

117TH CONGRESS  
1ST SESSION

# H. R. 2743

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.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2021

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

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## 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”.

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

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

4 (1) in subsection (f)—

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

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

9 (B) by adding at the end the following new  
10 paragraphs:

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

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

23 “(A) Current or past use of proposed  
24 equipment or systems by Federal agencies or  
25 the Armed Forces.

1           “(B) The absence of a national voluntary  
2           consensus standard for such equipment or sys-  
3           tems.

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

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

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

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

17          (2) by adding at the end the following new sub-  
18          section:

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

24          (b) INSPECTOR GENERAL REPORT.—Not later than  
25          3 years after the date of the enactment of this Act, the

1 Inspector General of the Department of Homeland Secu-  
2 rity shall submit to the Committee on Homeland Security  
3 of the House of Representatives and the Committee on  
4 Homeland Security and Governmental Affairs of the Sen-  
5 ate a report assessing the implementation of the review  
6 process established under paragraph (2) of subsection (f)  
7 of section 2008 of the Homeland Security Act of 2002  
8 (as added by subsection (a) of this section), including in-  
9 formation on the following:

10           (1) The number of requests to purchase equip-  
11           ment or systems that do not meet or exceed any ap-  
12           plicable consensus standard evaluated under such re-  
13           view process.

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

16           (3) The processing time for the review of such  
17           requests.

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