

FIRST RESPONDER IDENTIFICATION OF EMERGENCY
 NEEDS IN DISASTER SITUATIONS

DECEMBER 7, 2015.—Committed to the Committee of the Whole House on the State
 of the Union and ordered to be printed

Mr. McCAUL, from the Committee on Homeland Security,
 submitted the following

R E P O R T

[To accompany H.R. 2795]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security, to whom was referred the bill (H.R. 2795) to require the Secretary of Homeland Security to submit a study on the circumstances which may impact the effectiveness and availability of first responders before, during, or after a terrorist threat or event, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “First Responder Identification of Emergency Needs in Disaster Situations” or the “FRIENDS Act”.

SEC. 2. CIRCUMSTANCES WHICH MAY IMPACT FIRST RESPONDERS DURING A TERRORIST EVENT.

(a) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that describes select State and local programs and policies, as appropriate, related to the preparedness and protection of first responders. The report may include information on—

- (1) the degree to which such programs and policies include consideration of the presence of a first responder’s family in an area impacted by a terrorist attack;
- (2) the availability of personal protective equipment for first responders;
- (3) the availability of home Medkits for first responders and their families for biological incident response; and
- (4) other related factors.

(b) **CONTEXT.**—In preparing the report required under subsection (a), the Comptroller General of the United States may, as appropriate, provide information—

- (1) in a format that delineates high risk urban areas from rural communities; and
- (2) on the degree to which the selected State and local programs and policies included in the report were developed or are being executed with funding from the Department of Homeland Security, including grant funding from the State Homeland Security Grant Program or the Urban Area Security Initiative under sections 2002 and 2003, respectively, of the Homeland Security Act of 2002 (6 U.S.C. 603 and 604).

(c) **HOMELAND SECURITY CONSIDERATION.**—After issuance of the report required under subsection (a), the Secretary of Homeland Security shall consider the report’s findings and assess its applicability for Federal first responders.

PURPOSE AND SUMMARY

H.R. 2795, the “First Responder Identification of Emergency Needs in Disaster Situations” (FRIENDS Act) requires the Government Accountability Office (GAO) to issue a report on select state and local programs and policies that prepare and protect first responders and their families impacted by a terrorist attack.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 2795 was introduced as the country neared the tenth anniversary of Hurricane Katrina. Catastrophic emergencies like Hurricane Katrina and the 2014 Ebola scare in Texas impact entire communities that state and local first responders are responsible for protecting. These first responders are also responsible for protecting their own families impacted by emergencies. This bill analyzes how much is being done to support the needs of first responders—particularly with respect to concerns about their families—so that they can continue to do their job successfully. The FRIENDS Act provides Congress with relevant information about policies and programs at both the state and local levels that support the protection and preparedness of first responders and their families during emergencies. The National Association of State EMS Officials stated in a letter to Chairman McCaul, Ranking Member Thompson, Chairman McSally, and Ranking Member Payne on September 28, 2015, that “[t]his bill would provide an important report on the state of family support planning for the families of first responders.”

HEARINGS

The Committee did not hold any hearings on H.R. 2795.

COMMITTEE CONSIDERATION

The Committee met on November 4, 2015, to consider H.R. 2795, and ordered the measure to be reported to the House with a favorable recommendation, amended, by voice vote. The Committee took the following actions:

The following amendments were offered:

An Amendment in the Nature of a Substitute offered by MS. JACKSON LEE (#1); was AGREED TO, as amended, by voice vote.

An en bloc amendment to the Amendment in the Nature of a Substitute offered by MR. HIGGINS (#1A); was AGREED TO by voice vote.

Consisting of the following amendments:

Page 1, line 12, insert “and local” after “State”.

Page 1, line 13, insert “, as appropriate,” after “policies”.

Page 2, line 11, insert “and local” after “State”.

Page 2, line 4, strike “and”

Page 2, beginning line 5, insert the following (and redesignate subsequent paragraphs accordingly):

(3) the availability of home Medkits for first responders and their families for biological incident response.

COMMITTEE VOTES

Clause 3(b) of Rule XIII of the Rules of the House of Representatives requires the Committee to list the recorded votes on the motion to report legislation and amendments thereto.

No recorded votes were requested during consideration of H.R. 2795.

COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of Rule XIII of the Rules of the House of Representatives, the Committee has held oversight hearings and made findings that are reflected in this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of Rule XIII of the Rules of the House of Representatives, the Committee finds that H.R. 2795, the First Responder Identification of Emergency Needs in Disaster Situations, would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

The Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, December 1, 2015.

Hon. MICHAEL MCCAUL,
*Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2795, the FRIENDS Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

KEITH HALL.

Enclosure.

H.R. 2795—FRIENDS Act

H.R. 2795 would direct the Government Accountability Office (GAO) to prepare a report to the Congress on selected state programs related to the preparedness and protection of first responders. The report would include information related to the availability of protective and medical equipment, as well as information on the location of first responders. Based on information from GAO and the cost of similar studies, CBO estimates the report would cost about \$1 million over the 2016–2017 period; such spending would be subject to the availability of appropriated funds.

Because enacting the bill would not affect direct spending or revenues, pay-as-you go procedures do not apply. CBO estimates that enacting H.R. 2795 would not increase direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2026.

H.R. 2795 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of Rule XIII of the Rules of the House of Representatives, H.R. 2795 contains the following general performance goals and objectives, including outcome related goals and objectives authorized.

The Committee intends for H.R. 2795 to assess current policies and programs that support first responders and their families during a terrorist attack. The report generated from this legislation will provide the Department of Homeland Security and the Committee with a national snapshot of existing preparedness policies and programs and of best practices that can be shared. Further, this legislation will help determine future action needed to support first responders nationwide.

DUPLICATIVE FEDERAL PROGRAMS

Pursuant to clause 3(c) of Rule XIII, the Committee finds that H.R. 2795 does not contain any provision that establishes or reauthorizes a program known to be duplicative of another Federal program.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED
TARIFF BENEFITS

In compliance with Rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the Rule XXI.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

PREEMPTION CLARIFICATION

In compliance with section 423 of the Congressional Budget Act of 1974, requiring the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt State, local, or Tribal law, the Committee finds that H.R. 2795 does not preempt any State, local, or Tribal law.

DISCLOSURE OF DIRECTED RULE MAKINGS

The Committee estimates that H.R. 2795 would require no directed rule makings.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short Title.

This section provides that this bill may be cited as the “First Responder Identification of Emergency Needs in Disaster Situations” or the “FRIENDS Act”.

Sec. 2. Circumstances Which may Impact First Responders During a Terrorist Event.

Section 2(a)—In General.

This subsection requires GAO to submit a report to the House Committee on Homeland Security and the Senate Committee on Homeland Security and Governmental Affairs within one year of enactment. The International Association of Fire Chiefs wrote to Representative Jackson Lee in support of H.R. 2795 on November 3, 2015, stating that “the welfare of first responders’ families weighs heavily on them as they serve the public. It is important that federal, state, and local officials make plans to provide for the

safety of first responders' families in order to ensure strong morale among local fire, law enforcement, and EMS officials during a major terrorist attack." The Committee intends for the report to include information on state and local policies and programs that support the preparedness and protection of first responders. Further, the report is authorized to include information on programs and policies that take into consideration the families of first responders impacted by a terrorist attack as well as the availability of personal protective equipment. The Committee notes that the Blue Ribbon Study Panel on Biodefense released a report at the end of 2015 that recommends the provision of medkits to first responders and their families. The FRIENDS Act authorizes the report to assess whether medkits have been provided to first responders.

Section 2(b)—Context.

Under this subsection, the report is authorized to delineate whether any of the aforementioned polices or programs are funded by the Department of Homeland Security and whether the policies and programs are associated with rural communities or high risk urban areas.

Section 2(c)—Homeland Security Consideration.

The Committee intends for the Secretary of Homeland Security to determine if the findings from the final issued report have applicability to Federal first responders.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

As reported, H.R. 2795 makes no changes to existing law.