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2D SESSION

S. 2701

To provide incentives for the sharing of homeland security information, promote the development of an information sharing network, provide grants and other support to achieve communications interoperability, and establish an Office of Information Sharing, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 21, 2004

Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. AKAKA, and Mrs. CLINTON) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To provide incentives for the sharing of homeland security information, promote the development of an information sharing network, provide grants and other support to achieve communications interoperability, and establish an Office of Information Sharing, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Homeland Security
5 Interagency and Interjurisdictional Information Sharing
6 Act of 2004”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) The effective use of information is essential
4 to the Nation's efforts to protect the homeland. In-
5 formation that may prove important to those efforts,
6 however, is often widely dispersed and may be un-
7 covered or held by any of a number of Federal agen-
8 cies, by 50 States or by the Nation's 650,000 local
9 law enforcement officers who form the front lines of
10 the war against terrorism, among others. Finding
11 ways to share this information in an efficient and
12 timely manner with those who need it is central to
13 both preventing and responding to potential terrorist
14 attacks on our nation.

15 (2) Current approaches to information sharing
16 are woefully inadequate and largely ad hoc. State
17 and local officials frequently report that they do not
18 receive adequate homeland security information from
19 Federal officials, nor is there a consistent, easy way
20 for State and local officials to effectively provide
21 homeland security information in their possession to
22 Federal officials. Federal agencies have often not
23 shared information even with other Federal agencies,
24 and State and local governments have few formal-
25 ized means to share information with other States
26 and localities.

1 (3) There are a number of barriers, both struc-
2 tural and cultural, to the more effective sharing of
3 homeland security information including—

4 (A) a lingering cold war paradigm that em-
5 phasizes information security and maintaining
6 strict limits on access to information;

7 (B) mistrust among historically rival agen-
8 cies and between Federal and State officials;
9 and

10 (C) few incentives to reward Government
11 employees who share information outside their
12 agencies.

13 (4) A further barrier to information sharing
14 among police, firefighters and others who may be
15 called on to respond to terrorist attacks and other
16 large-scale emergencies is the lack of interoperable
17 communications systems, which can enable public
18 safety agencies to communicate and share impor-
19 tant, sometimes critical, information in an emer-
20 gency.

21 (5) A new approach to the sharing of homeland
22 security information (a new “information architec-
23 ture”) is urgently needed to overcome these barriers
24 and to meet the homeland security needs of the Na-
25 tion. One useful model for such a network is the

1 Systemwide Homeland Analysis and Resource Ex-
2 change Network (SHARE) proposed by the Markle
3 Foundation in reports issued in October 2002 and
4 December 2003. Like the envisioned SHARE Net-
5 work, a new approach, to be successful, must be
6 comprehensive, encompassing the many participants,
7 at many levels of government, who strive to protect
8 the homeland, and the system should be largely de-
9 centralized, permitting participants throughout the
10 system to exchange information directly in a timely
11 and effective matter without having to go through a
12 central hub.

13 **SEC. 3. DEFINITIONS.**

14 In this Act:

15 (1) SECRETARY.—The term “Secretary” means
16 the Secretary of Homeland Security.

17 (2) DEPARTMENT.—The term “Department”
18 means the Department of Homeland Security.

19 (3) HOMELAND SECURITY INFORMATION.—The
20 term “homeland security information” means infor-
21 mation relevant to, or of potential use in, the pre-
22 vention of, preparation for, or response to, terrorist
23 attacks upon the United States.

1 (4) NETWORK.—The term “Network” means
2 the Homeland Security Information Sharing Net-
3 work established under section 4.

4 **SEC. 4. HOMELAND SECURITY INFORMATION SHARING**
5 **NETWORK.**

6 (a) IN GENERAL.—

7 (1) ESTABLISHMENT.—The Secretary shall es-
8 tablish a Homeland Security Information Sharing
9 Network.

10 (2) FUNCTIONS.—The Network shall—

11 (A) to the maximum extent possible, con-
12 sistent with national security requirements and
13 the protection of civil liberties, foster the shar-
14 ing of homeland security information—

15 (i) among offices and divisions within
16 the Department;

17 (ii) between the Department and
18 other Federal agencies;

19 (iii) between the Department and
20 State, local, and tribal governments; and

21 (iv) among State, local, and tribal
22 governments; and

23 (B) provide for the analysis of homeland
24 security information obtained or made available
25 through the Network.

1 (b) COOPERATIVE DEVELOPMENTS.—In developing
2 the Network, the Secretary shall work with representatives
3 of other governmental entities that possess homeland secu-
4 rity information or will otherwise participate in the net-
5 work, including the Intelligence Community, the Depart-
6 ment of Justice and Federal Bureau of Investigation, and
7 the Department of Health and Human Services, and
8 State, local government and tribal officials.

9 (c) REPORTS.—

10 (1) IN GENERAL.—The Secretary shall submit
11 status reports on the development and implementa-
12 tion of the Network to—

13 (A) the Committee on Governmental Af-
14 fairs of the Senate;

15 (B) the Select Committee on Homeland
16 Security of the House of Representatives; and

17 (C) the Committee on Government Reform
18 of the House of Representatives.

19 (2) CONTENTS.—The status reports shall in-
20 clude—

21 (A) a detailed description of the work com-
22 pleted to date with attached relevant documents
23 produced in the development of the Network,
24 including documents describing the strategy for

1 the Network and the Network’s design or archi-
 2 tecture; and

3 (B) a detailed timetable and implementa-
 4 tion plan for remaining work.

5 (3) SUBMISSION.—Status reports under this
 6 subsection shall be submitted—

7 (A) not later than 6 months after the date
 8 of enactment of this Act;

9 (B) not later than 12 months after the
 10 date of enactment of this Act; and

11 (C) at 1-year intervals thereafter.

12 **SEC. 5. HOMELAND SECURITY INFORMATION COORDI-**
 13 **NATING COUNCIL.**

14 (a) IN GENERAL.—The Homeland Security Act of
 15 2002 (6 U.S.C. 101 et seq.) is amended by adding at the
 16 end the following:

17 **“TITLE XVIII—HOMELAND SECU-**
 18 **RITY INFORMATION COORDI-**
 19 **NATING COUNCIL**

20 **“SEC. 1801. HOMELAND SECURITY INFORMATION COORDI-**
 21 **NATING COUNCIL.**

22 “(a) DEFINITION.—In this section, the term ‘home-
 23 land security information’ means information relevant to,
 24 or of potential use in, the prevention of, preparation for,
 25 or response to, terrorist attacks upon the United States.

1 “(b) ESTABLISHMENT.—

2 “(1) IN GENERAL.—The Secretary, in coordina-
3 tion with the Attorney General, the Director of Cen-
4 tral Intelligence, the Secretary of Health and
5 Human Services, and other Federal departments
6 and agencies in possession of homeland security in-
7 formation, as identified by the President, shall es-
8 tablish the Homeland Security Information Coordi-
9 nating Council (in this section referred to as the
10 ‘Coordinating Council’).

11 “(2) COMPOSITION.—The Coordinating Council
12 shall be composed of—

13 “(A) a representative of the Department;

14 “(B) a representative of the Department of
15 Justice;

16 “(C) a representative of the Central Intel-
17 ligence Agency;

18 “(D) a representative of the Department of
19 Health and Human Services;

20 “(E) a representative of any other Federal
21 department or agency in possession of home-
22 land security information, as identified by the
23 President; and

1 “(F) not fewer than 2 representatives of
2 State and local governments, to be selected by
3 the Secretary.

4 “(3) RESPONSIBILITIES.—The Coordinating
5 Council shall—

6 “(A) develop, monitor, and update proce-
7 dures and protocols for sharing homeland secu-
8 rity information among Federal departments
9 and agencies;

10 “(B) develop, monitor, and update proce-
11 dures and protocols for sharing homeland secu-
12 rity information with State and local govern-
13 ments so as to minimize the difficulties of State
14 and local governments in receiving information
15 that may reside in multiple departments or
16 agencies;

17 “(C) establish a dispute resolution process
18 to resolve disagreements among departments
19 and agencies about whether particular home-
20 land security information should be shared and
21 in what manner;

22 “(D) review, on an ongoing basis, current
23 issues related to homeland security information
24 sharing among Federal departments and agen-

1 cies and between those departments and agen-
2 cies and State and local governments;

3 “(E) where appropriate, promote the com-
4 patibility and accessibility of technology, includ-
5 ing computer hardware and software, used by
6 Federal departments and agencies to facilitate
7 the sharing of homeland security information;
8 and

9 “(F) ensure that there is coordination—

10 “(i) among Federal departments and
11 agencies that maintain homeland security
12 information;

13 “(ii) multi-organization entities that
14 maintain homeland security information,
15 including the Terrorist Threat Integration
16 Center and Joint Terrorism Task Forces;
17 and

18 “(iii) the Homeland Security Informa-
19 tion Network, in actions and policies relat-
20 ing to the sharing of homeland security in-
21 formation.

22 “(c) ADMINISTRATION.—The Department shall pro-
23 vide administrative support to the Coordinating Council,
24 which shall include—

25 “(1) scheduling meetings;

1 “(2) preparing agenda;

2 “(3) maintaining minutes and records; and

3 “(4) producing reports.

4 “(d) CHAIRPERSON.—The Secretary shall designate
5 a chairperson of the Coordinating Council.

6 “(e) MEETINGS.—The Coordinating Council shall
7 meet—

8 “(1) at the call of the Secretary; or

9 “(2) not less frequently than once a month.”.

10 (b) TECHNICAL AND CONFORMING AMENDMENT.—
11 The table of contents in section 1(b) of the Homeland Se-
12 curity Act of 2002 (6 U.S.C. 101 note) is amended by
13 adding at the end the following:

TITLE XVIII—HOMELAND SECURITY INFORMATION
COORDINATING COUNCIL

“Sec. 1801. Homeland Security Information Coordinating Council.”.

14 **SEC. 6. INCENTIVES TO PROMOTE SHARING OF HOMELAND**
15 **SECURITY INFORMATION.**

16 (a) AGENCY PERFORMANCE MEASURES.—

17 (1) PERFORMANCE PLAN.—Consistent with the
18 requirements of section 1115 of title 5, United
19 States Code, the Secretary shall prepare an annual
20 performance plan that establishes measurable goals
21 and objectives for information sharing between the
22 Department and other appropriate entities in Fed-
23 eral, State, local, and tribal governments. The plans

1 shall identify action steps necessary to achieve such
2 goals.

3 (2) PERFORMANCE REPORT.—Consistent with
4 the requirements of section 1116 of title 5, United
5 States Code, the Secretary shall prepare and submit
6 to Congress an annual report including an evalua-
7 tion of the extent the Department’s information
8 sharing goals and objectives were met. The report
9 shall include the results achieved during the year rel-
10 ative to the goals established in the previous year’s
11 performance plan.

12 (3) PERFORMANCE MANAGEMENT.—The Sec-
13 retary shall incorporate the performance measures in
14 the performance plan required under paragraph (1)
15 into the Department’s performance appraisal sys-
16 tem. These performance measures shall be used in
17 evaluating the performance of appropriate managers
18 and employees. If appropriate, determinations for
19 performance awards, bonuses, achievement awards,
20 and other incentives for Departmental managers and
21 employees shall include consideration of these per-
22 formance measures.

23 (b) INCENTIVES PROGRAMS.—

1 (1) IN GENERAL.—Chapter 45 of title 5, United
2 States Code, is amended by adding at the end the
3 following:

4 **“SUBCHAPTER IV—AWARDS TO PROMOTE**
5 **HOMELAND SECURITY INFORMATION**
6 **SHARING**

7 **“§ 4521. Awards to promote homeland security infor-**
8 **mation sharing**

9 “(a) In this section—

10 “(1) the terms ‘agency’ and ‘employee’ have the
11 meanings given under paragraphs (1) and (2) of sec-
12 tion 4501, respectively; and

13 “(2) the term ‘homeland security information’
14 means information relevant to, or of potential use in,
15 the prevention of, preparation for, or response to,
16 terrorist attacks upon the United States.

17 “(b)(1) The head of an agency may pay a cash award
18 to, grant time-off without charge to leave or loss of pay,
19 or incur necessary expense for the honorary recognition
20 of, an employee who—

21 “(A) develops and implements innovative poli-
22 cies, practices, procedures, or technologies to foster
23 appropriate sharing of homeland security informa-
24 tion with other agencies and with State, local, and
25 tribal governments; and

1 “(B) through such innovations, achieves meas-
2 urable results.

3 “(2) A cash award under this section may not exceed
4 the greater of—

5 “(A) \$10,000; or

6 “(B) 20 percent of the basic pay of the em-
7 ployee.

8 “(3) A cash award may not be paid under this section
9 to an individual who is appointed to, or who holds—

10 “(A) a position to which an individual is ap-
11 pointed by the President, by and with the advice and
12 consent of the Senate;

13 “(B) a position in the Senior Executive Service
14 as a noncareer appointee (as such term is defined
15 under section 3132(a)); or

16 “(C) a position which has been excepted from
17 the competitive service by reason of its confidential,
18 policy-determining, policy-making, or policy-advo-
19 cating character.

20 “(4) Consistent with paragraphs (1), (2), and (3), the
21 Secretary of Homeland Security shall establish an awards
22 program specifically designed to recognize and reward em-
23 ployees (including managers) of the Department of Home-
24 land Security. An employee of the Department of Home-

1 land Security may not receive an award under paragraph
2 (1).

3 “(5) Not later than 1 year after the date of enact-
4 ment of this section, and annually for 5 years thereafter,
5 the Secretary of Homeland Security shall submit to the
6 Committee on Governmental Affairs of the Senate, the Se-
7 lect Committee on Homeland Security of the House of
8 Representatives, and the Committee on Government Re-
9 form of the House of Representatives a report detailing
10 the implementation of programs under this section, includ-
11 ing—

12 “(A) the number of managers and employ-
13 ees recognized;

14 “(B) the type of recognition given;

15 “(C) the number and dollar amount of
16 awards paid to individuals holding positions
17 within each pay grade, pay level or other pay
18 classification;

19 “(D) the relationship between awards
20 under this program and other incentive or
21 awards programs; and

22 “(E) the extent to which the program is
23 assisting in overcoming cultural and other bar-
24 riers to sharing homeland security informa-
25 tion.”.

1 (2) TECHNICAL AND CONFORMING AMEND-
2 MENT.—The table of sections for chapter 45 of title
3 5, United States Code, is amended by adding at the
4 end the following:

“SUBCHAPTER IV—AWARDS TO PROMOTE HOMELAND SECURITY
INFORMATION SHARING

“4521. Awards to promote homeland security information sharing.”.

5 **SEC. 7. OFFICE OF INFORMATION SHARING.**

6 (a) IN GENERAL.—The Homeland Security Act of
7 2002 (6 U.S.C. 101 et seq.) is amended by adding after
8 section 801 the following:

9 **“SEC. 802. OFFICE OF INFORMATION SHARING.**

10 “(a) DEFINITIONS.—In this section, the following
11 definitions shall apply:

12 “(1) COMMUNICATIONS INTEROPERABILITY.—
13 The term ‘communications interoperability’ means
14 the ability of public safety service and support pro-
15 viders, including law enforcement, firefighters, and
16 emergency management, to communicate with other
17 responding agencies and Federal agencies if nec-
18 essary, through information technology systems and
19 radio communications systems, and to exchange
20 voice, data, or video with one another on demand, in
21 real time, as necessary.

22 “(2) DIRECTOR.—The term ‘Director’ means
23 the Director of the Office of Information Sharing.

1 “(3) ELIGIBLE STATE.—The term ‘eligible
2 State’ means a State that—

3 “(A) has submitted a plan under sub-
4 section (d)(3); and

5 “(B) the Secretary determines has not
6 achieved adequate statewide communications
7 interoperability.

8 “(4) OFFICE.—The term ‘Office’ means the Of-
9 fice of Information Sharing established under sub-
10 section (b).

11 “(5) PUBLIC SAFETY AGENCIES.—The term
12 ‘public safety agencies’ means law enforcement, fire-
13 fighters, emergency technicians, public health offi-
14 cials, and such other persons that the Secretary de-
15 termines must communicate effectively with one an-
16 other to respond to emergencies.

17 “(b) ESTABLISHMENT.—

18 “(1) IN GENERAL.—There is established the
19 Office of Information Sharing within the Office for
20 State and Local Government Coordination and Pre-
21 paredness, which shall be headed by a Director of
22 Information Sharing appointed by the Secretary.

23 “(2) ADMINISTRATION.—The Secretary shall
24 provide the Office with the resources and staff nec-
25 essary to carry out the purposes of this section, in-

1 cluding sufficient staff to provide support to each
2 State, consistent with the responsibilities set forth in
3 paragraph (3).

4 “(3) RESPONSIBILITIES.—The Office estab-
5 lished under paragraph (1) shall—

6 “(A) foster the sharing of homeland secu-
7 rity information among State and local govern-
8 ments and public safety agencies, and regional
9 consortia thereof, and between these entities
10 and the Federal Government by—

11 “(i) facilitating the creation of re-
12 gional task forces with representation from
13 State and local governments and public
14 safety agencies and from the Federal Gov-
15 ernment to address information sharing
16 needs; and

17 “(ii) facilitating the establishment of
18 24-hour operations centers in each State to
19 provide a hub for Federal and State and
20 local government intelligence and public
21 safety agencies to share information;

22 “(B) foster the development of interoper-
23 able communications systems by State and local
24 governments and public safety agencies, and by
25 regional consortia thereof, by—

1 “(i) developing and implementing a
2 national strategy to achieve communica-
3 tions interoperability;

4 “(ii) developing and maintaining a
5 task force that represents the broad cus-
6 tomer base of State and local governments,
7 public safety agencies, as well as Federal
8 agencies, involved in public safety dis-
9 ciplines such as law enforcement, fire-
10 fighting, public health, and disaster recov-
11 ery, in order to receive input and coordi-
12 nate efforts to achieve communications
13 interoperability;

14 “(iii) promoting a greater under-
15 standing of the importance of interoper-
16 ability among all levels of Federal, State
17 and local government;

18 “(iv) facilitating collaborative plan-
19 ning and partnerships among Federal,
20 State, and local government agencies in all
21 States where necessary;

22 “(v) facilitating the sharing of infor-
23 mation on best practices for achieving
24 interoperability;

1 “(vi) identifying and working to over-
2 come the cultural, political, institutional,
3 and geographic barriers within the public
4 safety community that can impede inter-
5 operability among public safety agencies,
6 including among Federal agencies;

7 “(vii) developing appropriate perform-
8 ance measures and systematically meas-
9 uring the Nation’s progress toward inter-
10 operability;

11 “(viii) coordinating with other offices
12 in the Department and other Federal
13 agencies providing grants for communica-
14 tions interoperability or for other equip-
15 ment and training necessary to prevent, re-
16 spond to, or recover from terrorist attacks,
17 including the development of common
18 guidance for such grants and consistent
19 technical advice; and

20 “(ix) making recommendations to
21 Congress about any changes in Federal law
22 necessary to remove barriers to achieving
23 communications interoperability;

24 “(C) provide technical assistance to State
25 and local governments and public safety agen-

1 cies, and regional consortia thereof, on the de-
2 sign of regional information sharing networks
3 and technology needed to support such govern-
4 ments, agencies, and consortia;

5 “(D) provide technical assistance to State
6 and local governments and public safety agen-
7 cies, and regional consortia thereof, on plan-
8 ning, interoperability architectures, acquisition
9 strategies, and other functions necessary to
10 achieve communications interoperability;

11 “(E) in conjunction with the Directorate
12 for Science and Technology—

13 “(i) provide research, development,
14 testing, and evaluation for public safety
15 communications technologies and equip-
16 ment;

17 “(ii) evaluate and validate new tech-
18 nology concepts, and promote the deploy-
19 ment of advanced broadband communica-
20 tions technologies; and

21 “(iii) encourage the development of
22 flexible and open architectures and stand-
23 ards, with appropriate levels of security,
24 for short- and long-term solutions to inter-
25 operability; and

1 “(F) in coordination with State and local
2 governments, develop a system for collecting
3 and distributing best practices in homeland se-
4 curity.

5 “(c) BASELINE ASSESSMENT.—

6 “(1) IN GENERAL.—The Secretary, acting
7 through the Director, shall conduct a nationwide as-
8 sessment to determine the degree to which commu-
9 nications interoperability has been achieved to date
10 and to ascertain the needs that remain for interoper-
11 ability to be achieved.

12 “(2) REPORTS.—The Secretary, acting through
13 the Director, shall submit to the Committee on Gov-
14 ernmental Affairs of the Senate, the Select Com-
15 mittee on Homeland Security of the House of Rep-
16 resentatives, and the Committee on Government Re-
17 form of the House of Representatives—

18 “(A) not later than 1 year after the date
19 of enactment of this section, a report of the
20 findings of the assessment required by sub-
21 section (c); and

22 “(B) not later than 18 months after the
23 date of enactment of this section, a plan for
24 achieving all necessary communications inter-
25 operability throughout the Nation.

1 “(d) PREPAREDNESS GRANT PROGRAM.—

2 “(1) IN GENERAL.—The Secretary, through the
3 Office, shall make grants to—

4 “(A) eligible States for initiatives nec-
5 essary to achieve interoperability within each
6 State, including—

7 “(i) statewide communications plan-
8 ning;

9 “(ii) system design and engineering;

10 “(iii) procurement and installation of
11 equipment;

12 “(iv) operations and maintenance of
13 equipment; and

14 “(v) testing and technology develop-
15 ment initiatives; and

16 “(B) local governments (including a con-
17 sortium of local governments), and public safety
18 agencies within eligible States, to assist with
19 any aspect of the communications life-cycle, in-
20 cluding—

21 “(i) planning, system design, and en-
22 gineering;

23 “(ii) procurement and installation of
24 equipment;

1 “(iii) operations and maintenance of
2 equipment; and

3 “(iv) testing and technology develop-
4 ment.

5 “(2) COORDINATION.—The Secretary shall en-
6 sure that the Office coordinates its activities with
7 other entities of the Department and other Federal
8 entities so that grants awarded under this sub-
9 section, and other grant programs related to home-
10 land security, fulfill the purposes of this Act and fa-
11 cilitate the achievement of communications inter-
12 operability nationally.

13 “(3) ELIGIBILITY.—

14 “(A) SUBMISSION OF PLAN.—To be eligi-
15 ble to receive a grant under this subsection,
16 each eligible State, or local governments or pub-
17 lic safety agencies within an eligible State, shall
18 submit a communications interoperability plan
19 to the Secretary that—

20 “(i) addresses any aspect of the com-
21 munications life cycle, including planning,
22 system design and engineering, procure-
23 ment and installation, operations and
24 maintenance, and testing and technology
25 development;

1 “(ii) if the applicant is not a State,
2 includes a description of how the applicant
3 addresses the goals specified in any appli-
4 cable State plan or plans submitted under
5 this section; and

6 “(iii) is approved by the Secretary.

7 “(B) INCORPORATION AND CONSIST-
8 ENCY.—A plan submitted under subparagraph
9 (A) may be part of, and shall be consistent
10 with, any other homeland security plans re-
11 quired of the submitting party by the Depart-
12 ment.

13 “(4) AWARD OF GRANTS.—

14 “(A) CONSIDERATIONS.—In approving
15 plans and awarding grants under this sub-
16 section, the Secretary shall consider—

17 “(i) the nature of the threat to the eli-
18 gible State or local jurisdiction;

19 “(ii) the location, risk, or vulnerability
20 of critical infrastructure and key national
21 assets;

22 “(iii) the number, as well as the den-
23 sity, of persons who will be served by inter-
24 operable communications systems;

1 “(iv) the extent of the partnerships,
2 existing or planned, established between
3 local jurisdictions and agencies partici-
4 pating in the development of interoperable
5 communications systems, and their coordi-
6 nation with Federal and State agencies;

7 “(v) the extent to which the commu-
8 nications interoperability plan submitted
9 under paragraph (3) adequately addresses
10 steps necessary to implement short-term or
11 long-term solutions to communications
12 interoperability;

13 “(vi) the extent to which eligible
14 States and local governments, in light of
15 their financial capability, demonstrate their
16 commitment to expeditiously achieving
17 communications interoperability by
18 supplementing Federal funds with non-
19 Federal funds;

20 “(vii) the extent to which grants will
21 expedite the achievement of interoperability
22 in the relevant jurisdiction with Federal,
23 State, and local agencies; and

24 “(viii) the extent to which grants will
25 be utilized to implement advanced commu-

1 communications technologies to promote inter-
2 operability.

3 “(B) COORDINATION.—To the maximum
4 extent practicable, the Secretary shall ensure
5 that any grant made under this subsection is
6 coordinated with neighboring jurisdictions, con-
7 tiguous local governments, and within State and
8 regional entities.

9 “(C) LOCAL FUNDING.—If the Secretary
10 makes grants awards to States, the Secretary
11 shall—

12 “(i) make it a priority to ensure that
13 funding or resources reach local govern-
14 ments; and

15 “(ii) require applicants to demonstrate
16 how such funding will reach local govern-
17 ments.

18 “(D) ALLOCATION.—In awarding grants
19 under this subsection, the Secretary shall en-
20 sure that—

21 “(i) not less than .75 percent of the
22 total amount appropriated for grants in
23 any fiscal year shall be awarded, subject to
24 clause (ii), to each eligible States, includ-

1 ing the District of Columbia and the Com-
2 monwealth of Puerto Rico; and

3 “(ii) not less than .25 percent of the
4 total amount appropriated for grants in
5 any fiscal year shall be awarded to the ter-
6 ritories of the United States, including
7 American Samoa, the Commonwealth of
8 Northern Mariana Islands, Guam, and the
9 United States Virgin Islands.

10 “(E) PROCESS.—In awarding grants under
11 this subsection, the Secretary shall, to the max-
12 imum extent practical, employ a peer review
13 process such as that used to review applications
14 awarded under the Assistance to Firefighters
15 Grant Program.

16 “(e) AUTHORIZATION OF APPROPRIATIONS.—

17 “(1) IN GENERAL.—There are authorized to be
18 appropriated \$75,000,000 for each of fiscal years
19 2005 through 2008, and such sums as are necessary
20 each fiscal year thereafter, for the operations of the
21 Office, and for other entities within the Department
22 whose activities facilitate the purposes of this section
23 and the Homeland Security Interoperability Act of
24 2004.

1 “(2) PREPAREDNESS GRANT PROGRAM.—There
2 are authorized to be appropriated to carry out the
3 grant program under subsection (d)—

4 “(A) \$400,000,000 for fiscal year 2005;

5 “(B) \$500,000,000 for fiscal year 2006;

6 “(C) \$600,000,000 for fiscal year 2007;

7 “(D) \$800,000,000 for fiscal year 2008;

8 “(E) \$1,000,000,000 for fiscal year 2009;

9 and

10 “(F) such sums as are necessary each fis-
11 cal year thereafter.”.

12 (b) TECHNICAL AND CONFORMING AMENDMENT.—

13 The table of contents in section 1(b) of the Homeland Se-
14 curity Act of 2002 (6 U.S.C. 101) is amended by striking
15 the item relating to section 801 and inserting the fol-
16 lowing:

 “801. Office for State and Local Government Coordination and Preparedness.
 “802. Office of Information Sharing.”.

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