

117TH CONGRESS
2D SESSION

H. R. 6825

To amend the Homeland Security Act of 2002 to enhance the funding and administration of the Nonprofit Security Grant Program of the Department of Homeland Security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 2022

Mr. THOMPSON of Mississippi (for himself, Mr. KATKO, Ms. JACKSON LEE, Mr. LANGEVIN, Mr. PAYNE, Mr. CORREA, Ms. SLOTKIN, Mr. CLEAVER, Mr. GREEN of Texas, Ms. CLARKE of New York, Mr. SWALWELL, Ms. TITUS, Mrs. WATSON COLEMAN, Miss RICE of New York, Mrs. DEMINGS, Ms. BARRAGÁN, Mr. GOTTHEIMER, Mr. MALINOWSKI, and Mr. TORRES of New York) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To amend the Homeland Security Act of 2002 to enhance the funding and administration of the Nonprofit Security Grant Program of the Department of Homeland Security, 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 “Nonprofit Security
5 Grant Program Improvement Act of 2022”.

1 **SEC. 2. ENHANCEMENTS TO FUNDING AND ADMINISTRA-**
2 **TION OF NONPROFIT SECURITY GRANT PRO-**
3 **GRAM OF THE DEPARTMENT OF HOMELAND**
4 **SECURITY.**

5 (a) IN GENERAL.—Section 2009 of the Homeland
6 Security Act of 2002 (6 U.S.C. 609a) is amended—

7 (1) in subsection (c)—

8 (A) by redesignating paragraphs (1), (2),
9 and (3) as subparagraphs (A), (B), and (E), re-
10 spectively, and moving such subparagraphs, as
11 so redesignated, two ems to the right;

12 (B) in the matter preceding subparagraph
13 (A), as so redesignated, by striking “The recipi-
14 ent” and inserting the following:

15 “(1) IN GENERAL.—The recipient”;

16 (C) in subparagraph (A), as so redesign-
17 ated, by striking “equipment and inspection
18 and screening systems” and inserting “equip-
19 ment, inspection and screening systems, and al-
20 teration or remodeling of existing buildings or
21 physical facilities”;

22 (D) by inserting after subparagraph (B),
23 as so redesignated, the following new subpara-
24 graphs:

“(C) Facility security personnel costs, including costs associated with contracted security.

“(D) Expenses directly related to the administration of the grant, except that such expenses may not exceed five percent of the amount of the grant.”; and

(E) by adding at the end the following new paragraph:

“(2) RETENTION.—Each State through which a recipient receives a grant under this section may retain up to five percent of each grant for expenses directly related to the administration of the grant.”;

(2) in subsection (e)—

(A) by striking “2020 through 2024” and inserting “2022 through 2028”; and

(B) by adding at the end the following new sentence: “Each such report shall also include information on the number of applications submitted by eligible nonprofit organizations to each State, the number of applications submitted by each State to the Administrator, and the operations of the Nonprofit Security Grant Program Office, including staffing resources

1 and efforts with respect to subparagraphs (A)
2 through (E) of subsection (c)(1).”;

3 (3) by redesignating subsection (f) as sub-
4 section (j);

5 (4) by inserting after subsection (e) the fol-
6 lowing new subsections:

7 “(f) ADMINISTRATION.—Not later than 120 days
8 after the date of the enactment of this subsection, the Ad-
9 ministrator shall establish within the Federal Emergency
10 Management Agency a program office for the Nonprofit
11 Security Grant Program (in this subsection referred to as
12 the ‘program office’). The program office shall be headed
13 by a senior official of the Agency. The program office shall
14 administer the Program (including, where appropriate, in
15 coordination with States), including relating to the fol-
16 lowing:

17 “(1) Outreach, engagement, education, and
18 technical assistance and support to eligible nonprofit
19 organizations described in subsection (b), with par-
20 ticular attention to such organizations in under-
21 served communities, prior to, during, and after the
22 awarding of grants, including web-based training
23 videos for eligible nonprofit organizations that pro-
24 vide guidance on preparing an application and the

1 environmental planning and historic preservation
2 process.

3 “(2) Establishment of mechanisms to ensure
4 program office processes are conducted in accord-
5 ance with constitutional, statutory, regulatory, and
6 other legal and agency policy requirements that pro-
7 tect civil rights and civil liberties and, to the max-
8 imum extent practicable, advance equity for mem-
9 bers of underserved communities.

10 “(3) Establishment of mechanisms for the Ad-
11 ministrator to provide feedback to eligible nonprofit
12 organizations that do not receive grants.

13 “(4) Establishment of mechanisms to collect
14 data to measure the effectiveness of grants under
15 the Program.

16 “(5) Establishment and enforcement of stand-
17 ardized baseline operational requirements for States,
18 including requirements for States to eliminate or
19 prevent any administrative or operational obstacles
20 that may impact eligible nonprofit organizations de-
21 scribed in subsection (b) from receiving grants under
22 the Program.

23 “(6) Carrying out efforts to prevent waste,
24 fraud, and abuse, including through audits of grant-
25 ees.

1 “(g) GRANT GUIDELINES.—For each fiscal year,
2 prior to awarding grants under this section, the Adminis-
3 trator—

4 “(1) shall publish guidelines, including a notice
5 of funding opportunity or similar announcement, as
6 the Administrator determines appropriate; and

7 “(2) may prohibit States from closing applica-
8 tion processes prior to the publication of such guide-
9 lines.

10 “(h) ALLOCATION REQUIREMENTS.—

11 “(1) IN GENERAL.—In awarding grants under
12 this section, the Administrator shall ensure that—

13 “(A) 50 percent of amounts appropriated
14 pursuant to the authorization of appropriations
15 under subsection (j) is provided to eligible re-
16 cipients located in jurisdictions that receive
17 funding under section 2003, inclusive of any
18 amounts States may retain pursuant to para-
19 graph (2) of subsection (c); and

20 “(B) 50 percent of amounts appropriated
21 pursuant to the authorizations of appropria-
22 tions under subsection (j) is provided to eligible
23 recipients located in jurisdictions not receiving
24 funding under section 2003, inclusive of any

1 amounts States may retain pursuant to para-
2 graph (2) of subsection (c).

3 “(2) EXCEPTION.—Notwithstanding paragraph
4 (1), the Administrator may allocate a different per-
5 centage if the Administrator does not receive a suffi-
6 cient number of applications from eligible recipients
7 to meet the allocation percentages described in ei-
8 ther subparagraph (A) or (B) of such paragraph. If
9 the Administrator exercises the authorization under
10 this paragraph, the Administrator shall, not later
11 than 30 days after such exercise, report to the Com-
12 mittee on Homeland Security of the House of Rep-
13 resentatives and the Committee on Homeland Secu-
14 rity and Governmental Affairs of the Senate regard-
15 ing such exercise.

16 “(i) PAPERWORK REDUCTION ACT.—Chapter 35 of
17 title 44, United States Code (commonly known as the ‘Pa-
18 perwork Reduction Act’), shall not apply to any changes
19 to the application materials, Program forms, or other core
20 Program documentation intended to enhance participation
21 by eligible nonprofit organizations in the Program.”; and

22 (5) in subsection (j), as so redesignated—

23 (A) in paragraph (1), by striking “\$75 mil-
24 lion for each of fiscal years 2020 through
25 2024” and inserting “\$75,000,000 for fiscal

1 year 2022 and \$500,000,000 for each of fiscal
2 years 2023 through 2028”; and

3 (B) by amending paragraph (2) to read as
4 follows:

5 “(2) TRANSFERS AUTHORIZED.—During a fis-
6 cal year, the Administrator may transfer not more
7 than five percent of amounts appropriated pursuant
8 to the authorization of appropriations under para-
9 graph (1) or other amounts appropriated or other-
10 wise made available to carry out the Program for
11 such fiscal year to an account of the Federal Emer-
12 gency Management Agency for costs incurred for the
13 management, administration, or evaluation of this
14 section.”.

15 (b) PLAN.—Not later than 90 days after the date of
16 the enactment of this Act, the Administrator of the Fed-
17 eral Emergency Management Agency shall submit to the
18 Committee on Homeland Security of the House of Rep-
19 resentatives and the Committee on Homeland Security
20 and Governmental Affairs of the Senate a plan for the
21 administration of the program office for the Nonprofit Se-
22 curity Grant Program established under subsection (f) of
23 section 2009 of the Homeland Security Act 2002 (6

- 1 U.S.C. 609a), as amended by subsection (a), including a
- 2 staffing plan for such program office.

