Vael B. Demings

(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To direct the Secretary of Homeland Security to submit a plan to make Federal assistance available to certain urban areas that previously received Urban Area Security Initiative funding to preserve homeland security capabilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mrs. DEMINGS introduced the following bill; which was referred to the Committee on _____

A BILL

To direct the Secretary of Homeland Security to submit a plan to make Federal assistance available to certain urban areas that previously received Urban Area Security Initiative funding to preserve homeland security capabilities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Homeland Security Capabilities Preservation Act".

SEC. 2. PRESERVATION OF HOMELAND SECURITY CAPABILITIES.

(a) PLAN.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Administrator of the Federal Emergency Management Agency, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a plan, informed by the survey information collected pursuant to subsection (b), to make Federal assistance available for at least three consecutive fiscal years to certain urban areas that in the current fiscal year did not receive grant funding under the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604) and require continued Federal assistance for the purpose of preserving a homeland security capability related to preventing, preparing for, protecting against, and responding to acts of terrorism that had been developed or otherwise supported through prior grant funding under such Initiative and allow for such urban areas to transition to such urban areas costs of preserving such homeland security capabilities.

(2) ADDITIONAL REQUIREMENT.—The plan required under paragraph (1) shall also contain a prohibition on an urban area that in a fiscal year is eligible to receive Federal assistance described in such paragraph from also receiving grant funding under the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002. In such a case, such plan shall require such an urban area to promptly notify the Administrator of the Federal Emergency Management Agency regarding the preference of such urban area to retain either—

(A) such eligibility for such Federal assistance; or

(B) such receipt of such grant funding.

(b) SURVEY.—In developing the plan required under subsection (a), the Administrator of the Federal Emergency Management Agency, shall, to ascertain the scope of Federal assistance required, survey urban areas that—

(1) did not receive grant funding under the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 in the current fiscal year concerning homeland security capabilities related to preventing, preparing for, protecting against, and responding to acts of terrorism that had been developed or otherwise supported through

funding under such Initiative that are at risk of being reduced or eliminated without such Federal assistance;

(2) received such funding in the current fiscal year, but did not receive such funding in at least one fiscal year in the six fiscal years immediately preceding the current fiscal year; and

(3) any other urban areas the Secretary determines appropriate.

(c) EXEMPTION.—The Secretary of Homeland Security may exempt the Federal Emergency Management Agency from the requirements of subchapter I of chapter 35 of title 44, United States Code (commonly referred to as the ''Paperwork Reduction Act''), for purposes of carrying out subsection (b) if the Secretary determines that complying with such requirements would delay the development of the plan required under subsection (a).

(d) CONTENTS.—The plan required under subsection (a) shall—

(1) establish eligibility criteria for urban areas to receive Federal assistance pursuant to such plan to provide assistance for the purpose described in such subsection;

(2) identify annual funding levels for such Federal assistance in accordance with the survey required under subsection (b); and

(3) consider a range of approaches to make such Federal assistance available to such urban areas, including—

(A) modifications to the Urban Area Security Initiative under section 2003 of the Homeland Security Act of 2002 in a manner that would not affect the availability of funding to urban areas under such Initiative;

(B) the establishment of a competitive grant program;

(C) the establishment of a formula grant program; and

(D) a timeline for the implementation of any such approach and, if necessary, a legislative proposal to authorize any such approach.