

118TH CONGRESS  
1ST SESSION

# H. R. 3254

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 5, 2023

Received; read twice and referred to the Committee on Homeland Security and  
Governmental Affairs

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

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

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

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

7 (1) in subsection (f)—

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

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

12 (B) by adding at the end the following new  
13 paragraphs:

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

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

1           “(A) Current or past use of proposed  
2 equipment or systems by Federal agencies or  
3 the Armed Forces.

4           “(B) The absence of a national voluntary  
5 consensus standard for such equipment or sys-  
6 tems.

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

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

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

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

20           (2) by adding at the end the following new sub-  
21 section:

22           “(g) REVIEW PROCESS.—The Administrator shall  
23 implement a uniform process for reviewing applications to  
24 use grants provided under section 2003 or 2004 to pur-

1 chase equipment or systems not included on the Author-  
2 ized Equipment List maintained by the Administrator.”.

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

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

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

1           (3) The processing time for the review of such  
2 requests.

Passed the House of Representatives July 27, 2023.

Attest:                   KEVIN F. MCCUMBER,  
*Clerk.*