

Union Calendar No. 120

118TH CONGRESS
1ST SESSION

H. R. 3254

[Report No. 118–152]

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

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 2023

Mr. PAYNE (for himself and Mr. STRONG) introduced the following bill; which was referred to the Committee on Homeland Security

JULY 19, 2023

Reported from the Committee on Homeland Security; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

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

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

7 (a) IN GENERAL.—Section 2008 of the Homeland
8 Security Act of 2002 (6 U.S.C. 609) is amended—

9 (1) in subsection (f)—

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

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

14 (B) by adding at the end the following new
15 paragraphs:

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

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

4 “(A) Current or past use of proposed
5 equipment or systems by Federal agencies or
6 the Armed Forces.

7 “(B) The absence of a national voluntary
8 consensus standard for such equipment or sys-
9 tems.

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

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

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

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

23 (2) by adding at the end the following new sub-
24 section:

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

6 (b) INSPECTOR GENERAL REPORT.—Not later than
7 three years after the date of the enactment of this Act,
8 the Inspector General of the Department of Homeland Se-
9 curity shall submit to the Committee on Homeland Secu-
10 rity of the House of Representatives and the Committee
11 on Homeland Security and Governmental Affairs of the
12 Senate a report assessing the implementation of the review
13 process established under paragraph (2) of subsection (f)
14 of section 2008 of the Homeland Security Act of 2002
15 (as added by subsection (a) of this section), including in-
16 formation on the following:

17 (1) The number of requests to purchase equip-
18 ment or systems that do not meet or exceed any ap-
19 plicable consensus standard evaluated under such re-
20 view process.

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

23 (3) The processing time for the review of such
24 requests.

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