

IMPROVING AMERICA'S SECURITY ACT OF 2007
FINAL CONFERENCE SUMMARY
July 25, 2007

Homeland Security Grants

For the first time, formally authorizes the State Homeland Security Grant Program and Urban Area Security Initiative (UASI), which provide funds to states and high-risk urban areas to prevent, prepare for, respond to and recover from acts of terrorism. Authorization is higher than previous levels and ensures the lion's share of funding is distributed based on terrorism risk, while still providing basic support for terrorism preparedness to all states.

- State Homeland Security Grant Program. Guarantees each state 0.375 percent of grant funds in FY08; the minimum would then decline over five years to 0.35 percent in FY12 and thereafter. All other funds distributed based on the risk of terrorism and the anticipated effectiveness of the grant proposal. The conference substitute authorizes \$950 million annually for each of the next five years for SHSGP grants.
- Urban Area Security Initiative. The conference substitute provides for no guaranteed minimum for UASI grants; all UASI funds will be allocated to high-risk urban areas based on the risk of acts of terrorism and effectiveness of the proposed use of the grants. Conference substitute authorizes \$850 million for UASI grants in FY08, increasing over five years to \$1.3 billion in FY12.
- Terrorism Prevention. The conference substitute provides a minimum of 25 percent of the overall funding for SHSGP and UASI grants go to law enforcement terrorism prevention. Conference substitute creates a new Office for State and Local Law Enforcement at DHS, headed by an Assistant Secretary, to consider views of state and local law enforcement, ensure a local law enforcement voice in policy decisions made at DHS on terrorism prevention and other matters, and to lead coordination on state and local law enforcement issues across DHS.
- Accountability. The conference substitute includes auditing and reporting provisions to ensure homeland security grant funds are spent appropriately and effectively and to further the nation's preparedness.

Emergency Management Performance Grants

Authorizes EMPG program to assist states in preparing for all-hazards, as part of an overall effort to ensure that all states have basic capabilities to prepare for and respond to both man-made and natural disasters. The conference substitute codifies the existing allocation formula for EMPG grants (a 0.75 percent minimum for each state, with the remainder distributed in proportion to a state's population), and authorizes a higher level of funding for EMPG, starting at \$400 million in FY08 and increasing to \$950 million by FY12.

Communications Operability and Interoperability

- Creates a dedicated interoperability grant program within the Department of Homeland Security to improve interoperability at local, state, and federal levels.
- Program would be authorized at such sums as may be necessary for FY 2008 and \$400 million for each year thereafter through FY 2012, and as necessary for each fiscal year thereafter.

- Before any funds could be used, the Director of the Office of Emergency Communications (within DHS) must first approve the statewide interoperable communications plan as required by the Intelligence Reform and Terrorism Prevention Act of 2004.
- States would be required to pass through at least 80 percent of awarded funds to local and tribal governments.

Transportation Security

- Requires 100 percent scanning within five years of maritime cargo in foreign ports before it is loaded on ships bound for the U.S. DHS Secretary has authority to extend deadline in two year increments.
- Requires DHS to screen within three years all cargo carried on passenger airplanes.
- Authorizes more than \$4 billion over four years for rail, transit, and bus security grants.
- Requires that rail and transit systems work with DHS to develop comprehensive risk assessments and security plans, and provides protections for whistleblowers.
- Authorizes funding increases for critical aviation security programs, including \$250 million annually for checkpoint screening, \$450 million annually for baggage screening, and \$50 million annually for the next four years for aviation security R&D.

International Travel

- Security of the Visa Waiver Program is strengthened by establishing a new Electronic Travel Authorization system and improving reporting of lost and stolen passports. Once DHS implements an effective exit system for VWP air travel, it may waive the three percent visa refusal rate for allies in the war on terror that meet other immigration-related criteria.
- Increases resources and staffing for the Human Smuggling and Trafficking Center.
- Requires DHS to create a terrorist travel program to develop strategies and ensure coordination among relevant agencies involved with combating terrorist travel.
- Establishes a model ports of entry program to improve security and streamline the arrival process for travelers at the 20 busiest international airports.

Protection for Good Faith Reporting of Suspicious Activity

- Makes it harder to sue those who, in good faith, report what they believe to be suspicious activity in and around passenger transportation systems, including airplanes, trains, and buses. Retroactive to October 2006.

Intelligence and Information Sharing

- Strengthens the Information Sharing Environment (ISE) by extending the term of ISE Program Manager; authorizing the Program Manager to issue government-wide standards for information sharing, as appropriate; encouraging the government to reward employees for information sharing.
- Codifies the new Interagency Threat Assessment Coordination Group that would coordinate the dissemination of intelligence to state and local officials.
- Creates standards for state, local, and regional intelligence fusion centers and ensures they receive federal support and personnel.

Privacy and Civil Liberties

- Strengthens the Board by establishing it as an independent agency within the Executive Branch, ensuring partisan balance among members, requiring improved public disclosure,

allowing the Board to request that the Attorney General issue subpoenas to private parties, and increasing its budget over the next four years, up to \$10 million in 2011.

- Requires that agencies with intelligence and security roles to designate their own internal privacy and civil liberties officers, and expands the authority of the DHS privacy officer.

Weapons of Mass Destruction

- Authorizes and clarifies the roles of the National Biosurveillance Integration Center.
- Mandates an annual interagency review of the Global Nuclear Detection Architecture.

Private Sector Preparedness

- Establishes a voluntary certification program to assess whether private sector entities comply with voluntary preparedness standards. DHS, in consultation with appropriate private sector entities, would develop program guidelines and select a qualified nongovernmental entity or entities to manage certification and accreditation.

Critical Infrastructure Protection

- Authorizes a national database of critical infrastructure and provides DHS with guidance in maintaining it. Also requires DHS to establish a more refined priority list of critical infrastructure in need of protection. DHS must report to Congress annually on critical infrastructure risk assessments required under the Homeland Security Act.

Congressional Oversight of Intelligence

- Requires the President to publicly disclose the total amount appropriated for the intelligence community. After the next two fiscal years the President may waive the disclosure requirement only if it would harm national security.
- Requires the CIA director to disclose information about the CIA IG's report on the agency's actions before and after the 9/11 attacks.

Advancing Democracy

- Requires the Secretary of State to expand strategies for democracy promotion in non-democratic and democratic transition countries, and to expand the translation of the State Department's annual human rights reports.
- Supports democracy promotion through international institutions, such as the UN Democracy Fund, the Community of Democracies, and the International Center for Democratic Transition, specifically through encouraging the establishment of an office of multilateral democracy promotion.

Non-Proliferation

- Clears legislative obstacles constraining the Cooperative Threat Reduction (CTR) program by repealing or modifying various conditions on CTR actions in former Soviet states and repealing a legislative prohibition on Department of Energy nonproliferation program assistance outside the former Soviet Union.
- To allow "maximum effort" on non-proliferation by the U.S. Government, as the 9-11 Commission called for, the bill establishes a Presidential Coordinator for the Prevention of WMD Proliferation and Terrorism.

- Establishes a bipartisan, congressional-executive Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism, to provide an updated assessment of United States and international nonproliferation activities and to provide a comprehensive strategy and concrete recommendations for such activities.

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