

HR 3266

Faster and Smarter Funding for First Responders Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Emergency Management

Introduced: Oct 8, 2003

Current Status: Placed on the Union Calendar, Calendar No. 325.

Latest Action: Placed on the Union Calendar, Calendar No. 325. (Jun 21, 2004)

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Sponsor

Name: Rep. Cox, Christopher [R-CA-48]

Party: Republican • **State:** CA • **Chamber:** House

Cosponsors (62 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Myrick, Sue Wilkins [R-NC-9]	R · NC		Oct 16, 2003
Rep. Shays, Christopher [R-CT-4]	R · CT		Oct 16, 2003
Rep. Weldon, Curt [R-PA-7]	R · PA		Oct 16, 2003
Rep. Dunn, Jennifer [R-WA-8]	R · WA		Oct 21, 2003
Rep. Gibbons, Jim [R-NV-2]	R · NV		Oct 21, 2003
Rep. King, Peter T. [R-NY-3]	R · NY		Oct 21, 2003
Rep. Shadegg, John B. [R-AZ-3]	R · AZ		Oct 21, 2003
Rep. Sweeney, John E. [R-NY-20]	R · NY		Oct 21, 2003
Rep. Fossella, Vito [R-NY-13]	R · NY		Oct 28, 2003
Rep. Wilson, Joe [R-SC-2]	R · SC		Oct 28, 2003
Rep. Miller, Candice S. [R-MI-10]	R · MI		Oct 29, 2003
Rep. Brady, Kevin [R-TX-8]	R · TX		Nov 5, 2003
Rep. Frost, Martin [D-TX-24]	D · TX		Nov 18, 2003
Rep. Garrett, Scott [R-NJ-5]	R · NJ		Nov 18, 2003
Rep. Rangel, Charles B. [D-NY-15]	D · NY		Nov 18, 2003
Rep. Turner, Michael R. [R-OH-3]	R · OH		Nov 18, 2003
Rep. Camp, Dave [R-MI-4]	R · MI		Jan 23, 2004
Rep. Diaz-Balart, Lincoln [R-FL-21]	R · FL		Jan 23, 2004
Rep. Thornberry, Mac [R-TX-13]	R · TX		Jan 23, 2004
Rep. Sessions, Pete [R-TX-32]	R · TX		Feb 10, 2004
Rep. Smith, Nick [R-MI-7]	R · MI		Feb 24, 2004
Rep. Calvert, Ken [R-CA-44]	R · CA		Mar 2, 2004
Rep. Ruppertsberger, C. A. Dutch [D-MD-2]	D · MD		Mar 29, 2004
Rep. Napolitano, Grace F. [D-CA-38]	D · CA		Apr 30, 2004
Rep. Stenholm, Charles W. [D-TX-17]	D · TX		Jun 3, 2004
Rep. Turner, Jim [D-TX-2]	D · TX		Jun 3, 2004
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		Jun 8, 2004
Rep. Pascrell, Bill, Jr. [D-NJ-8]	D · NJ		Jun 8, 2004
Rep. Markey, Edward J. [D-MA-7]	D · MA		Jun 9, 2004
Rep. McCarthy, Carolyn [D-NY-4]	D · NY		Jun 9, 2004
Rep. Owens, Major R. [D-NY-11]	D · NY		Jun 14, 2004
Del. Christensen, Donna M. [D-VI-At Large]	D · VI		Jun 18, 2004
Rep. Andrews, Robert E. [D-NJ-1]	D · NJ		Jun 18, 2004
Rep. Becerra, Xavier [D-CA-31]	D · CA		Jun 18, 2004
Rep. Boehlert, Sherwood [R-NY-24]	R · NY		Jun 18, 2004
Rep. Cardin, Benjamin L. [D-MD-3]	D · MD		Jun 18, 2004
Rep. Diaz-Balart, Mario [R-FL-25]	R · FL		Jun 18, 2004
Rep. Dicks, Norman D. [D-WA-6]	D · WA		Jun 18, 2004
Rep. Feeney, Tom [R-FL-24]	R · FL		Jun 18, 2004
Rep. Gallegly, Elton [R-CA-24]	R · CA		Jun 18, 2004
Rep. Gonzalez, Charles A. [D-TX-20]	D · TX		Jun 18, 2004

Cosponsor	Party / State	Role	Date Joined
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Jun 18, 2004
Rep. Goss, Porter J. [R-FL-14]	R · FL		Jun 18, 2004
Rep. Harman, Jane [D-CA-36]	D · CA		Jun 18, 2004
Rep. Holden, Tim [D-PA-17]	D · PA		Jun 18, 2004
Rep. Holt, Rush [D-NJ-12]	D · NJ		Jun 18, 2004
Rep. Hunter, Duncan [R-CA-52]	R · CA		Jun 18, 2004
Rep. Keller, Ric [R-FL-8]	R · FL		Jun 18, 2004
Rep. Langevin, James R. [D-RI-2]	D · RI		Jun 18, 2004
Rep. Lewis, Jerry [R-CA-41]	R · CA		Jun 18, 2004
Rep. Meek, Kendrick B. [D-FL-17]	D · FL		Jun 18, 2004
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Jun 18, 2004
Rep. Rogers, Mike J. [R-MI-8]	R · MI		Jun 18, 2004
Rep. Smith, Lamar [R-TX-21]	R · TX		Jun 18, 2004
Rep. Weiner, Anthony D. [D-NY-9]	D · NY		Jun 18, 2004
Rep. Weldon, Dave [R-FL-15]	R · FL		Jun 18, 2004
Rep. Davis, Susan A. [D-CA-53]	D · CA		Jun 21, 2004
Rep. Lantos, Tom [D-CA-12]	D · CA		Jun 21, 2004
Rep. Lewis, John [D-GA-5]	D · GA		Jun 21, 2004
Rep. Maloney, Carolyn B. [D-NY-14]	D · NY		Jun 21, 2004
Rep. Meehan, Martin T. [D-MA-5]	D · MA		Jun 21, 2004
Rep. Smith, Christopher H. [R-NJ-4]	R · NJ		Jun 21, 2004

Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Hearings By (subcommittee)	May 11, 2004
Homeland Security Committee	House	Reported by	Nov 20, 2003
Judiciary Committee	House	Discharged from	Jun 5, 2004
Science, Space, and Technology Committee	House	Discharged From	Apr 2, 2004
Transportation and Infrastructure Committee	House	Reported by	Jun 1, 2004

Subjects & Policy Tags

Policy Area:

Emergency Management

Related Bills

Bill	Relationship	Last Action
108 S 1245	Related bill	Mar 12, 2004: Star Print ordered on S. Rept. 108-225.
108 S 930	Related bill	Feb 25, 2004: Placed on Senate Legislative Calendar under General Orders. Calendar No. 433.

Faster and Smarter Funding for First Responders Act of 2004 - Amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act to modify the definition of: (1) "major disaster" to include acts of terrorism; and (2) "emergency response providers" to include fire personnel, agencies, and authorities.

Directs the Secretary of Homeland Security, in coordination with the heads of other appropriate Federal agencies and in consultation with State and local governments, to develop a national domestic all-hazards preparedness goal by February 28, 2005, which shall: (1) establish measurable readiness priorities and targets that appropriately balance the potential threat and magnitude of major disasters and emergencies, including those caused by terrorist attacks, with the resources required to prevent, respond to, and recover from such disasters and emergencies; (2) include readiness metrics and measures, including standards for preparedness assessments and strategies, and a system for assessing the Nation's overall preparedness to respond to major disasters and emergencies; and (3) be consistent with the National Response Plan and National Incident Management System.

Requires Federal agencies to work to achieve the national preparedness goal by: (1) providing for effective, efficient, and timely delivery of Federal preparedness assistance to State and local governments; and (2) supporting efforts to ensure first responders are prepared to respond to major disasters and emergencies.

Directs the Secretary: (1) by February 28, 2005, to establish guidance that clearly defines the essential capabilities for State and local government preparedness for major disasters and emergencies; and (2) to ensure that the guidance is provided promptly to the States and to Congress. Requires the States to make the guidance available as necessary and appropriate to local governments.

Requires the Secretary to ensure that the guidance meets the following objectives: (1) specificity (describing the training, planning, personnel, and equipment that different types of communities in the Nation should possess, or to which they should have access, to meet the Department of Homeland Security's (DHS) national preparedness goals); (2) flexibility (sufficiently flexible to allow State and local government officials to set priorities based on particular needs, while achieving nationally determined preparedness levels within a specified period); and (3) measurability (designed to enable measurement of progress towards specific preparedness levels). Requires the Secretary to consider the variables of risk, threat, vulnerability, and consequences regarding the Nation's population (including transient commuting and tourist populations) and critical infrastructure.

Directs the Secretary to specifically consider risks to the following critical infrastructure sectors in all areas of the Nation: (1) agriculture; (2) banking and finance; (3) chemical industries; (4) the defense industrial base; (5) emergency services; (6) energy; (7) food; (8) government; (9) information and telecommunications networks; (10) postal and shipping; (11) public health; (12) transportation; and (13) water.

Requires the Secretary to promulgate and update national voluntary consensus standards for first responder equipment intended for use in the field. Requires such standards to: (1) support nationwide interoperability and other capabilities consistent with the national preparedness goal, including the safety and health of first responders; (2) be consistent with any existing voluntary consensus standards; (3) utilize technologies already certified by other U.S. departments and agencies; (4) take into account threats that may not have been contemplated when existing standards were developed; and (5) be focused on maximizing interoperability, interchangeability, durability, flexibility, efficiency, efficacy, portability, sustainability, and safety.

Directs the Secretary to consider the first responder equipment for: (1) thermal imaging; (2) radiation detection and analysis; (3) biological detection and analysis; (4) chemical detection and analysis; (5) decontamination and sterilization; (6) personal protection; (7) respiratory protection; (8) interoperable communications; (9) explosive mitigation, detection, and analysis; (10) containment vessels; and (11) contaminant-resistant vehicles. Requires the Secretary to promulgate initial standards by September 30, 2005.

Directs the Secretary to support the development of, promulgate, and regularly update national voluntary consensus standards for first responder training carried out with amounts provided under covered grant programs (i.e., the State Homeland Security Grant Program or the Urban Area Security Initiative of DHS or any successor programs) that will enable State and local government first responders to achieve optimal levels of preparedness as quickly as practicable. Directs that such standards give priority to providing training in those areas where the Secretary has identified significant need, including training to: (1) prevent, prepare for, respond to, and mitigate threats from chemical, biological, and radiological materials and explosive devices capable of inflicting significant human casualties; and (2) familiarize first responders with the proper use of equipment, including software, developed pursuant to the standards. Requires the Secretary to include the following categories of first responder activities: (1) regional planning; (2) joint exercises; (3) intelligence collection, analysis, and sharing; (4) emergency notification of affected populations; and (5) detection of biological, nuclear, radiological, and chemical weapons of mass destruction. Directs the Secretary to promulgate initial standards by September 30, 2005. Directs the Secretary, in establishing such training standards, to consult with relevant public and private sector groups.

Conditions the receipt of a covered grant after September 30, 2005, on the Secretary requiring that a State develop a statewide comprehensive all-hazards preparedness strategy that: (1) is consistent with the national preparedness goal and the State response plan; (2) demonstrates the extent to which the State has achieved, and the additional needs to achieve, essential capabilities; (3) includes a prioritization of such additional needs based on risk, threat, vulnerability, and applicable consequence assessment factors; (4) describes how the State intends to address such additional needs at the city, county, tribal, regional, State, and interstate level, how the State intends to use available Federal, State, and local resources, and how the State intends to give particular emphasis to regional planning and cooperation, including the activities of multi-jurisdictional planning agencies governed by local officials, both within its borders and with neighboring States; and (5) is developed in consultation with and subject to appropriate comment by local, regional, and tribal governments.

Provides that, beginning in FY 2006, any State shall be eligible to apply for a covered grant. Directs the Secretary, in awarding such grants, to carry out the national preparedness goal and assist State, tribal, and local governments in achieving essential capabilities for first responders in accordance with guidance developed under this Act.

Sets forth grant application requirements, including, at a minimum: (1) a statewide preparedness strategy approved by the Secretary; (2) descriptions of the purpose for which the State seeks covered grant funds, the reasons why the State needs the grant to meet the essential capabilities for preparedness, and how the allocation of grant funding proposed would assist in fulfilling the essential capabilities specified in the State's statewide preparedness strategy; (3) a statement of whether a mutual aid agreement applies to the use of all or any portion of the covered grant funds; (4) a capital budget showing how the State intends to allocate and expend the covered grant funds; and (5) a statement of how the State intends to meet any applicable matching requirement.

Sets forth provisions regarding consistency with State plans, equipment standards, and deadlines for awarding grants. Requires the Secretary to award to: (1) each State not less than .55 percent of the total amount made available for

covered grants for a fiscal year; and (2) each of the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, not less than .18 percent of such amount. Directs the Secretary to prioritize applications, in allocating remaining amounts, based on the degree to which a grant to a State will: (1) lessen the risk, threat, vulnerability, and consequences of a major disaster or emergency; and (2) enhance or achieve the essential capabilities of first responders in the State in accordance with the guidance developed under this Act. Requires the Secretary to publish annually the basis on which funds are awarded.

Sets forth permissible uses of covered grants, including for: (1) purchasing specified commercially available equipment that complies with national voluntary consensus standards and that facilitates integration between emergency communications systems; (2) purchasing or upgrading equipment to enhance preparedness and response; (3) conducting exercises to strengthen preparedness and response; (4) training for prevention or detection of, preparedness for, or response to attacks involving weapons of mass destruction; (5) developing or updating response plans; (6) establishing or enhancing mechanisms for sharing terrorism threat information; and (7) paying additional personnel costs resulting from elevations in the threat alert level of the Homeland Security Advisory System.

Prohibits the use of funds provided under a covered grant: (1) to supplant, State, tribal, or local funds; (2) to construct buildings or other physical facilities, with an exception; (3) to acquire land; or (4) for any State, tribal, or local government cost-sharing contribution. Prohibits the Secretary from requesting that equipment paid for with funds provided under a covered grant be made available for responding to emergencies in surrounding States, reservations and tribal lands regions, and localities unless the Secretary undertakes to pay the costs directly attributable to transporting and operating such equipment.

Allows the Secretary to authorize the State, upon request, to transfer all or part of funds provided from uses specified in the grant agreement to other uses authorized under this Act in furtherance of the statewide preparedness strategy.

Directs the Secretary to require a State to make available to tribal and local governments, first responders, and other local groups, to the extent required under the statewide preparedness strategy specified in the grant application, not less than 80 percent of the grant funds or purchased resources not later than 60 days after receipt. Sets forth requirements regarding certifications of distribution of grant funds to local governments.

Sets forth reporting requirements regarding: (1) preparedness spending; and (2) the Federal cost share (limited to 75 percent for an activity carried out with a covered grant to a State awarded after two years, but 100 percent for such activity within the two-year period, except for construction or enhancement of facilities for emergency operations centers). Sets forth restrictions on existing programs. Authorizes appropriations.

Directs the Secretary to ensure that there is effective and ongoing coordination of Federal preparedness and response efforts for major disasters and emergencies among the divisions of DHS, including the Emergency Preparedness and Response Directorate and the Office of State and Local Government Preparedness and Coordination. Sets forth annual reporting requirements on the Nation's level of preparedness, including State capabilities, the readiness of Federal civil response assets, and the utilization of mutual-aid agreements.

(Sec. 5) Amends the Homeland Security Act of 2002 to require the Secretary of DHS to require that any threat level or other warning be accompanied by a designation of the geographic regions or economic sectors to which the warning applies. Directs the Secretary to report to Congress annually by December 31 each year regarding the geographic region-specific and economic sector-specific warnings issued during the preceding fiscal year under the System. Directs that the report be submitted in unclassified form but permits inclusion of a classified annex.

(Sec. 6) Provides for coordination of industry efforts to identify private sector resources and capabilities that could be effective in supplementing Federal, State, and local government agency efforts to prevent or respond to a terrorist attack.

(Sec. 7) Expresses the sense of Congress that: (1) it is of national importance that interoperable emergency communications systems that meet national voluntary consensus standards be developed and promulgated as soon as practicable for use by the first responder community; and (2) Citizen Corps councils should seek to enhance the preparedness and response capabilities of all organizations participating in the councils, including by providing funding to as many of their participating organizations as practicable to promote local terrorism preparedness programs.

(Sec. 9) Directs the Secretary of DHS to conduct a study to determine whether it is cost-effective, efficient, or feasible to establish and implement an emergency telephonic alert notification system that will: (1) alert persons in the United States of imminent or current hazardous events caused by acts of terrorism; and (2) provide information to individuals regarding appropriate measures that may be undertaken.

(Sec. 10) Expresses the sense of Congress that for purposes of emergency planning: (1) lack of sufficient bandwidth can have detrimental consequences for State and local governments during times of crisis; (2) such governments should understand how communication networks will perform in emergencies by analyzing the experience of end users; and (3) such governments should look into expanding bandwidth efficiency by using cost effective means such as incorporating bandwidth allocation tools into their networks to ensure proper communication is available during times of crisis.

Actions Timeline

- **Jun 21, 2004:** Reported (Amended) by the Committee on Transportation. H. Rept. 108-460, Part III.
- **Jun 21, 2004:** Reported (Amended) by the Committee on Transportation. H. Rept. 108-460, Part III.
- **Jun 21, 2004:** Reported (Amended) by the Committee on Judiciary. H. Rept. 108-460, Part IV.
- **Jun 21, 2004:** Reported (Amended) by the Committee on Judiciary. H. Rept. 108-460, Part IV.
- **Jun 21, 2004:** Placed on the Union Calendar, Calendar No. 325.
- **Jun 16, 2004:** Committee Consideration and Mark-up Session Held.
- **Jun 16, 2004:** Ordered to be Reported (Amended) by Voice Vote.
- **Jun 14, 2004:** House Committee on Transportation Granted an extension for further consideration ending not later than June 21, 2004.
- **Jun 14, 2004:** House Committee on Judiciary Granted an extension for further consideration ending not later than June 21, 2004.
- **Jun 14, 2004:** House Committee on Energy and Commerce Granted an extension for further consideration ending not later than June 21, 2004.
- **Jun 14, 2004:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 108-460, Part II.
- **Jun 14, 2004:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 108-460, Part II.
- **Jun 5, 2004:** Subcommittee on Crime, Terrorism, and Homeland Security Discharged.
- **Jun 3, 2004:** House Committee on Transportation Granted an extension for further consideration ending not later than June 14, 2004.
- **Jun 3, 2004:** House Committee on Judiciary Granted an extension for further consideration ending not later than June 14, 2004.
- **Jun 3, 2004:** House Committee on Energy and Commerce Granted an extension for further consideration ending not later than June 14, 2004.
- **Jun 3, 2004:** Committee Consideration and Mark-up Session Held.
- **Jun 2, 2004:** Committee Consideration and Mark-up Session Held.
- **Jun 2, 2004:** Ordered to be Reported (Amended) by Voice Vote.
- **Jun 1, 2004:** Subcommittee Consideration and Mark-up Session Held.
- **Jun 1, 2004:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote.
- **May 11, 2004:** Subcommittee Hearings Held.
- **Apr 2, 2004:** Reported (Amended) by the Committee on Homeland Security (Select). H. Rept. 108-460, Part I.
- **Apr 2, 2004:** Reported (Amended) by the Committee on Homeland Security (Select). H. Rept. 108-460, Part I.
- **Apr 2, 2004:** Referred sequentially to the House Committee on Science for a period ending not later than April 2, 2004 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause (n), rule X.
- **Apr 2, 2004:** Committee on Science discharged.
- **Apr 2, 2004:** Committee on Science discharged.
- **Apr 2, 2004:** House Committee on Transportation Granted an extension for further consideration ending not later than June 7, 2004.
- **Apr 2, 2004:** House Committee on Judiciary Granted an extension for further consideration ending not later than June 7, 2004.
- **Apr 2, 2004:** House Committee on Energy and Commerce Granted an extension for further consideration ending not later than June 7, 2004.
- **Mar 17, 2004:** Committee Consideration and Mark-up Session Held.
- **Mar 17, 2004:** Ordered to be Reported (Amended) by the Yeas and Nays: 37 - 0.
- **Nov 20, 2003:** Subcommittee Hearings Held.
- **Nov 20, 2003:** Subcommittee Consideration and Mark-up Session Held.
- **Nov 20, 2003:** Forwarded by Subcommittee to Full Committee in the Nature of a Substitute by Voice Vote.
- **Oct 27, 2003:** Referred to the Subcommittee on Health.
- **Oct 22, 2003:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Oct 16, 2003:** Subcommittee Hearings Held.
- **Oct 14, 2003:** Referred to the Subcommittee on Emergency Preparedness and Response.
- **Oct 9, 2003:** Referred to the Subcommittee on Economic Development, Public Buildings and Emergency Management.

Oct 8, 2003: Introduced in House

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- **Oct 8, 2003:** Referred to the Committee on Homeland Security (Select), and in addition to the Committees on Transportation and Infrastructure, the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **Oct 8, 2003:** Referred to the Committee on Homeland Security (Select), and in addition to the Committees on Transportation and Infrastructure, the Judiciary, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
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