

HR 3875

Department of Homeland Security CBRNE Defense Act of 2015

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Emergency Management

Introduced: Nov 2, 2015

Current Status: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governm

Latest Action: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Dec 14, 2015)

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Sponsor

Name: Rep. McCaul, Michael T. [R-TX-10]

Party: Republican • **State:** TX • **Chamber:** House

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Jackson Lee, Sheila [D-TX-18]	D · TX		Nov 2, 2015
Rep. McSally, Martha [R-AZ-2]	R · AZ		Nov 2, 2015
Rep. Ratcliffe, John [R-TX-4]	R · TX		Nov 2, 2015

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Dec 14, 2015
Homeland Security Committee	House	Reported By	Nov 16, 2015

Subjects & Policy Tags

Policy Area:

Emergency Management

Related Bills

Bill	Relationship	Last Action
114 HR 6381	Related bill	Dec 16, 2016: Referred to the Subcommittee on Biotechnology, Horticulture, and Research.

Department of Homeland Security CBRNE Defense Act of 2015

(Sec. 2) This bill amends the Homeland Security Act of 2002 to establish within the Department of Homeland Security (DHS) a Chemical, Biological, Radiological, Nuclear, and Explosives Office to coordinate, strengthen, and provide chemical, biological, radiological, nuclear, and explosives (CBRNE) capabilities in support of homeland security.

The Office shall be comprised of the Chemical Division, the Biological Division, the Nuclear Division, and the Explosives Division and may include a Health Division.

The Office shall be headed by an Assistant Secretary, who shall:

- develop, coordinate, and maintain for DHS overall CBRNE strategy and policy and periodic CBRNE risk assessments;
- serve as the primary DHS representative for coordinating CBRNE activities with other federal agencies;
- provide oversight for DHS's preparedness for CBRNE threats; and
- provide support for operations during CBRNE threats or incidents.

The Secretary of DHS shall transfer to the Office: (1) the Office of Health Affairs, (2) the Domestic Nuclear Detection Office (redesignated as the Nuclear Division), (3) CBRNE threat awareness and risk assessment activities of the Science and Technology Directorate, (4) the CBRNE functions of the Office of Policy and the Office of Operations Coordination, and (5) the Office for Bombing Prevention of the National Protection and Programs Directorate.

The Assistant Secretary shall develop, coordinate, and update at least biennially: (1) terrorism risk assessments of chemical, biological, radiological, and nuclear threats; and (2) an integrated terrorism risk assessment that assesses these threats and, as appropriate, explosives threats, and compares each such threat according to its relative risk. The assessments shall be used to inform and guide allocation of resources for chemical, biological, radiological, and nuclear threat activities of DHS.

The Secretary shall develop an overarching risk communication strategy for terrorist attacks and other high consequence events utilizing chemical, biological, radiological, or nuclear agents or explosives that pose a high risk to homeland security and shall:

- develop threat-specific risk communication plans, in coordination with appropriate federal agencies;
- develop risk communication messages;
- develop clearly defined interagency processes and protocols to assure coordinated risk and incident communications and information sharing during incident response;
- engage private and nongovernmental entities in communications planning;
- identify ways to educate and engage the public about CBRNE threats and consequences;
- develop strategies for communicating using social and new media; and
- provide guidance on risk and incident communications for CBRNE events to state, local, tribal, and territorial governments and other stakeholders.

The Secretary shall: (1) provide appropriate timely, accurate information to appropriate stakeholders in the event of a suspected or confirmed terrorist attack or other high consequence CBRNE event that poses a high risk to homeland security; (2) report to specified congressional committees on DHS efforts to develop such communication strategy; and

(3) submit such strategy within two years after making such report.

The Under Secretary of Intelligence and Analysis of DHS shall:

- support homeland security-focused intelligence analysis of terrorist actors, their claims, and their plans to conduct attacks involving CBRNE against the United States, and of global infectious diseases, public health, food, agricultural, and veterinary issues;
- leverage existing and emerging homeland security intelligence capabilities and structures to enhance prevention, protection, response, and recovery efforts with respect to a CBRNE attack;
- share appropriate information regarding such threats to appropriate governmental authorities, as well as other national biosecurity and biodefense stakeholders; and
- coordinate with other relevant DHS components, members of the intelligence community, and other governmental authorities to enable them to provide recommendations on optimal information sharing mechanisms and on how such entities can provide information to DHS.

The Assistant Secretary shall submit a report to specified congressional committees on Office functions and responsibilities that: (1) identifies areas of unnecessary duplication, (2) details management and administrative expenditures, (3) identifies potential cost savings and efficiencies, and (4) identifies opportunities to enhance the effectiveness of Office management and administration to improve operational impact and enhance efficiencies.

The Secretary shall: (1) assess the organizational structure of the management and execution of DHS's CBRNE research and development activities; and (2) develop and submit to such committees a proposed organizational structure for the management and execution of such activities.

The Comptroller General also shall conduct a review of the organizational structure of DHS's management and execution of such activities.

(Sec. 3) There is established in the Office a Chemical Division.

The Director of the Division shall be responsible for coordinating departmental strategy and policy relating to terrorist attacks and other high-consequence events utilizing chemical agents that pose a high risk to homeland security, including:

- developing and maintaining DHS's strategy against chemical threats;
- serving as DHS's representative for chemical threats and related activities with other federal agencies;
- providing oversight of DHS's preparedness for chemical threats;
- enhancing the capabilities of governmental authorities and private entities against chemical threats;
- evaluating and providing guidance to such authorities and private entities on detection and communication technology that could be effective in terrorist attacks and other high-consequence events; and
- supporting and enhancing the effective sharing and use of appropriate information generated by the intelligence community, law enforcement agencies, other governmental authorities, and foreign governments.

The Director may partner with high-risk urban areas or facilities to conduct demonstration projects to enhance U.S. capabilities to counter terrorist attacks and other high-consequence events utilizing chemical agents that pose a high risk to homeland security.

The Director may provide guidance and evaluations for all situations and venues at risk of terrorist attacks and other high-

consequence events utilizing chemical agents and ensure that key findings and best practices are made available to state, local, tribal, and territorial governments and the private sector.

The Comptroller General shall submit to specified committees an assessment of DHS's programs and activities related to terrorist attacks and other high-consequence events utilizing chemical agents that pose a high risk to homeland security.

(Sec. 4) There is established in the CBRNE Office a Biological Division, headed by a Director.

The Division shall be responsible for coordinating departmental strategy and policy relating to terrorist attacks and other high-consequence events utilizing biological agents that pose a high risk to homeland security, including:

- developing and maintaining DHS's strategy against biological threats;
- serving as DHS's representative for biological threats and related activities with other federal agencies;
- providing oversight for DHS's preparedness for biological threats;
- enhancing the capabilities of governmental authorities and private entities against biological threats;
- supporting and enhancing the effective sharing and use of appropriate information generated by the intelligence community, law enforcement agencies, other governmental authorities, and foreign governments;
- achieving a biological detection program; and
- maintaining the National Biosurveillance Integration Center.

(Sec. 5) The Secretary shall include within the Office a Nuclear Division (currently, the Domestic Nuclear Detection Office).

The Director of such Division shall be responsible for: (1) coordinating departmental strategy and policy relating to terrorist attacks and other high-consequence events utilizing nuclear or other radiological materials; (2) coordinating federal efforts to detect and protect against the unauthorized importation, possession, storage, transportation, development, or use of a nuclear explosive device, fissile material, or radiological material in the United States; and (3) protecting against an attack using such devices or materials against the United States.

The bill changes the joint interagency review of global nuclear detection architecture from an annual to a biennial review.

The Director also shall provide support for planning, organization, equipment, training, exercises, and operational assessments to federal, state, local, tribal, and territorial governments to assist them in implementing radiological and nuclear detection capabilities in the event of terrorist attacks or other high-consequence events utilizing nuclear or other radiological materials that pose a high risk to homeland security. Such capabilities shall be integrated into the enhanced global nuclear detection architecture and shall inform and be guided by architecture studies, technology needs, and research activities of the Office.

(Sec. 6) There is established within the Office an Explosives Division.

The Director of such Division shall be responsible for coordinating departmental strategy and policy relating to terrorist attacks and other high-consequence events utilizing explosives that pose a high risk to homeland security, including:

- developing and maintaining DHS's strategy against explosives threats;
- serving as the DHS's representative for explosives threats and related activities with other federal agencies;
- providing oversight of DHS's preparedness for explosives threats;
- enhancing the capabilities of governmental authorities and private entities to counter terrorist attacks and other high-consequence events;

- evaluating and providing guidance to such authorities and private entities on detection and communication technology that could be effective during terrorist attacks or other high-consequence events; and
- supporting and enhancing the effective sharing and use of information generated by the intelligence community, law enforcement agencies, other governmental agencies, and foreign governments.

Actions Timeline

- **Dec 14, 2015:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
- **Dec 10, 2015:** Mr. McCaul moved to suspend the rules and pass the bill, as amended.
- **Dec 10, 2015:** Considered under suspension of the rules. (consideration: CR H9242-9248)
- **Dec 10, 2015:** DEBATE - The House proceeded with forty minutes of debate on H.R. 3875.
- **Dec 10, 2015:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H9242-9246)
- **Dec 10, 2015:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H9242-9246)
- **Dec 10, 2015:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 16, 2015:** Reported (Amended) by the Committee on Homeland Security. H. Rept. 114-334.
- **Nov 16, 2015:** Placed on the Union Calendar, Calendar No. 255.
- **Nov 4, 2015:** Committee Consideration and Mark-up Session Held.
- **Nov 4, 2015:** Ordered to be Reported (Amended) by Voice Vote.
- **Nov 2, 2015:** Introduced in House
- **Nov 2, 2015:** Referred to the House Committee on Homeland Security.