

**AMENDMENT TO H.R. 3619****OFFERED BY MR HIMES**

Page 232, beginning at line 13, strike section 1101  
and insert the following:

1 **SEC. \_\_\_\_ . AMERICA'S WATERWAY WATCH PROGRAM.**

2 (a) **SHORT TITLE.**— This section may be cited as the  
3 “America’s Waterway Watch Act”.

4 (b) **SENSE OF CONGRESS.**—It is the sense of Con-  
5 gress that the Secretary of Homeland Security should es-  
6 tablish, within the Department of Homeland Security, cit-  
7 izen watch programs that promote voluntary reporting of  
8 suspected terrorist activity and suspicious behavior.

9 (c) **AMERICA’S WATERWAY WATCH PROGRAM.**—

10 (1) **IN GENERAL.**—There is hereby established,  
11 within the Coast Guard, the America’s Waterway  
12 Watch Program (hereinafter in this section referred  
13 to as the “Program”).

14 (2) **PURPOSE.**—The Secretary of Homeland Se-  
15 curity, acting through the Commandant of the Coast  
16 Guard, shall administer the Program in a manner  
17 that promotes voluntary reporting of activities that  
18 may indicate that a person or persons may be pre-  
19 paring to engage or engaging in a violation of law

1 relating to a threat or an act of terrorism (as that  
2 term is defined in section 3077 of title 18, United  
3 States Code) against a vessel, facility, port, or wa-  
4 terway.

5 (3) INFORMATION; TRAINING.—

6 (A) INFORMATION.—The Secretary, acting  
7 through the Commandant, may establish, as an  
8 element of the Program, a network of individ-  
9 uals and community-based organizations that  
10 enhance the situational awareness within the  
11 Nation's ports and waterways. Such network  
12 shall, to the extent practicable, be conducted in  
13 cooperation with Federal, State, and local law  
14 enforcement agencies.

15 (B) TRAINING.—The Secretary, acting  
16 through the Commandant, may provide training  
17 in—

18 (i) observing and reporting on covered  
19 activities; and

20 (ii) sharing such reports and coordi-  
21 nating the response by Federal, State, and  
22 local law enforcement agencies.

23 (4) INSTRUCTIONAL MATERIALS.—

1 (A) IN GENERAL.—The Secretary of  
2 Homeland Security, acting through the Com-  
3 mandant of the Coast Guard, may—

4 (i) develop instructional materials  
5 that—

6 (I) provide information on inland  
7 waterways, ports and harbors, and  
8 coastal regions for a specific region,  
9 as well as specific vulnerabilities and  
10 threats common to a specific region;  
11 and

12 (II) promote voluntary reporting  
13 of activities that may indicate that a  
14 person or persons may be preparing  
15 to engage or engaging in a violation of  
16 law relating to a threat or an act of  
17 terrorism (as that term is defined in  
18 section 3077 of title 18, United States  
19 Code) against a vessel, facility, port,  
20 or waterway; and

21 (ii) distribute such materials to  
22 States, political subdivisions of the States,  
23 or non-governmental organization that pro-  
24 vide instruction on boating or vessel oper-

1           ation in conjunction with any other in-  
2           struction provided.

3           (B) DISSEMINATION.—The Secretary, act-  
4           ing through the Commandant —

5                 (i) shall ensure that such materials  
6                 are made available to any person or per-  
7                 sons; and

8                 (ii) is authorized to require, as a con-  
9                 dition of receipt of funding or materials,  
10                pursuant to subparagraph (A), that the re-  
11                ipient of such funding or materials devel-  
12                ops a program to reach the widest possible  
13                audience.

14           (C) ELIGIBILITY, FEDERAL ASSISTANCE.—  
15           The receipt, use, and dissemination of such ma-  
16           terials shall not diminish the eligibility of any  
17           State, political subdivision of such State, or  
18           non-governmental organization to receive Fed-  
19           eral assistance or reduce the amount of Federal  
20           assistance that such State, political subdivision  
21           of such State, or non-governmental organization  
22           that otherwise receive.

23           (5) VOLUNTARY PARTICIPATION.—Participation  
24           in the Program—

25                 (A) shall be wholly voluntary;

1 (B) shall not be a prerequisite to eligibility  
2 for, or receipt of, any other service or assistance  
3 from, or to participation in, any other program  
4 of any kind; and

5 (C) shall not require disclosure of informa-  
6 tion regarding the individual reporting covered  
7 activities or, for proprietary purposes, the loca-  
8 tion of such individual.

9 (6) DEFINITIONS.—In this subsection:

10 (A) The term “covered activity” means any  
11 suspicious transaction, activity, or occurrence  
12 that involves, or is directed against, a vessel or  
13 facility (as that term is defined in section  
14 70101(2) of title 46, United States Code) indi-  
15 cating that an individual or individuals may be  
16 preparing to engage, or engaging, in a violation  
17 of law relating to—

18 (i) a threat to a vessel, facility, port,  
19 or waterway; or

20 (ii) an act of terrorism (as that term  
21 is defined in section 3077 of title 18,  
22 United States Code).

23 (B) The term “facility” has the same  
24 meaning such term has in section 70101(2) of  
25 title 46, United States Code.

## 1           (7) AUTHORIZATION OF APPROPRIATIONS.—

2           There is authorized to be appropriated for the pur-  
3           poses of this section \$3,000,000 for fiscal years  
4           2010 through 2015. Such funds shall remain avail-  
5           able until expended.

6           (d) COORDINATION.— The Secretary shall coordinate  
7           the Program with other like watch programs. The Sec-  
8           retary shall submit, concurrent with the President's budg-  
9           et submission for each fiscal year, a report on coordination  
10          of the Program and like watch programs within the De-  
11          partment of Homeland Security to the Committee on  
12          Homeland Security and Governmental Affairs of the Sen-  
13          ate and the Committee on Homeland Security of the  
14          House of Representatives.

