

114TH CONGRESS
2D SESSION

H. R. 5460

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2016

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To amend the Homeland Security Act of 2002 to establish
a review process to review applications for certain grants
to purchase equipment or systems that do not meet
or exceed any applicable national voluntary consensus
standards, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “First Responder Ac-
3 cess to Innovative Technologies Act”.

4 **SEC. 2. APPROVAL OF CERTAIN EQUIPMENT.**

5 (a) IN GENERAL.—Subsection (f) of section 2008 of
6 the Homeland Security Act of 2002 (6 U.S.C. 609) is
7 amended—

8 (1) by striking “If an applicant” and inserting
9 the following:

10 “(1) APPLICATION REQUIREMENT.—If an appli-
11 cant”; and

12 (2) by adding at the end the following new
13 paragraphs:

14 “(2) REVIEW PROCESS.—The Administrator
15 shall implement a uniform process for reviewing ap-
16 plications that, in accordance with paragraph (1),
17 contain explanations to use grants provided under
18 section 2003 or 2004 to purchase equipment or sys-
19 tems that do not meet or exceed any applicable na-
20 tional voluntary consensus standards developed
21 under section 647 of the Post-Katrina Emergency
22 Management Reform Act of 2006 (6 U.S.C. 747).

23 “(3) FACTORS.—In carrying out the review
24 process under paragraph (2), the Administrator
25 shall consider the following:

1 “(A) Current or past use of proposed
2 equipment or systems by Federal agencies or
3 the Armed Forces.

4 “(B) The absence of a national voluntary
5 consensus standard for such equipment or sys-
6 tems.

7 “(C) The existence of an international con-
8 sensus standard for such equipment or systems,
9 and whether such equipment or systems meets
10 such standard.

11 “(D) The nature of the capability gap
12 identified by the applicant and how such equip-
13 ment or systems will address such gap.

14 “(E) The degree to which such equipment
15 or systems will serve the needs of the applicant
16 better than equipment or systems that meet or
17 exceed existing consensus standards.

18 “(F) Any other factor determined appro-
19 priate by the Administrator.”.

20 (b) INSPECTOR GENERAL REPORT.—Not later than
21 3 years after the date of the enactment of this Act, the
22 Inspector General of the Department of Homeland Secu-
23 rity shall submit to the Committee on Homeland Security
24 of the House of Representatives and the Committee on
25 Homeland Security and Governmental Affairs of the Sen-

1 ate a report assessing the implementation of the review
2 process established under paragraph (2) of subsection (f)
3 of section 2008 of the Homeland Security Act of 2002
4 (as added by subsection (a) of this section), including in-
5 formation on the following:

6 (1) The number of requests to purchase equip-
7 ment or systems that do not meet or exceed any ap-
8 plicable consensus standard evaluated under such re-
9 view process.

10 (2) The capability gaps identified by applicants
11 and the number of such requests granted or denied.

12 (3) The processing time for the review of such
13 requests.

Passed the House of Representatives September 26,
2016.

Attest:

KAREN L. HAAS,

Clerk.