

115TH CONGRESS
1ST SESSION

H. R. 2922

To reform and improve the Federal Emergency Management Agency, the Office of Emergency Communications, and the Office of Health Affairs of the Department of Homeland Security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2017

Mr. DONOVAN (for himself, Mr. McCAUL, Mr. KING of New York, and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committees on Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To reform and improve the Federal Emergency Management Agency, the Office of Emergency Communications, and the Office of Health Affairs of the Department of Homeland Security, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Promoting Resilience and Efficiency in Preparing for At-

1 tacks and Responding to Emergencies Act” or the “PRE-
2 PARE Act”.

3 (b) TABLE OF CONTENTS.—The table of contents for
4 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—GRANTS, TRAINING, EXERCISES, AND COORDINATION

- Sec. 101. Urban Area Security Initiative.
- Sec. 102. State Homeland Security Grant Program.
- Sec. 103. Grants to directly eligible tribes.
- Sec. 104. Law enforcement terrorism prevention.
- Sec. 105. Prioritization.
- Sec. 106. Allowable uses.
- Sec. 107. Approval of certain equipment.
- Sec. 108. Memoranda of understanding.
- Sec. 109. Grants metrics.
- Sec. 110. Grant management best practices.
- Sec. 111. Prohibition on consolidation.
- Sec. 112. Maintenance of grant investments.
- Sec. 113. Transit security grant program.
- Sec. 114. Port security grant program.
- Sec. 115. National Domestic Preparedness Consortium.
- Sec. 116. Rural Domestic Preparedness Consortium.
- Sec. 117. Emergency support functions.
- Sec. 118. Review of National Incident Management System.
- Sec. 119. Remedial action management program.
- Sec. 120. Cyber preparedness.
- Sec. 121. Major metropolitan area counterterrorism training and exercise grant program.
- Sec. 122. Center for Domestic Preparedness.

TITLE II—COMMUNICATIONS

- Sec. 201. Office of Emergency Communications.
- Sec. 202. Responsibilities of Office of Emergency Communications Director.
- Sec. 203. Annual reporting on activities of the Office of Emergency Communications.
- Sec. 204. National Emergency Communications Plan.
- Sec. 205. Technical edit.
- Sec. 206. Public Safety Broadband Network.
- Sec. 207. Communications training.

TITLE III—MEDICAL PREPAREDNESS

- Sec. 301. Chief Medical Officer.
- Sec. 302. Medical Countermeasures Program.

TITLE IV—MANAGEMENT

- Sec. 401. Mission support.

Sec. 402. Systems modernization.

Sec. 403. Strategic human capital plan.

1 **TITLE I—GRANTS, TRAINING, EX-**
 2 **ERCISES, AND COORDINA-**
 3 **TION**

4 **SEC. 101. URBAN AREA SECURITY INITIATIVE.**

5 Section 2003 of the Homeland Security Act of 2002
 6 (6 U.S.C. 604) is amended—

7 (1) in subsection (b)(2)(A), in the matter pre-
 8 ceding clause (i), by inserting “, using the most up-
 9 to-date data available,” after “assessment”;

10 (2) in subsection (d)(2), by amending subpara-
 11 graph (B) to read as follows:

12 “(B) FUNDS RETAINED.—To ensure trans-
 13 parency and avoid duplication, a State shall
 14 provide each relevant high-risk urban area with
 15 a detailed accounting of the items, services, or
 16 activities on which any funds retained by the
 17 State under subparagraph (A) are to be ex-
 18 pended. Such accounting shall be provided not
 19 later than 90 days after the date of which such
 20 funds are retained.”; and

21 (3) by striking subsection (e) and inserting the
 22 following new subsections:

23 “(e) THREAT AND HAZARD IDENTIFICATION RISK
 24 ASSESSMENT AND CAPABILITY ASSESSMENT.—As a con-

1 dition of receiving a grant under this section, each high-
2 risk urban area shall submit to the Administrator a threat
3 and hazard identification and risk assessment and capa-
4 bility assessment—

5 “(1) at such time and in such form as is re-
6 quired by the Administrator; and

7 “(2) consistent with the Federal Emergency
8 Management Agency’s Comprehensive Preparedness
9 Guide 201, Second Edition, or such successor docu-
10 ment or guidance as is issued by the Administrator.

11 “(f) PERIOD OF PERFORMANCE.—The Administrator
12 shall make funds provided under this section available for
13 use by a recipient of a grant for a period of not less than
14 36 months.

15 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
16 is authorized to be appropriated for grants under this sec-
17 tion \$800,000,000 for each of fiscal years 2018 through
18 2022.”.

19 **SEC. 102. STATE HOMELAND SECURITY GRANT PROGRAM.**

20 Section 2004 of the Homeland Security Act of 2002
21 (6 U.S.C. 605) is amended by striking subsection (f) and
22 inserting the following new subsections:

23 “(f) THREAT AND HAZARD IDENTIFICATION AND
24 RISK ASSESSMENT AND CAPABILITY ASSESSMENT.—

1 “(1) IN GENERAL.—As a condition of receiving
2 a grant under this section, each State shall submit
3 to the Administrator a threat and hazard identifica-
4 tion and risk assessment and capability assess-
5 ment—

6 “(A) at such time and in such form as is
7 required by the Administrator; and

8 “(B) consistent with the Federal Emer-
9 gency Management Agency’s Comprehensive
10 Preparedness Guide 201, Second Edition, or
11 such successor document or guidance as is
12 issued by the Administrator.

13 “(2) COLLABORATION.—In developing the
14 threat and hazard identification and risk assessment
15 under paragraph (1), a State shall solicit input from
16 local and tribal governments, including first respon-
17 ders, and, as appropriate, nongovernmental and pri-
18 vate sector stakeholders.

19 “(3) FIRST RESPONDERS DEFINED.—In this
20 subsection, the term ‘first responders’ includes rep-
21 resentatives of local governmental and nongovern-
22 mental fire, law enforcement, emergency manage-
23 ment, and emergency medical personnel.

24 “(g) PERIOD OF PERFORMANCE.—The Adminis-
25 trator shall make funds provided under this section avail-

1 able for use by a recipient of a grant for a period of not
2 less than 36 months.

3 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
4 is authorized to be appropriated for grants under this sec-
5 tion \$600,000,000 for each of fiscal years 2018 through
6 2022.”.

7 **SEC. 103. GRANTS TO DIRECTLY ELIGIBLE TRIBES.**

8 Section 2005 of the Homeland Security Act of 2002
9 (6 U.S.C. 606) is amended by—

10 (1) redesignating subsections (h) through (k) as
11 subsections (i) through (l), respectively; and

12 (2) inserting after subsection (g) the following
13 new subsection:

14 “(h) PERIOD OF PERFORMANCE.—The Secretary
15 shall make funds provided under this section available for
16 use by a recipient of a grant for a period of not less than
17 36 months.”.

18 **SEC. 104. LAW ENFORCEMENT TERRORISM PREVENTION.**

19 (a) LAW ENFORCEMENT TERRORISM PREVENTION
20 PROGRAM.—Subsection (a) of section 2006 of the Home-
21 land Security Act of 2002 (6 U.S.C. 607) is amended—

22 (1) in paragraph (1)—

23 (A) by inserting “States and high-risk
24 urban areas expend” after “that”; and

25 (B) by striking “is used”; and

1 (2) in paragraph (2), by amending subpara-
2 graph (I) to read as follows:

3 “(I) activities as determined appropriate
4 by the Administrator, in coordination with the
5 Assistant Secretary for State and Local Law
6 Enforcement within the Office of Partnership
7 and Engagement of the Department, through
8 outreach to relevant stakeholder organizations;
9 and”.

10 (b) OFFICE FOR STATE AND LOCAL LAW ENFORCE-
11 MENT.—Subsection (b) section 2006 of the Homeland Se-
12 curity Act of 2002 (6 U.S.C. 607) is amended—

13 (1) in paragraph (1), by striking “Policy Direc-
14 torate” and inserting “Office of Partnership and
15 Engagement”; and

16 (2) in paragraph (4)—

17 (A) in subparagraph (B), by inserting “,
18 including through consultation with such agen-
19 cies regarding Department programs that may
20 impact such agencies” before the semicolon at
21 the end; and

22 (B) in subparagraph (D), by striking “en-
23 sure” and inserting “certify”.

1 **SEC. 105. PRIORITIZATION.**

2 (a) IN GENERAL.—Subsection (a) of section 2007 of
3 the Homeland Security Act of 2002 (6 U.S.C. 608) is
4 amended—

5 (1) in paragraph (1)—

6 (A) by amending subparagraph (A) to read
7 as follows:

8 “(A) its population, including consideration
9 of domestic and international tourists, com-
10 muters, and military populations, including
11 military populations residing in communities
12 outside military installations;”;

13 (B) in subparagraph (E), by inserting “,
14 including threat information from other rel-
15 evant Federal agencies and field offices, as ap-
16 propriate” before the semicolon at the end; and

17 (C) in subparagraph (I), by striking “tar-
18 get” and inserting “core”; and

19 (2) in paragraph (2), by striking “target” and
20 inserting “core”.

21 (b) REVIEW.—Not later than 90 days after the date
22 of the enactment of this Act, the Secretary of Homeland
23 Security, through the Administrator of the Federal Emer-
24 gency Management Agency, shall review and report to the
25 Committee on Homeland Security and the Committee on
26 Appropriations of the House of Representatives and the

1 Committee on Homeland Security and Governmental Af-
2 fairs and the Committee on Appropriations of the Senate
3 on the risk formula and methodology used to award grants
4 under sections 2003 and 2004 of the Homeland Security
5 Act of 2002 (6 U.S.C. 604 and 605), including a discus-
6 sion of any necessary changes to such formula to ensure
7 grant awards are appropriately based on risk.

8 **SEC. 106. ALLOWABLE USES.**

9 Section 2008 of the Homeland Security Act of 2002
10 (6 U.S.C. 609) is amended—

11 (1) in subsection (a)—

12 (A) in the matter preceding paragraph (1),
13 by striking “target” and inserting “core”;

14 (B) by redesignating paragraphs (6)
15 through (14) as paragraphs (8) through (16),
16 respectively;

17 (C) by inserting after paragraph (5) the
18 following new paragraphs:

19 “(6) enhancing medical preparedness, medical
20 surge capacity, and mass prophylaxis capabilities, in-
21 cluding the development and maintenance of an ini-
22 tial pharmaceutical stockpile, including medical kits
23 and diagnostics sufficient to protect first responders,
24 their families, immediate victims, and vulnerable
25 populations from a chemical or biological event;

1 “(7) enhancing cybersecurity, including pre-
2 paring for and responding to cybersecurity risks and
3 incidents (as such terms are defined in section 227)
4 and developing statewide cyber threat information
5 analysis and dissemination activities;”;

6 (D) in paragraph (8), as so redesignated,
7 by striking “Homeland Security Advisory Sys-
8 tem” and inserting “National Terrorism Advi-
9 sory System”; and

10 (E) in paragraph (14), as so redesignated,
11 by striking “3” and inserting “5”;

12 (2) in subsection (b)—

13 (A) in paragraph (3)(B), by striking
14 “(a)(10)” and inserting “(a)(12)”; and

15 (B) in paragraph (4)(B)(i), by striking
16 “target” and inserting “core”; and

17 (3) in subsection (c), by striking “target” and
18 “core”.

19 **SEC. 107. APPROVAL OF CERTAIN EQUIPMENT.**

20 (a) IN GENERAL.—Section 2008 of the Homeland
21 Security Act of 2002 (6 U.S.C. 609), as amended by sec-
22 tion 106 of this Act, is further amended—

23 (1) in subsection (f)—

24 (A) by striking “If an applicant” and in-
25 serting the following:

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

3 (B) by adding at the end the following new
4 paragraphs:

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

14 “(3) FACTORS.—In carrying out the review
15 process under paragraph (2), the Administrator
16 shall consider the following:

17 “(A) Current or past use of proposed
18 equipment or systems by Federal agencies or
19 the Armed Forces.

20 “(B) The absence of a national voluntary
21 consensus standard for such equipment or sys-
22 tems.

23 “(C) The existence of an international con-
24 sensus standard for such equipment or systems,

1 and whether such equipment or systems meets
2 such standard.

3 “(D) The nature of the capability gap
4 identified by the applicant, and how such equip-
5 ment or systems will address such gap.

6 “(E) The degree to which such equipment
7 or systems will serve the needs of the applicant
8 better than equipment or systems that meet or
9 exceed existing consensus standards.

10 “(F) Any other factor determined appro-
11 priate by the Administrator.”; and

12 (2) by adding at the end the following new sub-
13 section:

14 “(g) REVIEW PROCESS.—The Administrator shall
15 implement a uniform process for reviewing applications to
16 use grants provided under section 2003 or 2004 to pur-
17 chase equipment or systems not included on the Author-
18 ized Equipment List maintained by the Administrator.”.

19 (b) INSPECTOR GENERAL REPORT.—Not later than
20 three years after the date of the enactment of this Act,
21 the Inspector General of the Department of Homeland Se-
22 curity shall submit to the Committee on Homeland Secu-
23 rity of the House of Representatives and the Committee
24 on Homeland Security and Governmental Affairs of the
25 Senate a report assessing the implementation of the review

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

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

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

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

13 **SEC. 108. MEMORANDA OF UNDERSTANDING.**

14 (a) IN GENERAL.—Subtitle B of title XX of the
15 Homeland Security Act of 2002 (6 U.S.C. 611 et seq.)
16 is amended by adding at the end the following new section:

17 **“SEC. 2024. MEMORANDA OF UNDERSTANDING WITH DE-**
18 **PARTMENTAL COMPONENTS AND OFFICES.**

19 “The Administrator shall enter into memoranda of
20 understanding with the heads of the following depart-
21 mental components and offices delineating the roles and
22 responsibilities of such components and offices regarding
23 the policy and guidance for grants under section 1406 of
24 the Implementing Recommendations of the 9/11 Commis-
25 sion Act of 2007 (6 U.S.C. 1135), sections 2003 and 2004

1 of this Act, and section 70107 of title 46, United States
2 Code, as appropriate:

3 “(1) The Commissioner of U.S. Customs and
4 Border Protection.

5 “(2) The Administrator of the Transportation
6 Security Administration.

7 “(3) The Commandant of the Coast Guard.

8 “(4) The Under Secretary for Intelligence and
9 Analysis.

10 “(5) The Director of the Office of Emergency
11 Communications.

12 “(6) The Assistant Secretary for State and
13 Local Law Enforcement.

14 “(7) The Countering Violent Extremism Coor-
15 dinator.

16 “(8) The Officer for Civil Rights and Civil Lib-
17 erties.

18 “(9) The heads of other components or offices
19 of the Department, as determined by the Sec-
20 retary.”.

21 (b) CLERICAL AMENDMENT.—The table of contents
22 in section 1(b) of the Homeland Security Act of 2002 is
23 amended by inserting after the item relating to section
24 2023 the following new item:

“Sec. 2024. Memoranda of understanding with departmental components and
offices.”.

1 **SEC. 109. GRANTS METRICS.**

2 (a) IN GENERAL.—To determine the extent to which
3 grants under sections 2003 and 2004 of the Homeland
4 Security Act of 2002 (6 U.S.C. 603 and 604) have closed
5 capability gaps identified in State Preparedness Reports
6 required under subsection (c) of section 652 of the Post-
7 Katrina Emergency Management Reform Act of 2006 (6
8 U.S.C. 752; title VI of the Department of Homeland Secu-
9 rity Appropriations Act, 2007; Public Law 109–295) and
10 Threat and Hazard Identification and Risk Assessments
11 required under subsections (e) and (f) of such sections
12 2003 and 2004, respectively, as added by this Act, from
13 each State and high-risk urban area, the Administrator
14 of the Federal Emergency Management Agency shall con-
15 duct and submit to the Committee on Homeland Security
16 and the Committee on Transportation and Infrastructure
17 of the House of Representatives and the Committee on
18 Homeland Security and Governmental Affairs of the Sen-
19 ate an assessment of information provided in such Reports
20 and Assessments.

21 (b) ASSESSMENT REQUIREMENTS.—The assessment
22 required under subsection (a) shall include a comparison
23 of successive State Preparedness Reports and Threat and
24 Hazard Identification and Risk Assessments that aggre-
25 gates results across the States and high-risk urban areas.

1 **SEC. 110. GRANT MANAGEMENT BEST PRACTICES.**

2 The Administrator of the Federal Emergency Man-
3 agement Agency shall include in the annual Notice of
4 Funding Opportunity relating to grants under sections
5 2003 and 2004 of the Homeland Security Act of 2002
6 (6 U.S.C. 604 and 605) an appendix that includes the fol-
7 lowing:

8 (1) A summary of findings identified by the Of-
9 fice of the Inspector General of the Department of
10 Homeland Security in audits of such grants and
11 methods to address areas identified for improve-
12 ment, including opportunities for technical assist-
13 ance.

14 (2) Innovative projects and best practices insti-
15 tuted by grant recipients.

16 **SEC. 111. PROHIBITION ON CONSOLIDATION.**

17 The Secretary of Homeland Security may not imple-
18 ment the National Preparedness Grant Program or any
19 successor consolidated grant program unless the Secretary
20 receives prior authorization from Congress permitting
21 such implementation.

22 **SEC. 112. MAINTENANCE OF GRANT INVESTMENTS.**

23 Section 2008 of the Homeland Security Act of 2002
24 (6 U.S.C. 609), as amended by sections 106 and 107 of
25 this Act, is further amended by adding at the end the fol-
26 lowing new subsection:

1 “(h) MAINTENANCE OF EQUIPMENT.—Any applicant
2 for a grant under section 2003 or 2004 seeking to use
3 funds to purchase equipment, including pursuant to para-
4 graph (3), (4), (5), or (12) of subsection (a) of this sec-
5 tion, shall by the time of the receipt of such grant develop
6 a plan for the maintenance of such equipment over its life
7 cycle that includes information identifying which entity is
8 responsible for such maintenance.”.

9 **SEC. 113. TRANSIT SECURITY GRANT PROGRAM.**

10 Section 1406 of the Implementing Recommendations
11 of the 9/11 Commission Act of 2007 (6 U.S.C. 1135) is
12 amended—

13 (1) in subsection (b)(2)(A), by inserting “and
14 associated backfill” after “security training”; and

15 (2) by striking subsection (m) and inserting the
16 following new subsections:

17 “(m) PERIODS OF PERFORMANCE.—

18 “(1) IN GENERAL.—Except as provided in para-
19 graph (2), funds provided pursuant to a grant
20 awarded under this section for a use specified in
21 subsection (b) shall remain available for use by a
22 grant recipient for a period of not fewer than 36
23 months.

24 “(2) EXCEPTION.—Funds provided pursuant to
25 a grant awarded under this section for a use speci-

1 fied in subparagraph (M) or (N) of subsection (b)(1)
2 shall remain available for use by a grant recipient
3 for a period of not fewer than 55 months.

4 “(n) AUTHORIZATION OF APPROPRIATIONS.—There
5 is authorized to be appropriated for grants under this sec-
6 tion \$200,000,000 for each of fiscal years 2018 through
7 2022.”.

8 **SEC. 114. PORT SECURITY GRANT PROGRAM.**

9 Section 70107 of title 46, United States Code, is
10 amended by—

- 11 (1) striking subsection (l);
- 12 (2) redesignating subsection (m) as subsection
13 (l); and
- 14 (3) adding at the end the following new sub-
15 sections:

16 “(n) PERIOD OF PERFORMANCE.—The Secretary
17 shall make funds provided under this section available for
18 use by a recipient of a grant for a period of not less than
19 36 months.

20 “(o) AUTHORIZATION OF APPROPRIATIONS.—There
21 is authorized to be appropriated for grants under this sec-
22 tion \$200,000,000 for each of the fiscal years 2018
23 through 2022.”.

1 **SEC. 115. NATIONAL DOMESTIC PREPAREDNESS CONSOR-**
2 **TIUM.**

3 Section 1204 of the Implementing Recommendations
4 of the 9/11 Commission Act (6 U.S.C. 1102) is amend-
5 ed—

6 (1) in subsection (d), by amending paragraphs
7 (1) and (2) to read as follows:

8 “(1) for the Center for Domestic Preparedness,
9 \$63,939,000 for each of fiscal years 2018 and 2019;
10 and

11 “(2) for the remaining Members of the National
12 Domestic Preparedness Consortium, \$101,000,000
13 for each of fiscal years 2018 and 2019.”; and

14 (2) in subsection (e), in the matter preceding
15 paragraph (1), by striking “2007” and inserting
16 “2017”.

17 **SEC. 116. RURAL DOMESTIC PREPAREDNESS CONSORTIUM.**

18 (a) IN GENERAL.—The Secretary of Homeland Secu-
19 rity is authorized to establish a Rural Domestic Prepared-
20 ness Consortium within the Department of Homeland Se-
21 curity consisting of universities and nonprofit organiza-
22 tions qualified to provide training to emergency response
23 providers from rural communities.

24 (b) DUTIES.—The Rural Domestic Preparedness
25 Consortium authorized under subsection (a) shall identify,
26 develop, test, and deliver training to State, local, and trib-

1 al emergency response providers from rural communities,
2 provide on-site and mobile training, and facilitate the de-
3 livery of training by the training partners of the Depart-
4 ment of Homeland Security.

5 (c) AUTHORIZATION OF APPROPRIATIONS.—Of
6 amounts appropriated for Continuing Training Grants of
7 the Department of Homeland Security, \$5,000,000 is au-
8 thorized to be used for the Rural Domestic Preparedness
9 Consortium authorized under subsection (a).

10 **SEC. 117. EMERGENCY SUPPORT FUNCTIONS.**

11 (a) UPDATE.—Paragraph (13) of section 504(a) of
12 the Homeland Security Act of 2002 (6 U.S.C. 314(a)) is
13 amended by inserting “, periodically updating (but not less
14 often than once every five years),” after “administering”.

15 (b) EMERGENCY SUPPORT FUNCTIONS.—Section
16 653 of the Post-Katrina Emergency Management Reform
17 Act of 2006 (6 U.S.C. 753; title VI of the Department
18 of Homeland Security Appropriations Act, 2007; Public
19 Law 109–295) is amended—

20 (1) by redesignating subsections (d) and (e) as
21 subsections (e) and (f), respectively; and

22 (2) by inserting after subsection (c) the fol-
23 lowing new subsection:

24 “(d) COORDINATION.—The President, acting through
25 the Administrator, shall develop and provide to Federal

1 departments and agencies with coordinating, primary, or
2 supporting responsibilities under the National Response
3 Framework performance metrics to ensure readiness to
4 execute responsibilities under the emergency support func-
5 tions of such Framework.”.

6 **SEC. 118. REVIEW OF NATIONAL INCIDENT MANAGEMENT**
7 **SYSTEM.**

8 Paragraph (2) of section 509(b) of the Homeland Se-
9 curity Act of 2002 (6 U.S.C. 319(b)) is amended, in the
10 matter preceding subparagraph (A), by inserting “, but
11 not less often than once every five years,” after “periodi-
12 cally”.

13 **SEC. 119. REMEDIAL ACTION MANAGEMENT PROGRAM.**

14 Section 650 of the Post-Katrina Emergency Manage-
15 ment Reform Act of 2006 (6 U.S.C. 750; title VI of the
16 Department of Homeland Security Appropriations Act,
17 2007; Public Law 109–295) is amended to read as follows:

18 **“SEC. 650. REMEDIAL ACTION MANAGEMENT PROGRAM.**

19 “(a) IN GENERAL.—The Administrator, in coordina-
20 tion with the National Council on Disability and the Na-
21 tional Advisory Council, shall establish a remedial action
22 management program to—

23 “(1) analyze training, exercises, and real world
24 events to identify lessons learned, corrective actions,
25 and best practices;

1 “(2) generate and disseminate, as appropriate,
2 the lessons learned, corrective actions, and best
3 practices referred to in paragraph (1); and

4 “(3) conduct remedial action tracking and long-
5 term trend analysis.

6 “(b) FEDERAL CORRECTIVE ACTIONS.—The Admin-
7 istrator, in coordination with the heads of appropriate
8 Federal departments and agencies, shall utilize the pro-
9 gram established pursuant to subsection (a) to collect in-
10 formation on corrective actions identified by such Federal
11 departments and agencies during exercises and the re-
12 sponse to natural disasters, acts of terrorism, and other
13 man-made disasters, and shall, not later than one year
14 after the date of the enactment of this section and annu-
15 ally thereafter for each of the next four years, submit to
16 Congress a report on the status of such corrective actions.

17 “(c) DISSEMINATION OF AFTER ACTION REPORTS.—
18 The Administrator shall provide electronically, to the max-
19 imum extent practicable, to Congress and Federal, State,
20 local, tribal, and private sector officials after-action re-
21 ports and information on lessons learned and best prac-
22 tices from responses to acts of terrorism, natural disas-
23 ters, capstone exercises conducted under the national exer-
24 cise program under section 648(b), and other emergencies
25 or exercises.”.

1 **SEC. 120. CYBER PREPAREDNESS.**

2 (a) INFORMATION SHARING.—Title II of the Home-
3 land Security Act of 2002 is amended—

4 (1) in section 210A (6 U.S.C. 124h)—

5 (A) in subsection (b)—

6 (i) in paragraph (10), by inserting be-
7 fore the semicolon at the end the following:
8 “, including, in coordination with the na-
9 tional cybersecurity and communications
10 integration center under section 227, ac-
11 cess to timely technical assistance, risk
12 management support, and incident re-
13 sponse capabilities with respect to cyber
14 threat indicators, defensive measures, cy-
15 bersecurity risks, and incidents (as such
16 terms are defined in such section), which
17 may include attribution, mitigation, and
18 remediation, and the provision of informa-
19 tion and recommendations on security and
20 resilience, including implications of cyber-
21 security risks to equipment and technology
22 related to the electoral process”;

23 (ii) in paragraph (11), by striking
24 “and” after the semicolon;

25 (iii) by redesignating paragraph (12)
26 as paragraph (14); and

1 (iv) by inserting after paragraph (11)
2 the following new paragraphs:

3 “(12) review information relating to cybersecu-
4 rity risks that is gathered by State, local, and re-
5 gional fusion centers, and incorporate such informa-
6 tion, as appropriate, into the Department’s own in-
7 formation relating to cybersecurity risks;

8 “(13) ensure the dissemination to State, local,
9 and regional fusion centers of the information de-
10 scribed in paragraph (12); and”;

11 (B) in subsection (c)(2)—

12 (i) by redesignating subparagraphs
13 (C) through (G) as subparagraphs (D)
14 through (H), respectively; and

15 (ii) by inserting after subparagraph
16 (B) the following new subparagraph:

17 “(C) The national cybersecurity and com-
18 munications integration center under section
19 227.”;

20 (C) in subsection (d)—

21 (i) in paragraph (3), by striking
22 “and” after the semicolon;

23 (ii) by redesignating paragraph (4) as
24 paragraph (5); and

1 (iii) by inserting after paragraph (3)
2 the following new paragraph:

3 “(4) assist, in coordination with the national
4 cybersecurity and communications integration center
5 under section 227, fusion centers in using informa-
6 tion relating to cybersecurity risks to develop a com-
7 prehensive and accurate threat picture; and”;

8 (D) in subsection (j)—

9 (i) by redesignating paragraphs (1)
10 through (5) as paragraphs (2) through (6),
11 respectively; and

12 (ii) by inserting before paragraph (2),
13 as so redesignated, the following new para-
14 graph:

15 “(1) the term ‘cybersecurity risk’ has the mean-
16 ing given such term in section 227;”;

17 (2) in section 227 (6 U.S.C. 148)—

18 (A) in subsection (c)—

19 (i) in paragraph (5)(B), by inserting
20 “, including State, local, and regional fu-
21 sion centers, as appropriate” before the
22 semicolon at the end;

23 (ii) in paragraph (7), in the matter
24 preceding subparagraph (A), by striking
25 “information and recommendations” each

1 place it appears and inserting “informa-
2 tion, recommendations, and best prac-
3 tices”; and

4 (iii) in paragraph (9), by inserting
5 “best practices,” after “defensive meas-
6 ures,”; and

7 (B) in subsection (d)(1)(B)(ii), by insert-
8 ing “and State, local, and regional fusion cen-
9 ters, as appropriate” before the semicolon at
10 the end.

11 (b) SENSE OF CONGRESS.—It is the sense of Con-
12 gress that to facilitate the timely dissemination to appro-
13 priate State, local, and private sector stakeholders of
14 homeland security information related to cyber threats,
15 the Secretary of Homeland Security should, to the great-
16 est extent practicable, work to share actionable informa-
17 tion in an unclassified form related to such threats.

18 **SEC. 121. MAJOR METROPOLITAN AREA COUNTERTER-**
19 **RORISM TRAINING AND EXERCISE GRANT**
20 **PROGRAM.**

21 (a) IN GENERAL.—Subtitle A of title XX of the
22 Homeland Security Act of 2002 (6 U.S.C. 603 et seq.)
23 is amended by adding at the end the following new section:

1 **“SEC. 2009. MAJOR METROPOLITAN AREA COUNTERTER-**
2 **RORISM TRAINING AND EXERCISE GRANT**
3 **PROGRAM.**

4 “(a) ESTABLISHMENT.—

5 “(1) IN GENERAL.—The Secretary, acting
6 through the Administrator and the heads of other
7 relevant components of the Department, shall carry
8 out a program for emergency response providers to
9 prevent, prepare for, and respond to emerging ter-
10 rorist attack scenarios, including complex, coordi-
11 nated terrorist attacks and active shooters, as deter-
12 mined by the Secretary, against major metropolitan
13 areas.

14 “(2) INFORMATION.—In establishing the pro-
15 gram pursuant to paragraph (1), the Secretary shall
16 provide to eligible applicants—

17 “(A) information, in an unclassified for-
18 mat, on emerging terrorist attack scenarios, in-
19 cluding complex, coordinated terrorist attacks
20 and active shooters, which grants under such
21 program are intended to address; and

22 “(B) information on training and exercises
23 best practices.

24 “(b) ELIGIBLE APPLICANTS.—

25 “(1) IN GENERAL.—Jurisdictions that receive,
26 or that previously received, funding under section

1 2003 may apply for a grant under the program es-
2 tablished pursuant to subsection (a).

3 “(2) ADDITIONAL JURISDICTIONS.—Eligible ap-
4 plicants receiving funding under the program estab-
5 lished pursuant to subsection (a) may include in ac-
6 tivities funded by such program neighboring jurisdic-
7 tions that would be likely to provide mutual aid in
8 response to emerging terrorist attack scenarios, in-
9 cluding complex, coordinated terrorist attacks and
10 active shooters.

11 “(c) PERMITTED USES.—The recipient of a grant
12 under the program established pursuant to subsection (a)
13 may use such grant to—

14 “(1) identify capability gaps related to pre-
15 paring for, preventing, and responding to emerging
16 terrorist attack scenarios, including complex, coordi-
17 nated terrorist attacks and active shooters;

18 “(2) develop or update plans, annexes, and
19 processes to address any capability gaps identified
20 pursuant to paragraph (1);

21 “(3) conduct training to address such identified
22 capability gaps;

23 “(4) conduct exercises, including at locations
24 such as mass gathering venues, places of worship, or

1 educational institutions, as appropriate, to validate
2 capabilities; and

3 “(5) pay for backfill associated with personnel
4 participating in training and exercises under para-
5 graphs (3) and (4).

6 “(d) PERIOD OF PERFORMANCE.—The Adminis-
7 trator shall make funds provided under this section avail-
8 able for use by a recipient of a grant for a period of not
9 fewer than 36 months.

10 “(e) INFORMATION SHARING.—The Administrator
11 shall, to the extent practicable, aggregate, analyze, and
12 share with relevant emergency response providers informa-
13 tion on best practices and lessons learned from—

14 “(1) the planning, training, and exercises con-
15 ducted using grants authorized under the program
16 established pursuant to subsection (a); and

17 “(2) responses to actual terrorist attacks
18 around the world.

19 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated for grants under this
21 section \$39,000,000 for each of fiscal years 2018 through
22 2022.”.

23 (b) CLERICAL AMENDMENT.—The table of contents
24 in section 1(b) of the Homeland Security Act of 2002 is

1 amended by inserting after the item relating to section
2 2008 the following new item:

“Sec. 2009. Major metropolitan area counterterrorism training and exercise grant program.”.

3 **SEC. 122. CENTER FOR DOMESTIC PREPAREDNESS.**

4 The Administrator of the Federal Emergency Man-
5 agement Agency shall provide to the Committee on Home-
6 land Security and the Committee on Transportation and
7 Infrastructure of the House of Representatives and the
8 Committee on Homeland Security and Governmental Af-
9 fairs of the Senate updates and information on efforts to
10 implement recommendations related to the management
11 review of the Chemical, Ordnance, Biological, and Radio-
12 logical Training Facility of the Center for Domestic Pre-
13 paredness of the Federal Emergency Management Agency,
14 including, as necessary, information on additional re-
15 sources or authority needed to implement such rec-
16 ommendations.

17 **TITLE II—COMMUNICATIONS**

18 **SEC. 201. OFFICE OF EMERGENCY COMMUNICATIONS.**

19 The Secretary of Homeland Security may not change
20 the location or reporting structure of the Office of Emer-
21 gency Communications of the Department of Homeland
22 Security unless the Secretary receives prior authorization
23 from the Committee on Homeland Security of the House
24 of Representatives and the Committee on Homeland Secu-

1 rity and Governmental Affairs of the Senate permitting
2 such change.

3 **SEC. 202. RESPONSIBILITIES OF OFFICE OF EMERGENCY**
4 **COMMUNICATIONS DIRECTOR.**

5 (a) IN GENERAL.—Subsection (c) of section 1801 of
6 the Homeland Security Act of 2002 (6 U.S.C. 571) is
7 amended—

8 (1) by striking paragraph (3);

9 (2) by redesignating paragraphs (4) through
10 (15) as paragraphs (3) through (14), respectively;

11 (3) in paragraph (8), as so redesignated, by
12 striking “, in cooperation with the National Commu-
13 nications System,”;

14 (4) in paragraph (11) by striking “Assistant
15 Secretary for Grants and Training” and inserting
16 “Administrator of the Federal Emergency Manage-
17 ment Agency”;

18 (5) in paragraph (13), as so redesignated, by
19 striking “and” at the end;

20 (6) in paragraph (14), as so redesignated, by
21 striking the period at the end and inserting a semi-
22 colon; and

23 (7) by adding at the end the following new
24 paragraphs:

1 on Homeland Security and Governmental Affairs of the
2 Senate on the activities and programs of the Office, in-
3 cluding specific information on efforts to carry out para-
4 graphs (4), (5), and (6) of subsection (c).”.

5 **SEC. 204. NATIONAL EMERGENCY COMMUNICATIONS PLAN.**

6 Section 1802 of the Homeland Security Act of 2002
7 (6 U.S.C. 572) is amended—

8 (1) in subsection (a), in the matter preceding
9 paragraph (1)—

10 (A) by striking “, and in cooperation with
11 the Department of National Communications
12 System (as appropriate),”; and

13 (B) by inserting “, but not less than once
14 every five years,” after “periodically”; and

15 (2) in subsection (c)—

16 (A) by redesignating paragraphs (3)
17 through (10) as paragraphs (4) through (11),
18 respectively; and

19 (B) by inserting after paragraph (2) the
20 following new paragraph:

21 “(3) consider the impact of emerging tech-
22 nologies on the attainment of interoperable emer-
23 gency communications;”.

1 **SEC. 205. TECHNICAL EDIT.**

2 Paragraph (1) of section 1804(b) of the Homeland
3 Security Act of 2002 (6 U.S.C. 574(b)), in the matter pre-
4 ceding subparagraph (A), by striking “Assistant Secretary
5 for Grants and Planning” and inserting “Administrator
6 of the Federal Emergency Management Agency”.

7 **SEC. 206. PUBLIC SAFETY BROADBAND NETWORK.**

8 The Undersecretary of the National Protection and
9 Programs Directorate of the Department of Homeland Se-
10 curity shall provide to the Committee on Homeland Secu-
11 rity and the Committee on Energy and Commerce of the
12 House of Representatives and the Committee on Home-
13 land Security and Governmental Affairs of the Senate in-
14 formation on the Department of Homeland Security’s re-
15 sponsibilities related to the development of the nationwide
16 Public Safety Broadband Network authorized in section
17 6202 of the Middle Class Tax Relief and Job Creation
18 Act of 2012 (47 U.S.C. 1422; Public Law 112–96), in-
19 cluding information on efforts by the Department to work
20 with the First Responder Network Authority of the De-
21 partment of Commerce to identify and address cyber risks
22 that could impact the near-term or long-term availability
23 and operations of such network and recommendations to
24 mitigate such risks.

1 **SEC. 207. COMMUNICATIONS TRAINING.**

2 The Under Secretary for Management of the Depart-
3 ment of Homeland Security, in coordination with the ap-
4 propriate component heads, shall develop a mechanism,
5 consistent with the strategy required pursuant to section
6 4 of the Department of Homeland Security Interoperable
7 Communications Act (Public Law 114–29; 6 U.S.C. 194
8 note), to verify that radio users within the Department
9 receive initial and ongoing training on the use of the radio
10 systems of such components, including interagency radio
11 use protocols.

12 **TITLE III—MEDICAL**
13 **PREPAREDNESS**

14 **SEC. 301. CHIEF MEDICAL OFFICER.**

15 Section 516 of the Homeland Security Act of 2002
16 (6 U.S.C. 321e) is amended—

17 (1) in subsection (c)—

18 (A) in the matter preceding paragraph (1),
19 by inserting “and shall establish medical and
20 human, animal, and occupational health expo-
21 sure policy, guidance, strategies, and initia-
22 tives,” before “including—”;

23 (B) in paragraph (1), by inserting before
24 the semicolon at the end the following: “, in-
25 cluding advice on how to prepare for, protect
26 against, respond to, recover from, and mitigate

1 against the medical effects of terrorist attacks
2 or other high consequence events utilizing
3 chemical, biological, radiological, or nuclear
4 agents or explosives”;

5 (C) in paragraph (2), by inserting before
6 the semicolon at the end the following: “, in-
7 cluding coordinating the Department’s policy,
8 strategy and preparedness for pandemics and
9 emerging infectious diseases”;

10 (D) in paragraph (5), by inserting “emer-
11 gency medical services and medical first re-
12 sponder stakeholders,” after “the medical com-
13 munity,”;

14 (E) in paragraph (6), by striking “and” at
15 the end;

16 (F) in paragraph (7), by striking the pe-
17 riod and inserting a semicolon; and

18 (G) by adding at the end the following new
19 paragraphs:

20 “(8) ensuring that the workforce of the Depart-
21 ment has evidence-based policy, standards, require-
22 ments, and metrics for occupational health and oper-
23 ational medicine programs;

1 “(9) directing and maintaining a coordinated
2 system for medical support for the Department’s
3 operational activities;

4 “(10) providing oversight of the Department’s
5 medical programs and providers, including—

6 “(A) reviewing and maintaining
7 verification of the accreditation of the Depart-
8 ment’s health provider workforce;

9 “(B) developing quality assurance and clin-
10 ical policy, requirements, standards, and
11 metrics for all medical and health activities of
12 the Department;

13 “(C) providing oversight of medical records
14 systems for employees and individuals in the
15 Department’s care and custody; and

16 “(D) providing medical direction for emer-
17 gency medical services activities of the Depart-
18 ment; and

19 “(11) as established under section 528, main-
20 taining a medical countermeasures stockpile and dis-
21 pensing system, as necessary, to facilitate personnel
22 readiness, and protection for the Department’s em-
23 ployees and working animals and individuals in the
24 Department’s care and custody in the event of a
25 chemical, biological, radiological, nuclear, or explo-

1 sives attack, naturally occurring disease outbreak, or
2 pandemic.”; and

3 (2) by adding at the end the following new sub-
4 section:

5 “(d) **MEDICAL LIAISONS.**—The Chief Medical Officer
6 may provide medical liaisons to the components of the De-
7 partment to provide subject matter expertise on medical
8 and public health issues and a direct link to the Chief
9 Medical Officer. Such expertise may include the following:

10 “(1) Providing guidance on health and medical
11 aspects of policy, planning, operations, and work-
12 force health protection.

13 “(2) Identifying and resolving component med-
14 ical issues.

15 “(3) Supporting the development and alignment
16 of medical and health systems.

17 “(4) Identifying common gaps in medical and
18 health standards, policy, and guidance, and enter-
19 prise solutions to bridge such gaps.”.

20 **SEC. 302. MEDICAL COUNTERMEASURES PROGRAM.**

21 (a) **IN GENERAL.**—Title V of the Homeland Security
22 Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding
23 at the end the following new section:

1 **“SEC. 528. MEDICAL COUNTERMEASURES.**

2 “(a) IN GENERAL.—The Secretary shall establish a
3 medical countermeasures program to facilitate personnel
4 readiness, and protection for the Department’s employees
5 and working animals and individuals in the Department’s
6 care and custody, in the event of a chemical, biological,
7 radiological, nuclear, or explosives attack, naturally occur-
8 ring disease outbreak, or pandemic, and to support De-
9 partment mission continuity.

10 “(b) OVERSIGHT.—The Chief Medical Officer of the
11 Department shall provide programmatic oversight of the
12 medical countermeasures program established pursuant to
13 subsection (a), and shall—

14 “(1) develop Department-wide standards for
15 medical countermeasure storage, security, dis-
16 pensing, and documentation;

17 “(2) maintain a stockpile of medical counter-
18 measures, including antibiotics, antivirals, and radio-
19 logical countermeasures, as appropriate;

20 “(3) preposition appropriate medical counter-
21 measures in strategic locations nationwide, based on
22 threat and employee density, in accordance with ap-
23 plicable Federal statutes and regulations;

24 “(4) provide oversight and guidance on dis-
25 pensing of stockpiled medical countermeasures;

1 “(5) ensure rapid deployment and dispensing of
2 medical countermeasures in a chemical, biological,
3 radiological, nuclear, or explosives attack, naturally
4 occurring disease outbreak, or pandemic;

5 “(6) provide training to Department employees
6 on medical countermeasure dispensing; and

7 “(7) support dispensing exercises.

8 “(c) MEDICAL COUNTERMEASURES WORKING
9 GROUP.—The Chief Medical Officer shall establish a med-
10 ical countermeasures working group comprised of rep-
11 resentatives from appropriate components and offices of
12 the Department to ensure that medical countermeasures
13 standards are maintained and guidance is consistent.

14 “(d) MEDICAL COUNTERMEASURES MANAGE-
15 MENT.—Not later than 180 days after the date of the en-
16 actment of this section, the Chief Medical Officer shall de-
17 velop and submit to the Secretary an integrated logistics
18 support plan for medical countermeasures, including—

19 “(1) a methodology for determining the ideal
20 types and quantities of medical countermeasures to
21 stockpile and how frequently such methodology shall
22 be reevaluated;

23 “(2) a replenishment plan; and

1 “(3) inventory tracking, reporting, and rec-
2 conciliation procedures for existing stockpiles and
3 new medical countermeasure purchases.

4 “(e) STOCKPILE ELEMENTS.—In determining the
5 types and quantities of medical countermeasures to stock-
6 pile under subsection (d), the Chief Medical Officer shall
7 utilize, if available—

8 “(1) Department chemical, biological, radio-
9 logical, and nuclear risk assessments; and

10 “(2) Centers for Disease Control and Preven-
11 tion guidance on medical countermeasures.

12 “(f) REPORT.—Not later than 180 days after the
13 date of the enactment of this section, the Chief Medical
14 Officer shall report to the Committee on Homeland Secu-
15 rity of the House of Representatives and the Committee
16 on Homeland Security and Governmental Affairs of the
17 Senate on progress in achieving the requirements of this
18 section.”.

19 (b) CLERICAL AMENDMENT.—The table of contents
20 in section 1(b) of the Homeland Security Act of 2002 is
21 amended by inserting at the end of the items relating to
22 title V the following new item:

“Sec. 528. Medical countermeasures.”.

1 **TITLE IV—MANAGEMENT**

2 **SEC. 401. MISSION SUPPORT.**

3 (a) ESTABLISHMENT.—The Administrator of the
4 Federal Emergency Management Agency shall designate
5 an individual to serve as the chief management official and
6 principal advisor to the Administrator on matters related
7 to the management of the Federal Emergency Manage-
8 ment Agency, including management integration in sup-
9 port of emergency management operations and programs.

10 (b) MISSION AND RESPONSIBILITIES.—The Adminis-
11 trator of the Federal Emergency Management Agency,
12 acting through the official designated pursuant to sub-
13 section (a), shall be responsible for the management and
14 administration of the Federal Emergency Management
15 Agency, including with respect to the following:

16 (1) Procurement.

17 (2) Human resources and personnel.

18 (3) Information technology and communications
19 systems.

20 (4) Real property investment and planning, fa-
21 cilities, accountable personal property (including
22 fleet and other material resources), records and dis-
23 closure, privacy, safety and health, and sustain-
24 ability and environmental management.

1 (5) Security for personnel, information tech-
2 nology and communications systems, facilities, prop-
3 erty, equipment, and other material resources.

4 (6) Any other management duties that the Ad-
5 ministrators may designate.

6 (c) MOUNT WEATHER EMERGENCY OPERATIONS
7 AND ASSOCIATED FACILITIES.—Nothing in this section
8 shall be construed as limiting or otherwise affecting the
9 role or responsibility of the Assistant Administrator for
10 National Continuity Programs with respect to the matters
11 described in subsection (b) as such matters relate to the
12 Mount Weather Emergency Operations Center and associ-
13 ated facilities. The management and administration of the
14 Mount Weather Emergency Operations Center and associ-
15 ated facilities remains the responsibility of the Assistant
16 Administrator for National Continuity Programs.

17 (d) REPORT.—Not later than 270 days after the date
18 of the enactment of this Act, the Administrator of the
19 Federal Emergency Management Agency shall submit to
20 the Committee on Homeland Security and the Committee
21 on Transportation and Infrastructure of the House of
22 Representatives and the Committee on Homeland Security
23 and Governmental Affairs of the Senate a report that in-
24 cludes—

1 (1) a review of financial, human capital, infor-
2 mation technology, real property planning, and ac-
3 quisition management of headquarters and all re-
4 gional offices of the Federal Emergency Manage-
5 ment Agency; and

6 (2) a strategy for capturing financial, human
7 capital, information technology, real property plan-
8 ning, and acquisition data.

9 **SEC. 402. SYSTEMS MODERNIZATION.**

10 Not later than 180 days after the date of the enact-
11 ment of this Act, the Administrator of the Federal Emer-
12 gency Management Agency shall submit to the Committee
13 on Homeland Security and the Committee on Transpor-
14 tation and Infrastructure of the House of Representatives
15 and the Committee on Homeland Security and Govern-
16 mental Affairs of the Senate a report on the Federal
17 Emergency Management Agency's efforts to modernize its
18 grants and financial information technology systems, in-
19 cluding the following:

20 (1) A summary of all previous efforts to mod-
21 ernize such systems.

22 (2) An assessment of long-term cost savings
23 and efficiencies gained through such modernization
24 effort.

25 (3) A capability needs assessment.

1 (4) Estimated quarterly costs.

2 (5) Estimated acquisition life-cycle dates, in-
3 including acquisition decision events.

4 **SEC. 403. STRATEGIC HUMAN CAPITAL PLAN.**

5 Subsection (c) of section 10102 of title 5, United
6 States Code, is amended by striking “2007” and inserting
7 “2018”.

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