



Tuesday, January 9, 2007

Floor Prep

H.R. 1 - To provide for the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States.

Floor Situation:

Title V (Section 506) of H.Res 6 made HR 1 in order under a closed rule with three hours of debate equally divided with one motion to recommit. This legislation has not been considered during the 110th Congress by any authorizing committee or the Committee on Rules.

Background:

On September 11, 2001, America was attacked by Al Qaeda terrorists who coordinated the hijacking of four commercial airliners; flying two of them into the World Trade Center, one into the Pentagon and one into a field in Shanksville, Pennsylvania. This unparalleled terrorist attack resulted in 2,973 fatalities.

In response to these horrific attacks, the Republican Congress enacted over 70 laws to enhance our abilities in the War on Terror. Major legislation signed by the President or passed by Congress after September 11th included:

- The Homeland Security Act of 2002 (PL 107-296) – This legislation consolidated the homeland security missions of federal agencies within the Department of Homeland Security.
- The USA Patriot Act (PL 107-56) – This legislation enhanced the abilities of law enforcement and intelligence agencies to monitor and disrupt terrorist networks. The Patriot Act also established new crimes and penalties to counter domestic and foreign terrorists.
- Intelligence Reform and Terrorism Prevention Act of 2004 (PL 108-458) – This legislation consolidated the intelligence community and established a Director of

National Intelligence.

- Faster and Smarter Funding for First Responders Act of 2005 (H.R. 1544) - This legislation passed the House of Representatives and provided better funding for first responders.
- REAL ID Act - Implements minimum national standards for the requirements to issue state driver's licenses.
- SAFE Port Act (PL 109-347) - Set new standards for increased screening of cargo entering into the United States.

Additionally, Congress authorized (Title VI of PL 107-306) the National Commission on Terrorist Attacks on the United States (H.R. 4628), commonly known as the 9-11 Commission.

On July 22, 2004, the Commission released its public report, which consisted of 41 recommendations. Of those recommendations, the Republican Congress and the President enacted (or are in the process of enacting) 39.

Upon release of the 9/11 Commission's report, Democrats demanded the full implementation of all 41 recommendations. The Republican Congress and the President strongly rejected (and continue to reject) two of the recommendations (described below) because of their dangerous policy implications:

Recommendation #32: Making the Department of Defense the lead for all paramilitary operations:

- This recommendation would transfer the responsibility for paramilitary operations from the Central Intelligence Agency to the U.S. Special Operations Command. The CIA is responsible for obtaining human intelligence sources throughout the world. These sources are used in the planning of paramilitary operations and often in the operations themselves. Removing operational control from the CIA would not only de-centralize this important activity, but would also limit contact with vital sources of intelligence.

In responding to this recommendation, Secretary Rumsfeld and CIA Director Goss stated in a letter to the President: "We do not believe change is required in the responsibility of

the CIA for foreign intelligence collection and covert action or activities, or that of the DoD for traditional military activities."

Recommendation #33: Declassify the top-line intelligence budget:

- The intelligence budget outlines the key funding priorities of America's intelligence community. With few exceptions, these figures have been classified since President Truman because of the sensitive nature of the programs the budget funds. Republicans believe that unilaterally releasing the top-line of the budget is dangerous to our national security interests.
- In a 1988 Supreme Court ruling (Eagan vs US Navy), the Court found that the sole classification authority for national security defense information rests with the President as Commander in Chief. This clearly demonstrated that Congress is NOT a classification authority and, therefore, it would not be within Congress' Constitutional authority to "declassify" duly classified information.

**Note: (1) H.R. 1 does not attempt to address implementing recommendations #32 or #33.*

Additionally, Democrats have proposed H.Res 35, establishing the Select Intelligence Oversight Panel of the Committee on Appropriations in order to fully implement two of the Commission's recommendations (#36 and #37), which directly address the Congressional oversight committees and the need for consolidation of committee jurisdiction.

H.Res. 35 would create a panel consisting of no more than 13 Members, with a maximum of eight from one party. The Members of this panel would be appointed by the Speaker and would include:

- Chairman and Ranking Member of the Appropriations Committee
- Chairman and Ranking Member of the Appropriations Subcommittee on Defense
- Six additional Members from the Appropriations Committee
- Three Members from the Permanent Select Committee on Intelligence

The Speaker would appoint a Chairman and Ranking Member. Members serving on the panel will be regarded as members of the Appropriations Committee.

H.Res. 35 outlines the responsibilities of the Select Intelligence Oversight Panel, which include:

- Reviewing intelligence budget requests and providing recommendations to the appropriate Appropriations Subcommittees.

- Preparing an annual report to the Appropriations Subcommittee on Defense, which would include “budgetary and oversight observations and recommendations for use by such subcommittee in preparation of the classified annex to the bill making appropriations for the Department of Defense”.

Oversight of intelligence is charged to the House Permanent Select Committee on Intelligence through the Church Commission of 1976. H.Res. 35 creates a 3rd entity in the House charged with the oversight of intelligence; the 9/11 Commission wanted 1 oversight panel.

H.Res. 35 is scheduled to be considered prior to H.R. 1. For additional information, please see the Floor Prep for H.Res. 35.

Summary

Title I (Risk Based Funding)

This title addresses recommendation #25 of the 9/11 Commission. Recommendation #25 calls for homeland security funds to be granted based on a risk formula and not a per-capita formula. This title is largely identical to H.R. 1544, the Faster and Smarter Funding of First Responders which overwhelmingly passed the House twice during the 109th Congress.

The major provisions in this title:

- Provide for homeland security funding based on risk and not a population formula. The funding based on risk will be granted through the State Homeland Security Grant Program, Urban Area Security Initiative, and the Law Enforcement Terrorism Prevention Program. These boards will prioritize grant applications based on threat, vulnerability, and consequences of a terrorist attack.

**Note: This provision can be found in Sections 1802 and 1804 of the Faster and Smarter Funding of First Responders Act of 2005 (H.R. 1544), which passed the House of Representatives in the 109th Congress.*

- Allow for any state, region, directly eligible tribe, or any urban area the Secretary of DHS deems eligible to apply for the covered grants. Any state applying for the grant must submit a State Preparedness Report and a grant may not be awarded if a state fails to submit a report to the Secretary.

Note: This provision is required by section 652(c) of the Department of Homeland Security Appropriations Act 2007.

- Funds allocated under covered grants may be used to:

- Purchase or upgrade equipment;
 - Perform exercises to strengthen terrorism preparedness;
 - Train for prevention and response;
 - Develop or update state homeland security plans;
 - Establish or enhance mechanisms for sharing terrorism threat information; or
 - Additional personnel costs.
- Funds allocated under covered grants may not be used to:
 - Supplant state or local funds;
 - Construct buildings or other physical facilities;
 - Acquire land, or;
 - Contribute any state or local government cost-sharing purposes.
 - Allow for covered grant applicants to seek reimbursement for paid-on-call or volunteers who are not otherwise compensated for travel to or participation in training. A covered grantee may also seek reimbursement for the cost of any related activity that is normally a federal duty.

**Note: This provision can be found in Sections 1802 and 1804 of the Faster and Smarter Funding of First Responders Act of 2005 (H.R. 1544), which passed the House of Representatives in the 109th Congress.*

- Sets forth that the Federal share of the cost of activity carried out under a covered grant is 100% the first 2 years and not to exceed 75% after that period.
- Quarterly reports on covered grant spending must be submitted to the Secretary and the Secretary must submit subsequently an annual report to Congress.

Title II (Interoperability)

This title addresses recommendation #27 of the 9/11 Commission. Recommendation #27 called for the allocation of a radio spectrum for first responders.

The Homeland Security Act of 2002 allocated 24 MHz of radio spectrum at the 700 MHz band. 700 MHz is ideal for public safety because it can go through walls and travel long distances. The Deficit Reduction Act of 2005 (P.L. 109-171) mandated the transfer of spectrum in the 700 MHz range by February 18, 2009, fulfilling the 9/11 Commission's recommendation.

The major provisions of this section:

- Require the Secretary of DHS to establish the Improve Communications for Emergency Response Grant Program to fund grants to states and regions in order to improve interoperable emergency communications.

**Note: The Deficit Reduction Act of 2005 also provided \$1 billion for nearly identical grants to first responders, which are expected to be awarded during fiscal year 2007.*

Title III (Unified Incident Command)

This title addresses recommendation #26 of the 9/11 Commission. Recommendation #26 called for the creation of Unified Incident Command centers.

Unified Incident Command enables multiple agencies, who are responding to an incident, to coordinate the effort of that response through one incident manager.

The major provisions of this section:

- Create channels for state, local, and tribal governments to receive federal assistance in implementing the National Incident Management System.
- Require the DHS to provide a selection of model exercise that state, local, and tribal governments can adopt and use for training exercises.
- Require FEMA to assist in evaluating sites where a multi-jurisdictional unified command center can be established in the event of a terrorist attack.

**Note: These three provisions section make minor changes to Section 648(b)(2)(A) of the FEMA Reform Title of the Department of Homeland Security Act, 2007.*

Title IV (Aviation Security)

This title addresses recommendations #15, 20, and 21 of the 9/11 Commission. These recommendations called for improvements in passenger aviation security.

Major provisions of this section:

- Direct the Secretary of DHS to submit a cost sharing study of installation of in-line baggage screening equipment. The study shall include an analysis, a list of provisions, and a plan for implementation.
- Authorize the Aviation Security Fund through FY2011. This fund allows airports to support in-line security programs. The provision will lift the \$125 million ceiling through 2011.
- Establish a Checkpoint Screening Security Fund within the DHS. This fund will receive a one-time deposit of \$250 million to support checkpoint technologies.

- Require the Assistant Secretary for Homeland Security (DHS) to submit a report detailing a plan for the detection of explosive devices at checkpoints.
- Require the Secretary of DHS within 3 years of enactment of this act to establish a system to inspect all cargo carried on passenger aircrafts. Calls for 35% of cargo to be inspected by the end of the fiscal year 2007, 65% by the end of fiscal year 2008, and 100% by the end of fiscal year 2009.
- The Secretary of DHS shall create an Office of Appeals and Redress to allow individuals to register complaints if they believe they were prohibited from flying on a commercial aircraft because they were mistaken as a threat.
- Allows TSA employees to be given the same rights as those employees of the DHS, and allows them to unionize.
- The Secretary of DHS shall submit a plan to test passenger prescreening against the automatic selectee and passenger no fly lists. The plan must also include how it will comply with the Privacy Act.

** Note: These provisions are similar to those already enacted as part of the Intelligence Reform and Terrorism Prevention Act of 2004.*

Title V (Security of Cargo Containers)

In the 109th Congress, House Republicans passed the SAFE Port Act (H.R. 4954). The bill was based upon a layered security strategy that builds on existing initiatives to improve port and cargo security both abroad and at home.

The technology is not available to scan the 11 million imported containers that enter our ports each year. Currently, 660,000 of these containers are scanned, including all of those marked as high risk. An amendment to H.R. 4954 offered by Rep. Brown-Waite, and approved in committee, requires the Secretary of Homeland Security to continuously evaluate technologies for their application to port and cargo security.

The Container Security Initiative is currently in place in over 35 major international seaports to pre-screen shipping containers before they are loaded and shipped to the United States.

The major provisions in this section:

- Require that all containers that may enter the United States be scanned overseas with equipment to detect radiation and density. These inspections will be reviewed by American personnel. Once the container is scanned and cleared, a container must be secured by a seal that meets standards set by the Secretary.

- Require the Secretary to establish requirements for scanning equipment and seals. These requirements will be reviewed every 2 years and updated and upgraded as necessary.
- Large ports, those that ship over 75,000 containers to the US, are required to implement these changes within 3 years and all other ports must do the same within 5 years.

Title VI (Terrorist Travel)

This title addresses recommendation #13, 14, and 17 of the 9/11 Commission. The recommendations called for tougher standards in tracking terrorists and ensuring that known terrorists could not enter the country.

The major provisions in this section:

- Add personnel and funding to the Human Smuggling and Trafficking Center.

**Note: The Intelligence Reform and Terrorism Prevention Act of 2004 established the Human Smuggling and Trafficking Center.*
- Require the Secretary to develop an outline of the responsibilities of each participating agency and department at the Human Smuggling and Trafficking Center.
- Require the Secretary to submit a report to Congress on plans to accelerate the US-VISIT program, an automatic biometric entry and exit data system.

**Note: These provisions only represent proposed modifications to programs the Bush Administration is already administering. The US-VISIT is in place at 115 airports, 14 seaports, and 50 land border crossings across the country. Since January 2004, more than 39 million visitors have been checked through US-VISIT.*

Title VII (Intelligence and Information Sharing)

This title addresses recommendations #30, 34, 35 and 39 of the 9/11 Commission. These recommendations called for the streamlining of intelligence information and the allowance of agencies and departments to share information pertaining to national security issues.

Prior to 9/11, the Clinton Administration created walls and barriers for our intelligence community that restricted inter-agency sharing of information. Following the attacks, Republicans took the lead in tearing down the barriers that halted information from being exchanged by the intelligence agencies. The Administration has been implementing these strategies to blend agencies and sharing information since the passage of the Intelligence Reform

and Terrorism Prevention Act of 2004 (S. 2845).

The major provisions in the section:

- Require the Secretary to develop a Fusion and Law Enforcement Education and Teaming (FLEET) Grant Program. The FLEET Grant Program provides grants to states to cover the costs associated with detailing officers to state fusion centers.
- Provide local and tribal governments with funding needed to replace officers detailed to FLEET centers, and the costs associated with training new officers.
- Authorize funding for the DHS to assign Customs and Border Protection and Immigration and Customs Enforcement officers to border state fusion centers.
- Create a Homeland Security Advisory System to provide public advisories and alerts regarding threats to homeland security.
- Create knowledge information officers from each intelligence component of DHS that shall report to the Under Secretary for Intelligence and Analysis in coordinating the different systems used in the DHS to gather and disseminate homeland security information.

**Note: This provision is consistent with section 1016 of the National Intelligence Reform and Terrorism Prevention Act of 2004.*

- Establish an information technology network for the Office of Intelligence and Information that integrates all databases within the DHS to promote resource and information sharing.

** Note: Duplicates the Markle Foundation reports issued in October of 2002 and December of 2003.*

- Require the Secretary to establish a state, local, and regional Fusion Center Initiative to establish partnerships with state, local, and tribal fusion centers.

** Note: Rewords section 1016(a)(2) of the National Intelligence Reform and Terrorism Prevention Act of 2004.*

- Create a Homeland Security Information Sharing Fellows Program to detail state, local, and tribal law enforcement officers and intelligence analysts to the Department to participate in the work of the Office of Intelligence and Analysis and to promote information sharing between the DHS and state, local, and tribal intelligence officials.

- Restructure the Directorate for Information Analysis and Infrastructure Protection created by the Homeland Security Act of 2002. It divides the responsibilities outlined in Section 201 of the Homeland Security Act of 2002 between the new Under Secretary for Intelligence and Analysis and the new Assistant Secretary for Infrastructure Protection.

**Note: When the DHS was created, the structure and responsibilities were vetted through committee hearings, markups, and on the House floor. This section constitutes a restructuring of the DHS without input, debate, amendments, or public process.*

- Define the intelligence responsibilities for each head of an intelligence component in the DHS.
- Create an Assistant Secretary for Infrastructure Protection to assess the vulnerabilities of the critical infrastructure of the US. It requires the Assistant Secretary for Infrastructure Protection to develop a national plan for securing the key resources and critical infrastructure of the US.

Title VIII (Civil Liberties Board)

This title addresses recommendation #24 of the 9/11 Commission. Recommendation #24 calls for the creation of a Privacy and Civil Liberties Oversight Board to ensure that new policies and laws adopted to ensure national security were not in violation of civil liberties.

In response to the 9/11 recommendations and the Intel Reform Act, President Bush signed an executive order establishing the President's Board on Safeguarding Americans' Civil Liberties on August 27, 2004. The purpose of this board is to ensure that the policies and programs enacted to guarantee the safety of this country do not violate privacy and civil rights laws. The President requested an annual budget of \$750,000 and Congress approved the budget at \$1.5 million.

The board is comprised of 5 members, with one member serving as the chairman. The members of the board are subject to confirmation of the Senate.

The major provisions of this section:

- Create an independent agency within the Executive branch to oversee the Civil Liberties Board. The board will be comprised of the same membership but it will no longer serve at the pleasure of the President.

**Note: To date, there have not been any violations of civil liberties due to the administration's counterterrorism programs.*

- Grant subpoena power to the board that may be issued with the consent of the majority of the board.

**Note: This will create an agency independent of the President with subpoena power. This could discourage tough action against terrorism and will tie up enormous amounts of administration officials' time.*

- Require the board to submit 2 reports to Congress annually detailing the activities of the board. It requires at least 1 senior official at relevant departments to review privacy and civil liberty concerns when developing or implementing laws and policies in efforts to protect the nation against terrorism.

Title IX (Critical Infrastructure)

This section requires the Secretary to submit a report to Congress on the actions of Homeland Security Presidential Directive 1-7.

The Major provisions of this section include:

- Require the Secretary to complete an annual report to Congress on a vulnerability assessment of the critical infrastructure of the United States. Each vulnerability assessment shall contain any actions or countermeasures proposed or recommended by the Secretary to address security concerns covered in the assessment.
- Create a National Asset Database and a National At-Risk Database that lists the most at-risk critical infrastructure to a terrorist attack. The Secretary must submit a report to Congress on the contents of the Databases.

**Note: Releasing a report to Congress on the contents of the 2 Databases will make our critical infrastructure information public for all to see. The original intent of these Databases was not designed to be made public and could harm national security efforts.*

Title X (Transportation Security)

This title addresses recommendation #41 of the 9/11 Commission. Recommendation #41 calls for the DHS to regularly assess national threat levels and inform the public of warnings.

The major provisions of this section:

- Require the Secretary to create a Strategic Transportation Security Information Sharing Plan to disperse tactical and strategic products relating to threats and vulnerabilities of transportation modes.

**Note: This amends 49 U.S.C. 114(t) and only adds a periodic progress report on the plan.*

- Require the Secretary to complete transportation modal security plans addressing risks, threats, and vulnerabilities for transportation modes.

**Note: The actions of this Title have been implanted pursuant to the Intel Reform Act. The National Strategy for Transportation Security is complete; however, the modals have not been fully issued.*

Title XI (Private Sector Preparedness)

This title addresses recommendation #41 of the 9/11 Commission. Recommendation #41 calls for the government to prepare private entities for terrorist attacks and their responses afterwards.

The major provisions in this section include:

- Directs the Secretary to develop and implement a program to enhance private sector preparedness for acts of terrorism and other emergencies and disasters.
- Required in the report from the Secretary is guidance to identify best practices to assist or foster action by the private sector in:
 - Identifying hazards and assessing risks and impacts;
 - Mitigating the impacts of a wide variety of hazards, including weapons of mass destruction;
 - Managing necessary emergency preparedness and response resources;
 - Developing and maintaining emergency preparedness and response plans;
 - Developing and conducting training exercises to support and evaluate emergency preparedness and response plans and operational procedures.

**Note: The DHS has implemented the “Ready Campaign” to help prepare the private sector for terrorist attacks.*

Title XII (Weapons of Mass Destruction Proliferation)

This title addresses recommendation #12 of the 9/11 Commission. Recommendation #12 calls for the maximum effort of the United States government to prevent terrorists from acquiring WMDs.

The major provisions in this section:

- Repeal conditions of the Cooperative Threat Reduction (CTR) program on assistance to Russia and former Soviet Union states.
- Direct that the President should strive to expand and strengthen the Proliferation Security Initiative (PSI). Emphasizes that the President should work with the United Nations Security Council to authorize the PSI under international law.

**Note: President Bush announced the creation of the PSI on May 31, 2003, which is consistent with the 9/11 Commission's recommendations. It makes little sense and raises concerns to seek legal authority under the UN for the PSI.*

- Recommend implementing the ideas of the Government Accountability Office's report titled "Better Controls Needed to Plan and Manage Proliferation Security Initiative Activities."
- Require the Secretaries of State and Defense to submit a defined budget for the PSI beginning with the budget submissions for their departments for fiscal year 2009.
- Authorize the President to provide assistance to any country that cooperates with the US and with other countries allied with the US to prevent the transportation of items of proliferation concern in its national territory or airspace or in vessels under its control or registry. Assistance authorized may not be provided until the consent of Congress is granted and assistance may be provided to a country for no more than 3 years.
- Permit additional appropriations to the CTR Program for fiscal year 2007 for the following purposes:
 - Biological weapons proliferation prevention;
 - Chemical weapons destruction at Shchuch'ye, Russia;
 - Acceleration, expansion, and strengthening of all CTR activities.
- Permit additional appropriations to the Department of Energy National Nuclear Security Administration for the fiscal year 2007 to accelerate, expand, and strengthen s:
 - The Global Threat Reduction Initiative (GTRI);
 - The Nonproliferation and International Security (NIS) program;
 - The International Materials Protection, Control and Accounting (MPC&A) program;
 - The Research and Development program.
- Establish within the Executive Office of the President the Office of the United States Coordinator for the Prevention of Weapons of Mass Destruction Proliferation and Terrorism. The office is responsible for:
 - Serving as the advisor to the President on all matters relating to the prevention of weapons of mass destruction (WMD) proliferation and terrorism;
 - Formulating strategies and policies for the US to prevent WMD proliferation and terrorism;
 - Coordinating inter-agency efforts to implement the strategy and policies of the office;
 - Conduct oversight and evaluation of efforts to prevent WMD proliferation and terrorism by relevant agencies and departments; and

- Develop a budget for programs and initiative that seek to prevent WMD proliferation and terrorism.

**Note: The Under Secretary of State for Arms Control and International Security already performs these duties.*

- Establish the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism. The Commission would:
 - Assess current activities, initiatives, and programs to prevent WMD proliferation and terrorism;
 - Provide a clear and comprehensive strategy and concrete recommendations for such activities, initiatives, and programs;
 - Be composed of 9 members appointed by the President, of which the majority leader of the Senate and Speaker of the House recommend 2 each, and minority leaders of the Senate and House recommend 1 each.

**Note: This does nothing but create a blue-ribbon panel when the State Department already has a robust effort in this matter.*

Title XIII (Nuclear Black Market)

This title addresses recommendation #12 of the 9/11 Commission. Recommendation #41 calls for the maximum effort of the United States government to prevent terrorists from acquiring WMDs.

The major provisions of this section:

- Allow the President to impose sanctions on foreign persons participating in the export, transfer, or trade of nuclear enrichment or reprocessing equipment, materials, or technology, or any nuclear explosive device, or design information component, equipment, materials or other items or technology to any non-nuclear-weapon state.
- Permit the United States to provide assistance to foreign countries only if that country is not cooperating with no-nuclear-weapon states or any foreign group or individual who may be engaged in, planning, or assisting an international terrorist group in the development of a nuclear explosive device. They should also be fully cooperating with the United States in its efforts to eliminate nuclear black-market networks or activities.
- Require an annual report submitted by the President that identifies any country that is engaged in any black-market efforts to supply Libya, Iran, North Korea, or any other country.
- Require the President to suspend all licenses issued under the Arms Export Control Act to any country listed in the President's report.

Title XIV (9/11 Commission International Recommendations)

This title addresses recommendations #1-10 of the 9/11 Commission. Recommendation #1-10 calls for the maximum effort of the United States government to promote moral leadership and democracy throughout the world.

This title focuses on the 9/11 Commissions' recommendation that '[e]ducation that teaches tolerance, the dignity and value of each individual, and respect for different beliefs is a key element in any global strategy to eliminate Islamic terrorism.'

The major provisions in this section include:

- Authorize the President to establish an International Arab and Muslim Youth Opportunity Fund that may be operated as a separate fund in the Treasury or through an international organization or international financial institution. The purpose of this fund is to improve the educational environment in Arab and predominantly Muslim countries.

**Note: The Intel Inform Act created the International Youth Opportunity Fund (Section 7114).*

- Authorize a program through fiscal year 2008 that gives grants to United States-sponsored elementary and secondary schools in countries with predominantly Muslim populations for the purpose of providing full or partial merit-based scholarships to students from lower-income and middle-income families.

** Note: Amends the Intel Reform Act to provide funding for 1 more year of the pilot program the Act created (Section 7113).*

- Require the Secretary of State to submit to Congress a report detailing a 5 year plan with a country-by-country strategy to promote the policy of democracy, rule of law, good governance, sustainable development, a vigorous civil society, political freedom, protection of minorities, independent media, women's rights, private sector growth, and open economic systems in the countries of the Middle East, Central Asia, South Asia, and Southeast Asia.
- Create a Middle East Foundation funded through the Middle East Partnership Initiative. The Middle East Foundation will be designated by the Secretary of State and will be an appropriate private, nonprofit organization that is organized or incorporated under the laws of the United States.

**Note: Repeals Section 534(k) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (H.R. 3057) that operates the Middle East*

Foundation endowed at \$35 million.

- Require that the President, Secretary of State, Attorney General, and Secretary of Defense shall submit a report to Congress detailing the efforts to develop a common coalition approach toward the detention and humane treatment of captured terrorists drawing from Common Article 3 of the Geneva Convention.

** Note: This section requires that the United States allow the same treatment to terrorists as we offer prisoners of war.*

Additional Information:

[9/11 Commission Report](#)

[Final Report on 9/11 Commission Recommendations](#)

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