

110TH CONGRESS
2D SESSION

S. 3524

To improve the Office for State and Local Law Enforcement, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 18 (legislative day, SEPTEMBER 17), 2008

Mr. REID (for Mr. BIDEN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To improve the Office for State and Local Law Enforcement, 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 “Homeland Security
5 and Law Enforcement Improvements Act of 2008”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 (1) the term “Department” means the Depart-
9 ment of Homeland Security; and

1 (2) the term “Secretary” means the Secretary
2 of Homeland Security.

3 **SEC. 3. OFFICE FOR STATE AND LOCAL LAW ENFORCE-**
4 **MENT.**

5 Section 2006 of the Homeland Security Act of 2002
6 (6 U.S.C. 607) is amended by striking subsection (b) and
7 inserting the following:

8 “(b) OFFICE FOR STATE AND LOCAL LAW ENFORCE-
9 MENT.—

10 “(1) ESTABLISHMENT.—There is established in
11 the Office of the Secretary an Office for State and
12 Local Law Enforcement, which shall be headed by
13 an Assistant Secretary for State and Local Law En-
14 forcement.

15 “(2) QUALIFICATIONS.—The Assistant Sec-
16 retary for State and Local Law Enforcement shall
17 have an appropriate background with experience in
18 law enforcement, intelligence, and other antiterrorist
19 functions.

20 “(3) ASSIGNMENT OF PERSONNEL.—The Sec-
21 retary may assign to the Office for State and Local
22 Law Enforcement permanent staff and other appro-
23 priate personnel detailed from other components of
24 the Department to carry out the responsibilities
25 under this subsection.

1 “(4) RESPONSIBILITIES.—The Assistant Sec-
2 retary for State and Local Law Enforcement shall—

3 “(A) lead the coordination of Department-
4 wide policies relating to the role of State and
5 local law enforcement in preventing, preparing
6 for, protecting against, and responding to nat-
7 ural disasters, acts of terrorism, and other
8 man-made disasters within the United States;

9 “(B) serve as a liaison between State,
10 local, and tribal law enforcement agencies and
11 the Department;

12 “(C) work with the Office of Intelligence
13 and Analysis to ensure the intelligence and in-
14 formation sharing requirements of State, local,
15 and tribal law enforcement agencies are being
16 addressed;

17 “(D) work with the Administrator to en-
18 sure that homeland security grants to State,
19 local, and tribal government agencies, including
20 grants under sections 2003 and 2004 and sub-
21 section (a) of this section, the Commercial
22 Equipment Direct Assistance Program, and
23 grants to support fusion centers and other law
24 enforcement-oriented programs, are adequately
25 focused on terrorism prevention activities;

1 “(E) coordinate, in cooperation with the
2 Federal Emergency Management Agency and
3 the Office of Intelligence and Analysis, informa-
4 tion sharing and fusion center training, tech-
5 nical assistance, and other information sharing
6 activities to ensure needs of State, local, and
7 tribal law enforcement agencies and fusion cen-
8 ters are being met, including the development
9 of a Law Enforcement Information Sharing Re-
10 source Center under paragraph (6);

11 “(F) carry out, in coordination with the
12 Administrator, the National Law Enforcement
13 Deployment Team Program established under
14 paragraph (5); and

15 “(G) coordinate with the Federal Emer-
16 gency Management Agency, the Department of
17 Justice, the National Institute of Justice, law
18 enforcement organizations, and other appro-
19 priate entities to support the development, pro-
20 mulgation, and updating, as necessary, of na-
21 tional voluntary consensus standards for train-
22 ing and personal protective equipment to be
23 used in a tactical environment by law enforce-
24 ment officers.

1 “(5) NATIONAL LAW ENFORCEMENT DEPLOY-
2 MENT TEAM PROGRAM.—

3 “(A) ESTABLISHMENT.—The Assistant
4 Secretary for State and Local Law Enforce-
5 ment shall establish a National Law Enforce-
6 ment Deployment Team Program to develop
7 and implement a series of Law Enforcement
8 Deployment Teams comprised of State and
9 local law enforcement personnel capable of pro-
10 viding immediate support in response to the
11 threat or occurrence of a natural or man-made
12 incident.

13 “(B) ACTIVITIES.—In carrying out the Na-
14 tional Law Enforcement Deployment Team
15 Program, the Assistant Secretary for State and
16 Local Law Enforcement shall—

17 “(i) consult with State and local law
18 enforcement and public safety agencies and
19 other relevant stakeholders as to the capa-
20 bilities required by a Law Enforcement
21 Deployment Team;

22 “(ii) develop and implement a model
23 Law Enforcement Deployment Team lo-
24 cated in a region of the Federal Emer-

1 agency Management Agency selected by the
2 Assistant Secretary;

3 “(iii) exercise and train the Law En-
4 forcement Deployment Teams;

5 “(iv) create model policies and proce-
6 dures, templates, and general policies and
7 procedures and document best practices
8 that can be applied to the development of
9 Law Enforcement Deployment Teams in
10 each region of the Federal Emergency
11 Management Agency;

12 “(v) develop an implementation strat-
13 egy to support the development, overall
14 management, equipment, infrastructure,
15 and training needs of a National Law En-
16 forcement Deployment Team Program, in-
17 cluding the development of a technical as-
18 sistance and training program; and

19 “(vi) not later than 6 months after
20 the date of enactment of the Homeland Se-
21 curity and Law Enforcement Improve-
22 ments Act of 2008, and before implemen-
23 tation of the National Law Enforcement
24 Deployment Team Program in any region
25 of the Federal Emergency Management

Agency other than the region selected under clause (ii), submit to the Committee on Homeland Security and Government Affairs and the Committee on the Judiciary of the Senate and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives a report on the National Law Enforcement Deployment Team Program, which shall include the implementation strategy described in clause (v).

“(C) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this paragraph—

“(i) \$5,000,000 for each of fiscal years 2009 and 2010; and

“(ii) such sums as are necessary for each of fiscal years 2011 through 2015.

“(6) LAW ENFORCEMENT INFORMATION SHARING RESOURCE CENTER.—

“(A) ESTABLISHMENT.—There is established within the Office for State and Local Law Enforcement, the Law Enforcement Information Sharing Resource Center to provide technical assistance relating to information

1 sharing and intelligence with and between
2 State, local, and tribal law enforcement agen-
3 cies and Federal agencies.

4 “(B) ACTIVITIES.—In carrying out the
5 Law Enforcement Information Sharing Re-
6 source Center, the Assistant Secretary for State
7 and Local Law Enforcement shall—

8 “(i) develop a single repository within
9 the Department to house all relevant guid-
10 ance, templates, examples, best practices,
11 data sets, analysis tools, and other fusion
12 center and information sharing related
13 items;

14 “(ii) consult with State and local law
15 enforcement agencies in the development of
16 the Law Enforcement Information Sharing
17 Resource Center;

18 “(iii) consolidate access to Depart-
19 ment resources within the Law Enforce-
20 ment Information Sharing Resource Cen-
21 ter;

22 “(iv) provide technical assistance to
23 law enforcement and public safety agen-
24 cies; and

“(v) coordinate, in coordination with the Federal Emergency Management Agency and the Office of Intelligence and Analysis, intelligence, information sharing, and fusion center related training, technical assistance, exercise, and other services provided to State and local law enforcement and other agencies developing or operating fusion centers and intelligence units.

“(C) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this paragraph—

“(i) \$3,000,000 for fiscal year 2009;

“(ii) \$3,500,000 for fiscal year 2010;

and

“(iii) such sums as are necessary for each of fiscal years 2011 through 2015.

“(7) FOREIGN LIAISON OFFICERS AGAINST TERRORISM PROGRAMS.—

“(A) ESTABLISHMENT.—There is established within the Office of State and Local Law Enforcement, the Foreign Liaison Officers Against Terrorism Program.

1 “(B) DUTIES.—In carrying out the For-
2 eign Liaison Officers Against Terrorism Pro-
3 gram the Assistant Secretary for State and
4 Local Law Enforcement shall—

5 “(i) identify foreign cities the govern-
6 ment of which desires a State, local, or
7 tribal law enforcement agency to assign an
8 officer to the foreign city, to share infor-
9 mation with law enforcement agencies of
10 State, local, and tribal governments; and

11 “(ii) assign each foreign city identified
12 under clause (i) to a law enforcement
13 agency participating in the Foreign Liai-
14 son Officers Against Terrorism Program,
15 to—

16 “(I) obtain information relevant
17 to law enforcement agencies of State,
18 local, and tribal governments from
19 each such city for information sharing
20 purposes; and

21 “(II) share information obtained
22 under subclause (I) with other law en-
23 forcement agencies participating in
24 the Foreign Liaison Officers Against
25 Terrorism Program.

1 “(C) USE OF GRANT FUNDS.—A grant
 2 awarded under section 2003 may be used for
 3 the costs of participation in the Foreign Liaison
 4 Officers Against Terrorism Program established
 5 under subparagraph (A).”.

6 **SEC. 4. LAW ENFORCEMENT TERRORISM PREVENTION**
 7 **PROGRAM.**

8 (a) IN GENERAL.—Section 2006(a) of the Homeland
 9 Security Act of 2002 (6 U.S.C. 607(a)) is amended—
 10 (1) by striking paragraph (1) and inserting the
 11 following:

12 “(1) IN GENERAL.—

13 “(A) GRANTS.—The Assistant Secretary
 14 for State and Local Law Enforcement may
 15 make grants to States and local governments
 16 for law enforcement terrorism prevention activi-
 17 ties.

18 “(B) PROGRAM.—The Secretary shall
 19 maintain the grant program under this sub-
 20 section as a separate program of the Depart-
 21 ment.”; and

22 (2) by adding at the end the following:

23 “(4) AUTHORIZATION OF APPROPRIATIONS.—
 24 There is authorized to be appropriated to carry out
 25 this subsection \$500,000,000 for each of fiscal years

1 2009 through 2015, of which not less than 10 per-
2 cent may be used by the Assistant Secretary for dis-
3 cretionary grants for national best practices and
4 programs of proven effectiveness, including for—

5 “(A) national, regional and multi-jurisdic-
6 tional projects;

7 “(B) development of model programs for
8 replication;

9 “(C) guidelines and standards for pre-
10 venting terrorism;

11 “(D) national demonstration projects that
12 employ innovative or promising approaches; and

13 “(E) evaluation of programs to ensure the
14 effectiveness of the programs.”.

15 (b) REPORTING.—The Assistant Secretary for State
16 and Local Law Enforcement of the Department shall sub-
17 mit to Congress and make publicly available an annual
18 report detailing the goals and recommendations for the
19 Nation’s terrorism prevention strategy.

20 **SEC. 5. COMMERCIAL EQUIPMENT DIRECT ASSISTANCE**
21 **PROGRAM.**

22 (a) IN GENERAL.—Title XX of the Homeland Secu-
23 rity Act of 2002 (6 U.S.C. 601 et seq.) is amended by
24 adding at the end the following:

1 **“Subtitle C—Other Assistance**

2 **“SEC. 2041. COMMERCIAL EQUIPMENT DIRECT ASSISTANCE**
3 **PROGRAM.**

4 “(a) ESTABLISHMENT.—There is established within
5 the Office of State and Local Law Enforcement, the Com-
6 mercial Equipment Direct Assistance Program (in this
7 section referred to as the ‘program’) to make
8 counterterrorism technology, equipment, and information
9 available to local law enforcement agencies.

10 “(b) ACTIVITIES.—In carrying out the program, the
11 Assistant Secretary for State and Local Law Enforcement
12 shall—

13 “(1) publish a comprehensive list of available
14 technologies, equipment, and information available
15 under the program;

16 “(2) consult with local law enforcement agen-
17 cies and other appropriate individuals and entities,
18 as determined by the Assistant Secretary for State
19 and Local Law Enforcement;

20 “(3) accept applications from the heads of
21 State and local law enforcement agencies that wish
22 to acquire technologies, equipment, or information
23 under the program to improve the homeland security
24 capabilities of those agencies; and

1 “(4) transfer the approved technology, equip-
2 ment, or information and provide the appropriate
3 training to the State or local law enforcement agen-
4 cy to implement such technology, equipment, or in-
5 formation.

6 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to carry out this sec-
8 tion—

9 “(1) \$75,000,000 for each of fiscal years 2009
10 and 2010; and

11 “(2) such sums as are necessary for each of fis-
12 cal years 2011 through 2015.”.

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