

S 1245

Homeland Security Grant Enhancement Act of 2003

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Emergency Management

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Sponsor

Name: Sen. Collins, Susan M. [R-ME]

Party: Republican • **State:** ME • **Chamber:** Senate

Cosponsors (29 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Akaka, Daniel K. [D-HI]	D · HI		Jun 12, 2003
Sen. Allard, Wayne [R-CO]	R · CO		Jun 12, 2003
Sen. Carper, Thomas R. [D-DE]	D · DE		Jun 12, 2003
Sen. Coleman, Norm [R-MN]	R · MN		Jun 12, 2003
Sen. Feingold, Russell D. [D-WI]	D · WI		Jun 12, 2003
Sen. Pryor, Mark L. [D-AR]	D · AR		Jun 12, 2003
Sen. Rockefeller, John D., IV [D-WV]	D · WV		Jun 12, 2003
Sen. Sununu, John E. [R-NH]	R · NH		Jun 12, 2003
Sen. Voinovich, George V. [R-OH]	R · OH		Jun 12, 2003
Sen. Burns, Conrad R. [R-MT]	R · MT		Jun 26, 2003
Sen. Hagel, Chuck [R-NE]	R · NE		Jun 26, 2003
Sen. Chafee, Lincoln [R-RI]	R · RI		Jul 7, 2003
Sen. Roberts, Pat [R-KS]	R · KS		Jul 8, 2003
Sen. Dorgan, Byron L. [D-ND]	D · ND		Jul 10, 2003
Sen. Chambliss, Saxby [R-GA]	R · GA		Jul 17, 2003
Sen. Nelson, Ben [D-NE]	D · NE		Jul 22, 2003
Sen. Harkin, Tom [D-IA]	D · IA		Sep 2, 2003
Sen. Dayton, Mark [D-MN]	D · MN		Sep 4, 2003
Sen. Johnson, Tim [D-SD]	D · SD		Sep 4, 2003
Sen. Grassley, Chuck [R-IA]	R · IA		Sep 5, 2003
Sen. Shelby, Richard C. [R-AL]	R · AL		Sep 5, 2003
Sen. Sessions, Jeff [R-AL]	R · AL		Sep 8, 2003
Sen. Talent, Jim [R-MO]	R · MO		Sep 22, 2003
Sen. Bingaman, Jeff [D-NM]	D · NM		Sep 23, 2003
Sen. Domenici, Pete V. [R-NM]	R · NM		Sep 23, 2003
Sen. Lincoln, Blanche L. [D-AR]	D · AR		Oct 31, 2003
Sen. Reed, Jack [D-RI]	D · RI		Nov 21, 2003
Sen. Enzi, Michael B. [R-WY]	R · WY		Jan 27, 2004
Sen. Dodd, Christopher J. [D-CT]	D · CT		Feb 2, 2004

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Reported By	Sep 5, 2003

Subjects & Policy Tags

Policy Area:

Emergency Management

Related Bills

Bill	Relationship	Last Action
108 HR 4333	Identical bill	Jun 28, 2004: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
108 HR 3266	Related bill	Jun 21, 2004: Placed on the Union Calendar, Calendar No. 325.

Homeland Security Grant Enhancement Act of 2003 - (Sec. 2) Amends the Homeland Security Act of 2002 to establish an Interagency Committee to Coordinate and Streamline Homeland Security Grant Programs.

Directs the Committee to: (1) report all findings to an Information Clearinghouse (established by this Act); (2) consult with State and local governments and emergency response providers regarding their homeland security needs and capabilities; (3) advise the Secretary of the Department of Homeland Security (DHS) on the development of performance measures for homeland security grant programs and the national strategy for homeland security; (4) within 60 days, compile a list of any homeland security assistance programs and their reporting requirements requested by the Committee, including programs and grants of the following, the Office of Domestic Preparedness (ODP), the Federal Emergency Management Agency, the Transportation Security Administration, the Department of Justice, and the Department of Health and Human Services (HHS); (5) within 60 days, identify all homeland security planning requirements contained in homeland security emergency preparedness and public safety programs administered by Federal agencies; (6) within 120 days, review all application, reporting, and other administrative requirements contained in such grant programs, and all homeland security planning and other administrative requirements, and report all redundant and duplicative requirements to the appropriate committees and agencies; (7) within 150 days, provide recommendations to agencies in order to streamline and standardize application, reporting, and administrative and planning requirements to eliminate duplication and promote coordination; and (8) within 250 days, issue a report to Congress regarding its actions.

Directs that the Committee be composed of representatives of the Departments of Homeland Security, HHS, Transportation, and Justice, the Environmental Protection Agency, and any other department or agency determined to be necessary by the President.

(Sec. 3) Provides that the Office for State and Local Government Coordination (OSLGC) within the Office of the Secretary of DHS shall be headed by a Director appointed by the President.

Transfers administration of the firefighter assistance grant program and ODP to OSLGC. Directs the Secretary to: (1) create within ODP an internal office that shall be the proponent for all national domestic preparedness training, education, and exercises within OSLGC; and (2) select an individual with recognized expertise in first-responder training and exercises to head the office, who shall report directly to the Director of ODP.

Establishes a Homeland Security Information Clearinghouse within OSLGC to assist States, local governments, and first responders. Directs the Clearinghouse to: (1) create and maintain a website, a toll-free number, and a single publication containing information regarding homeland security grant programs; (2) coordinate technical assistance provided by any Federal agency to States and local governments to conduct threat analyses and vulnerability assessments, and establish templates for conducting such analyses and assessments; (3) work with States, local governments, emergency response providers, the National Domestic Preparedness Consortium, and private organizations to gather, validate, and disseminate information regarding successful State and local homeland security programs and practices; (4) compile information regarding equipment, training, and other services purchased with Federal funds under homeland security grant programs, and make such information, and information regarding voluntary standards of training, equipment, and exercises, available to States, local governments, and first responders; and (5) provide States, local governments, and first responders with any other information that the Secretary determines necessary.

(Sec. 4) Authorizes the Secretary to award homeland security grants to States. Specifies the permissible and

impermissible uses for grant funds. Authorizes the payment of overtime expenses relating to: (1) training activities consistent with the goals outlined in a State homeland security plan; and (2) as determined by the Secretary, activities relating to an increase in the threat level under the Homeland Security Advisory System. Permits the use of not more than five percent of grant funds for overtime expenses for training. Authorizes the Secretary to waive this limitation if necessary to provide effective training or adequate protection in the event of an increase in the threat level.

Requires State grant applications to include certification that the State has prepared a three-year homeland security plan to respond to terrorist attacks and strengthen all hazards emergency planning that has been approved by the Secretary. Requires the plan to contain measurable goals and objectives that: (1) establish a three-year strategy to set priorities for the allocation of funding to political subdivisions based on risk, capabilities, and needs; (2) providing for interoperable communications; (3) provide for local coordination of response and recovery efforts; (4) ensure that first responders and other emergency personnel have adequate training and appropriate equipment for the threats that may occur; (5) provide for improved coordination and collaboration among police, fire, and public health authorities at State and local levels; (6) coordinate emergency response and public health plans; (7) mitigate risks to critical infrastructure that may be vulnerable to terrorist attacks; (8) promote regional coordination among contiguous local governments; (9) identify necessary protective measures by private owners of critical infrastructure; (10) promote orderly evacuation procedures when necessary; (11) ensure support from the public health community for measures needed to prevent, detect, and treat bioterrorism, and radiological and chemical incidents; (12) increase the number of local jurisdictions participating in local and statewide exercises; (13) meet preparedness goals; and (14) include a report from the State's advisory committee (as established below) that documents the areas of support, disagreement, or recommended changes to the plan before its submission to the Secretary.

Requires a State, in preparing the plan, to: (1) provide for the consideration of all homeland security needs; (2) follow a process that is continuing, inclusive, cooperative, and comprehensive; and (3) coordinate the development of the plan with the homeland security planning activities of local governments. Requires that such coordination include input from local stakeholders, including: (1) local officials, including representatives of rural, high-population, and high-threat jurisdictions; (2) first responders and emergency response providers; and (3) private sector companies, such as railroads and chemical manufacturers.

Requires each State preparing a plan to: (1) complete a comprehensive assessment of risk, capabilities, and needs; and (2) establish an advisory committee to receive comments from the public and the local stakeholders, which shall include local officials, local first responders, and emergency response providers that are representative of the counties, cities, and towns within the State, and which shall include representatives of rural, high-population, and high-threat jurisdictions.

Requires the Secretary to: (1) approve a plan upon finding that the plan meets specified requirements, including interim performance measurements or national performance standards; and (2) review the recommendations of the advisory committee report incorporated into a plan, including any dissenting views submitted by advisory committee members, to ensure cooperation and coordination between local and State jurisdictions in planning the use of grant funds.

Requires the Secretary to use ten percent of the funds appropriated for the Homeland Security Grant Program for discretionary grants to local governments to high threat areas. Requires the Secretary to ensure that a grant award is given to localities that: (1) have a large population and high population density; (2) have a high degree of threat, risk, and vulnerability related to critical infrastructure or key national assets identified in the State homeland security plan; (3) have an international border with Canada or Mexico, or coastline bordering international waters of Canada, Mexico, the Atlantic Ocean, or the Pacific Ocean; or (4) are subject to other threat factors specified by the Secretary.

Requires the Secretary to ensure that any grants made encourage multiple contiguous units of local government and mutual aid partners to coordinate any homeland security activities.

Requires each State whose application is approved, including the District of Columbia and Puerto Rico, to receive .75 percent of the total amount appropriated in any fiscal year. Directs that U.S. Territories receive .25 percent. Requires the Secretary to distribute any remaining available grant funds based on: (1) population, including tourist and military populations, and population density; (2) threat, risk, and vulnerability related to critical infrastructure, key national assets, or other factors identified in a State homeland security plan; (3) an international border with Canada or Mexico, or coastline bordering international waters of Canada, Mexico, the Atlantic Ocean, or the Pacific Ocean; or (4) other factors specified by the Secretary.

Directs the Secretary to require grant recipients to: (1) provide local governments and first responders with not less than 80 percent of grant funds, the resources purchased with such funds, or a combination thereof, within 45 days after receiving the funds; and (2) make available non-Federal contributions in an amount equal to 25 percent of the Federal funds provided under the grant. Makes the matching requirement inapplicable to any grant recipient that is deemed economically distressed.

Requires each grant recipient to annually submit a report to the Secretary with: (1) an accounting of the amount of State and local funds spent on homeland security activities under the applicable State homeland security plan; and (2) information regarding the use of grant funds by units of local government.

Instructs the Secretary to assist States in establishing interim performance measures and subsequently to set national performance standards. Requires: (1) each State with an approved State homeland security plan, after the establishment of performance standards, to submit to the Secretary a report on the progress the State has made in meeting such standards; (2) each grant recipient and DHS to provide the General Accounting Office with full access to information regarding the activities carried out under this Act; and (3) grant recipients that expend \$300,000 or more in Federal funds during any fiscal year to submit to the Secretary an organization-wide financial and compliance audit report that meets specified requirements.

Provides penalties for a grant recipient's noncompliance with any grant program provision of this Act. Provides that if a State fails to substantially comply with any provision of this Act, including failing to provide local governments with grant funds or resources purchased with grant funds in a timely fashion, a local government entitled to receive such funds or resources may petition the Secretary to request that grant funds or resources be provided directly to the local government.

Requires an annual report from the Secretary to Congress that provides: (1) findings relating to performance standards; (2) the status of preparedness goals and objectives; (3) an evaluation of how States and local governments are meeting preparedness goals and objectives; (4) the total amount of resources provided to the States and to local governments; and (5) a list of how these resources were expended. Authorizes appropriations.

(Sec. 5) Requires the Director of ODP to: (1) allow any State to request approval to reallocate previously received homeland security funds among the categories of equipment, training, exercises, and planning; and (2) approve reallocation requests in accordance with the State plan and other relevant factors that the Secretary determines to be necessary. Provides that a waiver shall not affect the obligation of a State to pass through 80 percent of the amount appropriated for equipment to units of local government.

(Sec. 6) Directs the Secretary to deny entry into the United States of any commercial motor vehicle carrying municipal

solid waste unless and until the Secretary certifies to Congress that the methodologies and technologies used by the Bureau of Customs and Border Protection of DHS to screen for and detect the presence of chemical, nuclear, biological, and radiological weapons in such waste are as effective as those used by the Bureau to screen for such materials in other items of commerce entering into the United States by commercial motor vehicle transport.

Actions Timeline

- **Mar 12, 2004:** Star Print ordered on S. Rept. 108-225.
- **Feb 10, 2004:** By Senator Collins from Committee on Governmental Affairs filed written report. Report No. 108-225. Additional views filed.
- **Feb 10, 2004:** By Senator Collins from Committee on Governmental Affairs filed written report. Report No. 108-225. Additional views filed.
- **Sep 5, 2003:** Committee on Governmental Affairs. Reported by Senator Collins with amendments. Without written report.
- **Sep 5, 2003:** Committee on Governmental Affairs. Reported by Senator Collins with amendments. Without written report.
- **Sep 5, 2003:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 276.
- **Jun 12, 2003:** Introduced in Senate
- **Jun 12, 2003:** Sponsor introductory remarks on measure. (CR S7834-7836)
- **Jun 12, 2003:** Read twice and referred to the Committee on Governmental Affairs.