AN ACT

To provide faster and smarter funding for first responders, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “Faster and Smarter Funding for First Responders Act of 2005”.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) In order to achieve its objective of preventing, minimizing the damage from, and assisting in the recovery from terrorist attacks, the Department of Homeland Security must play a leading role in assisting communities to reach the level of preparedness they need to prevent and respond to a terrorist attack.

(2) First responder funding is not reaching the men and women of our Nation’s first response teams quickly enough, and sometimes not at all.

(3) To reform the current bureaucratic process so that homeland security dollars reach the first responders who need it most, it is necessary to clarify and consolidate the authority and procedures of the Department of Homeland Security that support first responders.

(4) Ensuring adequate resources for the new national mission of homeland security, without degrading the ability to address effectively other types of major disasters and emergencies, requires a discrete and separate grant making process for home-
land security funds for first response to terrorist
acts, on the one hand, and for first responder pro-
grams designed to meet pre-September 11 priorities,
on the other.

(5) While a discrete homeland security grant
making process is necessary to ensure proper focus
on the unique aspects of terrorism preparedness, it
is essential that State and local strategies for uti-
lizing such grants be integrated, to the greatest ex-
tent practicable, with existing State and local emer-
gency management plans.

(6) Homeland security grants to first respond-
ers must be based on the best intelligence con-
cerning the capabilities and intentions of our ter-
rorist enemies, and that intelligence must be used to
target resources to the Nation’s greatest threats,
vulnerabilities, and consequences.

(7) The Nation’s first response capabilities will
be improved by sharing resources, training, plan-
ning, personnel, and equipment among neighboring
jurisdictions through mutual aid agreements and re-
gional cooperation. Such regional cooperation should
be supported, where appropriate, through direct
grants from the Department of Homeland Security.
(8) An essential prerequisite to achieving the Nation’s homeland security objectives for first responders is the establishment of well-defined national goals for terrorism preparedness. These goals should delineate the essential capabilities that every jurisdiction in the United States should possess or to which it should have access.

(9) A national determination of essential capabilities is needed to identify levels of State and local government terrorism preparedness, to determine the nature and extent of State and local first responder needs, to identify the human and financial resources required to fulfill them, to direct funding to meet those needs, and to measure preparedness levels on a national scale.

(10) To facilitate progress in achieving, maintaining, and enhancing essential capabilities for State and local first responders, the Department of Homeland Security should seek to allocate homeland security funding for first responders to meet nationwide needs.

(11) Private sector resources and citizen volunteers can perform critical functions in assisting in preventing and responding to terrorist attacks, and should be integrated into State and local planning.
efforts to ensure that their capabilities and roles are understood, so as to provide enhanced State and local operational capability and surge capacity.

(12) Public-private partnerships, such as the partnerships between the Business Executives for National Security and the States of New Jersey and Georgia, can be useful to identify and coordinate private sector support for State and local first responders. Such models should be expanded to cover all States and territories.

(13) An important aspect of terrorism preparedness is measurability, so that it is possible to determine how prepared a State or local government is now, and what additional steps it needs to take, in order to prevent, prepare for, respond to, mitigate against, and recover from acts of terrorism.

(14) The Department of Homeland Security should establish, publish, and regularly update national voluntary consensus standards for both equipment and training, in cooperation with both public and private sector standard setting organizations, to assist State and local governments in obtaining the equipment and training to attain the essential capabilities for first response to acts of terrorism, and to ensure that first responder funds are spent wisely.
SEC. 3. FASTER AND SMARTER FUNDING FOR FIRST RESPONDERS.

(a) IN GENERAL.—The Homeland Security Act of 2002 (Public Law 107–296; 6 U.S.C. 361 et seq.) is amended—

(1) in section 1(b) in the table of contents by adding at the end the following:

“TITLE XVIII—FUNDING FOR FIRST RESPONDERS

Sec. 1801. Definitions.
Sec. 1802. Faster and Smarter Funding for First Responders.
Sec. 1803. Covered grant eligibility and criteria.
Sec. 1804. Risk-based evaluation and prioritization.
Sec. 1805. Task Force on Terrorism Preparedness for First Responders.
Sec. 1806. Use of funds and accountability requirements.
Sec. 1807. National standards for first responder equipment and training.”.

(2) by adding at the end the following:

“TITLE XVIII—FUNDING FOR FIRST RESPONDERS

SEC. 1801. DEFINITIONS.

“In this title:

“(1) BOARD.—The term ‘Board’ means the First Responder Grants Board established under section 1804.

“(2) COVERED GRANT.—The term ‘covered grant’ means any grant to which this title applies under section 1802.

“(3) DIRECTLY ELIGIBLE TRIBE.—The term ‘directly eligible tribe’ means any Indian tribe or consortium of Indian tribes that—
“(A) meets the criteria for inclusion in the qualified applicant pool for Self-Governance that are set forth in section 402(c) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458bb(c));

“(B) employs at least 10 full-time personnel in a law enforcement or emergency response agency with the capacity to respond to calls for law enforcement or emergency services; and

“(C)(i) is located on, or within 5 miles of, an international border or waterway;

“(ii) is located within 5 miles of a facility designated as high-risk critical infrastructure by the Secretary;

“(iii) is located within or contiguous to one of the 50 largest metropolitan statistical areas in the United States; or

“(iv) has more than 1,000 square miles of Indian country, as that term is defined in section 1151 of title 18, United States Code.

“(4) ELEVATIONS IN THE THREAT ALERT LEVEL.—The term ‘elevations in the threat alert level’ means any designation (including those that are less than national in scope) that raises the
homeland security threat level to either the highest
or second highest threat level under the Homeland
Security Advisory System referred to in section
201(d)(7).

“(5) EMERGENCY PREPAREDNESS.—The term
‘emergency preparedness’ shall have the same mean-
ing that term has under section 602 of the Robert
T. Stafford Disaster Relief and Emergency Assist-
ance Act (42 U.S.C. 5195a).

“(6) ESSENTIAL CAPABILITIES.—The term ‘es-
sential capabilities’ means the levels, availability,
and competence of emergency personnel, planning,
training, and equipment across a variety of dis-
ciplines needed to effectively and efficiently prevent,
prepare for, respond to, and recover from acts of
terrorism consistent with established practices.

“(7) FIRST RESPONDER.—The term ‘first re-
sponder’ shall have the same meaning as the term
‘emergency response provider’.

“(8) INDIAN TRIBE.—The term ‘Indian tribe’
means any Indian tribe, band, nation, or other orga-
nized group or community, including any Alaskan
Native village or regional or village corporation as
defined in or established pursuant to the Alaskan
Native Claims Settlement Act (43 U.S.C. 1601 et
(9) REGION.—The term ‘region’ means—

“(A) any geographic area consisting of all
or parts of 2 or more contiguous States, coun-
ties, municipalities, or other local governments
that have a combined population of at least
1,650,000 or have an area of not less than
20,000 square miles, and that, for purposes of
an application for a covered grant, is rep-
resented by 1 or more governments or govern-
mental agencies within such geographic area,
and that is established by law or by agreement
of 2 or more such governments or governmental
agencies in a mutual aid agreement; or

“(B) any other combination of contiguous
local government units (including such a com-
bination established by law or agreement of two
or more governments or governmental agencies
in a mutual aid agreement) that is formally cer-
tified by the Secretary as a region for purposes
of this Act with the consent of—

“(i) the State or States in which they
are located, including a multi-State entity
established by a compact between two or more States; and

“(ii) the incorporated municipalities, counties, and parishes that they encompass.

“(10) TASK FORCE.—The term ‘Task Force’ means the Task Force on Terrorism Preparedness for First Responders established under section 1805.

“(11) TERRORISM PREPAREDNESS.—The term ‘terrorism preparedness’ means any activity designed to improve the ability to prevent, prepare for, respond to, mitigate against, or recover from threatened or actual terrorist attacks.

“SEC. 1802. FASTER AND SMARTER FUNDING FOR FIRST RESPONDERS.

“(a) COVERED GRANTS.—This title applies to grants provided by the Department to States, regions, or directly eligible tribes for the primary purpose of improving the ability of first responders to prevent, prepare for, respond to, mitigate against, or recover from threatened or actual terrorist attacks, especially those involving weapons of mass destruction, administered under the following:

“(1) STATE HOMELAND SECURITY GRANT PROGRAM.—The State Homeland Security Grant Pro-
gram of the Department, or any successor to such
grant program.

“(2) URBAN AREA SECURITY INITIATIVE.—The
Urban Area Security Initiative of the Department,
or any successor to such grant program.

“(3) LAW ENFORCEMENT TERRORISM PREVEN-
TION PROGRAM.—The Law Enforcement Terrorism
Prevention Program of the Department, or any suc-
cessor to such grant program.

“(b) EXCLUDED PROGRAMS.—This title does not
apply to or otherwise affect the following Federal grant
programs or any grant under such a program:

“(1) NONDEPARTMENT PROGRAMS.—Any Fed-
eral grant program that is not administered by the
Department.

“(2) FIRE GRANT PROGRAMS.—The fire grant
programs authorized by sections 33 and 34 of the
Federal Fire Prevention and Control Act of 1974

“(3) EMERGENCY MANAGEMENT PLANNING
AND ASSISTANCE ACCOUNT GRANTS.—The Emer-
gency Management Performance Grant program and
the Urban Search and Rescue Grants program au-
thorized by title VI of the Robert T. Stafford Dis-
aster Relief and Emergency Assistance Act (42

"SEC. 1803. COVERED GRANT ELIGIBILITY AND CRITERIA.

“(a) Grant Eligibility.—Any State, region, or directly eligible tribe shall be eligible to apply for a covered grant.

“(b) Grant Criteria.—The Secretary shall award covered grants to assist States and local governments in achieving, maintaining, and enhancing the essential capabilities for terrorism preparedness established by the Secretary.

“(c) State Homeland Security Plans.—

“(1) Submission of plans.—The Secretary shall require that any State applying to the Secretary for a covered grant must submit to the Secretary a 3-year State homeland security plan that—

“(A) describes the essential capabilities that communities within the State should possess, or to which they should have access, based upon the terrorism risk factors relevant to such
communities, in order to meet the Department’s
goals for terrorism preparedness;

“(B) demonstrates the extent to which the
State has achieved the essential capabilities
that apply to the State;

“(C) demonstrates the needs of the State
necessary to achieve, maintain, or enhance the
essential capabilities that apply to the State;

“(D) includes a prioritization of such needs
based on threat, vulnerability, and consequence
assessment factors applicable to the State;

“(E) describes how the State intends—

“(i) to address such needs at the city,
county, regional, tribal, State, and inter-
state level, including a precise description
of any regional structure the State has es-
tablished for the purpose of organizing
homeland security preparedness activities
funded by covered grants;

“(ii) to use all Federal, State, and
local resources available for the purpose of
addressing such needs; and

“(iii) to give particular emphasis to
regional planning and cooperation, includ-
ing the activities of multijurisdictional
planning agencies governed by local officials, both within its jurisdictional borders and with neighboring States;

“(F) with respect to the emergency preparedness of first responders, addresses the unique aspects of terrorism as part of a comprehensive State emergency management plan; and

“(G) provides for coordination of response and recovery efforts at the local level, including procedures for effective incident command in conformance with the National Incident Management System.

“(2) CONSULTATION.—The State plan submitted under paragraph (1) shall be developed in consultation with and subject to appropriate comment by local governments and first responders within the State.

“(3) APPROVAL BY SECRETARY.—The Secretary may not award any covered grant to a State unless the Secretary has approved the applicable State homeland security plan.

“(4) REVISIONS.—A State may revise the applicable State homeland security plan approved by the
Secretary under this subsection, subject to approval of the revision by the Secretary.

“(d) CONSISTENCY WITH STATE PLANS.—The Secretary shall ensure that each covered grant is used to supplement and support, in a consistent and coordinated manner, the applicable State homeland security plan or plans.

“(e) APPLICATION FOR GRANT.—

“(1) IN GENERAL.—Except as otherwise provided in this subsection, any State, region, or directly eligible tribe may apply for a covered grant by submitting to the Secretary an application at such time, in such manner, and containing such information as is required under this subsection, or as the Secretary may reasonably require.

“(2) DEADLINES FOR APPLICATIONS AND AWARDS.—All applications for covered grants must be submitted at such time as the Secretary may reasonably require for the fiscal year for which they are submitted. The Secretary shall award covered grants pursuant to all approved applications for such fiscal year as soon as practicable, but not later than March 1 of such year.

“(3) AVAILABILITY OF FUNDS.—All funds awarded by the Secretary under covered grants in a
fiscal year shall be available for obligation through
the end of the subsequent fiscal year.

“(4) **MINIMUM CONTENTS OF APPLICATION.—**
The Secretary shall require that each applicant in-
clude in its application, at a minimum—

“(A) the purpose for which the applicant
seeks covered grant funds and the reasons why
the applicant needs the covered grant to meet
the essential capabilities for terrorism prepared-
ness within the State, region, or directly eligible
tribe to which the application pertains;

“(B) a description of how, by reference to
the applicable State homeland security plan or
plans under subsection (c), the allocation of
grant funding proposed in the application, in-
cluding, where applicable, the amount not
passed through under section 1806(g)(1), would
assist in fulfilling the essential capabilities for
terrorism preparedness specified in such plan or
plans;

“(C) a statement of whether a mutual aid
agreement applies to the use of all or any por-
tion of the covered grant funds;

“(D) if the applicant is a State, a descrip-
tion of how the State plans to allocate the cov-
erred grant funds to regions, local governments, and Indian tribes;

“(E) if the applicant is a region—

“(i) a precise geographical description of the region and a specification of all participating and nonparticipating local governments within the geographical area comprising that region;

“(ii) a specification of what governmental entity within the region will administer the expenditure of funds under the covered grant; and

“(iii) a designation of a specific individual to serve as regional liaison;

“(F) a capital budget showing how the applicant intends to allocate and expend the covered grant funds;

“(G) if the applicant is a directly eligible tribe, a designation of a specific individual to serve as the tribal liaison; and

“(H) a statement of how the applicant intends to meet the matching requirement, if any, that applies under section 1806(g)(2).

“(5) REGIONAL APPLICATIONS.—
“(A) Relationship to state applications.—A regional application—

“(i) shall be coordinated with an application submitted by the State or States of which such region is a part;

“(ii) shall supplement and avoid duplication with such State application; and

“(iii) shall address the unique regional aspects of such region’s terrorism preparedness needs beyond those provided for in the application of such State or States.

“(B) State review and submission.—

To ensure the consistency required under subsection (d) and the coordination required under subparagraph (A) of this paragraph, an applicant that is a region must submit its application to each State of which any part is included in the region for review and concurrence prior to the submission of such application to the Secretary. The regional application shall be transmitted to the Secretary through each such State within 30 days of its receipt, unless the Governor of such a State notifies the Secretary, in writing, that such regional application is inconsistent with the State’s homeland security
plan and provides an explanation of the reasons therefor.

“(C) DISTRIBUTION OF REGIONAL AWARDS.—If the Secretary approves a regional application, then the Secretary shall distribute a regional award to the State or States submitting the applicable regional application under subparagraph (B), and each such State shall, not later than the end of the 45-day period beginning on the date after receiving a regional award, pass through to the region all covered grant funds or resources purchased with such funds, except those funds necessary for the State to carry out its responsibilities with respect to such regional application: Provided, That in no such case shall the State or States pass through to the region less than 80 percent of the regional award.

“(D) CERTIFICATIONS REGARDING DISTRIBUTION OF GRANT FUNDS TO REGIONS.—Any State that receives a regional award under subparagraph (C) shall certify to the Secretary, by not later than 30 days after the expiration of the period described in subparagraph (C) with respect to the grant, that the State has
made available to the region the required funds and resources in accordance with subparagraph (C).

"(E) Direct payments to regions.—If any State fails to pass through a regional award to a region as required by subparagraph (C) within 45 days after receiving such award and does not request or receive an extension of such period under section 1806(h)(2), the region may petition the Secretary to receive directly the portion of the regional award that is required to be passed through to such region under subparagraph (C).

"(F) Regional liaisons.—A regional liaison designated under paragraph (4)(E)(iii) shall—

"(i) coordinate with Federal, State, local, regional, and private officials within the region concerning terrorism preparedness;

"(ii) develop a process for receiving input from Federal, State, local, regional, and private sector officials within the region to assist in the development of the re-
regional application and to improve the region’s access to covered grants; and

“(iii) administer, in consultation with State, local, regional, and private officials within the region, covered grants awarded to the region.

“(6) TRIBAL APPLICATIONS.—

“(A) Submission to the state or states.—To ensure the consistency required under subsection (d), an applicant that is a directly eligible tribe must submit its application to each State within the boundaries of which any part of such tribe is located for direct submission to the Department along with the application of such State or States.

“(B) Opportunity for state comment.—Before awarding any covered grant to a directly eligible tribe, the Secretary shall provide an opportunity to each State within the boundaries of which any part of such tribe is located to comment to the Secretary on the consistency of the tribe’s application with the State’s homeland security plan. Any such comments shall be submitted to the Secretary con-
currently with the submission of the State and tribal applications.

“(C) Final Authority.—The Secretary shall have final authority to determine the consistency of any application of a directly eligible tribe with the applicable State homeland security plan or plans, and to approve any application of such tribe. The Secretary shall notify each State within the boundaries of which any part of such tribe is located of the approval of an application by such tribe.

“(D) Tribal Liaison.—A tribal liaison designated under paragraph (4)(G) shall—

“(i) coordinate with Federal, State, local, regional, and private officials concerning terrorism preparedness;

“(ii) develop a process for receiving input from Federal, State, local, regional, and private sector officials to assist in the development of the application of such tribe and to improve the tribe’s access to covered grants; and

“(iii) administer, in consultation with State, local, regional, and private officials, covered grants awarded to such tribe.
“(E) Limitation on the Number of Direct Grants.—The Secretary may make covered grants directly to not more than 20 directly eligible tribes per fiscal year.

“(F) Tribes Not Receiving Direct Grants.—An Indian tribe that does not receive a grant directly under this section is eligible to receive funds under a covered grant from the State or States within the boundaries of which any part of such tribe is located, consistent with the homeland security plan of the State as described in subsection (c). If a State fails to comply with section 1806(g)(1), the tribe may request payment under section 1806(h)(3) in the same manner as a local government.

“(7) Equipment Standards.—If an applicant for a covered grant proposes to upgrade or purchase, with assistance provided under the grant, new equipment or systems that do not meet or exceed any applicable national voluntary consensus standards established by the Secretary, the applicant shall include in the application an explanation of why such equipment or systems will serve the needs of the applicant better than equipment or systems that meet or exceed such standards.
“SEC. 1804. RISK-BASED EVALUATION AND PRIORITIZATION.

“(a) FIRST RESPONDER GRANTS BOARD.—

“(1) ESTABLISHMENT OF BOARD.—The Secretary shall establish a First Responder Grants Board, consisting of—

“(A) the Secretary;

“(B) the Under Secretary for Emergency Preparedness and Response;

“(C) the Under Secretary for Border and Transportation Security;

“(D) the Under Secretary for Information Analysis and Infrastructure Protection;

“(E) the Under Secretary for Science and Technology;

“(F) the Director of the Office for Domestic Preparedness;

“(G) the Administrator of the United States Fire Administration; and

“(H) the Administrator of the Animal and Plant Health Inspection Service.

“(2) CHAIRMAN.—

“(A) IN GENERAL.—The Secretary shall be the Chairman of the Board.

“(B) EXERCISE OF AUTHORITIES BY DEPUTY SECRETARY.—The Deputy Secretary of
Homeland Security may exercise the authorities of the Chairman, if the Secretary so directs.

“(b) FUNCTIONS OF UNDER SECRETARIES.—The Under Secretaries referred to in subsection (a)(1) shall seek to ensure that the relevant expertise and input of the staff of their directorates are available to and considered by the Board.

“(c) PRIORITIZATION OF GRANT APPLICATIONS.—

“(1) FACTORS TO BE CONSIDERED.—The Board shall evaluate and annually prioritize all pending applications for covered grants based upon the degree to which they would, by achieving, maintaining, or enhancing the essential capabilities of the applicants on a nationwide basis, lessen the threat to, vulnerability of, and consequences for persons (including transient commuting and tourist populations) and critical infrastructure. Such evaluation and prioritization shall be based upon the most current risk assessment available by the Directorate for Information Analysis and Infrastructure Protection of the threats of terrorism against the United States. The Board shall coordinate with State, local, regional, and tribal officials in establishing criteria for evaluating and prioritizing applications for covered grants.
“(2) CRITICAL INFRASTRUCTURE SECTORS.—
The Board specifically shall consider threats of ter-
rorism against the following critical infrastructure
sectors in all areas of the United States, urban and
rural:

“(A) Agriculture and food.
“(B) Banking and finance.
“(C) Chemical industries.
“(D) The defense industrial base.
“(E) Emergency services.
“(F) Energy.
“(G) Government facilities.
“(H) Postal and shipping.
“(I) Public health and health care.
“(J) Information technology.
“(K) Telecommunications.
“(L) Transportation systems.
“(M) Water.
“(N) Dams.
“(O) Commercial facilities.
“(P) National monuments and icons.

The order in which the critical infrastructure sectors
are listed in this paragraph shall not be construed
as an order of priority for consideration of the im-
portance of such sectors.
“(3) TYPES OF THREAT.—The Board specifically shall consider the following types of threat to the critical infrastructure sectors described in paragraph (2), and to populations in all areas of the United States, urban and rural:

“(A) Biological threats.
“(B) Nuclear threats.
“(C) Radiological threats.
“(D) Incendiary threats.
“(E) Chemical threats.
“(F) Explosives.
“(G) Suicide bombers.
“(H) Cyber threats.
“(I) Any other threats based on proximity to specific past acts of terrorism or the known activity of any terrorist group.

The order in which the types of threat are listed in this paragraph shall not be construed as an order of priority for consideration of the importance of such threats.

“(4) CONSIDERATION OF ADDITIONAL FACTORS.—The Board shall take into account any other specific threat to a population (including a transient commuting or tourist population) or critical infrastructure sector that the Board has determined to
exist. In evaluating the threat to a population or critical infrastructure sector, the Board shall give greater weight to threats of terrorism based upon their specificity and credibility, including any pattern of repetition.

“(5) MINIMUM AMOUNTS.—After evaluating and prioritizing grant applications under paragraph (1), the Board shall ensure that, for each fiscal year—

“(A) each of the States, other than the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands, that has an approved State homeland security plan receives no less than 0.25 percent of the funds available for covered grants for that fiscal year for purposes of implementing its homeland security plan in accordance with the prioritization of needs under section 1803(c)(1)(D);

“(B) each of the States, other than the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands, that has an approved State homeland security plan and that meets one or both of the additional high-risk qualifying criteria under paragraph (6) receives no less than 0.45 percent of the funds available
for covered grants for that fiscal year for purposes of implementing its homeland security plan in accordance with the prioritization of needs under section 1803(e)(1)(D);

“(C) the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands each receives no less than 0.08 percent of the funds available for covered grants for that fiscal year for purposes of implementing its approved State homeland security plan in accordance with the prioritization of needs under section 1803(e)(1)(D); and

“(D) directly eligible tribes collectively receive no less than 0.08 percent of the funds available for covered grants for such fiscal year for purposes of addressing the needs identified in the applications of such tribes, consistent with the homeland security plan of each State within the boundaries of which any part of any such tribe is located, except that this clause shall not apply with respect to funds available for a fiscal year if the Secretary receives less than 5 applications for such fiscal year from such tribes under section 1803(e)(6)(A) or does not approve at least one such application.
“(6) ADDITIONAL HIGH-RISK QUALIFYING CRITERIA.—For purposes of paragraph (5)(B), additional high-risk qualifying criteria consist of—

“(A) having a significant international land border; or

“(B) adjoining a body of water within North America through which an international boundary line extends.

“(d) EFFECT OF REGIONAL AWARDS ON STATE MINIMUM.—Any regional award, or portion thereof, provided to a State under section 1803(e)(5)(C) shall not be considered in calculating the minimum State award under subsection (c)(5) of this section.

“SEC. 1805. TASK FORCE ON TERRORISM PREPAREDNESS FOR FIRST RESPONDERS.

“(a) ESTABLISHMENT.—To assist the Secretary in updating, revising, or replacing essential capabilities for terrorism preparedness, the Secretary shall establish an advisory body pursuant to section 871(a) not later than 60 days after the date of the enactment of this section, which shall be known as the Task Force on Terrorism Preparedness for First Responders.

“(b) UPDATE, REVISE, OR REPLACE.—The Secretary shall regularly update, revise, or replace the essential ca-
pabilities for terrorism preparedness as necessary, but not less than every 3 years.

“(c) REPORT.—

“(1) IN GENERAL.—The Task Force shall submit to the Secretary, by not later than 12 months after its establishment by the Secretary under subsection (a) and not later than every 2 years thereafter, a report on its recommendations for essential capabilities for terrorism preparedness.

“(2) CONTENTS.—Each report shall—

“(A) include a priority ranking of essential capabilities in order to provide guidance to the Secretary and to the Congress on determining the appropriate allocation of, and funding levels for, first responder needs;

“(B) set forth a methodology by which any State or local government will be able to determine the extent to which it possesses or has access to the essential capabilities that States and local governments having similar risks should obtain;

“(C) describe the availability of national voluntary consensus standards, and whether there is a need for new national voluntary con-
sensus standards, with respect to first responder training and equipment;

“(D) include such additional matters as the Secretary may specify in order to further the terrorism preparedness capabilities of first responders; and

“(E) include such revisions to the contents of previous reports as are necessary to take into account changes in the most current risk assessment available by the Directorate for Information Analysis and Infrastructure Protection or other relevant information as determined by the Secretary.

“(3) CONSISTENCY WITH FEDERAL WORKING GROUP.—The Task Force shall ensure that its recommendations for essential capabilities for terrorism preparedness are, to the extent feasible, consistent with any preparedness goals or recommendations of the Federal working group established under section 319F(a) of the Public Health Service Act (42 U.S.C. 247d–6(a)).

“(4) COMPREHENSIVENESS.—The Task Force shall ensure that its recommendations regarding essential capabilities for terrorism preparedness are
made within the context of a comprehensive State
emergency management system.

“(5) PRIOR MEASURES.—The Task Force shall
ensure that its recommendations regarding essential
capabilities for terrorism preparedness take into ac-
count any capabilities that State or local officials
have determined to be essential and have undertaken
since September 11, 2001, to prevent, prepare for,
respond to, or recover from terrorist attacks.

“(d) MEMBERSHIP.—

“(1) IN GENERAL.—The Task Force shall con-
sist of 25 members appointed by the Secretary, and
shall, to the extent practicable, represent a geo-
graphic (including urban and rural) and substantive
cross section of governmental and nongovernmental
first responder disciplines from the State and local
levels, including as appropriate—

“(A) members selected from the emergency
response field, including fire service and law en-
fforcement, hazardous materials response, emer-
gency medical services, and emergency manage-
ment personnel (including public works per-
sonnel routinely engaged in emergency re-
response);
“(B) health scientists, emergency and in-
patient medical providers, and public health
professionals, including experts in emergency
health care response to chemical, biological, ra-
diological, and nuclear terrorism, and experts in
providing mental health care during emergency
response operations;

“(C) experts from Federal, State, and local
governments, and the private sector, rep-
resenting standards-setting organizations, in-
cluding representation from the voluntary con-
sensus codes and standards development com-
unity, particularly those with expertise in first
responder disciplines; and

“(D) State and local officials with exper-
tise in terrorism preparedness, subject to the
condition that if any such official is an elected
official representing one of the two major polit-
ical parties, an equal number of elected officials
shall be selected from each such party.

“(2) COORDINATION WITH THE DEPARTMENT
OF HEALTH AND HEALTH SERVICES.—In the selec-
tion of members of the Task Force who are health
professionals, including emergency medical profes-
sionals, the Secretary shall coordinate such selection
with the Secretary of Health and Human Services.

“(3) Ex officio members.—The Secretary
and the Secretary of Health and Human Services
shall each designate one or more officers of their re-
spective Departments to serve as ex officio members
of the Task Force. One of the ex officio members
from the Department of Homeland Security shall be
the designated officer of the Federal Government for
purposes of subsection (e) of section 10 of the Fed-

“(e) Applicability of Federal Advisory Com-
mittee Act.—Notwithstanding section 871(a), the Fed-
eral Advisory Committee Act (5 App. U.S.C.), including
subsections (a), (b), and (d) of section 10 of such Act,
and section 552b(e) of title 5, United States Code, shall
apply to the Task Force.

“SEC. 1806. USE OF FUNDS AND ACCOUNTABILITY RE-
QUIREMENTS.

“(a) In general.—A covered grant may be used
for—

“(1) purchasing or upgrading equipment, in-
cluding computer software, to enhance terrorism
preparedness;
“(2) exercises to strengthen terrorism preparedness;

“(3) training for prevention (including detection) of, preparedness for, response to, or recovery from attacks involving weapons of mass destruction, including training in the use of equipment and computer software;

“(4) developing or updating State homeland security plans, risk assessments, mutual aid agreements, and emergency management plans to enhance terrorism preparedness;

“(5) establishing or enhancing mechanisms for sharing terrorism threat information;

“(6) systems architecture and engineering, program planning and management, strategy formulation and strategic planning, life-cycle systems design, product and technology evaluation, and prototype development for terrorism preparedness purposes;

“(7) additional personnel costs resulting from—

“(A) elevations in the threat alert level of the Homeland Security Advisory System by the Secretary, or a similar elevation in threat alert level issued by a State, region, or local government with the approval of the Secretary;
“(B) travel to and participation in exercises and training in the use of equipment and on prevention activities; and

“(C) the temporary replacement of personnel during any period of travel to and participation in exercises and training in the use of equipment and on prevention activities;

“(8) the costs of equipment (including software) required to receive, transmit, handle, and store classified information;

“(9) protecting critical infrastructure against potential attack by the addition of barriers, fences, gates, and other such devices, except that the cost of such measures may not exceed the greater of—

“(A) $1,000,000 per project; or

“(B) such greater amount as may be approved by the Secretary, which may not exceed 10 percent of the total amount of the covered grant;

“(10) the costs of commercially available interoperable communications equipment (which, where applicable, is based on national, voluntary consensus standards) that the Secretary, in consultation with the Chairman of the Federal Communications Commission, deems best suited to facilitate interoper-
ability, coordination, and integration between and among emergency communications systems, and that complies with prevailing grant guidance of the Department for interoperable communications;

“(11) educational curricula development for first responders to ensure that they are prepared for terrorist attacks;

“(12) training and exercises to assist public elementary and secondary schools in developing and implementing programs to instruct students regarding age-appropriate skills to prevent, prepare for, respond to, mitigate against, or recover from an act of terrorism;

“(13) paying of administrative expenses directly related to administration of the grant, except that such expenses may not exceed 3 percent of the amount of the grant;

“(14) paying for the conduct of any activity permitted under the Law Enforcement Terrorism Prevention Program, or any such successor to such program; and

“(15) other appropriate activities as determined by the Secretary.

“(b) PROHIBITED USES.—Funds provided as a covered grant may not be used—
“(1) to supplant State or local funds;
“(2) to construct buildings or other physical facilities;
“(3) to acquire land; or
“(4) for any State or local government cost sharing contribution.

“(e) MULTIPLE-PURPOSE FUNDS.—Nothing in this section shall be construed to preclude State and local governments from using covered grant funds in a manner that also enhances first responder preparedness for emergencies and disasters unrelated to acts of terrorism, if such use assists such governments in achieving essential capabilities for terrorism preparedness established by the Secretary.

“(d) REIMBURSEMENT OF COSTS.—(1) In addition to the activities described in subsection (a), a covered grant may be used to provide a reasonable stipend to paid-on-call or volunteer first responders who are not otherwise compensated for travel to or participation in training covered by this section. Any such reimbursement shall not be considered compensation for purposes of rendering such a first responder an employee under the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).

“(2) An applicant for a covered grant may petition the Secretary for the reimbursement of the cost of any
activity relating to prevention (including detection) of, preparedness for, response to, or recovery from acts of terrorism that is a Federal duty and usually performed by a Federal agency, and that is being performed by a State or local government (or both) under agreement with a Federal agency.

“(e) Assistance Requirement.—The Secretary may not require that equipment paid for, wholly or in part, with funds provided as a covered grant be made available for responding to emergencies in surrounding States, regions, and localities, unless the Secretary undertakes to pay the costs directly attributable to transporting and operating such equipment during such response.

“(f) Flexibility in Unspent Homeland Security Grant Funds.—Upon request by the recipient of a covered grant, the Secretary may authorize the grantee to transfer all or part of funds provided as the covered grant from uses specified in the grant agreement to other uses authorized under this section, if the Secretary determines that such transfer is in the interests of homeland security.

“(g) State, Regional, and Tribal Responsibilities.—

“(1) Pass-through.—The Secretary shall require a recipient of a covered grant that is a State
to obligate or otherwise make available to local governments, first responders, and other local groups, to the extent required under the State homeland security plan or plans specified in the application for the grant, not less than 80 percent of the grant funds, resources purchased with the grant funds having a value equal to at least 80 percent of the amount of the grant, or a combination thereof, by not later than the end of the 45-day period beginning on the date the grant recipient receives the grant funds.

“(2) COST SHARING.—

“(A) IN GENERAL.—The Federal share of the costs of an activity carried out with a covered grant to a State, region, or directly eligible tribe awarded after the 2-year period beginning on the date of the enactment of this section shall not exceed 75 percent.

“(B) INTERIM RULE.—The Federal share of the costs of an activity carried out with a covered grant awarded before the end of the 2-year period beginning on the date of the enactment of this section shall be 100 percent.

“(C) IN-KIND MATCHING.—Each recipient of a covered grant may meet the matching re-
requirement under subparagraph (A) by making in-kind contributions of goods or services that are directly linked with the purpose for which the grant is made, including, but not limited to, any necessary personnel overtime, contractor services, administrative costs, equipment fuel and maintenance, and rental space.

“(3) CERTIFICATIONS REGARDING DISTRIBUTION OF GRANT FUNDS TO LOCAL GOVERNMENTS.—Any State that receives a covered grant shall certify to the Secretary, by not later than 30 days after the expiration of the period described in paragraph (1) with respect to the grant, that the State has made available for expenditure by local governments, first responders, and other local groups the required amount of grant funds pursuant to paragraph (1).

“(4) QUARTERLY REPORT ON HOMELAND SECURITY SPENDING.—The Federal share described in paragraph (2)(A) may be increased by up to 2 percent for any State, region, or directly eligible tribe that, not later than 30 days after the end of each fiscal quarter, submits to the Secretary a report on that fiscal quarter. Each such report must include, for each recipient of a covered grant or a pass-through under paragraph (1)—
“(A) the amount obligated to that recipient in that quarter;

“(B) the amount expended by that recipient in that quarter; and

“(C) a summary description of the items purchased by such recipient with such amount.

“(5) ANNUAL REPORT ON HOMELAND SECURITY SPENDING.—Each recipient of a covered grant shall submit an annual report to the Secretary not later than 60 days after the end of each Federal fiscal year. Each recipient of a covered grant that is a region must simultaneously submit its report to each State of which any part is included in the region. Each recipient of a covered grant that is a directly eligible tribe must simultaneously submit its report to each State within the boundaries of which any part of such tribe is located. Each report must include the following:

“(A) The amount, ultimate recipients, and dates of receipt of all funds received under the grant during the previous fiscal year.

“(B) The amount and the dates of disbursements of all such funds expended in compliance with paragraph (1) or pursuant to mutual aid agreements or other sharing arrange-
ments that apply within the State, region, or directly eligible tribe, as applicable, during the previous fiscal year.

“(C) How the funds were utilized by each ultimate recipient or beneficiary during the preceding fiscal year.

“(D) The extent to which essential capabilities identified in the applicable State homeland security plan or plans were achieved, maintained, or enhanced as the result of the expenditure of grant funds during the preceding fiscal year.

“(E) The extent to which essential capabilities identified in the applicable State homeland security plan or plans remain unmet.

“(6) INCLUSION OF RESTRICTED ANNEXES.—A recipient of a covered grant may submit to the Secretary an annex to the annual report under paragraph (5) that is subject to appropriate handling restrictions, if the recipient believes that discussion in the report of unmet needs would reveal sensitive but unclassified information.

“(7) PROVISION OF REPORTS.—The Secretary shall ensure that each annual report under paragraph (5) is provided to the Under Secretary for

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Emergency Preparedness and Response and the Director of the Office for Domestic Preparedness.

“(h) **INCENTIVES TO EFFICIENT ADMINISTRATION OF HOMELAND SECURITY GRANTS.**—

“(1) **PENALTIES FOR DELAY IN PASSING THROUGH LOCAL SHARE.**—If a recipient of a covered grant that is a State fails to pass through to local governments, first responders, and other local groups funds or resources required by subsection (g)(1) within 45 days after receiving funds under the grant, the Secretary may—

“(A) reduce grant payments to the grant recipient from the portion of grant funds that is not required to be passed through under subsection (g)(1);

“(B) terminate payment of funds under the grant to the recipient, and transfer the appropriate portion of those funds directly to local first responders that were intended to receive funding under that grant; or

“(C) impose additional restrictions or burdens on the recipient’s use of funds under the grant, which may include—
“(i) prohibiting use of such funds to pay the grant recipient’s grant-related overtime or other expenses;

“(ii) requiring the grant recipient to distribute to local government beneficiaries all or a portion of grant funds that are not required to be passed through under subsection (g)(1); or

“(iii) for each day that the grant recipient fails to pass through funds or resources in accordance with subsection (g)(1), reducing grant payments to the grant recipient from the portion of grant funds that is not required to be passed through under subsection (g)(1), except that the total amount of such reduction may not exceed 20 percent of the total amount of the grant.

“(2) EXTENSION OF PERIOD.—The Governor of a State may request in writing that the Secretary extend the 45-day period under section 1803(e)(5)(E) or paragraph (1) for an additional 15-day period. The Secretary may approve such a request, and may extend such period for additional 15-day periods, if the Secretary determines that the
resulting delay in providing grant funding to the
local government entities that will receive funding
under the grant will not have a significant detri-
mental impact on such entities’ terrorism prepared-
ness efforts.

“(3) Provision of non-local share to
local government.—

“(A) In general.—The Secretary may
upon request by a local government pay to the
local government a portion of the amount of a
covered grant awarded to a State in which the
local government is located, if—

“(i) the local government will use the
amount paid to expedite planned enhance-
ments to its terrorism preparedness as de-
scribed in any applicable State homeland
security plan or plans;

“(ii) the State has failed to pass
through funds or resources in accordance
with subsection (g)(1); and

“(iii) the local government complies
with subparagraphs (B) and (C).

“(B) Showing required.—To receive a
payment under this paragraph, a local govern-
ment must demonstrate that—
“(i) it is identified explicitly as an ultimate recipient or intended beneficiary in the approved grant application;

“(ii) it was intended by the grantee to receive a severable portion of the overall grant for a specific purpose that is identified in the grant application;

“(iii) it petitioned the grantee for the funds or resources after expiration of the period within which the funds or resources were required to be passed through under subsection (g)(1); and

“(iv) it did not receive the portion of the overall grant that was earmarked or designated for its use or benefit.

“(C) EFFECT OF PAYMENT.—Payment of grant funds to a local government under this paragraph—

“(i) shall not affect any payment to another local government under this paragraph; and

“(ii) shall not prejudice consideration of a request for payment under this paragraph that is submitted by another local government.
“(D) Deadline for action by secretary.—The Secretary shall approve or disapprove each request for payment under this paragraph by not later than 15 days after the date the request is received by the Department.

“(i) Reports to Congress.—The Secretary shall submit an annual report to the Congress by January 31 of each year covering the preceding fiscal year—

“(1) describing in detail the amount of Federal funds provided as covered grants that were directed to each State, region, and directly eligible tribe in the preceding fiscal year;

“(2) containing information on the use of such grant funds by grantees; and

“(3) describing—

“(A) the Nation’s progress in achieving, maintaining, and enhancing the essential capabilities established by the Secretary as a result of the expenditure of covered grant funds during the preceding fiscal year; and

“(B) an estimate of the amount of expenditures required to attain across the United States the essential capabilities established by the Secretary.
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“SEC. 1807. NATIONAL STANDARDS FOR FIRST RESPONDER

EQUIPMENT AND TRAINING.

“(a) Equipment Standards.—

“(1) In general.—The Secretary, in consultation with the Under Secretaries for Emergency Preparedness and Response and Science and Technology and the Director of the Office for Domestic Preparedness, shall, not later than 6 months after the date of enactment of this section, support the development of, promulgate, and update as necessary national voluntary consensus standards for the performance, use, and validation of first responder equipment for purposes of section 1805(e)(7). Such standards—

“(A) shall be, to the maximum extent practicable, consistent with any existing voluntary consensus standards;

“(B) shall take into account, as appropriate, new types of terrorism threats that may not have been contemplated when such existing standards were developed;

“(C) shall be focused on maximizing interoperability, interchangeability, durability, flexibility, efficiency, efficacy, portability, sustainability, and safety; and
“(D) shall cover all appropriate uses of the equipment.

“(2) REQUIRED CATEGORIES.—In carrying out paragraph (1), the Secretary shall specifically consider the following categories of first responder equipment:

“(A) Thermal imaging equipment.

“(B) Radiation detection and analysis equipment.

“(C) Biological detection and analysis equipment.

“(D) Chemical detection and analysis equipment.

“(E) Decontamination and sterilization equipment.

“(F) Personal protective equipment, including garments, boots, gloves, and hoods and other protective clothing.

“(G) Respiratory protection equipment.

“(H) Interoperable communications, including wireless and wireline voice, video, and data networks.

“(I) Explosive mitigation devices and explosive detection and analysis equipment.

“(J) Containment vessels.
“(K) Contaminant-resistant vehicles.

“(L) Such other equipment for which the Secretary determines that national voluntary consensus standards would be appropriate.

“(b) TRAINING STANDARDS.—

“(1) IN GENERAL.—The Secretary, in consultation with the Under Secretaries for Emergency Preparedness and Response and Science and Technology and the Director of the Office for Domestic Preparedness, shall support the development of, promulgate, and regularly update as necessary national voluntary consensus standards for first responder training carried out with amounts provided under covered grant programs, that will enable State and local government first responders to achieve optimal levels of terrorism preparedness as quickly as practicable. Such standards shall give priority to providing training to—

“(A) enable first responders to prevent, prepare for, respond to, mitigate against, and recover from terrorist threats, including threats from chemical, biological, nuclear, and radiological weapons and explosive devices capable of inflicting significant human casualties; and
“(B) familiarize first responders with the proper use of equipment, including software, developed pursuant to the standards established under subsection (a).

“(2) REQUIRED CATEGORIES.—In carrying out paragraph (1), the Secretary specifically shall include the following categories of first responder activities:

“(A) Regional planning.

“(B) Joint exercises.

“(C) Intelligence collection, analysis, and sharing.

“(D) Emergency notification of affected populations.

“(E) Detection of biological, nuclear, radiological, and chemical weapons of mass destruction.

“(F) Such other activities for which the Secretary determines that national voluntary consensus training standards would be appropriate.

“(3) CONSISTENCY.—In carrying out this subsection, the Secretary shall ensure that such training standards are consistent with the principles of emergency preparedness for all hazards.
“(c) Consultation With Standards Organizations.—In establishing national voluntary consensus standards for first responder equipment and training under this section, the Secretary shall consult with relevant public and private sector groups, including—

“(1) the National Institute of Standards and Technology;

“(2) the National Fire Protection Association;

“(3) the National Association of County and City Health Officials;

“(4) the Association of State and Territorial Health Officials;

“(5) the American National Standards Institute;

“(6) the National Institute of Justice;

“(7) the Inter-Agency Board for Equipment Standardization and Interoperability;

“(8) the National Public Health Performance Standards Program;

“(9) the National Institute for Occupational Safety and Health;

“(10) ASTM International;

“(11) the International Safety Equipment Association;
“(12) the Emergency Management Accreditation Program; and

“(13) to the extent the Secretary considers appropriate, other national voluntary consensus standards development organizations, other interested Federal, State, and local agencies, and other interested persons.

“(d) COORDINATION WITH SECRETARY OF HHS.—In establishing any national voluntary consensus standards under this section for first responder equipment or training that involve or relate to health professionals, including emergency medical professionals, the Secretary shall coordinate activities under this section with the Secretary of Health and Human Services.”.

(b) DEFINITION OF EMERGENCY RESPONSE PROVIDERS.—Paragraph (6) of section 2 of the Homeland Security Act of 2002 (Public Law 107–296; 6 U.S.C. 101(6)) is amended by striking “includes” and all that follows and inserting “includes Federal, State, and local governmental and nongovernmental emergency public safety, law enforcement, fire, emergency response, emergency medical (including hospital emergency facilities), and related personnel, organizations, agencies, and authorities.”.
SEC. 4. SUPERSEDED PROVISION.

This Act supersedes section 1014(c)(3) of Public Law 107–56.

SEC. 5. OVERSIGHT.

The Secretary of Homeland Security shall establish within the Office for Domestic Preparedness an Office of the Comptroller to oversee the grants distribution process and the financial management of the Office for Domestic Preparedness.

SEC. 6. GAO REPORT ON AN INVENTORY AND STATUS OF HOMELAND SECURITY FIRST RESPONDER TRAINING.

(a) IN GENERAL.—The Comptroller General of the United States shall report to the Congress in accordance with this section—

(1) on the overall inventory and status of first responder training programs of the Department of Homeland Security and other departments and agencies of the Federal Government; and

(2) the extent to which such programs are coordinated.

(b) CONTENTS OF REPORTS.—The reports under this section shall include—

(1) an assessment of the effectiveness of the structure and organization of such training programs;
(2) recommendations to—

(A) improve the coordination, structure, and organization of such training programs; and

(B) increase the availability of training to first responders who are not able to attend centralized training programs;

(3) the structure and organizational effectiveness of such programs for first responders in rural communities;

(4) identification of any duplication or redundancy among such programs;

(5) a description of the use of State and local training institutions, universities, centers, and the National Domestic Preparedness Consortium in designing and providing training;

(6) a cost-benefit analysis of the costs and time required for first responders to participate in training courses at Federal institutions;

(7) an assessment of the approval process for certifying non-Department of Homeland Security training courses that are useful for anti-terrorism purposes as eligible for grants awarded by the Department;
(8) a description of the use of Department of Homeland Security grant funds by States and local governments to acquire training;

(9) an analysis of the feasibility of Federal, State, and local personnel to receive the training that is necessary to adopt the National Response Plan and the National Incident Management System; and

(10) the role of each first responder training institution within the Department of Homeland Security in the design and implementation of terrorism preparedness and related training courses for first responders.

(c) DEADLINES.—The Comptroller General shall—

(1) submit a report under subsection (a)(1) by not later than 60 days after the date of the enactment of this Act; and

(2) submit a report on the remainder of the topics required by this section by not later than 120 days after the date of the enactment of this Act.

SEC. 7. REMOVAL OF CIVIL LIABILITY BARRIERS THAT DISCOURAGE THE DONATION OF FIRE EQUIPMENT TO VOLUNTEER FIRE COMPANIES.

(a) LIABILITY PROTECTION.—A person who donates fire control or fire rescue equipment to a volunteer fire
company shall not be liable for civil damages under any
State or Federal law for personal injuries, property dam-
age or loss, or death caused by the equipment after the
donation.

(b) EXCEPTIONS.—Subsection (a) does not apply to
a person if—

(1) the person’s act or omission causing the in-
jury, damage, loss, or death constitutes gross neg-
ligence or intentional misconduct; or

(2) the person is the manufacturer of the fire
control or fire rescue equipment.

(c) PREEMPTION.—This Act preempts the laws of
any State to the extent that such laws are inconsistent
with this Act, except that notwithstanding subsection (b)
this Act shall not preempt any State law that provides
additional protection from liability for a person who do-
nates fire control or fire rescue equipment to a volunteer
fire company.

(d) DEFINITIONS.—In this section:

(1) PERSON.—The term “person” includes any
governmental or other entity.

(2) FIRE CONTROL OR RESCUE EQUIPMENT.—
The term “fire control or fire rescue equipment” in-
cludes any fire vehicle, fire fighting tool, communica-
tions equipment, protective gear, fire hose, or
breathing apparatus.

(3) STATE.—The term “State” includes the
several States, the District of Columbia, the Com-
monwealth of Puerto Rico, the Commonwealth of the
Northern Mariana Islands, American Samoa, Guam,
the Virgin Islands, any other territory or possession
of the United States, and any political subdivision of
any such State, territory, or possession.

(4) VOLUNTEER FIRE COMPANY.—The term
“volunteer fire company” means an association of
individuals who provide fire protection and other
emergency services, where at least 30 percent of the
individuals receive little or no compensation com-
pared with an entry level full-time paid individual in
that association or in the nearest such association
with an entry level full-time paid individual.

(e) EFFECTIVE DATE.—This Act applies only to li-
ability for injury, damage, loss, or death caused by equip-
ment that, for purposes of subsection (a), is donated on
or after the date that is 30 days after the date of the enactment of this Act.

Passed the House of Representatives May 12, 2005.

Attest:

Clerk.
AN ACT

To provide faster and smarter funding for first responders, and for other purposes.

H.R. 1544
First Session
109th Congress