IN THE SENATE OF THE UNITED STATES

Ms. COLLINS introduced the following bill; which was read twice and referred to the Committee on ____________________________

A BILL

To provide for homeland security grant coordination and simplification, 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 Grant Enhancement Act of 2003”.

SEC. 2. INTERAGENCY COMMITTEE TO COORDINATE AND STREAMLINE HOMELAND SECURITY GRANT PROGRAMS.

(a) IN GENERAL.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after section 801 the following:
“SEC. 802. INTERAGENCY COMMITTEE TO COORDINATE AND STREAMLINE HOMELAND SECURITY GRANT PROGRAMS.

“(a) ESTABLISHMENT.—There is established an Interagency Committee to Coordinate and Streamline Homeland Security Grant Programs (in this subtitle referred to as the ‘Interagency Committee’), which shall—

“(1) report all findings to the Information Clearinghouse established under section 801(c);

“(2) consult with State and local governments and emergency response providers regarding their homeland security needs and capabilities;

“(3) advise the Secretary on the development of performance measures for homeland security grant programs and the national strategy for homeland security;

“(4) not later than 60 days after the effective date of the Homeland Security Grant Enhancement Act of 2003—

“(A) compile a list of homeland security assistance programs and their reporting requirements, including—

“(i) those administered by the Office for Domestic Preparedness, such as—

“(I) the State Homeland Security

Grant Program;
“(II) high threat urban area grants;

“(III) critical infrastructure security grants;

“(IV) research and development grant programs;

“(V) training and technical assistance grants; and

“(VI) other discretionary or and assistance grant programs;

“(ii) Federal Emergency Management Agency assistance programs, such as—

“(I) the Assistance to Firefighters Grant Program;

“(II) Citizen Corps;

“(III) grants for emergency operations centers;

“(IV) interoperable communications grants;

“(V) Urban Search and Rescue task forces; and

“(VI) other Federal Emergency Management Agency assistance programs, except those grants intended to reimburse States, localities, and
other applicants for costs resulting from disasters or emergencies declared under to the Disaster Relief Act of 1974 (42 U.S.C. 5121 et seq.);

“(iii) Transportation Security Administration assistance programs, such as port security grants;

“(iv) Department of Justice assistance programs, such as—

“(I) the Local Law Enforcement Block Grant;

“(II) the Byrne Memorial Formula Grant Program; and

“(III) the Community Oriented Policing Services program;

“(v) Department of Health and Human Services assistance programs, such as—

“(I) the Public Health Bioterrorism Preparedness program, administered by the Centers for Disease Control and Prevention; and

“(II) the Hospital Bioterrorism Program, administered by the Health
Resources and Services Administration;

“(vi) related Federal assistance programs, such as—

“(I) the Hazardous Materials Emergency Preparedness Program of the Department of Transportation; and

“(II) the water security assistance programs administered by the Environmental Protection Agency; and

“(vii) any related grant or assistance program, as determined by the Interagency Committee; and

“(B) identify all homeland security planning requirements contained in homeland security emergency preparedness, and public safety programs administered by Federal agencies, including—

“(i) terrorism preparedness plans, such as those required by the Office for Domestic Preparedness and other entities within the Department;
“(ii) all hazards emergency preparedness plans, such as those required in the
Emergency Management Performance Grants administered by the Federal Emer-
gency Management Agency;

“(iii) bioterrorism response plans,
such as those required in bioterrorism pre-
paredness programs administered by the Department of Health and Human Serv-
ices;

“(iv) hazardous materials response plans, such as those required by the Envi-
ronmental Protection Agency and the De-
partment of Transportation;

“(v) critical infrastructure security plans, such as those required by—

“(I) the Transportation Security Administration;

“(II) the Environmental Protec-
tion Agency;

“(III) the Department of Trans-
portation; and

“(IV) the Nuclear Regulatory Commission;
“(vi) law enforcement and public safety plans administered by the Department of Justice, such as those required by—

“(I) the Local Law Enforcement Block Grant;

“(II) the Byrne Memorial Formula Grant Program; and

“(III) the Community Oriented Policing Services program; and

“(vii) any other planning requirement identified by the Interagency Committee;

“(5) not later than 120 days after the effective date of the Homeland Security Grant Enhancement Act of 2003, review—

“(A) all application, reporting, and other administrative requirements contained in grant programs under paragraph (4)(A) and report all redundant and duplicative requirements to the appropriate committees of Congress and the agencies represented in the Interagency Committee; and

“(B) all homeland security planning and other administrative requirements under paragraph (4)(B) and report all redundant and duplicative requirements to the appropriate com-
mittees of Congress and the agencies represented in the Interagency committee;

“(6) not later than 150 days after the effective date of the Homeland Security Grant Enhancement Act of 2003, provide recommendations to—

“(A) the agencies with the requirements identified under paragraph (4)(A) to streamline and standardize application, reporting, and administrative requirements to eliminate duplication and promote coordination of homeland security planning grants; and

“(B) the agencies involved with the grant programs under paragraph (4)(B) to streamline and standardize planning requirements to eliminate duplication and promote coordination; and

“(7) not later than 250 days after the effective date of the Homeland Security Grant Enhancement Act of 2003, issue a report to Congress regarding its actions under this subsection.

“(b) Membership.—The Interagency Committee shall be composed of a representative of—

“(1) the Department of Homeland Security;

“(2) the Department of Health and Human Services;

“(3) the Department of Transportation;
“(4) the Department of Justice;
“(5) the Environmental Protection Agency; and
“(6) any other department or agency determined to be necessary by the President.
“(c) ADMINISTRATION.—The Department shall provide administrative support to the Interagency Committee, which shall include—
“(1) scheduling meetings;
“(2) preparing agenda;
“(3) maintaining minutes and records; and
“(4) producing reports.
“(d) CHAIRPERSON.—The Secretary shall designate a chairperson of the Interagency Committee.
“(e) MEETINGS.—The Interagency Committee shall meet—
“(1) at the call of the Secretary; or
“(2) not less frequently than once every 1 month.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by inserting after the item relating to section 801 the following:

“Sec. 802. Interagency Committee To Coordinate and Streamline Homeland Security Grant Programs.”.
SEC. 3. STREAMLINING FEDERAL HOMELAND SECURITY GRANTS.

(a) DIRECTOR OF STATE AND LOCAL GOVERNMENT COORDINATION.—Section 801 of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) by amending subsection (a) to read as follows:

“(a) Establishment.—

“(1) In general.—There is established within the Office of the Secretary the Office for State and Local Government Coordination, which shall oversee and coordinate departmental programs for, and relationships with, State and local governments.

“(2) Director.—The Office established under paragraph (1) shall be headed by the Director of State and Local Government Coordination, who shall be appointed by the President, by and with the advice and consent of the Senate.”;

(2) in subsection (b)—

(A) in paragraph (3), by striking “and” at the end;

(B) in paragraph (4), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(5) administering the firefighter assistance grant program established under section 33 of the
Federal Fire Prevention and Control Act of 1974
(15 U.S.C. 2229) by—

“(A) coordinating grant making activities with—

“(i) emergency preparedness and response personnel;

“(ii) grants made under section 4 of the Homeland Security Grant Enhancement Act of 2003; and

“(iii) grants made under other Federal programs to enhance emergency preparedness.

“(B) awarding grants on a competitive basis directly to fire departments of a State, in consultation with the chief executive of the State, for the purpose of protecting the health and safety of the public and firefighting personnel against fire and fire-related hazards; and

“(C) complying with the administrative requirements set forth in section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) and retaining the administrative requirements set forth under part 152 of title 44, Code of Federal Regulations; and
“(D) ensuring that all equipment purchased with grant funds for which there are voluntary consensus standards meet such standards.”; and

(3) by adding at the end the following:

“(e) Reference.—All references to “Director” in section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) shall be deemed to refer to the Director for State and Local Government Coordination.”.

(b) Office for Domestic Preparedness.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) by redesignating section 430 as section 803 and transferring that section to the end of subtitle A of title VIII, as amended by section 2;

(2) in section 803, as redesignated by paragraph (1)—

(A) in subsection (a), by striking “the Directorate of Border and Transportation Security” and inserting “the Office for State and Local Government Coordination”;

(B) in subsection (b), by striking “who shall be appointed by the President” and all that follows and inserting “who shall report di-
rectly to the Director of State and Local Government Coordination.”; and

(C) in subsection (c)—

(i) in paragraph (7)—

(I) by striking “other” and inserting “the”;

(II) by striking “consistent with the mission and functions of the Directorate”; and

(III) by striking “and” at the end; and

(ii) in paragraph (8)—

(I) by inserting “carrying out” before “those elements”;

(II) by striking the period at the end and inserting “; and” ; and

(iii) by adding at the end the following:

“(9) managing the Homeland Security Information Clearinghouse established under section 801(e).”.

(c) TECHNICAL AND CONFORMING AMENDMENT.— The table of contents for the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—
(A) by striking the item relating to section 430; and

(B) by inserting after the item relating to section 802, as added by this Act, the following:

"Sec. 803. Office for Domestic Preparedness."

(d) ESTABLISHMENT OF HOMELAND SECURITY INFORMATION CLEARINGHOUSE.—Section 801 of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by adding at the end the following:

"(c) HOMELAND SECURITY INFORMATION CLEARINGHOUSE.—

“(1) ESTABLISHMENT.—There is established within the Office for State and Local Government Coordination a Homeland Security Information Clearinghouse (referred to in this section as the ‘Clearinghouse’), which shall assist States, local governments, and first responders in accordance with paragraphs (2) through (5).

“(2) HOMELAND SECURITY GRANT INFORMATION.—The Clearinghouse shall create and maintain a web site, a toll-free number, and a single publication containing information regarding the homeland security grant programs identified under section 802(a)(4)(A)."
“(3) TECHNICAL ASSISTANCE.—The Clearing-
house, in consultation with the Interagency Com-
mittee established under section 802, shall—

“(A) coordinate technical assistance pro-
vided by any Federal agency to States and local
governments to conduct threat analyses and
vulnerability assessments; and

“(B) establish templates for conducting
threat analyses and vulnerability assessments.

“(4) BEST PRACTICES.—The Clearinghouse
shall work with States, local governments, emer-
gency response providers and the National Domestic
Preparedness Consortium, and private organizations
to gather, validate, and disseminate information re-
garding successful State and local homeland security
programs and practices.

“(5) USE OF FEDERAL FUNDS.—The Clearing-
house shall compile information regarding equip-
ment, training, and other services purchased with
Federal funds provided under the homeland security
grant programs identified under section
802(a)(4)(A), and make such information, and infor-
mation regarding voluntary standards of training,

equipment, and exercises, available to States, local
governments, and first responders.
“(6) OTHER INFORMATION.—The Clearing-house shall provide States, local governments, and first responders with any other information that the Secretary determines necessary.”

SEC. 4. HOMELAND SECURITY GRANT PROGRAM.

(a) DEFINITION.—In this section, the term “State” has the meaning given that term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.).

(b) GRANTS AUTHORIZED.—The Secretary of Homeland Security (in this section referred to as the “Secretary”) may award grants to States to enhance homeland security.

(c) USE OF FUNDS.—

(1) IN GENERAL.—Grants awarded under subsection (b)—

(A) shall be used to address homeland security matters related to acts of terrorism or major disasters and related capacity building; and

(B) shall not be used to supplant ongoing first responder expenses or general protective measures.

(2) ALLOWABLE USES.—Grants awarded under subsection (b) may be used to—
(A) develop State plans or risk assessments (including the development of the homeland security plan) to respond to terrorist attacks and strengthen all hazards emergency planning in coordination with the requirements under section 201 of the Disaster Relief Act of 1974 (42 U.S.C 5131), and community-wide plans for responding to terrorist or all hazards emergency events that are coordinated with the capacities of applicable Federal, State, and local governments, first responders, and State and local government health agencies;

(B) build and sustain comprehensive all-hazards emergency management capacity, such as planning, training, exercises, personnel, operational activities, equipment, early warning, public information and education, mutual aid, and other preparedness, response, and recovery activities;

(C) develop State, regional, or local mutual aid agreements;

(D) purchase or upgrade equipment based on State and local needs as identified under a State homeland security plan;
(E) conduct exercises to strengthen emergency preparedness of State and local first responders including law enforcement, fire fighting personnel, and emergency medical service workers, and other emergency responders identified in a State homeland security plan;

(F) pay for overtime expenses relating to training activities consistent with the goals outlined in a State homeland security plan; and

(G) promote training regarding homeland security preparedness including—

(i) emergency preparedness responses to a use or threatened use of a weapon of mass destruction; and

(ii) training in the use of equipment, including detection, monitoring, and decontamination equipment, and personal protective gear.

(3) Prohibited Uses.—

(A) Construction.—Grants awarded under subsection (b) may not be used to construct buildings or other physical facilities, except those described in section 611 of the Disaster Relief Act of 1974 (42 U.S.C. 5196), or to acquire land.
(B) Compensation.—Not more than 5 percent of grant funds provided under this section may be expended for the compensation of emergency planning personnel authorized under paragraph (2)(B). The amount of any such grant expended for the compensation of personnel shall not exceed the amount of State or local government funds made available to increase such compensation.

(C) Overtime Expenses.—Not more than 5 percent of grant funds provided under this section may be used for overtime expenses for training carried out under paragraph (2)(F).

(D) Cost Sharing.—Grant funds provided under this section shall not be used for any State or local government cost sharing contribution request under this section.

(d) Application.—

(1) Submission.—A State may apply for a grant under this section by submitting to the Secretary an application at such time, and in such manner, and containing such information the Secretary may reasonably require.
(2) Revisions.—A State may revise a homeland security plan certified under subsection (e) at the time an application is submitted under paragraph (1) after receiving approval from the Secretary.

(3) Approval.—The Secretary shall not award a grant under this section unless the application submitted by the State includes a homeland security plan meeting the requirements of subsection (e).

(4) Release of Funds.—The Secretary shall release grant funds to States with approved plans after the approval of an application submitted under this subsection.

(e) Homeland Security Plan.—

(1) In General.—An application submitted under subsection (d) shall include a certification that the State has prepared a 3-year State homeland security plan (referred to in this subsection as the “plan”) to respond to terrorist attacks and strengthen all hazards emergency planning that has been approved by the Secretary.

(2) Contents.—The plan shall contain measurable goals and objectives that—

(A) establish a 3-year strategy to set priorities for the allocation of funding to political
subdivisions based on the risk, capabilities, and needs described under paragraph (3)(C);

(B) provide for interoperable communications;

(C) provide for local coordination of response and recovery efforts, including procedures for effective incident command in conformance with the National Incident Management System;

(D) ensure that first responders and other emergency personnel have adequate training and appropriate equipment for the threats that may occur;

(E) provide for improved coordination and collaboration among police, fire, and public health authorities at State and local levels;

(F) coordinate emergency response and public health plans;

(G) mitigate risks to critical infrastructure that may be vulnerable to terrorist attacks;

(H) promote regional coordination among contiguous local governments;

(I) identify necessary protective measures by private owners of critical infrastructure;
(J) promote orderly evacuation procedures when necessary;

(K) ensure support from the public health community for measures needed to prevent, detect and treat bioterrorism, and radiological and chemical incidents;

(L) increase the number of local jurisdictions participating in local and statewide exercises;

(M) meet preparedness goals as determined by the Secretary; and

(N) include a report from the relevant advisory committee established under paragraph (3)(D) that documents the areas of support, disagreement, or recommended changes to the plan before its submission to the Secretary.

(3) DEVELOPMENT PROCESS.—

(A) IN GENERAL.—In preparing the plan under this section, a State shall—

(i) provide for the consideration of all homeland security needs;

(ii) follow a process that is continuing, inclusive, cooperative, and comprehensive, as appropriate; and
(iii) coordinate the development of the plan with the homeland security planning activities of local governments.

(B) COORDINATION WITH LOCAL PLANNING ACTIVITIES.—The coordination under subparagraph (A)(iii) shall allow input from local stakeholders, including—

(i) local officials;

(ii) first responders and emergency response providers; and

(iii) private sector companies, such as railroads and chemical manufacturers.

(C) SCOPE OF PLANNING.—Each State preparing a plan under this section shall, in conjunction with the local stakeholders under subparagraph (B), address all the information requested by the Secretary, and complete a comprehensive assessment of—

(i) risk, including a—

(I) vulnerability assessment;

(II) threat assessment; and

(III) public health assessment, in coordination with the State bioterrorism plan; and

(ii) capabilities and needs, including—
(I) an evaluation of current preparedness, mitigation, and response capabilities based on such assessment mechanisms as shall be determined by the Secretary;

(II) an evaluation of capabilities needed to address the risks described under clause (i); and

(III) an assessment of the short-fall between the capabilities described under subclause (I) and the required capabilities described under subclause (II).

(D) ADVISORY COMMITTEE.—

(i) IN GENERAL.—Each State preparing a plan under this section shall establish an advisory committee to receive comments from the public and the local stakeholders identified under subparagraph (B).

(ii) COMPOSITION.—The Advisory Committee shall include local officials, local first responders, and emergency response providers that are representative of the
counties, cities, and towns within the State.

(4) PLAN APPROVAL.—The Secretary shall approve a plan upon finding that the plan meets the requirements of—

(A) paragraphs (2) and (3);

(B) the interim performance measurements under subsection (h)(1), or the national performance standards under subsection (h)(2); and

(C) any other criteria the Secretary determines necessary to the approval of a State plan.

(5) REVIEW OF ADVISORY COMMITTEE REPORT.—The Secretary shall review the recommendations of the advisory committee report incorporated into a plan under subsection (e)(2)(N) to ensure cooperation and coordination between local and State jurisdictions in planning the use of grant funds under this section.

(f) DISCRETIONARY GRANT PROGRAM.—

(1) IN GENERAL.—The Secretary shall use 10 percent of the funds appropriated under this section to make discretionary grants to local governments that the Secretary considers to be high threat areas based upon the criteria under paragraph (2).
(2) **HIGH THREAT AREA CRITERIA.**—The Secretary shall ensure that an award of a grant under this subsection is based upon the consideration of the local government’s—

(A) population and population density;

(B) location, risk, or vulnerability of critical infrastructure or key national assets; and

(C) any other factors determined by the Secretary.

(3) **CONSISTENCY.**—Any grant awarded under this subsection shall be used to supplement and support, in a consistent and coordinated manner with, those activities and objectives described under subsection (b) or a State homeland security plan.

(4) **COORDINATION.**—The Secretary shall ensure that any grants made under this subsection encourage multiple contiguous units of local government and mutual aid partners to coordinate any homeland security activities.

(g) **FUNDING**—

(1) **IN GENERAL.**—The Secretary shall make awards of grant funds in accordance with paragraphs (2) through (7).

(2) **MAINTAINING A BASELINE LEVEL OF SECURITY.**—Each State whose application is approved
under subsection (c), including the District of Columbia and the Commonwealth of Puerto Rico shall receive .75 percent of the total amount appropriated in any fiscal year. The United States Territories (including American Samoa, the Commonwealth of Northern Mariana Islands, Guam, and the United States Virgin Islands) shall receive .25 percent of the total amount appropriated in any fiscal year.

(3) **Assessment.**—The Secretary shall distribute any remaining available grant funds, after distribution of funds for grants under subsections (d) and (f), based on—

(A) population and population density.

(B) threat, risk, and vulnerability of critical infrastructure or key national assets identified in the State homeland security plan; and

(C) any other factors identified by the Secretary.

(4) **Funding for local entities and first responders.**—The Secretary shall require grant recipients to provide local governments, first responders, and other local groups, consistent with the applicable State homeland security plan, with not less than 80 percent of the grant funds, the resources purchased with such grant funds, or a combination
thereof, not later than 60 days after receiving grant funds under this section.

(5) State and Local Match.—

(A) In General.—The Secretary shall require a recipient of a grant under this section to make available non-Federal contributions in an amount equal to 25 percent of the Federal funds provided under the grant.

(B) Effective Date.—The matching requirement under subparagraph (A) shall take effect 2 years after the date of enactment of this Act.

(6) Report on Homeland Security Spending.—Each recipient of a grant under this section shall annually submit a report to the Secretary that contains—

(A) an accounting of the amount of State and local funds spent on homeland security activities under the applicable State homeland security plan; and

(B) information regarding the use of grant funds by units of local government as required by the Secretary.

(7) Supplement Not Supplant.—Amounts appropriated for grants under this section shall be
used to supplement and not supplant other State and local public funds obligated for the purposes provided under this Act.

(h) ACCOUNTABILITY.—

(1) INTERIM PERFORMANCE MEASURES.—

(A) IN GENERAL.—Before establishing performance standards under paragraph (2), the Secretary shall assist each State in establishing interim performance measures based upon—

(i) the goals and objectives under subsection (e)(2); and

(ii) any other factors determined by the Secretary.

(B) ANNUAL REPORT.—Before establishing performance measures under paragraph (2), each State with an approved State plan shall submit to the Secretary a report detailing the progress the State has made in meeting the interim performance measures established under subparagraph (A).

(2) NATIONAL PERFORMANCE STANDARDS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall set national performance standards based in part on the goals and objectives under
subsection (e)(2) and any other factors the Secretary determines relevant.

(B) COMPLIANCE.—The Secretary shall ensure that State plans are in conformance with the standards set under subparagraph (A).

(C) ANNUAL REPORT.—After the establishment of performance standards under subparagraph (A), each State with an approved State homeland security plan shall submit to the Secretary a report on the progress the State has made in meeting such standards.

(3) GENERAL ACCOUNTING OFFICE ACCESS TO INFORMATION.—Each recipient of a grant under this section and the Department of Homeland Security shall provide the General Accounting Office with full access to information regarding the activities carried out under this section.

(4) AUDIT.—Grant recipients that expend $300,000 or more in Federal funds during any fiscal year shall submit to the Secretary an organization wide financial and compliance audit report in conformance with the requirements of chapter 75 of title 31, United States Code.

(i) REMEDIES FOR NON-COMPLIANCE.—
(1) IN GENERAL.—If the Secretary finds, after reasonable notice and an opportunity for a hearing, that a recipient of a grant under this section has failed to substantially comply with any provision of this section, the Secretary shall—

(A) terminate any payment of grant funds to be made to the recipient under this section;

(B) reduce the amount of payment of grant funds to the recipient by an amount equal to the amount of grants funds that were not expended by the recipient in accordance with this section; or

(C) limit the use of grant funds received under this section to programs, projects, or activities not affected by the failure to comply.

(2) DURATION OF PENALTY.—The Secretary shall apply an appropriate penalty under paragraph (1) until such time as the Secretary determines that the grant recipient is in full compliance with this section.

(j) REPORTS TO CONGRESS.—The Secretary shall submit an annual report to Congress that provides—

(1) findings relating to the performance standards established under subsection (h);
(2) the status of preparedness goals and objectives;

(3) an evaluation of how States and local governments are meeting preparedness goals and objectives;

(4) the total amount of resources provided to the States;

(5) the total amount of resources provided to units of local government; and

(6) a list of how these resources were expended.

(k) Authorization of Appropriations.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 5. FLEXIBILITY IN UNSPENT HOMELAND SECURITY FUNDS.

(a) Reallocation of Funds.—The Director of the Office for Domestic Preparedness, Department of Homeland Security, shall allow any State to request approval to reallocate funds received pursuant to appropriations for the State Homeland Security Grant Program under Public Laws 105–277 (112 Stat. 2681 et seq.), 106–113 (113 Stat. 1501A-3 et seq.), 106–553 (114 Stat. 2762A-3 et seq.), 107–77 (115 Stat. 78 et seq.), or the Consolidated Appropriations Resolution of 2003 (Pub. L. 108-7),
among the 4 categories of equipment, training, exercises, and planning.

(b) APPROVAL OF REALLOCATION REQUESTS.—The Director shall approve reallocation requests under subsection (a) in accordance with the State plan and any other relevant factors that the Secretary of Homeland Security determines to be necessary.

(c) LIMITATION.—A waiver under this section shall not affect the obligation of a State to pass through 80 percent of the amount appropriated for equipment to units of local government.