

107TH CONGRESS  
2D SESSION

# S. 2940

To establish a system of Interagency Homeland Security Fusion Centers, to require that budget requests for the Coast Guard for non-homeland security missions are not reduced, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17, 2002

Ms. SNOWE introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To establish a system of Interagency Homeland Security Fusion Centers, to require that budget requests for the Coast Guard for non-homeland security missions are not reduced, 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 “Coast Guard Readiness  
5       Act of 2002”.

1 **SEC. 2. INTERAGENCY HOMELAND SECURITY FUSION CEN-**  
2 **TERS.**

3 (a) **ESTABLISHMENT.**—The Secretary of Homeland  
4 Security shall establish a system of Interagency Homeland  
5 Security Fusion Centers.

6 (b) **DUTIES.**—The Centers shall collectively, have the  
7 following duties:

8 (1) Coordinate the interagency fusion of mari-  
9 time homeland security information focusing on the  
10 air and sea approaches to the United States.

11 (2) Facilitate information sharing between all  
12 of the Federal agencies named in subsection (c) and  
13 any foreign governments represented in the member-  
14 ship of a Center.

15 (3) Timely provide the appropriate Federal  
16 agencies with intelligence information concerning  
17 maritime threats to the homeland security of the  
18 United States.

19 (c) **MEMBERSHIP.**—The Secretary of Homeland Se-  
20 curity shall designate the members of each Interagency  
21 Homeland Security Fusion Center from among personnel  
22 of any or all of the following Federal agencies and foreign  
23 governments.

24 (1) The United States Coast Guard.

25 (2) The United States Customs Service.

26 (3) The Drug Enforcement Administration.

1 (4) The Department of Defense.

2 (5) The Immigration and Naturalization Serv-  
3 ice.

4 (6) The Transportation Security Administra-  
5 tion.

6 (7) The Federal Bureau of Investigation.

7 (8) The Central Intelligence Agency.

8 (9) The National Security Agency.

9 (10) Any other Federal agency as the Secretary  
10 determines necessary.

11 (11) Representatives of such foreign govern-  
12 ments as the President may direct.

13 (d) FUNCTION.—Interagency Fusion Centers shall—

14 (1) have access to all databases and information  
15 systems of Federal agencies represented in the mem-  
16 bership of a Center subject to adequate protections  
17 to ensure the security of such databases and sys-  
18 tems;

19 (2) collect, compile, analyze, and disseminate  
20 information from such agencies, including any infor-  
21 mation concerning tracking vessels, cargo, and per-  
22 sons of interest, to identify and locate potential  
23 threats to the security of the homeland of the  
24 United States; and

1           (3) alert all pertinent government agencies re-  
2           garding each potential homeland security threat im-  
3           mediately upon ascertaining the threat.

4           (e) IMPLEMENTATION PLAN.—Not later than 1 year  
5 after the date of enactment of this Act, the Secretary of  
6 Homeland Security shall submit to the Committee on  
7 Commerce, Science, and Transportation of the Senate, the  
8 Committee on Transportation and Infrastructure of the  
9 House of Representatives, the Committee on Govern-  
10 mental Affairs of the Senate, the Committee on Govern-  
11 ment Reform of the House of Representatives, and the  
12 Committees on Appropriations of the Senate and the  
13 House of Representatives a detailed plan to implement the  
14 requirements of Interagency Homeland Security Fusion  
15 Centers. The plan shall include the following matters:

16           (1) The number and location of the Interagency  
17           Homeland Security Fusion Centers.

18           (2) Policies and procedures for establishing the  
19           Centers and commencing operations by the Centers,  
20           including the Federal agencies to be represented in  
21           the membership of the Centers.

22           (3) A discussion of how the Centers are to oper-  
23           ate in conjunction with or in place of other intel-  
24           ligence or fusion centers.

1           (4) Proposed legislation for any changes in au-  
2           thorities of the Federal agencies represented in the  
3           membership of the Interagency Homeland Security  
4           Fusion Centers that the Secretary considers nec-  
5           essary.

6 **SEC. 3. COAST GUARD FUNDING FLOORS.**

7           (a) IN GENERAL.—No budget request submitted to  
8           the Congress pursuant to section 1105 of title 31, United  
9           States Code, for fiscal year 2004 or fiscal year 2005 may  
10          contain a request for the Coast Guard a reduction in an-  
11          nual total spending and annual internal budget allocations  
12          for each non-homeland security mission area below the lev-  
13          els appropriated and allocated for the Coast Guard for fis-  
14          cal year 2002 or for fiscal year 2003, whichever is greater  
15          for each area.

16          (b) NON-HOMELAND SECURITY MISSIONS.—The  
17          term “non-homeland security missions” means the fol-  
18          lowing missions of the Coast Guard:

- 19               (1) Marine safety.
- 20               (2) Search and rescue.
- 21               (3) Aids to navigation.
- 22               (4) Living marine resources, including enforce-  
23               ment of laws relating to fisheries.
- 24               (5) Marine environmental protection.
- 25               (6) Ice operations.

1 (c) WAIVER.—

2 (1) IN GENERAL.—The President may waive  
3 the requirements of subsection (a) if the Com-  
4 mandant of the Coast Guard simultaneously submits  
5 to the President and to Congress in order to miti-  
6 gate substantially the consequences of a specific  
7 major accident occurring after the date of the enact-  
8 ment of this Act, respond successfully to a specific  
9 and unanticipated national or international crisis  
10 arising after such date, counter a specific, unantici-  
11 pated threat to United States homeland security  
12 identified after such date, or otherwise react satis-  
13 factorily to a specific, unanticipated event occurring  
14 within a mission area of the Coast Guard after such  
15 date.

16 (2) JUSTIFICATION.—Each recommendation of  
17 a waiver under paragraph (1) shall include a de-  
18 tailed justification for the recommendation, includ-  
19 ing the specific information upon which the rec-  
20 ommendation is based and the specific reasons why  
21 the Coast Guard could not effectively respond to the  
22 accident, crisis, threat, or event without the waiver.

23 (3) INTELLIGENCE CERTIFICATION.—Any rec-  
24 ommendation for a waiver based on a need to  
25 counter a specific, unanticipated threat to United

1 States homeland security shall be accompanied by a  
2 certification by the Director of Central Intelligence  
3 that—

4 (A) there exists a preponderance of cred-  
5 ible, accurate, and compelling evidence within  
6 the Intelligence Community that demonstrates  
7 that the threat upon which the Commandant's  
8 recommendation is based is real, unanticipated,  
9 and acute, and that immediate action must be  
10 taken to counter it; and

11 (B) the Intelligence Community is taking  
12 specific and decisive steps to reduce signifi-  
13 cantly the probability that such threats will be  
14 unanticipated in the future.

15 **SEC. 4. REPORT ON ACCELERATING THE INTEGRATED**  
16 **DEEPWATER SYSTEM.**

17 Not later than 90 days after the date of enactment  
18 of the National Homeland Security and Combating Ter-  
19 rorism Act of 2002, the Secretary of Homeland Security,  
20 in consultation with the Commandant of the Coast Guard  
21 shall submit a report to the Committee on Commerce,  
22 Science, and Transportation of the Senate, and the Com-  
23 mittees on Appropriations of the Senate and the House  
24 of Representatives a report that—

1           (1) contains an analysis of the feasibility of ac-  
2           celerating the rate of procurement in the Coast  
3           Guard's Integrated Deepwater System from 20  
4           years to 10 years;

5           (2) includes an estimate of the additional re-  
6           sources necessary for accelerating such rate of pro-  
7           curement;

8           (3) describes the increased capabilities that  
9           would result from the accelerated procurement, in-  
10          cluding any increase in the Coast Guard's homeland  
11          security readiness and any increases in operational  
12          efficiencies; and

13          (4) provides a revised asset phase-in schedule  
14          consistent with such an accelerated rate of procure-  
15          ment.

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