
13 tious disease and attacks using chemical, bio-
14 logical, radiological, or nuclear materials, de-
15 vices, or agents; and

16 (B) the Department’s activities in accord-
17 ance with relevant intelligence strategies.

18 (2) ASSESSMENT OF IMPLEMENTATION.—The
19 reports required under paragraph (1) shall include—

20 (A) an assessment of the progress of the
21 Department of Homeland Security in imple-
22 menting such section 210F; and

23 (B) a description of the methods estab-
24 lished to carry out such assessment.

1 (3) TERMINATION.—This subsection shall ter-
2 minate on the date that is 5 years after the date of
3 enactment of this Act.

4 (4) DEFINITION.—In this subsection, the term
5 “appropriate congressional committees” means the
6 Committee on Homeland Security of the House of
7 Representatives and the Committee on Homeland
8 Security and Governmental Affairs of the Senate
9 and any committee of the House of Representatives
10 or the Senate having legislative jurisdiction under
11 the rules of the House of Representatives or Senate,
12 respectively, over the matter concerned.