

108TH CONGRESS
2D SESSION

S. 2459

To authorize the Secretary of Homeland Security to award research and equipment grants, to provide a tax credit for employers who hire temporary workers to replace employees receiving first responder training, to provide school-based mental health training, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 20, 2004

Mr. ROCKEFELLER introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To authorize the Secretary of Homeland Security to award research and equipment grants, to provide a tax credit for employers who hire temporary workers to replace employees receiving first responder training, to provide school-based mental health training, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Community Security
5 Act”.

1 **SEC. 2. TAX INCENTIVES TO FACILITATE TRAINING OR DIS-**
2 **ASTER RESPONSE BY INDIVIDUALS SERVING**
3 **AS VOLUNTEER FIRST RESPONDERS.**

4 (a) FINDINGS.—Congress makes the following find-
5 ings:

6 (1) Seventy percent of our Nation’s firefighters
7 are volunteers, as are many emergency medical serv-
8 ice and police personnel.

9 (2) States rely heavily on the services of these
10 volunteer first responders.

11 (3) Many career first responders begin as vol-
12 unteers.

13 (4) Volunteer first responders need the same
14 preparation and training as career first responders.
15 Advanced training is frequently required before vol-
16 unteer first responders can be fully integrated in a
17 State homeland security plan.

18 (5) The training and duties of volunteer first
19 responders sometimes conflict with their regular em-
20 ployment for significant periods of time, such as in
21 cases of out-of-State training and disaster response.
22 In these cases employers may need to hire tem-
23 porary replacement workers or incur other related
24 costs while the volunteer responders are away from
25 work. The burden of temporarily replacing these em-

1 ployees is particularly great for small and single-em-
2 ployer businesses.

3 (b) VOLUNTEER FIRST RESPONDER CREDIT.—

4 (1) IN GENERAL.—Subpart D of part IV of
5 subchapter A of chapter 1 (relating to business-re-
6 lated credits), as amended by this Act, is amended
7 by adding at the end the following:

8 **“SEC. 45G. CREDIT TO EMPLOYERS OF VOLUNTEER FIRST**
9 **RESPONDERS.**

10 “(a) GENERAL RULE.—For purposes of section 38,
11 the volunteer first responder employee credit is an amount
12 equal to 50 percent of the sum of—

13 “(1) the employment credit with respect to all
14 qualified volunteer first responder employees of the
15 taxpayer,

16 “(2) in the case of a small business employer,
17 the replacement credit with respect to all qualified
18 volunteer first responder employees of the taxpayer,
19 plus

20 “(3) the self-employment credit of a qualified
21 volunteer first responder self-employed taxpayer.

22 “(b) EMPLOYMENT CREDIT.—For purposes of this
23 section—

24 “(1) IN GENERAL.—The employment credit
25 with respect to any qualified volunteer first re-

1 sponder employee of the taxpayer is an amount
2 equal to the lesser of—

3 “(A) the actual compensation amount with
4 respect to such employee for such taxable year,
5 or

6 “(B) \$30,000.

7 “(2) ACTUAL COMPENSATION AMOUNT.—

8 “(A) IN GENERAL.—The term ‘actual com-
9 pensation amount’ means the amount of com-
10 pensation paid or incurred by the taxpayer with
11 respect to a qualified volunteer first responder
12 employee on any day when such employee was
13 absent from employment for the purpose of par-
14 ticipating in a qualified activity.

15 “(B) COMPENSATION.—The term ‘com-
16 pensation’ means any remuneration for employ-
17 ment, whether in cash or in kind, which is paid
18 or incurred by a taxpayer and which is deduct-
19 ible from the taxpayer’s gross income under
20 section 162(a)(1).

21 “(3) LIMITATION.—No credit shall be allowed
22 under this subsection with respect to any day that
23 a qualified volunteer first responder employee who
24 takes part in a qualified activity was not scheduled

1 to work (for reason other than to participate in a
2 qualified activity).

3 “(c) REPLACEMENT CREDIT.—For purposes of this
4 section.—

5 “(1) IN GENERAL.—The replacement credit
6 with respect to any qualified volunteer first re-
7 sponder employee of the taxpayer is an amount
8 equal to the sum of—

9 “(A) the qualified compensation with re-
10 spect to each qualified replacement employee of
11 the taxpayer paid by the taxpayer during the
12 taxable year, and

13 “(B) the qualified overtime wages paid by
14 the taxpayer during the taxable year.

15 “(2) LIMITATION.—The amount of the credit
16 allowed by reason of this subsection shall not exceed
17 \$12,000 for any taxable year.

18 “(3) QUALIFIED COMPENSATION.—The term
19 ‘qualified compensation’ means—

20 “(A) compensation which is normally con-
21 tingent on the qualified replacement employee’s
22 presence for work and which is deductible from
23 the taxpayer’s gross income under section
24 162(a)(1),

1 “(B) compensation which is not character-
2 ized by the taxpayer as vacation or holiday pay,
3 or as sick leave or pay, or as any other form
4 of pay for a nonspecific leave of absence, and

5 “(C) group health plan costs (if any) with
6 respect to the qualified replacement employee.

7 “(4) QUALIFIED REPLACEMENT EMPLOYEE.—

8 The term ‘qualified replacement employee’ means an
9 individual who is hired to replace a qualified volun-
10 teer first responder employee, but only with respect
11 to the period during which such employee partici-
12 pates in a qualified activity, including time spent in
13 travel status.

14 “(5) QUALIFIED OVERTIME WAGES.—For pur-

15 poses of this section, the term ‘qualified overtime
16 wages’ means overtime wages paid to an employee of
17 the taxpayer (other than a qualified replacement em-
18 ployee) for duties normally performed by a qualified
19 volunteer first responder employee, but only with re-
20 spect to the period during which such qualified vol-
21 unteer first responder employee participates in a
22 qualified activity, including time spent in travel sta-
23 tus.

24 “(6) COORDINATION WITH OTHER CREDITS.—

25 The amount of credit otherwise allowable under sec-

1 tions 51(a) and 1396(a) with respect to any em-
2 ployee shall be reduced by the credit allowed by rea-
3 son of paragraph (1)(A) with respect to such em-
4 ployee.

5 “(d) SELF-EMPLOYMENT CREDIT.—For purposes of
6 this section—

7 “(1) IN GENERAL.—The self-employment credit
8 with respect to a qualified volunteer first responder
9 self-employed taxpayer is an amount equal to the
10 amount paid or incurred by such taxpayer with re-
11 spect to a qualified self-employment replacement em-
12 ployee.

13 “(2) QUALIFIED VOLUNTEER FIRST RE-
14 SPONDER SELF-EMPLOYED TAXPAYER.—The term
15 ‘qualified volunteer first responder self-employed
16 taxpayer’ means a taxpayer who—

17 “(A) has self-employment income (as de-
18 fined in section 1402) for the taxable year, and

19 “(B) holds a volunteer position as a fire-
20 fighter, law enforcement official, or emergency
21 medical service provider.

22 “(3) QUALIFIED SELF-EMPLOYMENT REPLACE-
23 MENT EMPLOYEE.—The term ‘qualified self-employ-
24 ment replacement employee’ means an individual
25 who is hired to replace the qualified volunteer first

1 responder self-employed taxpayer, but only with re-
 2 spect to the period during which such taxpayer par-
 3 ticipates in a qualified activity, including time spent
 4 in travel status.

5 “(e) DEFINITIONS AND OTHER RULES.—For pur-
 6 poses of this section—

7 “(1) QUALIFIED VOLUNTEER FIRST RE-
 8 SPONDER EMPLOYEE.—The term ‘qualified volunteer
 9 first responder employee’ means an individual who—

10 “(A) has been an employee of the taxpayer
 11 for the 91-day period immediately preceding the
 12 period during which the employee participates
 13 in a qualified activity, and

14 “(B) holds a volunteer position as a fire-
 15 fighter, law enforcement official, or emergency
 16 medical service provider.

17 “(2) QUALIFIED ACTIVITY.—The term ‘quali-
 18 fied activity’ means—

19 “(A) training with respect to duties per-
 20 formed in connection with the volunteer position
 21 of the qualified volunteer first responder em-
 22 ployee or qualified volunteer first responder
 23 self-employed taxpayer, and

24 “(B) the performance of duties in connec-
 25 tion with the volunteer position of the qualified

1 volunteer first responder employee or qualified
2 volunteer first responder self-employed tax-
3 payer, but only to the extent that such duties
4 take not less than 1 day to perform.

5 “(3) SMALL BUSINESS EMPLOYER.—

6 “(A) IN GENERAL.—The term ‘small busi-
7 ness employer’ means, with respect to any tax-
8 able year, any employer who employed an aver-
9 age of 200 or fewer employees on business days
10 during such taxable year.

11 “(B) CONTROLLED GROUPS.—For pur-
12 poses of subparagraph (A), all persons treated
13 as a single employer under subsection (b), (c),
14 (m), or (o) of section 414 shall be treated as a
15 single employer.”.

16 (2) CREDIT MADE PART OF GENERAL BUSINESS
17 CREDIT.—Section 38(b) of the Internal Revenue
18 Code of 1986 is amended by striking “plus” at the
19 end of paragraph (14), by striking the period at the
20 end of paragraph (15) and inserting “, plus”, and
21 by adding at the end the following new paragraph:

22 “(16) the volunteer first responder employee
23 credit determined under section 45G.”.

1 (3) TRANSITION RULE.—Section 39(d) of the
2 Internal Revenue Code of 1986 is amended by add-
3 ing at the end the following new paragraph:

4 “(11) NO CARRYBACK OF VOLUNTEER FIRST
5 RESPONDER EMPLOYEE CREDIT BEFORE ENACT-
6 MENT.—No portion of the unused business credit for
7 any taxable year which is attributable to the volun-
8 teer first responder employee credit determined
9 under section 45G may be carried back to a taxable
10 year beginning before January 1, 2004.”.

11 (4) DENIAL OF DOUBLE BENEFIT.—Section
12 280C(a) of the Internal Revenue Code of 1986 (re-
13 lating to rule for employment credits) is amended—

14 (A) by inserting “or compensation” after
15 “salaries”, and

16 (B) by inserting “45G,”, after “45A(a),”.

17 (5) CONFORMING AMENDMENT.—The table of
18 sections for subpart D of part IV of subchapter A
19 of chapter 1 of the Internal Revenue Code of 1986
20 is amended by adding at the end the following new
21 item:

“Sec. 45G. Credit to employers of volunteer first responders.”.

22 (6) EFFECTIVE DATE.—The amendments made
23 by this subsection shall apply to taxable years begin-
24 ning after December 31, 2003.

1 (c) DEDUCTION FOR CERTAIN EXPENSES OF VOLUN-
2 TEER FIRST RESPONDERS.—

3 (1) DEDUCTION FOR TRAVEL EXPENSES.—

4 (A) DEDUCTION ALLOWED.—Section 162
5 (relating to certain trade or business expenses)
6 is amended by redesignating subsection (q) as
7 subsection (r) and inserting after subsection (p)
8 the following new subsection:

9 “(q) TREATMENT OF EXPENSES OF VOLUNTEER
10 FIRST RESPONDERS.—For purposes of subsection (a)(2),
11 in the case of an individual who participates in a qualified
12 activity (within the meaning of section 45G(e)(2)) as a
13 volunteer first responder (within the meaning of section
14 224) at any time during the taxable year, such individual
15 shall be deemed to be away from home in the pursuit of
16 a trade or business for any period during which such indi-
17 vidual is away from home in connection with such partici-
18 pation.”.

19 (B) DEDUCTION ALLOWED WHETHER OR
20 NOT TAXPAYER ELECTS TO ITEMIZE.—Section
21 62(a)(2) (relating to certain trade and business
22 deductions of employees) is amended by adding
23 at the end the following new subparagraph:

24 “(F) CERTAIN EXPENSES OF VOLUNTEER
25 FIRST RESPONDERS.—The deductions allowed

1 by section 162 which consist of expenses, deter-
 2 mined at a rate not in excess of the rates for
 3 travel expenses (including per diem in lieu of
 4 subsistence) authorized for employees of agen-
 5 cies under subchapter I of chapter 57 of title 5,
 6 United States Code, paid or incurred by the
 7 taxpayer in connection with participation in
 8 qualified activities (as defined in section
 9 45G(e)(2)) as a volunteer first responder for
 10 any period during which such individual is more
 11 than 100 miles away from home in connection
 12 with such qualified activities.”.

13 (2) DEDUCTION FOR TRAINING EXPENSES.—

14 (A) IN GENERAL.—Part VII of subchapter
 15 B of chapter 1 of the Internal Revenue Code of
 16 1986 (relating to additional itemized deduction
 17 for individuals) is amended by redesignating
 18 section 224 as section 225 and by inserting
 19 after section 223 the following new section:

20 **“SEC. 224. CERTAIN EXPENSES OF VOLUNTEER FIRST RE-**
 21 **SPONDERS.**

22 “(a) IN GENERAL.—In the case of a volunteer first
 23 responder, there shall be allowed as a deduction an
 24 amount equal to the expenses paid or incurred by the vol-
 25 unteer first responder necessary for training with respect

1 to duties performed in connection with the volunteer posi-
 2 tion of such volunteer first responder.

3 “(b) VOLUNTEER FIRST RESPONDER.—For purposes
 4 of this section, the term ‘volunteer first responder’ means
 5 an individual who holds a volunteer position as a fire-
 6 fighter, law enforcement official, or emergency medical
 7 service provider.”.

8 (B) DEDUCTION ALLOWED WHETHER OR
 9 NOT TAXPAYER ELECTS TO ITEMIZE.—Section
 10 62(a) of such Code (relating to adjusted gross
 11 income) is amended by adding at the end the
 12 following new section:

13 “(20) VOLUNTEER FIRST RESPONDER TRAIN-
 14 ING EXPENSES.—The deduction allowed by section
 15 224.”.

16 (C) CONFORMING AMENDMENT.—The
 17 table of section for part VII of subchapter B of
 18 chapter 1 of such Code is amended by striking
 19 the item relating to section 224 and inserting
 20 the following:

“Sec. 224. Certain expenses of volunteer first responders.

“Sec. 225. Cross reference.”.

21 (3) EFFECTIVE DATE.—The amendments made
 22 by this subsection shall apply to taxable years begin-
 23 ning after December 31, 2003.

1 **SEC. 3. CRITICAL NEED GRANTS FOR FIRST RESPONDERS.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) According to a report by the Council on
4 Foreign Relations Independent Task Force, first re-
5 sponders in the United States are underfunded and
6 unprepared for future natural, technological, and
7 human-caused disasters.

8 (2) Local firefighters, police officers, and emer-
9 gency medical personnel are responsible for disaster
10 prevention, mitigation, and response.

11 (3) It is essential that first responders have
12 basic safety equipment that is in good working order
13 and customized, if appropriate, to do their jobs as
14 safely and effectively as possible.

15 (4) All first responder operation centers need
16 basic communications equipment, including—

17 (A) multiple touch-tone phone lines;

18 (B) a fax machine with a dedicated phone
19 line;

20 (C) a computer with a high-speed connec-
21 tion to the Internet; and

22 (D) personal communication devices for
23 shift supervisors, their commanders, and all
24 first responders in a work unit.

25 (b) PURPOSE.—The purpose of this section is to es-
26 tablish a competitive grant program within the Depart-

1 ment of Homeland Security to provide first responders
 2 with the basic equipment needed to accomplish their
 3 homeland security goals.

4 (c) LOCAL CRITICAL NEED HOMELAND SECURITY
 5 GRANTS FOR FIRST RESPONDERS.—Title V of the Home-
 6 land Security Act of 2002 (6 U.S.C. 311 et seq.) is amend-
 7 ed by adding at the end the following:

8 **“SEC. 510. LOCAL CRITICAL NEED HOMELAND SECURITY**
 9 **GRANTS FOR FIRST RESPONDERS.**

10 “(a) DEFINITIONS.—As used in this section, the fol-
 11 lowing definitions shall apply:

12 “(1) BASIC PERSONAL EQUIPMENT.—The term
 13 ‘basic personal equipment’ means equipment nec-
 14 essary to achieve the standard of basic preparedness
 15 established by the Under Secretary for Emergency
 16 Preparedness and Response under subsection (d), in-
 17 cluding—

18 “(A) personal breathing apparatus;

19 “(B) protective equipment; and

20 “(C) bulletproof vests.

21 “(2) COMMUNICATIONS ENHANCEMENT.—The
 22 term ‘communications enhancement’ means improve-
 23 ments to local first responder communications sys-
 24 tems that are necessary to achieve the standard of
 25 basic preparedness established by the Under Sec-

1 retary for Emergency Preparedness and Response
2 under subsection (d), including the development or
3 enhancement of—

4 “(A) emergency operations centers;

5 “(B) processes and facilities for informa-
6 tion sharing among different levels and first re-
7 sponder units; and

8 “(C) communications capabilities within
9 individual firehouses, police precincts, or other
10 centers of emergency operation.

11 “(b) STANDARD OF BASIC PREPAREDNESS.—Not
12 later than September 30, 2005, the Under Secretary for
13 Emergency Preparedness and Response shall establish a
14 standard of basic preparedness for local first responders,
15 which shall provide for maximum State flexibility.

16 “(c) GRANTS AUTHORIZED.—The Secretary may
17 award need-based, competitive grants to States and units
18 of local government to be used for basic personal equip-
19 ment and communications enhancement needed to per-
20 form their disaster response, mitigation, and recovery mis-
21 sions.

22 “(d) APPLICATION.—

23 “(1) IN GENERAL.—Each eligible entity desir-
24 ing a grant under this section shall submit an appli-
25 cation to the Under Secretary for Emergency Pre-

1 paredness and Response at such time, in such man-
2 ner, and containing such information, including the
3 safety and communications equipment to be pur-
4 chased with grant funds, as the Under Secretary
5 may reasonably require.

6 “(2) PRIORITY.—

7 “(A) IN GENERAL.—The Under Secretary
8 shall give the highest priority to applicants
9 demonstrating the greatest need for basic per-
10 sonal equipment and communication enhance-
11 ments when compared to the standard of basic
12 preparedness established under subsection (d).

13 “(B) INTERIM PRIORITY.—Until a stand-
14 ard of basic preparedness is established under
15 subsection (d), the Secretary shall give highest
16 priority to applicants that demonstrate the
17 greatest need for basic personal equipment and
18 communication enhancements when compared
19 to the standard under consideration.

20 “(3) EVALUATION PLANS.—The Secretary shall
21 use evaluation plans under consideration to help de-
22 termine which applicants will receive grants under
23 this section.

24 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated, for each of fiscal years

1 2005 through 2007, such sums as may be necessary to
 2 carry out this section, which shall remain available until
 3 expended.”.

4 **SEC. 4. SAFE SCHOOLS THROUGH MENTAL HEALTH PRO-**
 5 **GRAM.**

6 (a) GRANTS AUTHORIZED.—Subpart 2 of part A of
 7 title IV of the Elementary and Secondary Education Act
 8 of 1965 (20 U.S.C. 7131 et seq.) is amended by adding
 9 at the end the following:

10 **“SEC. 4131. MENTAL HEALTH PROGRAMS.**

11 “(a) PURPOSE.—The purpose of this section is to
 12 provide grants to States and local educational agencies—

13 “(1) to prepare for and respond to disasters or
 14 terrorism in or impacting schools;

15 “(2) to prevent avoidable disasters, such as in-
 16 school or school-related violence;

17 “(3) to establish community-sustainable mental
 18 health programs in schools; and

19 “(4) to train school personnel on mental health
 20 issues, including disaster and terrorism prevention,
 21 response, and mitigation.

22 “(b) FINDINGS.—Congress makes the following find-
 23 ings:

24 “(1) Schools occupy a unique place in the com-
 25 munity. In addition to their main mission of edu-

1 cating children, they serve a public education role
2 and a role in community organization.

3 “(2) Schools have new responsibilities in the
4 homeland security era and in terms of disaster re-
5 sponse. Schools often serve as community meeting
6 places, centers of operation for disaster response,
7 and shelters, and have a place in preventing some
8 disasters from happening. Schools may also be called
9 upon to fill novel roles in the case of a disaster, such
10 as keeping children safe after normal school hours.

11 “(3) Some disasters, such as in-school violence,
12 are largely preventable. Mental health professionals
13 in schools may be able to anticipate and prevent
14 school-related disasters and are better positioned to
15 mitigate disaster effects.

16 “(4) After any disaster, people benefit from re-
17 turning to their normal routine to whatever extent
18 possible. Schools may be in the position to mitigate
19 disaster-related stress.

20 “(c) DEFINITION.—In this section, the term ‘eligible
21 entity’ means a public school or a local educational agency.

22 “(d) SAFE SCHOOLS THROUGH MENTAL HEALTH
23 PROGRAM.—

24 “(1) GRANTS AUTHORIZED.—From funds made
25 available to carry out this subpart under section

1 4003(2), the Secretary shall award grants to eligible
2 entities to pay the Federal share of the cost of car-
3 rying out the activities described in paragraph (3).

4 “(2) APPLICATION.—An eligible entity that de-
5 sires to receive a grant under this subsection shall
6 submit an application to the Secretary at such time,
7 in such manner, and accompanied by such informa-
8 tion as the Secretary may require, including a cer-
9 tification that the eligible entity will provide the nec-
10 essary State or local funding to continue the activi-
11 ties initiated with the grant during the 5-year period
12 beginning on the date on which such grant is award-
13 ed.

14 “(3) USES OF FUNDS.—An eligible entity that
15 receives a grant under this subsection may use the
16 grant funds to—

17 “(A) train elementary school and sec-
18 ondary school teachers, administrators, and
19 other professionals to—

20 “(i) identify and prevent avoidable
21 disasters; and

22 “(ii) assist children in dealing with
23 the aftermath of terrorism and disasters or
24 other mental health issues;

1 “(B) provide for school-based mental
2 health professionals to offer services in elemen-
3 tary and secondary schools;

4 “(C) provide mental health services to ele-
5 mentary and secondary school students who
6 face, or have faced, disciplinary action, includ-
7 ing students who have been suspended or ex-
8 pelled from school.

9 “(4) FEDERAL SHARE.—The Federal share of
10 the cost of carrying out the activities under para-
11 graph (3) shall be not more than—

12 “(A) 80 percent of the total cost of such
13 activities, in the first year of the grant award;

14 “(B) 60 percent of the total cost of such
15 activities, in the second year of the grant
16 award;

17 “(C) 40 percent of the total cost of such
18 activities, in the third year of the grant award;

19 “(D) 20 percent of the total cost of such
20 activities, in the fourth year of the grant award;
21 and

22 “(E) 0 percent of the total cost of such ac-
23 tivities, in the fifth year of the grant award.

24 “(5) STATE AND LOCAL FUNDING.—If an eligi-
25 ble entity receiving a grant under this subsection

1 fails to provide sufficient State or local funding, in
2 accordance with paragraph (4), the eligible entity
3 shall be subject to a penalty up to the amount re-
4 ceived under this subsection, as determined by the
5 Secretary, which shall be payable to the United
6 States Treasury.

7 “(e) SCHOOL-BASED DISASTER MITIGATION RE-
8 FUND PROGRAM.—

9 “(1) GRANTS AUTHORIZED.—From funds made
10 available to carry out this subpart under section
11 4003(2), the Secretary, in an emergency declared by
12 the President under title V of the Robert T. Stafford
13 Disaster Relief and Emergency Assistance Act (42
14 U.S.C. 501 et seq.), shall award grants to eligible
15 entities to pay the Federal share of the cost of car-
16 rying out the activities described in paragraph (3).

17 “(2) APPLICATION.—An eligible entity that de-
18 sires to receive a grant under this subsection shall
19 submit an application to the Secretary at such time,
20 in such manner, and accompanied by such informa-
21 tion as the Secretary may require.

22 “(3) USE OF FUNDS.—An eligible entity that
23 receives a grant under this subsection shall use the
24 grant funds to reimburse elementary and secondary
25 schools for costs incurred by such schools—

1 “(A) during a disaster response; and

2 “(B) for in-school mental health coun-
3 seling for a period of 13 months beginning on
4 the date of the disaster.”.

5 (b) FEDERAL EMERGENCY ASSISTANCE.—Section
6 502(a) of the Robert T. Stafford Disaster Relief and
7 Emergency Assistance Act (42 U.S.C. 5192(a)) is amend-
8 ed—

9 (1) in paragraph (6), by striking “and” at the
10 end;

11 (2) in paragraph (7), by striking the period at
12 the end and inserting “; and”; and

13 (3) by adding at the end the following:

14 “(8) provide financial assistance to affected
15 State and local governments for school-based com-
16 munity mental health counseling.”.

17 **SEC. 5. HOMELAND SECURITY RESEARCH AND DEVELOP-**
18 **MENT GRANT PROGRAM.**

19 (a) FINDINGS.—Congress finds the following:

20 (1) The Department of Homeland Security is
21 responsible for funding the intramural and extra-
22 mural research and development to address the De-
23 partment’s scientific and technological needs and re-
24 quirements.

1 (2) Funding has been appropriated to the De-
2 partment of Homeland Security to carry out signifi-
3 cant levels of scientific development, and this fund-
4 ing will likely increase in the future.

5 (3) Terrorist threats against the United States
6 are not restricted to a single geographic area, ter-
7 rorist group, or method of threat. undefended bor-
8 ders make terrorist attacks possible in places that
9 have never had to prepare for, or respond to, ter-
10 rorism.

11 (4) Every State must be prepared for disasters
12 and will incur costs associated with homeland secu-
13 rity.

14 (5) States experience varying levels of potential
15 homeland security threats and homeland security
16 concerns vary geographically. Addressing these
17 threats requires regional and local expertise, thus
18 the scientific and technological workforce and train-
19 ing should not be overly centralized.

20 (6) Academic research and development funding
21 has not been distributed equitably in the past. Con-
22 gress has taken steps to resolve this problem. Cor-
23 recting this inequity will provide beneficial results
24 for science and technology training and research.

1 (b) PURPOSE.—The purpose of this section is to es-
2 tablish a competitive grant program for homeland security
3 research and development.

4 (c) HOMELAND SECURITY RESEARCH AND DEVELOP-
5 MENT GRANT PROGRAM.—Title III of the Homeland Se-
6 curity Act of 2002 (6 U.S.C. 181 et seq.) is amended by
7 adding at the end the following:

8 **“SEC. 314. COMPETITIVE RESEARCH GRANT PROGRAM.**

9 “(a) ESTABLISHMENT.—The Secretary, in consulta-
10 tion with the Under Secretary for Science and Technology,
11 shall establish a Homeland Security Competitive Research
12 Grant Program (referred to in this section as the ‘Pro-
13 gram’) to more equitably distribute Federal research and
14 development funds by awarding competitive grants to uni-
15 versities and colleges in eligible States to conduct research
16 projects relating to homeland security.

17 “(b) ELIGIBLE STATES.—During fiscal years 2005
18 and 2006, colleges and universities located in States and
19 territories that qualify for the National Science Founda-
20 tion’s EPSCoR program or the National Institutes of
21 Health IDeA program shall be eligible for funding under
22 the Program.

23 “(c) RESPONSIBILITIES.—The Under Secretary for
24 Science and Technology shall—

1 “(1) ensure that not less than 15 percent of the
2 Department’s overall academic research funding is
3 allocated to universities and colleges in eligible
4 States;

5 “(2) establish a cofunding mechanism for
6 States with academic facilities that have not fully
7 developed security-related science and technology to
8 support burgeoning research efforts by the faculty or
9 link them to established investigators;

10 “(3) provide for conferences, workshops, out-
11 reach, and technical assistance to researchers and
12 academic institutions in eligible States on topics re-
13 lated to developing science and technology expertise
14 in areas of high interest and relevance to the De-
15 partment;

16 “(4) monitor the efforts of States to develop
17 programs that support the Department’s mission;

18 “(5) implement a merit review program, con-
19 sistent with program objectives, to ensure the qual-
20 ity of research conducted with Program funding; and

21 “(6) provide annual reports on the progress and
22 achievements of the Program to the Secretary.

23 “(d) ANNUAL REPORT.—Not later than March 15 of
24 each year, the Under Secretary for Science and Tech-

1 nology shall submit a report to Congress on the implemen-
2 tation of the Program.

3 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated—

5 “(1) \$5,000,000 for fiscal year 2005 to carry
6 out subsection (c)(3); and

7 “(2) such sums as may be necessary for fiscal
8 year 2006 to carry out this section.”.

9 **SEC. 6. HOMELAND SECURITY RESEARCH EXPANSION**
10 **GRANT PROGRAM.**

11 (a) FINDINGS.—Congress finds the following:

12 (1) The Department of Homeland Security
13 should fund research, which explores the innovative
14 human dimensions of homeland security.

15 (2) Infrastructure and transportation systems,
16 and the systems designed to protect them, are only
17 as effective as their operators and users.

18 (3) Because communication before, during, and
19 after disasters is critical, the understanding of be-
20 havioral, psychological, and social sciences in pro-
21 moting effective communications with homeland se-
22 curity goals in mind is vital to the department’s mis-
23 sion.

24 (4) Several areas of social science are relevant
25 to homeland security, including—

1 (A) theories and data regarding threat
2 communication and the psychological impacts of
3 such threats;

4 (B) citizen response to disaster;

5 (C) group behavior in response to a threat
6 or actual disaster;

7 (D) theories and data about the impact of
8 sustained attention and vigilance on reasoning;
9 and

10 (E) risk analysis and decision-making and
11 their application to homeland security.

12 (5) Since the primary goal of terrorism is to
13 disrupt social systems, the Department of Homeland
14 Security should support research on how attitudes
15 and beliefs about terrorism impact—

16 (A) consumer confidence;

17 (B) population mobility;

18 (C) decisions about childcare;

19 (D) job behaviors; and

20 (E) attitudes toward immigrants, political
21 institutions, and leaders.

22 (6) Homeland security efforts would benefit
23 from research on—

24 (A) the selection, management, and train-
25 ing of security personnel and first responders;

1 (B) the impact of stereotyping and
2 marginalization of groups;

3 (C) hate crimes;

4 (D) the emergence and maintenance of
5 fundamentalist, extremist, and antigovernment
6 groups within the United States; and

7 (E) protection against the acts inspired by
8 the groups described in subparagraph (D).

9 (b) PURPOSE.—The purpose of this section is to es-
10 tablish a program to award research grants to examine
11 the social dimensions of terrorism.

12 (c) RESEARCH EXPANSION GRANTS.—Title III of the
13 Homeland Security Act of 2002 (6 U.S.C. 181 et seq.),
14 as amended by section 5, is further amended by adding
15 at the end the following:

16 **“SEC. 315. RESEARCH EXPANSION GRANTS.**

17 “(a) IN GENERAL.—The Secretary shall award re-
18 search grants to colleges and universities to—

19 “(1) analyze group dynamics during periods of
20 extreme stress, including how first responders—

21 “(A) react during such periods;

22 “(B) can be inoculated to stress; and

23 “(C) can help mitigate the stress and so-
24 cial disruption that often accompanies emer-
25 gency situations;

1 “(2) analyze the social and cultural factors that
2 may affect the performance of first responder
3 groups;

4 “(3) expand human factors research to all other
5 modes of transportation including the use of infra-
6 structure and transportation systems under evacu-
7 ation circumstances;

8 “(4) develop and demonstrate compliance with
9 operability standards for new technologies designed
10 by human factors experts in conjunction with users;

11 “(5) examine the decision making of voluntary
12 first responders under extended periods of disaster,
13 including whether volunteer first responders would
14 report to their primary jobs or their first responder
15 positions if simultaneously called to both; and

16 “(6) understand how the Homeland Security
17 Advisory System operates as a useful communication
18 tool for citizens.

19 “(b) APPLICATION.—Each college and university de-
20 siring a grant under this section shall submit an applica-
21 tion to the Secretary at such time, in such manner, and
22 containing such information as the Secretary may reason-
23 ably require.

24 “(c) ANNUAL REPORTS.—

1 “(1) REPORT TO SECRETARY.—Grant recipients
2 shall submit an annual report to the Secretary con-
3 taining specific research findings that may be used
4 to improve emergency preparedness and response ef-
5 forts.

6 “(2) REPORT TO CONGRESS.—The Secretary
7 shall submit an annual report to Congress on the
8 grant program authorized by this section.

9 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated \$40,000,000 for each
11 of the fiscal years 2005 through 2007.”.

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