



BACKGROUND: Democratic Pro-Security Amendments to H.R. 4038

Denouncing Donald Trump’s Proposal to Impose a Religious Test on Admission to the U.S.

- The amendment expresses “the sense of the Senate that the United States must not bar individuals from entering the United States based on their religion.” It thereby rejects the notion of imposing a religious test for those seeking to enter the country—sending an important message that the United States welcomes people from all countries and from all faiths.
- Numerous national security officials and members of Congress on both sides of the aisle have denounced proposals to ban Muslims from entering the country. It would bar foreign leaders like the King of Jordan, activists like Nobel Peace Prize winner Malala Yousafzai, and corporate officials coming to the United States to do business. Imposing this kind of religious bar would make our country less safe, by feeding into the ISIL recruiting narrative that attempts to depict the United States as anti-Muslim.
- Senator Leahy offered the same text as an amendment in the Judiciary Committee, and it was adopted by a strong bipartisan vote of 16-4. All nine Democrats serving on the Committee supported the Leahy amendment.

Closing the Terrorist Gun, Explosive and “Dirty Bomb” Loopholes

- Individuals who are known or suspected terrorists—including those on the “No Fly” list—cannot be stopped from purchasing a guns or explosives even though they are prohibited from boarding an airplane. Individuals on the FBI consolidated terrorist watchlist cleared a background check when seeking to obtain a gun in 91 percent of attempted transactions between February 2004 and December 2014—for a total of 2,043 successful transactions out of 2,233—according to GAO information based on FBI data.
- Additionally, both ISIS and al Qaeda have publically expressed their goal of acquiring and using weapons of mass destruction, which include radiological weapons. There are approximately 2,300 sites throughout the United States that house radiological material. If terrorists are allowed to purchase this material, it could be used in a radiological dispersal device—or a “dirty bomb”. These sites that house this material include hospitals, universities, research institutions, industrial sites, and construction zones. Unfortunately, the security of these radiological sources is either substandard or non-existent at many of these sites, including some of the highest risk sites.

- This amendment gives the Attorney General the discretion to prevent someone from buying a firearm or explosives (or obtaining a firearms dealer license) if the Attorney General (a) determines that the individual is a known or suspected terrorist; and (b) has a reasonable belief that the individual may use the weapon in connection with terrorism. This amendment would also prevent any individual from being able to receive a license to use radiological material if the individual is on the terrorist watchlist.

Increasing Homeland Security and Counterterrorism Funding

- Last year, Senate Democrats offered amendments in the Appropriations Committee to significantly increase Homeland Security funding. Unfortunately, Senate Republicans voted these amendments down.
- The funding amendment provides an additional \$25 million to the Secretary of Homeland Security to address new and emerging threats both domestically and globally from radicalized individuals. The Secretary of Homeland Security shall distribute funding competitively as needed to state and local governments, universities, and non-profit organizations, to plan and prepare for emergent threats from violent extremism and complex, coordinated terrorist attacks, which have the potential for mass casualties.
- The funding amendment provides \$450 million in additional funding for FEMA State and Local Programs to equip and train first responders and state, tribal and local officials for homeland security protection and response. As demonstrated by recent events in Charleston, Chattanooga, Philadelphia, and San Bernardino, large and small communities need to be ready to respond to complex and coordinated threats. This funding will also address state and local capabilities that the March 2015 National Preparedness Report found needed improvement, including cybersecurity, housing in large-scale incidents, access control and identity verification, and long-term vulnerability reduction. While federal grants only provide a small portion of the funds that State and local governments need to be ready, it is critical to make the investments so that the Nation as a whole is prepared. With systematic attacks on government information technology systems, cybersecurity is a core competency that is continually raised by Governors, State and local Chief Information Officers as an urgent and immediate need. The funding would be distributed as follows:
 - \$180,000,000 for the State Homeland Security Grant Program;
 - \$190,000,000 for the Urban Area Security Initiative, including \$10,000,000 for nonprofit security grants;
 - \$40,000,000 shall be for Public Transportation Security Assistance, Railroad Security Assistance, and Over-the-Road Bus Security Assistance; and
 - \$40,000,000 shall be for Port Security Grants.
- The funding amendment provides \$60 million in additional funding for Firefighter Assistance Grants, equally divided between equipment and staffing. The Nation relies on individual fire departments to work together during large scale and catastrophic events yet two-thirds of the nation's fire departments lack sufficient personnel to safely complete fire calls. Further, the gap across the country in needed fire equipment is no less than \$3 billion. Funding is provided to further assist on meeting these needs.

- The funding amendment provides an additional \$50 million for Emergency Management Performance Grants. State and local emergency managers are critical for coordinating responses to the over 44,890 disasters at the local level as well as the 45 Presidentially-declared disasters in 2014. These additional funds will ensure emergency management personnel and capacity is sustained nationwide.

K-1 Fiancé Visa Program Review

- The funding amendment also requires that the Department of Homeland Security and Department of State shall conduct a review of adjudication practices of K-1 petitions and of K-1 visa applications to ensure that the highest level of consistent standards are being met.

Improving the Federal Background Check System

- The funding amendment provides \$25 million for the Federal Bureau of Investigation to operate, maintain, and enhance the National Instant Criminal Background Check System.
- The funding amendment provides \$15 million for grants to States to upgrade criminal and mental health records for the National Instant Criminal Background Check System to help states improve background check information so those who should be prevented from purchasing firearms are, while helping law abiding citizens exercise their 2nd amendment rights.

New Police Officers to Protect Our Communities from Crime and Terrorism

- The funding amendment provides \$95 million for Community Oriented Policing Services Programs (COPS) for grants for the hiring and rehiring of 500 additional career law enforcement officers to keep Americans safe from crime and terrorism.

A Comprehensive Plan to Enhance National Security and Defeat ISIS

- Senate Democrats have a plan to defeat ISIS and protect the homeland. This new plan would take the fight to ISIS abroad, while simultaneously enhancing our homeland security programs to prevent attacks here in the U.S.
- **First, this amendment would increase our efforts to defeat ISIS by:**
 - Creating a new **ISIS “czar”** who would be fully empowered and in charge of the United States’ efforts to defeat ISIS.
 - Intensifying **airstrikes on ISIS strongholds** and oil supplies.
 - Increasing **support for local forces** fighting ISIS on the ground.
 - Cutting off ISIS’ access to money by **imposing tough new sanctions** on financial institutions if they knowingly facilitate financial transactions with ISIS.
 - Creating a **new stabilization fund for Jordan and Lebanon** to help those fleeing the conflict in Syria stay in the region, closer to their own homes.

- Confirm **key national security positions** necessary to fighting ISIS, such as Adam Szubin as Under Secretary for Terrorism and Financial Crimes at the Treasury Department.
- Improving **intelligence sharing** with our allies and partners.
- Improving **migrant screening** in Europe
- Developing a comprehensive strategy to **counter ISIS propaganda** and counter violent-extremism.
- **Second, this amendment would enhance our homeland security efforts here in the U.S. by:**
 - Strengthening aviation security by **improving screening technology and Transportation Security Officers (TSOs) training**, including tougher vetting and oversight of aviation workers and secure areas within airports.
 - Authorizing and supporting a new office at the Department of Homeland Security dedicated to **stopping homegrown extremism**.
 - Studying ways in which U.S. law can **improve our ability to intercept terrorist communications**.
 - Helping state and local law enforcement train and **properly respond to an active shooter attack** by authorizing new grants to fund these types of training exercises.
 - **Reforming the Visa Waiver Program** by requiring visa waiver program countries to enter into and comply with federal air marshal agreements and to consider whether the country shares information about foreign terrorist fighters with the United States.
 - **Closing the terrorist gun loophole** which would stop individuals who are known or suspected terrorists from purchasing a gun.