

The 9-11 Commission Report Implementation Act of 2004 Highlights of Legislation Title by Title

The 9-11 Commission Report Implementation Act of 2004 incorporates all 41 recommendations of the 9-11 Commission in nine titles. This fact sheet summarizes some of the key provisions contained in this 280-page bill by title number.

Title I. Reform of the Intelligence Community: This title reconfigures the U.S. intelligence community in several ways. It creates a strong National Intelligence Director (NID) who will be the President's principal intelligence adviser and who will direct, manage and oversee the budget, resources and personnel of the intelligence community. It establishes a National Counterterrorism Center (NCTC) to oversee all U.S. counterterrorism operations. The NCTC Director will be the President's principal adviser on counterterrorism intelligence. The NCTC will have primary responsibility for analysis, collection, and planning operations related to terrorism and terrorist organizations. It also authorizes the establishment of National Intelligence Centers, covering topical intelligence matters such as weapons of mass destruction or regional matters such as the Middle East.

Title II. Information Sharing: This title directs the President to establish an information sharing network designed to facilitate and promote the sharing of terrorism information throughout the federal government, with state and local agencies and, where appropriate, with the private sector.

Title III. Congressional Reform: This title addresses the need for more effective Congressional oversight of the intelligence community and more consolidated Congressional jurisdiction over the Department of Homeland Security. The bill does not dictate the details of the new committee arrangements but instead directs Congress to enact the Commission's recommendations on intelligence and homeland security oversight before it adjourns this year, to take effect at the beginning of the new Congress. The Senate leadership in August designated a 22-member bipartisan task force to determine how best to implement the recommendations.

Title IV. Presidential Transition: This title speeds up the process of putting a new Administration's national security team in place and minimizes the disruption to policymaking during the transition. It also consolidates security clearance responsibilities in a single agency and standardizes the information required for clearances so they can be accepted by all agencies within the intelligence community.

Title V. Diplomacy, Foreign Aid, Military Role, and International Law: This title implements recommendations designed to prevent the spread of terrorism in the world. These steps include a substantial increase in U.S. foreign assistance to Afghanistan, a renewed U.S. commitment to Pakistan, the development of a strategy to eliminate terrorist sanctuaries, increased funding for U.S. broadcasts to the Islamic world, and the creation of an International Youth Opportunity Fund to provide educational assistance to Muslim states.

Title VI. Terrorist Travel and Effective Screening: This title expands U.S. efforts to detect and disrupt terrorist travel across its borders, requires greater security measures for identification documents to decrease fraud, and requires biometric passports or other equally secure identification for travel into the United States. In addition, the Department of Homeland Security is required to develop an integrated screening system using a network of screening points at U.S. borders, in the transportation system, and other critical infrastructure that needs to be protected against terrorist attack.

Title VII. Transportation Security: Under this title, the Transportation Security Administration (TSA) is directed to produce a national transportation security strategy that evaluates the risks faced by all modes of transportation and sets forth a plan and priorities for security measures, research and development and funding that meets the strategy's objectives. TSA is also required to implement an air passenger pre-screening system that will compare passengers' names against consolidated terrorist watchlists. In addition, TSA must screen all air passengers and their carry on bags for explosives, accelerate deployment of technology to detect explosives on individuals, study and improve screener job performance, and improve the security of cargo traveling on passenger flights.

Title VIII. National Preparedness: This title requires that the Department of Homeland Security distribute first responder grants for homeland security preparedness solely on the basis of threat and risk criteria, and eliminates the per state minimums now in effect for many grants. It also facilitates first responder communications by assigning certain radio spectrum to public safety agencies for their use.

Title IX. Protection of Civil Liberties: This title establishes a Privacy and Civil Liberties Oversight Board to advise the President and federal agencies on ensuring the protection of privacy and civil liberties when the government proposes, develops, or implements laws, regulations, and policies related to efforts to protect the nation against terrorism. The Board will oversee both information sharing and law enforcement/intelligence actions, and can conduct investigations of government actions when appropriate. Certain homeland security and counterterrorism agencies are also required to have Privacy and Civil Liberties Officers to advise them on protecting privacy and civil liberties when taking action to fulfill their missions.