

(C) the establishment of mechanisms for the Administrator to provide feedback to eligible nonprofit organizations that do not receive grants;

(D) the establishment of mechanisms to identify and collect data to measure the effectiveness of grants under the Program;

(E) the establishment and enforcement of standardized baseline operational requirements for States, including requirements for States to eliminate or prevent any administrative or operational obstacles that may impact eligible nonprofit organizations described in subsection (b) from receiving grants under the Program;

(F) carrying out efforts to prevent waste, fraud, and abuse, including through audits of grantees; and

(G) promoting diversity in the types and locations of eligible nonprofit organizations that are applying for grants under the Program.

(g) Grant guidelines

For each fiscal year, before awarding grants under this section, the Administrator—

(1) shall publish guidelines, including a notice of funding opportunity or similar announcement, as the Administrator determines appropriate; and

(2) may prohibit States from closing application processes before the publication of those guidelines.

(h) Paperwork Reduction Act

Chapter 35 of title 44 (commonly known as the “Paperwork Reduction Act”) shall not apply to any changes to the application materials, Program forms, or other core Program documentation intended to enhance participation by eligible nonprofit organizations in the Program.

(i) Authorization of appropriations

(1) In general

There is authorized to be appropriated \$360,000,000 for each of fiscal years 2023 through 2028 for grants under this section, of which—

(A) \$180,000,000 each such fiscal year shall be for recipients in high-risk urban areas that receive funding under section 2003; and

(B) \$180,000,000 each such fiscal year shall be for recipients in jurisdictions that do not so receive such funding.

(2) Operations and support

There is authorized to be appropriated \$18,000,000 for each of fiscal years 2023 through 2028 for Operations and Support at the Federal Emergency Management Agency for costs incurred for the management and administration (including evaluation) of this section.

(Pub. L. 107–296, title XX, § 2009, as added Pub. L. 116–108, § 2(a), Jan. 24, 2020, 133 Stat. 3294; amended Pub. L. 117–263, div. G, title LXXI, § 7101(a), Dec. 23, 2022, 136 Stat. 3616.)

Editorial Notes

AMENDMENTS

2022—Subsec. (a). Pub. L. 117–263, § 7101(a)(1), inserted “or other threats” before period at end.

Subsec. (b). Pub. L. 117–263, § 7101(a)(2)(A), struck out “(a)” after “this subsection” in introductory provisions.

Subsec. (b)(2). Pub. L. 117–263, § 7101(a)(2)(B), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “determined to be at risk of a terrorist attack by the Administrator.”

Subsec. (c). Pub. L. 117–263, § 7101(a)(3)(A), (B), (D), (E), designated existing provisions as par. (1) and inserted heading, redesignated former pars. (1) to (3) as subpars. (A), (B), and (E), respectively, of par. (1) and realigned margins, added subpars. (C) and (D) of par. (1), and added pars. (2) and (3).

Subsec. (c)(1)(A). Pub. L. 117–263, § 7101(a)(3)(C), substituted “equipment, inspection and screening systems, and alteration or remodeling of existing buildings or physical facilities” for “equipment and inspection and screening systems”.

Subsec. (e). Pub. L. 117–263, § 7101(a)(4)(B), (C), substituted “on the following:” and “(1) The expenditure” for “on the expenditure” and added pars. (2) to (4).

Pub. L. 117–263, § 7101(a)(4)(A), substituted “2022 through 2028” for “2020 through 2024”.

Subsecs. (f) to (i). Pub. L. 117–263, § 7101(a)(5), added subsecs. (f) to (i) and struck out former subsec. (f) which related to authorization of appropriations for fiscal years 2020 through 2024.

PART B—GRANTS ADMINISTRATION

§ 611. Administration and coordination

(a) Regional coordination

The Administrator shall ensure that—

(1) all recipients of grants administered by the Department to prevent, prepare for, protect against, or respond to natural disasters, acts of terrorism, or other man-made disasters (excluding assistance provided under section 2003, title IV, or title V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133, 5170 et seq., and 5191 et seq.)) coordinate, as appropriate, their prevention, preparedness, and protection efforts with neighboring State, local, and tribal governments; and

(2) all high-risk urban areas and other recipients of grants administered by the Department to prevent, prepare for, protect against, or respond to natural disasters, acts of terrorism, or other man-made disasters (excluding assistance provided under section 2003, title IV, or title V of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133, 5170 et seq., and 5191 et seq.)) that include or substantially affect parts or all of more than 1 State coordinate, as appropriate, across State boundaries, including, where appropriate, through the use of regional working groups and requirements for regional plans.

(b) Planning committees

(1) In general

Any State or high-risk urban area receiving a grant under section 604 or 605 of this title shall establish a State planning committee or urban area working group to assist in preparation and revision of the State, regional, or local homeland security plan or the threat and hazard identification and risk assessment, as the case may be, and to assist in determining effective funding priorities for grants under such sections.

(2) Composition

(A) In general

The State planning committees and urban area working groups referred to in paragraph

(1) shall include at least one representative from each of the following significant stakeholders:

- (i) Local or tribal government officials.
- (ii) Emergency response providers, which shall include representatives of the fire service, law enforcement, emergency medical services, and emergency managers.
- (iii) Public health officials and other appropriate medical practitioners.
- (iv) Individuals representing educational institutions, including elementary schools, community colleges, and other institutions of higher education.
- (v) State and regional interoperable communications coordinators, as appropriate.
- (vi) State and major urban area fusion centers, as appropriate.

(B) Geographic representation

The members of the State planning committee or urban area working group, as the case may be, shall be a representative group of individuals from the counties, cities, towns, and Indian tribes within the State or high-risk urban area, including, as appropriate, representatives of rural, high-population, and high-threat jurisdictions.

(3) Existing planning committees

Nothing in this subsection may be construed to require that any State or high-risk urban area create a State planning committee or urban area working group, as the case may be, if that State or high-risk urban area has established and uses a multijurisdictional planning committee or commission that meets the requirements of this subsection.

(c) Sense of Congress

It is the sense of Congress that, in order to ensure that the Nation is most effectively able to prevent, prepare for, protect against, and respond to all hazards, including natural disasters, acts of terrorism, and other man-made disasters—

- (1) the Department should administer a coherent and coordinated system of both terrorism-focused and all-hazards grants;
- (2) there should be a continuing and appropriate balance between funding for terrorism-focused and all-hazards preparedness, as reflected in the authorizations of appropriations for grants under the amendments made by titles I and II, as applicable, of the Implementing Recommendations of the 9/11 Commission Act of 2007; and
- (3) with respect to terrorism-focused grants, it is necessary to ensure both that the target capabilities of the highest risk areas are achieved quickly and that basic levels of preparedness, as measured by the attainment of target capabilities, are achieved nationwide.

(Pub. L. 107-296, title XX, § 2021, as added Pub. L. 110-53, title I, § 101, Aug. 3, 2007, 121 Stat. 285; amended Pub. L. 114-328, div. A, title XIX, § 1911, Dec. 23, 2016, 130 Stat. 2682; Pub. L. 115-278, § 2(g)(7)(C), Nov. 16, 2018, 132 Stat. 4180.)

Editorial Notes

REFERENCES IN TEXT

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, referred to in subsec. (a), is Pub. L. 93-288, May 22, 1974, 88 Stat. 143. Section 203 of the Act is classified to section 5133 of Title 42, The Public Health and Welfare. Titles IV and V of the Act are classified generally to subchapters IV (§5170 et seq.) and IV-A (§5191 et seq.), respectively, of chapter 68 of Title 42. For complete classification of this Act to the Code, see Short Title note set out under section 5121 of Title 42 and Tables.

The Implementing Recommendations of the 9/11 Commission Act of 2007, referred to in subsec. (c)(2), is Pub. L. 110-53, Aug. 3, 2007, 121 Stat. 266. Title I of the Act enacted this subchapter and amended sections 318, 321a, 594, 596, and 752 of this title. Title II of the Act amended section 762 of this title and section 5196c of Title 42, The Public Health and Welfare. For complete classification of titles I and II to the Code, see Tables.

AMENDMENTS

2018—Subsecs. (c), (d). Pub. L. 115-278 redesignated subsec. (d) as (c) and struck out former subsec. (c). Prior to amendment, subsec. (c) related to interagency coordination.

2016—Subsec. (b). Pub. L. 114-328 amended subsec. (b) generally. Prior to amendment, subsec. (b) related to planning committees to assist in preparation and revision of State, regional, or local homeland security plans, and to assist in determining effective funding priorities for grants under sections 604 and 605 of this title.

§ 612. Accountability

(a) Audits of grant programs

(1) Compliance requirements

(A) Audit requirement

Each recipient of a grant administered by the Department that expends not less than \$500,000 in Federal funds during its fiscal year shall submit to the Administrator a copy of the organization-wide financial and compliance audit report required under chapter 75 of title 31.

(B) Access to information

The Department and each recipient of a grant administered by the Department shall provide the Comptroller General and any officer or employee of the Government Accountability Office with full access to information regarding the activities carried out related to any grant administered by the Department.

(C) Improper payments

Consistent with subchapter IV of chapter 33 of title 31, for each of the grant programs under sections 604 and 605 of this title and section 762 of this title, the Administrator shall specify policies and procedures for—

- (i) identifying activities funded under any such grant program that are susceptible to significant improper payments; and
- (ii) reporting any improper payments to the Department.

(2) Agency program review

(A) In general

Not less than once every 2 years, the Administrator shall conduct, for each State