A BILL

To improve seaport security.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “United States Seaport
Multiyear Security Enhancement Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Nation’s 361 seaports are considered a
major terrorist target. Al Qaeda has strong ties to
the shipping industry and one of the aims of this
terrorist network is to weaken the economic security of our country.

(2) The Nation’s coastline is our longest border, which is a 95,000-mile coast that includes the Great Lakes and inland waterways.

(3) Protecting America’s seaports is critical to the Nation’s economic growth and vitality. Seaports handle 95 percent of our Nation’s overseas trade by volume, support the mobilization and deployment of the Armed Forces, and serve as transit points for millions of cruise and ferry passengers.

(4) Maritime industries contribute $742,000,000,000 per year to our Gross National Product.

(5) The United States Coast Guard has issued final regulations that call for an immediate and long-term investment in the security of our seaports.

(6) According to the United States Coast Guard, implementing these regulations will cost $1,125,000,000 in the first year and $5,450,000,000 over 10 years.

(7) Given the Nation’s economic dependence on our seaports and our ongoing national security concerns, seaport security funding and the need for
Federal support for the Nation’s security should be ongoing.

(8) Given the enormity of the seaport capital infrastructure projects, Congress needs to establish a multi-year seaport grant program that resembles the Letter of Intent measures established in the aviation security program.

(9) The continuing security and economic needs that face the Nation and our seaports should be recognized by the implementation of this Act.

SEC. 3. SEAPORT SECURITY IMPROVEMENT PROJECTS.

(a) Grant Authority.—Subject to the requirements of this section, the Secretary of Homeland Security may make grants to seaports to enhance security.

(b) Applications.—A seaport seeking a grant under this section shall submit to the Secretary an application in such form and containing such information as the Secretary prescribes.

(c) Grant Awards.—

(1) In general.—The Secretary, after consultation with the Secretary of Transportation, may approve an application of a seaport for a grant under this section only if the Secretary determines that the project will improve security at a seaport or
improve the efficiency of the seaport without less-
ening security.

(2) PRIORITY.—The Secretary shall give pri-
ority in awarding grants under this section to sea-
ports that the Secretary considers will impact or en-
hance the Nation’s seaport security.

(d) MATCHING REQUIREMENTS.—

(1) 75-PERCENT FEDERAL FUNDING.—Except
as provided in paragraph (2), Federal funds for any
eligible project under this section shall not exceed 75
percent of the total cost of such project.

(2) EXCEPTIONS.—

(A) SMALL PROJECTS.—A seaport with a
project under subsection (a) that costs less than
$25,000 shall not be required to match Federal
funds.

(B) HIGHER LEVEL OF SUPPORT RE-
QUIRED.—If the Secretary determines that a
proposed project merits support and cannot be
undertaken without a higher rate of Federal
support, the Secretary may approve grants
under this section with a matching requirement
other than that specified in paragraph (1).

(e) LETTERS OF INTENT.—
(1) ISSUANCE.—The Secretary may issue a letter of intent to a seaport committing to obligate from future budget authority an amount, not more than the Federal Government’s share of the project’s cost, for a seaport security improvement project (including interest costs and costs of formulating the project).

(2) SCHEDULE.—A letter of intent under this subsection shall establish a schedule under which the Secretary will reimburse the seaport for the Government’s share of the project’s costs, as amounts become available, if the seaport, after the Secretary issues the letter, carries out the project without receiving amounts under this section.

(3) NOTICE TO SECRETARY.—A seaport that has been issued a letter of intent under this subsection shall notify the Secretary of the seaport’s intent to carry out a project before the project begins.

(4) NOTICE TO CONGRESS.—The Secretary shall transmit to the Committees on Appropriations and Transportation and Infrastructure of the House of Representatives and the Committees on Appropriations and Commerce, Science and Transportation of the Senate a written notification at least 3
days before the issuance of a letter of intent under this section.

(5) LIMITATIONS.—A letter of intent issued under this subsection is not an obligation of the Government under section 1501 of title 31, and the letter is not deemed to be an administrative commitment for financing. An obligation or administrative commitment may be made only as amounts are provided in authorization and appropriations laws.

(6) STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed to prohibit the obligation of amounts pursuant to a letter of intent under this subsection in the same fiscal year as the letter of intent is issued.

(f) APPLICATION OF ADDITIONAL REQUIREMENTS.—The Secretary may require as a condition for issuance of a letter of intent such reasonable administrative requirements as necessary to carry out the provisions of this Act.

(g) SECRETARY DEFINED.—Unless otherwise provided, in this section, the term “Secretary” means the Secretary of Homeland Security.

(h) NOTIFICATION TO COMMITTEE.—The Secretary shall notify the appropriate committees of Congress when a grant is made under this section.
(i) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $800,000,000 for each of fiscal years 2006 through 2010. Such sums shall remain available until expended.