

HR 1684

Department of Homeland Security Authorization Act for Fiscal Year 2008

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Emergency Management

Introduced: Mar 26, 2007

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. (May 11, 2007)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/1684>

Sponsor

Name: Rep. Thompson, Bennie G. [D-MS-2]

Party: Democratic • **State:** MS • **Chamber:** House

Cosponsors (10 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Carney, Christopher P. [D-PA-10]	D · PA		Mar 26, 2007
Rep. Clarke, Yvette D. [D-NY-11]	D · NY		Mar 26, 2007
Rep. Cuellar, Henry [D-TX-28]	D · TX		Mar 26, 2007
Rep. Etheridge, Bob [D-NC-2]	D · NC		Mar 26, 2007
Rep. King, Peter T. [R-NY-3]	R · NY		Mar 26, 2007
Rep. Langevin, James R. [D-RI-2]	D · RI		Mar 26, 2007
Rep. Rogers, Mike D. [R-AL-3]	R · AL		Mar 26, 2007
Rep. Sanchez, Loretta [D-CA-47]	D · CA		Mar 26, 2007
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		Mar 29, 2007
Rep. Perlmutter, Ed [D-CO-7]	D · CO		Mar 29, 2007

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	May 11, 2007
Homeland Security Committee	House	Reported By	May 4, 2007
Transportation and Infrastructure Committee	House	Bills of Interest - Exchange of Letters	May 15, 2007

Subjects & Policy Tags

Policy Area:

Emergency Management

Related Bills

Bill	Relationship	Last Action
110 HR 1717	Procedurally related	Oct 3, 2008: House Committee on Energy and Commerce Granted an extension for further consideration ending not later than Jan. 3, 2009.
110 S 3623	Related bill	Sep 26, 2008: Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (text of measure as introduced: CR S9688-9708)
110 HR 1686	Text similarities	May 9, 2007: Provisions of Measure Incorporated into Section 407 of H.R. 1684 as introduced.
110 HRES 382	Procedurally related	May 9, 2007: Motion to reconsider laid on the table Agreed to without objection.

Department of Homeland Security Authorization Act for Fiscal Year 2008 - **Title I: Authorization of Appropriations** - (Sec. 101) Authorizes appropriations for the Department of Homeland Security (DHS) for FY2008.

Title II: Policy and Management Improvements - (Sec. 201) Amends the Homeland Security Act of 2002 (HSA) to replace provisions establishing within DHS a Directorate of Border and Transportation Security with provisions establishing a Directorate for Policy, headed by an Under Secretary for Policy, which shall include: (1) the Office of the Private Sector; (2) the Victim Assistance Officer; (3) the Tribal Security Officer; and (4) the Border Community Liaison Officer.

Makes the Under Secretary for Policy the principal policy advisor to the Secretary of Homeland Security (the Secretary). Directs the Under Secretary: (1) acting through the Assistant Secretary for the Office of Policy and Development, to ensure that all departmental policies, programs, and activities appropriately consider the needs of and impact upon children; and (2) to report to the House and Senate homeland security committees (the committees) on activities undertaken and the resulting improvement in security for children, schools, and other child-centered facilities.

(Sec. 202) Includes among DHS's chief operating officers the Chief Financial Officer, Chief Procurement Officer, Chief Information Officer, Chief Human Capital Officer, Chief Administrative Officer, and Chief Security Officer. Directs: (1) the Secretary to delegate to such officers direct authority over their respective counterparts in component agencies; and (2) the chief operating officers in component agencies to coordinate activities with the heads of their respective agencies.

(Sec. 203) Directs the Secretary, acting through the Under Secretary for Policy, to conduct a comprehensive examination of DHS, to be known as the Comprehensive Homeland Security Review, in FY2009, with a subsequent review in the first fiscal year in which there begins the first presidential term of a new administration. Requires the Secretary in each review to: (1) include a DHS Strategy that is consistent with the most recent National Strategy for Homeland Security prescribed by the President; (2) define sufficient personnel and appropriate organizational structure, and to identify a budget plan, acquisition strategy, procurement process, and any other requirements and resources, that are necessary to provide for the successful execution of the full range of missions called for in the DHS Strategy. Requires the Secretary to report on each review to the committees and the President.

(Sec. 204) Lists qualifications of the Under Secretary for Management. Requires the Secretary to name an individual who meets such qualifications within 90 days after this Act's enactment.

(Sec. 205) Urges the consolidation of DHS and its key component headquarters on the West Campus of St. Elizabeth's Hospital as expeditiously as possible, with the agencies involved bearing costs for which they are responsible.

(Sec. 206) Directs the Secretary, in each fiscal year budget requested for DHS, to include a separate line item for expenditures by the Office of Counternarcotics Enforcement.

(Sec. 207) Designates the Director of that Office as the primary representative of DHS on all entities whose purpose is to coordinate DHS counternarcotics enforcement activities with other federal, state, or local agencies.

(Sec. 208) Requires the Secretary to ensure that the Assistant Secretary for Legislative Affairs has adequate authority to ensure that counterparts in component agencies of DHS adhere to the laws, rules, and departmental policies that the Assistant Secretary is responsible for implementing.

Title III: Oversight Improvements - (Sec. 301) Directs the Inspector General of DHS to: (1) review each contract action related to DHS's Secure Border Initiative having a value greater than \$20 million to determine compliance with applicable cost requirements, performance objectives, program milestones, requirements for inclusion of small, minority, and women-owned business, and timelines; and (2) complete a review within 60 days after initiation of the action and upon the conclusion of the performance of the contract. Sets forth reporting requirements. Authorizes appropriations. Directs the Inspector General to expeditiously refer to the Secretary or other appropriate DHS official information related to improper conduct or wrongdoing for purposes of evaluating whether to suspend or debar the contractor.

(Sec. 302) Requires: (1) the Chief Financial Officer to establish the position of Authorization Liaison Officer to provide timely budget and other financial information to the committees; and (2) the Authorization Liaison Officer to report directly to the Chief Financial Officer.

(Sec. 303) Authorizes appropriations to the Secretary for operations of the Office of the Inspector General. Permits an Inspector General to authorize staff to use authorized funds to assist the National Center for Missing and Exploited Children, at the Center's request, by conducting reviews of inactive case files that the Inspector General has reason to believe involve a child or possible offender located outside the United States and by developing recommendations for further investigations.

(Sec. 304) Directs the Secretary to actively consult with the committees and keep them fully and currently informed regarding all activities and responsibilities within their jurisdictions. Requires the submission of the Coast Guard Mission Review Report to the committees (but no longer to the Senate Governmental Affairs Committee).

Title IV: Procurement Policy and Resources Improvements - (Sec. 401) Directs: (1) the Chief Procurement Officer to provide homeland security procurement training to acquisition employees; and (2) the Secretary to establish a Council on Procurement Training.

(Sec. 402) Authorizes the Secretary, acting through the Chief Procurement Officer, to appoint annuitants in procurement offices to support DHS's acquisition capabilities and enhance contract management throughout DHS, subject to a specified certification requirement.

(Sec. 403) Requires the Secretary, in awarding a contract, to consider the contractor's past performance based on a required review. Directs the Secretary: (1) before awarding a contract, to require the contractor to submit specified information regarding the performance of government and private sector contracts; and (2) contact the relevant official who administered or oversaw each contract performed by that contractor during the previous five-year period.

(Sec. 404) Requires: (1) the Chief Procurement Officer to conduct an independent review of any procurement of goods or services by DHS to ensure compliance with the Buy American Act; and (2) the Secretary to require disclosure of whether the offeror is owned or controlled by a foreign person.

(Sec. 405) Requires the offeror for any contract to provide goods or services to DHS to submit: (1) an attestation that discloses any substantial role the offeror, its employees, or any corporate parent or subsidiary may have played in creating a solicitation, request for proposal, statement of work, or statement of objectives; (2) a description of the safeguards used to ensure that precautions were in place to prevent the offeror from receiving information through such role that could be used to provide an undue advantage in submitting an offer; and (3) a written certification as to whether the offeror is in default or delinquent on any tax payment to the federal government.

(Sec. 406) Directs the Chief Procurement Officer to: (1) submit a report to the committees that identifies each DHS

component that awarded less than 3% of its total value of contracts in FY2006 to qualified HUBZone small business concerns and small business concerns owned and controlled by service-disabled veterans or less than 5% to socially or economically disadvantaged small business concerns and small business concerns owned and controlled by women; and (2) develop, submit to the committees, and implement an action plan for achieving those objectives.

(Sec. 407) Requires uniforms, protective gear, badges, and identification cards of DHS personnel to be manufactured in the United States, with exceptions.

(Sec. 408) Directs the Secretary to establish within DHS's Office of Small and Disadvantaged Business Utilization and publicize a Mentor-Protege Program, which shall motivate and encourage prime contractors that are large businesses to provide developmental assistance to specified small business concerns.

(Sec. 409) Prohibits the Secretary from conducting a reduction in force or furlough of the workforce of the Federal Protective Service until: (1) the Comptroller General submits a report requested by the the Senate homeland security committee on the source of shortfalls at the Service; and (2) the committees have conducted hearings on such report.

Title V: Workforce and Training Improvements - (Sec. 501) Grants law enforcement officer status for retirement purposes to currently employed Customs and Border Protection (CBP) officers who retire or leave within five years of enactment. Sets forth provisions governing individual and government contributions for prior qualified service. Provides that nothing in this section shall result in any individual being involuntarily separated on account of provisions of any retirement system relating to the mandatory separation of a law enforcement officer based on age or age and service combined.

Directs the Comptroller General to: (1) conduct a comprehensive review of the retirement system for law enforcement officers employed by the federal government, including all employees categorized as law enforcement officers for retirement purposes and any other federal employees performing law enforcement duties; (2) review relevant legislative proposals introduced over the 10 previous years and consult with law enforcement agencies and employee representatives; and (3) report to Congress on the findings by August 1, 2007.

(Sec. 502) Directs: (1) the Chief Human Capital Officer of DHS to transmit to the committees and the Comptroller General a plan to address any under representation of minorities in the various categories of civil service employment within DHS; and (2) the Comptroller General, within one year after receiving the plan, to assess measures being implemented and the likelihood that the plan will succeed.

(Sec. 503) Amends the 2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States to extend through December 31, 2008, the authorization for annuitants employed by the Federal Law Enforcement Training Center.

(Sec. 504) Authorizes the Secretary, acting through the Commissioner of CBP, for the purpose of accelerating CBP's ability to secure the borders, to appoint annuitants to positions in CBP, subject to specified limitations.

(Sec. 505) Directs the Secretary to establish a plan to address the recruitment and retention challenges faced by CBP that includes: (1) an increase in the pay percentage differentials to Border Patrol agents in certain high-cost areas; and (2) the establishment of a recruitment incentive for Border Patrol agents, a retention plan (including the payment of bonuses to agents for every year of service after the first two years of service), a mechanism whereby agents can transfer from one location to another after the first two years of service in their initial duty location, and quarterly goals for the recruitment of new agents. Directs the Secretary to report to the committees on whether the quarterly goals were met

and on the status of recruitment efforts and attrition rates among Border Patrol Agents.

(Sec. 506) Limits reimbursements relating to certain detailees assigned to DHS to the highest rate allowable for a member of the Senior Executive Service.

(Sec. 507) Directs the Secretary to: (1) conduct a DHS-wide review of security clearance and suitability review procedures for DHS employees and contractors, as well as for individuals in state and local government agencies and private sector entities with a need to receive classified information; and (2) take all necessary steps to strengthen DHS's security screening policies, including consolidating the security clearance investigative authority at DHS headquarters.

(Sec. 508) Establishes within DHS a Chief Security Officer, who shall have responsibility for overall DHS-wide security activities, including issuing and confiscating credentials, controlling access to and disposing of classified and sensitive but unclassified materials, controlling access to sensitive areas and Secured Compartmentalized Intelligence Facilities, and communicating with other government agencies on the status of security clearances and security clearance applications.

(Sec. 509) Directs the Secretary, acting through the Chief Human Capital Officer, to consider implementing recommendations set forth in the Homeland Security Advisory Council Culture Task Force Report of January 2007.

(Sec. 510) Amends HSA to require the Administrator of the Homeland Security Education Program at DHS to use curricula modeled on existing DHS reviewed Master's degree curricula in homeland security, including asynchronous distance learning and video conferencing.

(Sec. 511) Repeals the authority of DHS to establish a separate personnel system.

(Sec. 512) Authorizes the Director of the Federal Law Enforcement Training Center of DHS to select appropriate federal employees other than law enforcement officers to serve as instructors of non-law enforcement classes.

(Sec. 513) Prohibits any employee from being terminated, demoted, or discriminated against in the terms or conditions of employment because the employee is absent or late as a result of serving as a volunteer firefighter or providing volunteer emergency medical services as part of a response to an emergency or major disaster. Excludes absences for which the employee: (1) is absent for more than 14 days per calendar year; (2) responds to an emergency or major disaster without being officially deployed in accordance with a coordinator national deployment system; or (3) fails to provide written verification within a reasonable period of time. Allows employers to: (1) reduce the employee's regular pay for such time as the employee is absent; and (2) require the employee to provide written verification from the supervising Federal Emergency Management Agency (FEMA), state, or local official. Requires such an employee to make a reasonable effort to notify his or her employer that he or she may be absent or late. Gives such an employee a private cause of action for discrimination which violates this Act.

Directs the Secretary of Labor to conduct a study of the impact that the requirements of this section could have on the employers of volunteer firefighters or individuals who provide volunteer emergency medical services and who may be called on to respond to an emergency or major disaster.

Title VI: Biopreparedness Improvements - (Sec. 601) Amends HSA to provide that DHS's Chief Medical Officer shall have the rank and title of Assistant Secretary for Health Affairs and Chief Medical Officer. Establishes within DHS an Office of Health Affairs, headed by such Officer. Expands that Officer's responsibilities to include leading DHS's medical care, public health, food, water, veterinary care, and agrosecurity and defense responsibilities and administering DHS's responsibilities for medical readiness.

(Sec. 602) Amends the Public Health Service Act to: (1) direct the Secretary to utilize existing, credible risk assessments; and (2) consider the completion of assessments and determinations of chemical, biological, radiological, and nuclear agents to facilitate the assessment of countermeasures that may address more than one agent and countermeasures that may address adverse health consequences that are common to exposure to different agents.

Directs the Secretary to complete determinations by December 31, 2007, and report on known chemical, biological, radiological, and nuclear agents considered to be capable of significantly affecting national security.

Extends the authorization of appropriations through FY2009 for terror threat assessments under the security countermeasures program. Authorizes additional sums for FY2008 for purposes including conducting risk assessments when there are no existing risk assessments that the Secretary considers credible.

(Sec. 603) Requires the Secretary to conduct a joint study (with the Secretaries of Defense and Health and Human Services) and report on the staffing and training requirements for pending capital programs to construct biodefense laboratories at Biosafety Levels 3 and 4 or to expand current biodefense laboratories to such levels.

(Sec. 604) Directs: (1) the Secretary to establish a National Biosurveillance Integration Center (NBIC) to enhance the government's capability to rapidly identify, characterize, and localize a biological event by integrating and analyzing data related to human health, animals, plants, food, and the environment; and (2) the Director to develop, operate, and maintain an integrated network to detect a biological event that presents a risk to the United States.

Requires the Director to: (1) monitor the availability and appropriateness of candidate data feeds and solicit new surveillance systems with data that would enhance biological situational awareness or overall performance of the NBIC; (2) review and seek to improve the statistical and other analytical methods used by the NBIC; (3) establish a procedure to enable government and private entities to report suspicious events that could warrant further assessments by the NBIC; (4) receive and consider all relevant homeland security information; and (5) provide technical assistance to government and private entities that contribute data relevant to the operation of the NBIC.

Requires the Director to: (1) continuously evaluate available data for evidence of a biological event and integrate homeland security information with NBIC data to provide overall biological situational awareness and determine whether a biological event has occurred; and (2) take specified steps to share information, including establishing a mechanism for real-time communication with the National Operations Center and using information sharing networks available to DHS for distributing NBIC incident or situational awareness reports.

Directs the Secretary to: (1) enter into interagency agreements; (2) ensure that the Director is notified of homeland security information relating to any significant biological threat and receives all reports related to such a threat in a timely manner; and (3) designate the NBIC as a public health authority, ensure that NBIC complies with any applicable requirements of the Health Insurance Portability and Accountability Act of 1996, and ensure that all applicable privacy regulations are strictly adhered to in the operation of, and the sharing of any information related to, the NBIC. Authorizes the NBIC to collect or receive health information for the purpose of preventing or controlling disease, injury, or disability.

Requires: (1) the Director to establish an interagency working group and invite officials of federal agencies that conduct biosurveillance programs to participate; (2) the Secretary to report to Congress, by December 31 of each year, regarding the NBIC; and (3) the NBIC to be fully operational by September 30, 2008.

(Sec. 605) Directs the Secretary to develop a risk analysis process that utilizes a scientific, quantitative methodology to assess and manage risks posed by chemical, biological, radiological and nuclear agents and use that process to conduct

a risk assessment that supports the integration of such agents, in order to identify high risk agents, determine how best to mitigate those risks, and guide resource allocation.

Title VII: Homeland Security Cybersecurity Improvements - (Sec. 701) Establishes within DHS an Office of Cybersecurity and Communications, headed by an Assistant Secretary, who shall be responsible for overseeing preparation, situational awareness, response, reconstitution, and mitigation necessary for cybersecurity and to protect communications from terrorist attacks, major disasters, and other emergencies.

(Sec. 702) Directs the Under Secretary for Science and Technology to: (1) support research, development, testing, evaluation, and transition of cybersecurity technology to improve the ability to prevent, protect against, detect, respond to, and recover from terrorist acts and cyber attacks, with emphasis on research and development relevant to large-scale, high-impact attacks; and (2) coordinate activities with the Assistant Secretary for Cybersecurity and Communications and with other federal agencies and working groups.

(Sec. 703) Directs the Assistant Secretary to collaborate with any federal entity that has authority over the activities set forth in this title.

Title VIII: Science and Technology Improvements - (Sec. 801) Directs the Under Secretary for Science and Technology to transmit to Congress a strategic plan that includes: (1) a strategy to enhance the Directorate for Science and Technology workforce; (2) a description of the methodology by which research, development, testing, and evaluation is prioritized and funded by the Directorate and the measures to be used to annually evaluate the Directorate's performance; (3) a plan for leveraging the expertise of the National Laboratories, the process for allocating funding to the National Laboratories, and a plan for fulfilling existing National Laboratory infrastructure commitments to maintain current capabilities and meet mission needs; and (4) a strategy for the Homeland Security Advanced Research Projects Agency.

(Sec. 802) Authorizes appropriations to carry out the Centers of Excellence Program and the Minority Serving Institutions Program.

(Sec. 803) Directs the Under Secretary to enter into an arrangement with the National Research Council to assess DHS's university programs and make recommendations for improvements.

(Sec. 804) Directs the Secretary to: (1) ensure that a sufficient number of full-time equivalent personnel who are trained and qualified to apply legal, economic, and risk analyses are involved in determining whether technologies may be designated as qualified antiterrorism technologies or certified under the SAFETY Act; (2) establish a formal coordination process that includes specified DHS officials; (3) promote awareness and utilization of the litigation and risk management provisions of the SAFETY Act; and (4) issue a DHS management directive providing for coordination between DHS procurement officials and any other DHS official responsible for implementing the SAFETY Act in advance of DHS procurement of an antiterrorism technology.

(Sec. 805) Directs the Under Secretary to establish the Science and Technology Homeland Security International Cooperative Programs Office, headed by a Director who shall: (1) be responsible for developing understandings or agreements for international cooperative activity in support of homeland security research, development, and comparative testing and for developing strategic priorities for international cooperative activity in support of homeland security research, development, and comparative testing; and (2) facilitate international cooperative activity to address strategic priorities and the matching of U.S. entities with non-U.S. entities engaged in homeland security research. Authorizes the Director to hold international homeland security technology workshops and conferences.

Authorizes the Under Secretary to carry out specified international cooperative activities and to award grants to and enter into cooperative agreements or contracts with U.S. governmental organizations, businesses, federally funded research and development centers, institutions of higher education, and foreign public or private entities. Requires the Under Secretary to ensure that funding and resources expended in international cooperative activities will be equitably matched by the foreign partner organization.

Authorizes the Under Secretary to conduct international cooperative activities jointly with other agencies. Specifies that partners may include Israel, the United Kingdom, Canada, Australia, Singapore, and other allies in the global war on terrorism. Authorizes the Under Secretary, in coordination with the Chief Medical Officer, to facilitate the development of information sharing and other types of cooperative mechanisms with foreign countries to strengthen American preparedness against threats to the nation's agricultural and public health sectors from exotic diseases.

(Sec. 806) Directs the Under Secretary to: (1) make available to any person or entity, for an appropriate fee, the services of any DHS owned and operated center or other facility for the testing of materials, equipment, models, computer software, and other items designed to advance the homeland security mission; and (2) ensure that the testing of materiel not owned by the government shall not cause government resources to be diverted from scheduled tests of government materiel or otherwise interfere with government mission requirements.

Prohibits: (1) the disclosure outside the federal government of the test results and associated data that are trade secrets or privileged or confidential commercial or financial information without the consent of the person or entity for whom the tests are performed; and (2) fees from exceeding the amount necessary to recoup the costs involved.

Directs the Under Secretary to submit to Congress: (1) a report detailing a plan for operating a program that would allow any person or entity, for an appropriate fee, to use any DHS facility for testing of materials, equipment, models, computer software, and other items designed to advance the homeland security mission; and (2) an annual report on the facilities that have collected fees, the amount collected, a description of each partnership formed, and the purpose for which the testing was conducted.

Directs the Comptroller General to submit to Congress an assessment of this section's implementation.

Title IX: Border Security Improvements - (Sec. 901) Directs the Secretary to submit to the committees the comprehensive strategy required by the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA) for the biometric entry and exit data system (United States Visitor and Immigrant Status Indicator Technology program or US-VISIT) within seven days of this Act's enactment. Requires that strategy to include an action plan for full implementation of the biometric exit component of US-VISIT.

Requires the comprehensive strategy and action plan to include: (1) an explanation of how US-VISIT will allow law enforcement officials to identify individuals who overstay their visas; (2) a description of biometric pilot projects; (3) an implementation schedule for deploying future biometric exit capabilities at all ports of entry; and (4) the actions the Secretary plans to take to accelerate the full implementation of the biometric exit component at such ports.

Directs the Secretary to complete the exit portion of the system for aliens arriving in or departing from the United States at an airport or seaport by December 31, 2008. Prohibits the Secretary from transferring to the National Protection and Programs Directorate of DHS the office of DHS that carries out the biometric entry and exit data system until the Secretary submits to the committees the action plan for full implementation of the biometric exit component.

(Sec. 902) Authorizes appropriations for the Shadow Wolves program.

(Sec. 903) Directs the Secretary to take such steps to control the costs of hiring, training, and deploying new Border Patrol agents. Limits the per-agent cost of training, with exceptions subject to a certification requirement.

(Sec. 904) Directs the Comptroller General to submit to the appropriate congressional committees a report to update the Government Accountability Office (GAO) report of June 18, 2004, on the Student and Exchange Visitor Program (SEVP) and specifically the Student and Exchange Visitor System (SEVIS), which shall include specified information, such as: (1) the rate of compliance with the current SEVIS requirements by program sponsors and educational institutions; (2) whether SEVIS adequately ensures that each covered foreign student or exchange visitor in nonimmigrant status is, in fact, actively participating in the program for which admission to the United States was granted; and (3) whether there are any new authorities, capabilities, or resources needed for SEVP and SEVIS to fully perform.

(Sec. 905) Directs the Secretary to assess and report on the personnel, infrastructure, and technology required to reduce border crossing wait times for pedestrian and vehicular traffic at land ports of entry into the United States to less than wait times prior to September 11, 2001, while continuing appropriate security checks.

(Sec. 906) Directs the Comptroller General to submit to the committees a report regarding Border Patrol policies and procedures pertaining to the use of lethal and non-lethal force and the pursuit of fleeing vehicles, including data on the number of incidents in which force was used and any penalties that were imposed on Border Patrol agents as a result of such use.

(Sec. 907) Directs the Secretary to report to Congress on the status of the Integrated Border Enforcement Team (IBET) initiative, including an analysis of current resources allocated to IBETs, an evaluation of progress made since the inception of the program, and recommendations as to the level of resources that would be required to improve the program's effectiveness in the future.

(Sec. 908) Directs the Secretary, acting through the Commissioner of CBP, to expeditiously implement at primary inspection points at U.S. ports of entry the Stolen and Lost Travel Document database managed by Interpol.

Title X: Information Sharing Improvements - (Sec. 1001) Amends HSA to replace provisions regarding the sharing of grand jury, criminal investigation, and foreign intelligence information with provisions directing the Secretary to establish within DHS a State and Local Fusion Center Program to facilitate information sharing between DHS and state, local, and tribal law enforcement for homeland security and other purposes.

(Sec. 1002) Directs the Secretary, acting through the Assistant Secretary for Information Analysis, the Privacy Officer, and the Officer for Civil Rights and Civil Liberties, to establish a program within the Office of Civil Rights and Civil Liberties to provide mandatory privacy, civil liberties, and civil rights protection training for appropriate DHS employees and state, local, and tribal employees serving in state and local fusion centers.

(Sec. 1003) Authorizes the Secretary, acting through the Assistant Secretary for Information Analysis, to appoint up to 100 annuitants to positions in the Office of Information Analysis, subject to a specified certification requirement.

Title XI: Miscellaneous Provisions - (Sec. 1101) Directs the Secretary to: (1) establish a program to be administered by the Director of the Federal Law Enforcement Training Center to expand homeland security training to units of local and tribal governments located in rural areas; (2) give priority, in designating sites for training, to existing DHS facilities and closed military installations; and (3) conduct training onsite at facilities operated by participants.

(Sec. 1102) Directs the Secretary to work with the Center for Risk and Economic Analysis of Terrorism Events to evaluate the feasibility of creating further incentives for private sector stakeholders to share protected critical infrastructure information with DHS.

(Sec. 1103) Authorizes appropriation for the Secretary to require each owner or operator of a Tier I or Tier II critical infrastructure site as selected for the Buffer Zone Protection Program to conduct checks of their employees against available terrorist watch lists.

(Sec. 1104) Directs the Secretary to include U.S. military surplus vehicles having demonstrated utility for responding to terrorist attacks, major disasters, and other emergencies on the Authorized Equipment List to allow state, local, and tribal agencies to purchase, modify, upgrade, and maintain such vehicles using homeland security assistance administered by DHS.

(Sec. 1105) Authorizes funds for the Secretary to encourage the development and use of software- or Internet-based computer capabilities to support real-time incident management by federal, state, local, and tribal agencies.

(Sec. 1106) Directs the Secretary to: (1) require the submission of quarterly expenditure reports as a condition of receiving homeland security grants; (2) publish and make publicly available on the DHS website a description of the nature and amount of each expenditure covered by the report; and (3) ensure that sensitive information is not disclosed. Makes this section inapplicable to any grant issued under the Robert T. Stafford Disaster Relief and Emergency Assistance Act or the Federal Fire Prevention and Control Act of 1974.

(Sec. 1107) Establishes a Metropolitan Medical Response System Program to support local jurisdictions in enhancing and maintaining all-hazards response capabilities to manage mass casualty incidents by systematically enhancing and integrating first responders, public health and emergency management personnel, business representatives, and volunteers. Requires the Assistant Secretary for Health Affairs to develop the programmatic and policy guidance for the program in coordination with the Administrator of FEMA. Encourages local jurisdictions receiving assistance under the program to develop and maintain memoranda of understanding and agreement with neighboring jurisdictions to support a system of mutual aid among the jurisdictions. Directs the Assistant Secretary for Health Affairs to conduct and report on a review of the Program.

(Sec. 1109) Finds that the federal government should set standards for the issuance of birth certificates and sources of identification, such as driver's licenses.

Directs the Secretary to establish a program to make grants to states to prevent terrorists and others from fraudulently obtaining and using state-issued identification cards and to develop more secure state-issued documents to be used for official federal purposes. Sets priorities in awarding grants. Prohibits the Secretary from using sums made available for any other DHS grant program to provide funding for expenses related to the REAL ID Act of 2005. Authorizes appropriations for FY2008-FY2010.

(Sec. 1111) Authorizes funding to the Secretary to encourage the use of Citizen Corps funding and local Citizens Corps Councils to provide education and training for populations located around critical infrastructure on preparing for and responding to terrorist attacks, major disasters, and other emergencies.

(Sec. 1112) Directs the Secretary to report regarding: (1) how DHS will implement Comptroller General and Inspector General recommendations regarding the protection of agriculture; (2) the threat, vulnerability, and consequence of a terrorist attack on the U.S. levee system; and (3) progress in establishing procedures to ensure that federal air marshals

are made aware of any armed or unarmed law enforcement personnel on board an aircraft and in accomplishing the operational aspects of the Force Multiplier Program.

(Sec. 1115) Authorizes states to utilize grants under the State Homeland Security Grant Program and the Urban Area Security Initiative to provide funds to state and local judicial facilities for security.

(Sec. 1116) Directs the Secretary to provide information relating to assistance requested or provided in response to a terrorist attack, major disaster, or other emergency to assist federal, state, or local law enforcement entities in the location of a missing child or registered sex offender.

(Sec. 1117) Directs the Administrator of FEMA, in coordination with DHS's Disability Coordinator and Office for Civil Rights and Civil Liberties, to use amounts authorized under this Act to enter into a cooperative agreement with the National Organization on Disability to carry out that organization's Emergency Preparedness Initiative.

(Sec. 1118) Directs the Secretary, in awarding grants under the Urban Area Security Initiative, to take into consideration the number of tourists that have visited an urban area in the preceding two years.

(Sec. 1119) Directs the Secretary to study and report on select foreign rail security practices and the cost and feasibility of implementing selected best practices that are not currently used in the United States, including any recommendations for covert testing, integrating security in infrastructure design, random searches or screenings, and an information clearinghouse.

(Sec. 1120) Directs the Administrator of FEMA, in order to provide federal assistance to individuals and governments affected by Hurricanes Charley, Frances, Ivan, Jeanne, Wilma, Tropical Storm Bonnie, and other future declared emergencies and major disasters in a customer-focused, expeditious, effective, and consistent manner, to maintain a recovery office in Florida for a at least three years after this Act's enactment.

(Sec. 1121) Directs the Secretary to consult with states before the release of any information regarding grant awards under this Act.

(Sec. 1122) Directs the Comptroller General to conduct a study to: (1) determine the extent to which architecture, engineering, surveying, and mapping activities related to U.S. critical infrastructure are being sent to offshore locations; (2) assess whether any vulnerabilities or threats exist with respect to terrorism; and (3) recommend policies, regulations, or legislation necessary to protect national and homeland security interests.

(Sec. 1123) Directs the Secretary to merge the procedures for the FAST program (authorized by the Tariff Act of 1930) and the NEXUS program (authorized by the Immigration and Nationality Act) into a single procedure, with common eligibility and security screening requirements, enrollment processes, and sanctions regimes.

Requires the Secretary to: (1) ensure that the procedures for NEXUS Highway, NEXUS Marine, and NEXUS Air are integrated into such a single procedure; (2) integrate all databases and information systems for the FAST and NEXUS programs in a manner that will permit any identification card issued to a participant to operate in all program locations; (3) consult with Canadian government representatives to equip not fewer than six new northern border crossings with NEXUS technology; (4) create a minimum of two remote enrollment centers for the FAST and NEXUS programs at each of the new border crossings; (5) create a minimum of two mobile enrollment centers to be used to accept and process applications in areas currently underserved by the FAST and NEXUS programs; and (6) design a process for those programs that permits individuals to securely submit their applications on-line and schedule a security interview at the

nearest enrollment center.

Directs the Secretary to: (1) develop a plan to admit participants in an amount that is as inexpensive as possible per card issued for each of the FAST and NEXUS programs; (2) create a customer service telephone number for such programs; and (3) educate the public regarding the programs' benefits.

Provides that, for purposes of a plan required under IRTPA, an identification card issued to a program participant shall be sufficient to denote identity and citizenship for travel into the United States by U.S. citizens and by categories of individuals for whom documentation requirements have previously been waived under the Immigration and Nationality Act.

(Sec. 1124) Amends IRTPA to direct the Secretary to conduct a trial on the usability, reliability, and effectiveness of technology to implement the documentary requirements under that Act and to report on such trial before implementing such requirements.

Directs the Secretary to establish a special procedure to permit an individual who does not possess a passport or other required document but who is determined to be a U.S. citizen to reenter the United States at an international land or maritime border, which shall terminate 180 days after the date of the implementation plan.

Provides that U.S. or Canadian citizens who are less than 16 years of age shall not be required to present to an immigration officer a passport or other document when returning or traveling to the United States from Canada, Mexico, Bermuda, or the Caribbean at any port of entry along the international land or maritime border of the United States.

Authorizes the Secretary to consider expanding that special rule for minors to a U.S. or Canadian citizen who is under age 19 but is age 16 or older and who is traveling between the United States and Canada if such citizen is traveling as a student on an authorized and supervised school trip.

Directs the Secretary to: (1) develop a public communications plan to promote to U.S. citizens, representatives of the travel and trade industries, and local government officials information relating to the implementation of this section; (2) prepare an extensive regulatory impact analysis before publishing a rule implementing this section; and (3) report on implementation.

(Sec. 1125) Expresses the sense of the Congress that efforts to achieve local, regional, and national interoperable emergency communications in the near term should be supported and are critical in assisting communities with their local and regional efforts to properly coordinate and execute their interoperability plans.

(Sec. 1126) Makes sums available to the Secretary to take actions to protect the security of personal information submitted electronically to the DHS website established for the Travelers Redress Inquiry Program and related DHS websites.

(Sec. 1127) Directs the Secretary to work with Florida and other states to resolve differences between the Transportation Worker Identification Credential and existing access control credentials.

(Sec. 1128) Provides that the Secretary, acting through the Commissioner of Customs and Border Protection: (1) may establish an automated system to assist in the screening of persons seeking to enter or depart the United States; and (2) shall ensure that an administrative process is established or extended through which an individual may apply to correct any information retained by such system.

Actions Timeline

- **May 11, 2007:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
- **May 9, 2007:** Rule H. Res. 382 passed House.
- **May 9, 2007:** Considered under the provisions of rule H. Res. 382. (consideration: CR H4656-4706)
- **May 9, 2007:** Rule provides for consideration of H.R. 1684 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against the bill are waived except those arising under clause 9 or 10 of rule XXI. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule, the amendment in the nature of a substitute recommended by the Committee on Homeland Security now printed in the bill.
- **May 9, 2007:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 382 and Rule XVIII.
- **May 9, 2007:** The Speaker designated the Honorable Dennis A. Cardoza to act as Chairman of the Committee.
- **May 9, 2007:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 1684.
- **May 9, 2007:** DEBATE - Pursuant to the provisions of H.Res. 382, the Committee of the Whole proceeded with 10 minutes of debate on the Thompson of Mississippi amendment.
- **May 9, 2007:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Thompson of Mississippi amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. King of New York demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 9, 2007:** DEBATE - Pursuant to the provisions of H.Res. 382, the Committee of the Whole proceeded with 10 minutes of debate on the Tom Davis of Virginia amendment.
- **May 9, 2007:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Tom Davis of Virginia amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Etheridge demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 9, 2007:** DEBATE - Pursuant to the provisions of H.Res. 382, the Committee of the Whole proceeded with 10 minutes of debate on the Langevin amendment.
- **May 9, 2007:** DEBATE - Pursuant to the provisions of H.Res. 382, the Committee of the Whole proceeded with 10 minutes of debate on the Andrews amendment.
- **May 9, 2007:** DEBATE - Pursuant to the provisions of H.Res. 382, the Committee of the Whole proceeded with 10 minutes of debate on the Corinne Brown of Florida amendment.
- **May 9, 2007:** DEBATE - Pursuant to the provisions of H.Res. 382, the Committee of the Whole proceeded with 10 minutes of debate on the Castle amendment.
- **May 9, 2007:** DEBATE - Pursuant to the provisions of H.Res. 382, the Committee of the Whole proceeded with 10 minutes of debate on the Hastings of Florida amendment.
- **May 9, 2007:** DEBATE - Pursuant to the provisions of H.Res. 382, the Committee of the Whole proceeded with 10 minutes of debate on the Stupak amendment.
- **May 9, 2007:** DEBATE - Pursuant to the provisions of H.Res. 382, the Committee of the Whole proceeded with 10 minutes of debate on the Hastings of Washington amendment.
- **May 9, 2007:** DEBATE - Pursuant to the provisions of H.Res. 382, the Committee of the Whole proceeded with 10 minutes of debate on the Terry amendment.
- **May 9, 2007:** DEBATE - Pursuant to the provisions of H.Res. 382, the Committee of the Whole proceeded with 10 minutes of debate on the King of New York amendment.
- **May 9, 2007:** DEBATE - Pursuant to the provisions of H.Res. 382, the Committee of the Whole proceeded with 10 minutes of debate on the Cardoza amendment.
- **May 9, 2007:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of amendments debated earlier and on which further proceedings had been postponed.
- **May 9, 2007:** DEBATE - Pursuant to the provisions of H.Res. 382, the Committee of the Whole proceeded with 10 minutes of debate on the Van Hollen amendment.
- **May 9, 2007:** Mr. Thompson (MS) moved that the Committee rise.
- **May 9, 2007:** On motion that the Committee rise Agreed to by voice vote.

- **May 9, 2007:** Committee of the Whole House on the state of the Union rises leaving H.R. 1684 as unfinished business.
- **May 9, 2007:** After the Committee rose, various unanimous consent requests were presented and objections were heard.
- **May 9, 2007:** Considered as unfinished business. (consideration: CR H4707-4718)
- **May 9, 2007:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **May 9, 2007:** DEBATE - Pursuant to the provisions of H.Res. 382, the Committee of the Whole proceeded with 10 minutes of debate on the Castor amendment.
- **May 9, 2007:** DEBATE - Pursuant to the provisions of H.Res. 382, the Committee of the Whole proceeded with 10 minutes of debate on the Lampson amendment.
- **May 9, 2007:** DEBATE - Pursuant to the provisions of H.Res. 382, the Committee of the Whole proceeded with 10 minutes of debate on the Royce amendment.
- **May 9, 2007:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 1684.
- **May 9, 2007:** The previous question was ordered pursuant to the rule. (consideration: CR H4710)
- **May 9, 2007:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text: CR H4669-4687)
- **May 9, 2007:** Mr. Dent moved to recommit with instructions to Homeland Security. (consideration: CR H4714)
- **May 9, 2007:** Floor summary: DEBATE - The House proceeded with 10 minutes of debate on the Dent motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House inserting a section pertaining to automated targeting system for persons entering or departing the United States.
- **May 9, 2007:** The previous question on the motion to recommit with instructions was ordered pursuant to the rule. (consideration: CR H4715)
- **May 9, 2007:** On motion to recommit with instructions Agreed to by the Yeas and Nays: 264 - 160 (Roll no. 317). (consideration: CR H4714-4716, text: H4714)
- **May 9, 2007:** Passed/agreed to in House: On passage Passed by recorded vote: 296 - 126 (Roll no. 318).
- **May 9, 2007:** On passage Passed by recorded vote: 296 - 126 (Roll no. 318).
- **May 9, 2007:** Motion to reconsider laid on the table Agreed to without objection.
- **May 9, 2007:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 1684.
- **May 8, 2007:** Rules Committee Resolution H. Res. 382 Reported to House. Rule provides for consideration of H.R. 1684 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against the bill are waived except those arising under clause 9 or 10 of rule XXI. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule, the amendment in the nature of a substitute recommended by the Committee on Homeland Security now printed in the bill.
- **May 4, 2007:** Reported (Amended) by the Committee on Homeland Security. H. Rept. 110-122.
- **May 4, 2007:** Placed on the Union Calendar, Calendar No. 72.
- **Mar 27, 2007:** Committee Consideration and Mark-up Session Held.
- **Mar 27, 2007:** Ordered to be Reported by the Yeas and Nays: 26 - 0.
- **Mar 26, 2007:** Introduced in House
- **Mar 26, 2007:** Referred to the House Committee on Homeland Security.