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107<sup>TH</sup> CONGRESS  
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**S. 2037**

**[Report No. 107–186]**

To mobilize technology and science experts to respond quickly to the threats posed by terrorist attacks and other emergencies, by providing for the establishment of a national emergency technology guard, a technology reliability advisory board, and a center for evaluating antiterrorism and disaster response technology within the National Institute of Standards and Technology.

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**IN THE SENATE OF THE UNITED STATES**

MARCH 20, 2002

Mr. WYDEN (for himself and Mr. ALLEN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

JUNE 27, 2002

Reported by Mr. HOLLINGS, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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**A BILL**

To mobilize technology and science experts to respond quickly to the threats posed by terrorist attacks and other emergencies, by providing for the establishment of a national emergency technology guard, a technology reliability advisory board, and a center for evaluating antiterrorism and disaster response technology within the National Institute of Standards and Technology.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Science and Tech-  
5       nology Emergency Mobilization Act”.

6       **SEC. 2. CONGRESSIONAL FINDINGS AND PURPOSE.**

7       ~~(a) FINDINGS.—~~The Congress finds the following:

8               (1) The National Guard has played an essential  
9       role in enabling America to respond efficiently and  
10      effectively to emergencies of all kinds. By providing  
11      an organized corps of highly capable personnel avail-  
12      able for prompt mobilization, the National Guard  
13      significantly enhances the safety and security of all  
14      Americans.

15             ~~(2) Urban Search and Rescue Teams under the~~  
16      Federal Emergency Management Agency and Med-  
17      ical Response Teams under the Department of  
18      Health and Human Services further enhance the na-  
19      tion’s ability to respond to emergencies, by making  
20      crucial specialized expertise available on a prompt  
21      basis.

22             ~~(3) The National Coordinating Center for Tele-~~  
23      communications, housed at the National Commu-  
24      nications System, enhances the Nation’s ability to  
25      mitigate, respond to, and recover from disruptions

1 by coordinating with the telecommunications indus-  
2 try.

3 (4) In the aftermath of the terrorist attacks of  
4 September 11, 2001, many private-sector technology  
5 and science experts provided valuable assistance to  
6 rescue and recovery efforts by donating their time  
7 and expertise. However, many who wished to help  
8 had significant difficulty determining how they could  
9 be most useful. They were hampered by the lack of  
10 any organizational structure to harness their abili-  
11 ties and coordinate their efforts.

12 (5) A prompt and well-coordinated deployment  
13 of technology and science expertise could help save  
14 lives, aid rescue efforts, and rebuild critical tech-  
15 nology infrastructures in the event of a future major  
16 terrorist attack, natural disaster, or other emer-  
17 gency. Technology and science expertise also could  
18 help minimize the vulnerability of critical infrastruc-  
19 ture to future attacks or natural disasters.

20 (6) Police, fire personnel, and other local emer-  
21 gency responders frequently could benefit from time-  
22 ly technological assistance, but there is not currently  
23 an organized system for locating the desired help.

24 (7) Efforts to develop and deploy innovative  
25 new technologies for use by government emergency

1 prevention and response agencies can be hampered  
2 by the lack of a clear contact point within the fed-  
3 eral government for intake and evaluation of tech-  
4 nology ideas.

5 (8) Emergency response efforts are frequently  
6 hampered by the inability of police, fire, and other  
7 emergency response personnel to communicate effec-  
8 tively with each other and with their counterparts  
9 from nearby jurisdictions, due to incompatible com-  
10 munications systems. Some programs, such as the  
11 Capital Wireless Integrated Network (CapWIN),  
12 have made significant progress in addressing the  
13 issue of interoperable communications between emer-  
14 gency service providers in particular urban areas  
15 and the Federal government has sought to address  
16 the issue through Project SAFECOM and the Public  
17 Safety Wireless Networks program. Relatively few  
18 States and localities, however, have achieved a suffi-  
19 cient level of communications interoperability.

20 (b) PURPOSE.—The purpose of this Act is to mobilize  
21 America's extensive capability in technology and science  
22 in responding to the threats posed by terrorist attacks,  
23 natural disasters, and other major emergencies, by  
24 creating—

1           (1) teams of volunteers with technology and  
 2           science expertise, organized in advance and available  
 3           to be mobilized on short notice, similar to Urban  
 4           Search and Rescue Teams and Medical Response  
 5           Teams;

6           (2) a “virtual technology reserve” consisting of  
 7           a database of private-sector equipment and expertise  
 8           that emergency officials may call upon in an emer-  
 9           gency; and

10          (3) a national clearinghouse and test bed for in-  
 11          novative civilian technologies relating to emergency  
 12          prevention and response.

13 **SEC. 3. ESTABLISHMENT OF NATIONAL EMERGENCY TECH-**  
 14 **NOLOGY GUARD.**

15          (a) IN GENERAL.—Not later than 6 months after the  
 16          date of enactment of this Act, the President shall establish  
 17          an office within the Executive Branch for the purpose of  
 18          mobilizing technology and science experts to form a na-  
 19          tional emergency technology guard. The office shall be  
 20          headed by a Director, who shall be appointed by the Presi-  
 21          dent by and with the advice and consent of the Senate.

22          (b) NATIONAL EMERGENCY TECHNOLOGY GUARD  
 23          TEAMS.—

24                (1) CERTIFICATION PROCEDURES.—The Direc-  
 25          tor shall develop a procedure by which a group of in-

dividuals (including individuals from a single company or academic institution or from multiple such entities) with technological expertise may form a team and apply for certification as a national emergency technology guard team. Each such team shall be comprised of individuals with appropriate technological or scientific expertise and be available for deployment on short notice to provide technology-based assistance to Federal, State, and local emergency response agencies, and nongovernmental emergency aid, assistance, and relief organizations.

(2) TEAM FORMATION.—The Director may develop and implement a system for facilitating the formation of such teams by helping individuals that wish to participate in such teams to locate and contact one another.

(3) CRITERIA FOR CERTIFICATION.—The Director shall establish criteria for the certification of such teams, including—

(A) the types of expertise, capabilities, and equipment required; and

(B) minimum training and practice requirements, including participation in not less than 2 emergency drills each year.

1           (4) CERTIFICATION AND CREDENTIALS.—The  
2     Director shall—

3           (A) certify any group of individuals re-  
4     questing certification as a national emergency  
5     technology guard team that, in the opinion of  
6     the Director, complies with the procedures es-  
7     tablished under paragraph (1) and meets the  
8     criteria established under paragraph (2);

9           (B) issue such credentials and forms of  
10    identification as the Director determines to be  
11    appropriate identifying each such team and its  
12    members; and

13          (C) suspend or withdraw certification, and  
14    recover credentials from, any certified national  
15    emergency technology guard team that fails to  
16    meet the criteria after its initial certification;  
17    or, after notice and an opportunity for a hear-  
18    ing, for other good cause shown.

19          (5) COMPENSATION; PER DIEM, TRAVEL, AND  
20    TRANSPORTATION EXPENSES.—While actually en-  
21    gaged in performing duties, including travel time,  
22    assigned by the Director, members of a national  
23    emergency technology guard team not otherwise em-  
24    ployed by the Federal government may be—

1           (A) compensated for temporary or inter-  
 2           mittent services as experts or consultants under  
 3           section 3109 of title 5, United States Code; and

4           (B) allowed travel or transportation ex-  
 5           penses, including per diem in lieu of subsist-  
 6           ence, as provided by section 5703 of that title.

7           (c) DUTIES OF THE DIRECTOR.—In addition to ad-  
 8           ministering the office and certifying national emergency  
 9           technology guard teams pursuant to subsection (b), the  
 10          Director shall—

11           (1) activate national emergency technology  
 12           guard teams in an emergency (as defined in section  
 13           102(1) of the Robert T. Stafford Disaster Relief and  
 14           Emergency Assistance Act (42 U.S.C. 5122(1)) or a  
 15           major disaster (as defined in section 102(2) of that  
 16           Act);

17           (2) provide, in consultation with the Federal  
 18           Emergency Management Agency, for access by team  
 19           members to emergency sites;

20           (3) develop and maintain a virtual technology  
 21           reserve consisting of a database of technology or sci-  
 22           entific expertise and equipment that nongovern-  
 23           mental entities have volunteered to make available in  
 24           an emergency to national emergency technology  
 25           guard teams, Federal, State, and local emergency re-



1        sponse agencies, or nongovernmental emergency aid,  
2        assistance, and relief organizations, and develop  
3        such procedures as may be necessary to ensure the  
4        validity, reliability, and security of the information  
5        in the database;

6            (4) develop procedures that enable Federal,  
7        State, and local emergency response agencies and  
8        nongovernmental emergency aid, assistance, and re-  
9        lief organizations to access the database quickly in  
10       an emergency in order to identify potential sources  
11       of technology assistance;

12           (5) assign, on a voluntary basis, national emer-  
13       gency technology guard teams or individual members  
14       of such teams to work, on a temporary basis and  
15       subject to subsection (b)(4), on—

16            (A) the development and maintenance of  
17       the database described in paragraph (2) and  
18       the procedures for access to the database; and

19            (B) such other technology related projects  
20       to improve emergency preparedness and preven-  
21       tion as the Director determines to be appro-  
22       priate, including (at the discretion of the Direc-  
23       tor)—

24            (i) development and maintenance of  
25       databases or other technologies that could

1 be deployed quickly at the site of an emer-  
2 gency and used—

3 (I) to match offers of assistance  
4 with needs at the site;

5 (II) to identify individuals miss-  
6 ing, injured, or killed as a result of  
7 the emergency, track their location,  
8 and facilitate the use of missing per-  
9 sons reports in the identification proc-  
10 ess;

11 (III) to handle credentialing for  
12 controlling access to the emergency  
13 site; and

14 (ii) consultation with State and local  
15 emergency response agencies on ways to  
16 enhance the robustness, interoperability,  
17 and security of their emergency commu-  
18 nications systems; and

19 (iii) provision of other nonemergency  
20 technology advice and assistance requested  
21 by State and local emergency response  
22 agencies;

23 (6) coordinate the activities of the office with  
24 Federal, State, and local government agencies (in-  
25 cluding the National Communications System); and

1 nongovernmental emergency aid, assistance, and re-  
2 lief organizations; and

3 ~~(7) ensure that the activities of the office build~~  
4 ~~upon, rather than duplicate, the work done by the~~  
5 ~~National Communications System and the reports~~  
6 ~~and recommendations of the National Security Tele-~~  
7 ~~communications Advisory Committee.~~

8 **SEC. 4. TECHNOLOGY RELIABILITY ADVISORY BOARD.**

9 (a) IN GENERAL.—The Director shall appoint a  
10 Technology Reliability Advisory Board and designate a  
11 chair and vice-chair of the Board.

12 (b) MEMBERSHIP.—The Board shall be comprised of  
13 9 members, selected on the basis of the relevance of their  
14 training, experience, and expertise and without regard to  
15 political affiliation for a term of 3 years, except that of  
16 the members initially appointed, one-third shall be ap-  
17 pointed for a term of 1 year, one-third shall be appointed  
18 for a term of 2 years, and one-third shall be appointed  
19 for a term of 3 years. If any member appointed to the  
20 Board does not serve the full term to which that member  
21 was appointed, the Director shall appoint a successor to  
22 serve the balance of that term. The Board shall elect a  
23 chair and a vice chair from among its members. The vice  
24 chair shall function as the chair whenever there is a va-  
25 cancy in the chair or when requested by the chair.

1       (c) **FUNCTION.**—The Board shall—

2               (1) meet at such times and places as the Direc-  
3       tor may require; or, with the consent of the Direc-  
4       tor, at the call of its chair;

5               (2) provide guidance to government, industry,  
6       and the public on technical aspects of how to make  
7       technology infrastructure less vulnerable to disrup-  
8       tion;

9               (3) make recommendations with respect to what  
10      constitute good practices with respect to redundancy;  
11      backups, disaster planning, emergency preparedness  
12      and recovery of technological and communications  
13      systems;

14              (4) coordinate its efforts, as appropriate, with  
15      the Office of Homeland Security, the President's  
16      Critical Infrastructure Protection Board, and the  
17      National Communications System; and

18              (5) provide advice and counsel to the Director.

19   **SEC. 5. CENTER FOR CIVILIAN HOMELAND SECURITY**  
20                           **TECHNOLOGY EVALUATION.**

21       (a) **IN GENERAL.**—The Director of the National In-  
22      stitute of Standards and Technology shall establish within  
23      the Institute a Center for Civilian Homeland Security  
24      Technology Evaluation.

25       (b) **FUNCTION.**—The Center shall—

1           (1) serve as a national clearinghouse for innova-  
 2           tive technologies relating to security and emergency  
 3           preparedness and response;

4           (2) upon request consult with and advise Fed-  
 5           eral agencies about the development, modification,  
 6           acquisition, and deployment of technology relating to  
 7           security and emergency preparedness and response;

8           (3) investigate promising new technologies re-  
 9           lating to security and emergency preparedness and  
 10          response; and

11          (4) operate, in cooperation with other Federal  
 12          agencies, the National laboratories, and the National  
 13          Academies of Sciences, a technology test bed for  
 14          evaluating new technology when requested by a Fed-  
 15          eral agency to determine whether it meets Federal,  
 16          State, or local government or nongovernmental  
 17          needs for homeland security and emergency pre-  
 18          paredness and response purposes.

19          (c) **PROCUREMENT NOT CONDITIONED ON SUBMIS-**  
 20          **SION.**—Nothing in this section requires a technology to  
 21          be submitted to, or evaluated by, the Center in order to  
 22          be eligible for procurement by Federal agencies.

23          **SEC. 6. REPORTS.**

24          (a) **WIRELESS COMMUNICATIONS CAPABILITIES FOR**  
 25          **FIRST RESPONDERS.**—Within 1 year after the date of en-

1 actment of this Act, the National Communications System  
2 shall, in consultation with the National Security and  
3 Emergency Preparedness Communications Committee, the  
4 Federal Communications Commission, the National Tele-  
5 communications and Information Administration, and  
6 other Federal agencies as appropriate, submit a report to  
7 the Congress setting forth policy options and recommenda-  
8 tions for ensuring that emergency officials and first re-  
9 sponders have access to effective and reliable wireless com-  
10 munications capabilities. The report shall include an ex-  
11 amination of the possibility of—

12           (1) developing a system of priority access to ex-  
13           isting commercial wireless systems;

14           (2) designating national emergency spectrum to  
15           be held in reserve for public safety and emergency  
16           purposes; and

17           (3) creating a specialized public safety commu-  
18           nications network or networks for use with wireless  
19           devices customized for public safety use.

20           (b) IN-KIND DONATIONS.—Within 1 year after the  
21 date of enactment of this Act, the Federal Emergency  
22 Management Agency, in consultation with other appro-  
23 priate Federal agencies, shall submit to the Committee on  
24 Commerce, Science, and Transportation of the Senate and  
25 the Committee on Science of the House of Representatives

1 a report on the barriers to acceptance by Federal agencies  
2 of in-kind donations of technology and services during  
3 emergency situations. The report shall include rec-  
4 ommendations for any legislative changes or conditions  
5 needed to make the use of such donations possible.

6 **SEC. 7. COMMUNICATIONS INTEROPERABILITY PILOT**  
7 **PROJECTS.**

8 (a) IN GENERAL.—The Administrator of the United  
9 States Fire Administration shall establish and conduct a  
10 pilot program for planning or implementation of interoper-  
11 able communications systems for appropriate emergency  
12 response agencies.

13 (b) GRANTS.—The Administrator shall, in consulta-  
14 tion with the manager of the Public Safety Wireless Net-  
15 works program, make grants under the program of  
16 \$5,000,000 each to 7 different States for pilot projects  
17 under the program.

18 (c) CRITERIA; ADMINISTRATIVE PROVISIONS.—The  
19 Administrator shall prescribe such criteria for eligibility  
20 for projects and for grantees, including applications, fund  
21 use assurance and accounting, and reporting requirements  
22 as the Administrator deems appropriate. In prescribing  
23 such criteria, the Administrator shall consult with the ad-  
24 ministrators of existing projects designed to facilitate pub-

1 lie safety communications interoperability concerning the  
 2 best practices and lessons learned from such projects.

3 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) NATIONAL EMERGENCY TECHNOLOGY GUARD.—

5 There are authorized to be appropriated to the head of  
 6 the department or agency in which the office established  
 7 under section 3(a) is created \$5,000,000 for each of fiscal  
 8 years 2003 and 2004 to carry out sections 3 and 4.

9 (b) NATIONAL INSTITUTE OF STANDARDS AND  
 10 TECHNOLOGY.—There are authorized to be appropriated  
 11 to the National Institute of Standards and Technology to  
 12 carry out section 5—

13 (1) \$15,000,000 for fiscal year 2003; and

14 (2) \$20,000,000 for fiscal year 2004.

15 (c) FIRE ADMINISTRATION.—There are authorized to  
 16 be appropriated to the United States Fire Administration  
 17 \$35,000,000 for fiscal year 2003 to carry out section 7  
 18 of this Act, such sums to remain available until expended.

19 (d) NATIONAL COMMUNICATIONS SYSTEM.—There  
 20 are authorized to be appropriated to the National Commu-  
 21 nications System \$500,000 for fiscal year 2003 to carry  
 22 out section 6 of this Act.

23 **SEC. 9. EMERGENCY RESPONSE AGENCIES**

24 In this Act, the term “emergency response agency”  
 25 includes agencies providing any of the following services:



- 1           ~~(1) Law Enforcement services.~~
- 2           ~~(2) Fire services.~~
- 3           ~~(3) Emergency Medical services.~~
- 4           ~~(4) Public Safety Communications.~~
- 5           ~~(5) Emergency Preparedness.~~

6   **SECTION 1. SHORT TITLE.**

7           *This Act may be cited as the “Science and Technology*  
 8 *Emergency Mobilization Act”.*

9   **SEC. 2. CONGRESSIONAL FINDINGS AND PURPOSE.**

10          (a) *FINDINGS.—The Congress finds the following:*

11               (1) *In the aftermath of the terrorist attacks of*  
 12 *September 11, 2001, many private-sector technology*  
 13 *and science experts provided valuable assistance to*  
 14 *rescue and recovery efforts by donating their time and*  
 15 *expertise. However, many who wished to help had sig-*  
 16 *nificant difficulty determining how they could be*  
 17 *most useful. They were hampered by the lack of any*  
 18 *organizational structure to harness their abilities and*  
 19 *coordinate their efforts.*

20               (2) *A prompt and well-coordinated volunteer*  
 21 *base of technology and science expertise could help*  
 22 *save lives, aid rescue efforts, and rebuild critical tech-*  
 23 *nology infrastructures in the event of a future major*  
 24 *terrorist attack, natural disaster, or other emergency.*  
 25 *Technology and science expertise also could help min-*

1        *imize the vulnerability of critical infrastructure to fu-*  
2        *ture attacks or natural disasters.*

3                (3) *Police, fire personnel, and other local emer-*  
4        *gency responders frequently could benefit from timely*  
5        *technological assistance, and efforts to organize a sys-*  
6        *tem to assist in locating the desired help should be ex-*  
7        *pedited.*

8                (4) *Efforts to develop and deploy innovative new*  
9        *technologies for use by government emergency preven-*  
10       *tion and response agencies would be improved by the*  
11       *designation of a clear contact point within the federal*  
12       *government for intake and evaluation of technology*  
13       *ideas.*

14               (5) *The creation of compatible communications*  
15       *systems would strengthen emergency response efforts*  
16       *of police, fire, and other emergency response personnel*  
17       *to communicate effectively with each other and with*  
18       *their counterparts from nearby jurisdictions. Some*  
19       *programs, such as the Capital Wireless Integrated*  
20       *Network (CapWIN), have made significant progress*  
21       *in addressing the issue of interoperable communica-*  
22       *tions between emergency service providers in par-*  
23       *ticular urban areas and the Federal government has*  
24       *sought to address the issue through the Public Safety*  
25       *Wireless Networks program. Relatively few States and*

1       localities, however, have achieved a sufficient level of  
2       communications interoperability.

3       (b) *PURPOSE.*—The purpose of this Act is to reinforce,  
4       focus, and expedite ongoing efforts to mobilize America’s ex-  
5       tensive capability in technology and science in responding  
6       to the threats posed by terrorist attacks, natural disasters,  
7       and other major emergencies, by creating—

8               (1) a national emergency technology guard or  
9       “NET Guard” that includes—

10               (A) rapid response teams of volunteers with  
11               technology and science expertise, organized at the  
12               local level; and

13               (B) opportunities for NET Guard volun-  
14               teers to assist with non-emergency tasks related  
15               to local preparedness and prevention, including  
16               reducing the vulnerability of government infor-  
17               mation technology systems;

18               (2) a national clearinghouse for innovative civil-  
19               ian technologies relating to emergency prevention and  
20               response; and

21               (3) a pilot program to assist state efforts to  
22               achieve the interoperability of communications sys-  
23               tems used by fire, law enforcement, and emergency  
24               preparedness and response agencies.

1 **SEC. 3. ESTABLISHMENT OF NATIONAL EMERGENCY TECH-**  
 2 **NOLOGY GUARD.**

3 (a) *IN GENERAL.*—Not later than 1 year after the date  
 4 of enactment of this Act, the President shall designate an  
 5 appropriate department, agency, or office to compile and  
 6 maintain a repository database of nongovernmental tech-  
 7 nology and science experts who have offered, and who can  
 8 be mobilized, to help Federal agencies counter terrorism.

9 (b) *NET GUARD DISASTER RESPONSE TEAMS.*—

10 (1) *CERTIFICATION PROCEDURES.*—The Presi-  
 11 dent shall also designate an appropriate department,  
 12 agency, or office (which may be the department, agen-  
 13 cy, or office designated under subsection (a)) to de-  
 14 velop a procedure to encourage groups of volunteers  
 15 with technological or scientific expertise to team with  
 16 individuals from State and local governments, local  
 17 emergency response agencies, and nongovernmental  
 18 emergency aid, assistance, and relief organizations.

19 (2) *TEAM FORMATION.*—The department, agency,  
 20 or office designated under paragraph (1) may develop  
 21 and implement a system for facilitating the formation  
 22 of local teams of such volunteers by helping individ-  
 23 uals that wish to participate in such teams to locate  
 24 and contact one another.

25 (3) *CRITERIA FOR CERTIFICATION.*—The depart-  
 26 ment, agency, or office designated under paragraph

1       (1) *shall establish criteria for the certification of such*  
 2       *teams, including—*

3               (A) *the types of expertise, capabilities, and*  
 4               *equipment required; and*

5               (B) *minimum training and practice re-*  
 6               *quirements, including participation in not less*  
 7               *than 2 emergency drills each year.*

8       (4) *CERTIFICATION AND CREDENTIALS.—The de-*  
 9       *partment, agency, or office designated under para-*  
 10       *graph (1) shall—*

11               (A) *certify any group of individuals re-*  
 12               *questing certification as a NET Guard disaster*  
 13               *response team that complies with the procedures*  
 14               *established under paragraph (1) and meets the*  
 15               *criteria established under paragraph (3);*

16               (B) *issue credentials and forms of identi-*  
 17               *fication as appropriate identifying each such*  
 18               *team and its members; and*

19               (C) *suspend, withdraw, or terminate certifi-*  
 20               *cation of and recover credentials and forms of*  
 21               *identification from any NET Guard disaster re-*  
 22               *sponse team, or any member thereof, when the*  
 23               *head of the entity designated deems it appro-*  
 24               *priate.*

1           (5) *COMPENSATION; PER DIEM, TRAVEL, AND*  
 2           *TRANSPORTATION EXPENSES.*—*The department, agen-*  
 3           *cy, or office designated under paragraph (1) may au-*  
 4           *thorize the payment to a member of a NET Guard*  
 5           *disaster response team, for the period that member is*  
 6           *engaged in performing duties as such member at the*  
 7           *request of the United States—*

8                   (A) *compensation as employees for tem-*  
 9                   *porary or intermittent services as experts or con-*  
 10                  *sultants under section 3109 of title 5, United*  
 11                  *States Code; and*

12                  (B) *travel or transportation expenses, in-*  
 13                  *cluding per diem in lieu of subsistence, as pro-*  
 14                  *vided by section 5703 of title 5.*

15           (c) *ADDITIONAL AUTHORITIES.*—*The head of the de-*  
 16           *partment, agency, or office designated under paragraph (1)*  
 17           *may—*

18                   (1) *activate NET Guard disaster response teams*  
 19                   *in an emergency (as defined in section 102(1) of the*  
 20                   *Robert T. Stafford Disaster Relief and Emergency As-*  
 21                   *sistance Act (42 U.S.C. 5122(1)) or a major disaster*  
 22                   *(as defined in section 102(2) of that Act);*

23                   (2) *provide for access by team members to emer-*  
 24                   *gency sites; and*

1           (3) *assign, on a voluntary basis, NET Guard*  
 2           *volunteers to work, on a temporary basis on—*

3                   (A) *the development and maintenance of the*  
 4                   *database described in subsection (a) and the pro-*  
 5                   *cedures for access to the database; and*

6                   (B) *such other technology related projects to*  
 7                   *improve emergency preparedness and prevention*  
 8                   *as may be appropriate.*

9   **SEC. 4. CENTER FOR CIVILIAN HOMELAND SECURITY TECH-**  
 10                   **NOLOGY EVALUATION.**

11           (a) *IN GENERAL.*—*The President shall establish a Cen-*  
 12           *ter for Civilian Homeland Security Technology Evaluation*  
 13           *within the Executive Branch to evaluate innovative tech-*  
 14           *nologies relating to security and emergency preparedness*  
 15           *and response and to serve as a national clearinghouse for*  
 16           *such technologies.*

17           (b) *FUNCTION.*—*The Center shall—*

18                   (1) *serve as a principal, national contact point*  
 19                   *for the intake of innovative technologies relating to se-*  
 20                   *curity and emergency preparedness and response;*

21                   (2) *evaluate promising new technologies relating*  
 22                   *to security and emergency preparedness and response;*

23                   (3) *assure persons and companies that have sub-*  
 24                   *mitted a technology receive a timely response to in-*  
 25                   *quiries;*

1           (4) upon request by Federal agencies consult  
 2           with and advise Federal agencies about the develop-  
 3           ment, modification, acquisition, and deployment of  
 4           technology relating to security and emergency pre-  
 5           paredness and response; and

6           (5) provide individuals and companies that have  
 7           submitted information about a technology the ability  
 8           to track, to the extent practicable, the current status  
 9           of their submission online.

10          (c) *MODEL.*—The Center may be modeled on the Tech-  
 11          nical Support Working Group that provides an interagency  
 12          forum to coordinate research and development of tech-  
 13          nologies for combating terrorism.

14          (d) *INTERNET ACCESS.*—

15               (1) *IN GENERAL.*—The President shall create an  
 16               online portal accessible through the FirstGov Internet  
 17               website ([www.firstgov.gov](http://www.firstgov.gov)), or any successor to such  
 18               website, to provide individuals and companies with  
 19               innovative technologies a single point of access to the  
 20               Center and a single point of contact at each Federal  
 21               agency participating in the Center.

22               (2) *FUNCTIONS.*—The Center portal shall—

23                       (A) provide individuals and companies  
 24                       with an online opportunity to obtain informa-  
 25                       tion about various open solicitations relevant to



1           *homeland security and points of contact for sub-*  
 2           *mission of solicited and unsolicited proposals;*  
 3           *and*

4           *(B) include safeguards to ensure that busi-*  
 5           *ness proprietary information is protected and*  
 6           *that no personally identifiable information is ac-*  
 7           *cessible to unauthorized persons.*

8           *(e) PROCUREMENT NOT CONDITIONED ON SUBMIS-*  
 9           *SION.—Nothing in this section requires a technology to be*  
 10          *submitted to, or evaluated by, the Center in order to be eligi-*  
 11          *ble for procurement by Federal agencies.*

12          **SEC. 5. COMMUNICATIONS INTEROPERABILITY PILOT**  
 13                               **PROJECTS.**

14          *(a) IN GENERAL.—The President shall establish with-*  
 15          *in an appropriate department, agency, or office a pilot pro-*  
 16          *gram for planning or implementation of interoperable com-*  
 17          *munications systems for appropriate emergency response*  
 18          *agencies.*

19          *(b) GRANTS.—The head of the department, agency, or*  
 20          *office in which the program is established under subsection*  
 21          *(a) shall make grants of \$5,000,000 each to 7 different*  
 22          *States for pilot projects under the program.*

23          *(c) CRITERIA; ADMINISTRATIVE PROVISIONS.—The*  
 24          *head of the department, agency, or office in which the pro-*  
 25          *gram is established under subsection (a), in consultation*

1 *with other appropriate agencies, shall prescribe such cri-*  
 2 *teria for eligibility for projects and for grantees, including*  
 3 *applications, fund use assurance and accounting, and re-*  
 4 *porting requirements as the head of the entity deems appro-*  
 5 *priate. In prescribing such criteria, the head of the depart-*  
 6 *ment, agency, or office shall consult with the administrators*  
 7 *of existing projects designed to facilitate public safety com-*  
 8 *munications interoperability concerning the best practices*  
 9 *and lessons learned from such projects.*

10 **SEC. 6. REPORTS.**

11 *(a) WIRELESS COMMUNICATIONS CAPABILITIES FOR*  
 12 *FIRST RESPONDERS.—Within 1 year after the date of en-*  
 13 *actment of this Act, the President shall designate an appro-*  
 14 *priate department, agency, or office to submit a report to*  
 15 *the Committee on Commerce, Science, and Transportation*  
 16 *of the Senate and the Committee on Science of the House*  
 17 *of Representatives setting forth policy options for ensuring*  
 18 *that emergency officials and first responders have access to*  
 19 *effective and reliable wireless communications capabilities.*  
 20 *The report shall include an examination of the possibility*  
 21 *of—*

22 *(1) developing a system of priority access to ex-*  
 23 *isting commercial wireless systems;*

1           (2) *designating national emergency spectrum to*  
 2       *be held in reserve for public safety and emergency*  
 3       *purposes; and*

4           (3) *creating a specialized public safety commu-*  
 5       *nications network or networks for use with wireless*  
 6       *devices customized for public safety use.*

7       (b) *IN-KIND DONATIONS.*—*Within 1 year after the*  
 8       *date of enactment of this Act, the Federal Emergency Man-*  
 9       *agement Agency, in consultation with other appropriate*  
 10      *Federal agencies, shall submit to the Committee on Com-*  
 11      *merce, Science, and Transportation of the Senate and the*  
 12      *Committee on Science of the House of Representatives a re-*  
 13      *port on the barriers to acceptance by Federal agencies of*  
 14      *in-kind donations of technology and services during emer-*  
 15      *gency situations.*

16   **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

17       (a) *NATIONAL EMERGENCY TECHNOLOGY GUARD.*—  
 18      *There are authorized to be appropriated \$5,000,000 for each*  
 19      *of fiscal years 2003 and 2004 to carry out section 3.*

20       (b) *PILOT PROGRAMS.*—*There are authorized to be ap-*  
 21      *propriated to the department, agency, or office in which the*  
 22      *program is established under section 5(a) \$35,000,000 for*  
 23      *fiscal year 2003 to carry out section 5 of this Act, such*  
 24      *sums to remain available until expended.*

1       (c) *REPORT.*—*There are authorized to be appropriated*  
2 *to the department, agency, or office designated in section*  
3 *6(a) \$500,000 for fiscal year 2003 to carry out section 6(a)*  
4 *of this Act.*

5 **SEC. 8. EMERGENCY RESPONSE AGENCIES.**

6       *In this Act, the term “emergency response agency” in-*  
7 *cludes agencies providing any of the following services:*

8               (1) *Law Enforcement services.*

9               (2) *Fire services.*

10              (3) *Emergency Medical services.*

11              (4) *Public Safety Communications.*

12              (5) *Emergency Preparedness.*



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**[Report No. 107–186]**

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## **A BILL**

To mobilize technology and science experts to respond quickly to the threats posed by terrorist attacks and other emergencies, by providing for the establishment of a national emergency technology guard, a technology reliability advisory board, and a center for evaluating antiterrorism and disaster response technology within the National Institute of Standards and Technology.

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JUNE 27, 2002

Reported with an amendment