

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5890

To amend the Homeland Security Act of 2002 to establish the Community Preparedness Division of the Department of Homeland Security and the Citizen Corps Program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 2008

Mr. CUELLAR (for himself, Mr. DENT, Mr. THOMPSON of Mississippi, Ms. JACKSON-LEE of Texas, Mr. ROGERS of Alabama, Mr. PASCRELL, Mrs. CHRISTENSEN, and Mr. ETHERIDGE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Homeland Security Act of 2002 to establish the Community Preparedness Division of the Department of Homeland Security and the Citizen Corps Program, 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 “Citizen and Commu-  
5 nity Preparedness Act of 2008”.

1 **SEC. 2. COMMUNITY PREPAREDNESS DIVISION.**

2 (a) ESTABLISHMENT OF COMMUNITY PREPARED-  
3 NESS DIVISION.—The Homeland Security Act of 2002 (6  
4 U.S.C. 101 et seq.) is amended by adding at the end the  
5 following:

6 **“TITLE XXI—DOMESTIC PRE-**  
7 **PAREDNESS AND COLLEC-**  
8 **TIVE RESPONSE TO TER-**  
9 **RORISM AND OTHER EMER-**  
10 **GENCIES**

11 **“SEC. 2101. COMMUNITY PREPAREDNESS DIVISION.**

12 “(a) IN GENERAL.—There is in the Department a  
13 Community Preparedness Division.

14 “(b) DIRECTOR.—The Community Preparedness Di-  
15 vision shall be headed by a Director, who shall be ap-  
16 pointed by the Secretary.

17 “(c) RESPONSIBILITIES.—The Director of the Com-  
18 munity Preparedness Division, shall have the primary re-  
19 sponsibility within the Department for assisting the efforts  
20 of State, local, and tribal governments in preparing citi-  
21 zens in the United States for acts of terrorism and other  
22 emergencies, including primary responsibility for each of  
23 the following:

24 “(1) Administration of the Citizen Corps Pro-  
25 gram under section 2102.

1           “(2) Supporting public and community pre-  
2           paredness efforts.

3           “(3) Serving as the principal advisor to the Sec-  
4           retary of Homeland Security on public and commu-  
5           nity preparedness issues.

6           “(4) Providing Citizen Corps Councils with  
7           tools, information, and technical assistance to con-  
8           nect local and national citizen preparedness efforts.

9           “(5) Establishing specialized preparedness pro-  
10          grams for underserved populations under subsection  
11          (d).

12          “(6) Ensuring coordination with, and leveraging  
13          to the greatest extent feasible, efforts by private sec-  
14          tor entities, faith-based groups, research and edu-  
15          cational institutions, other nongovernmental organi-  
16          zations, including such organizations that work with  
17          the disabled and others with special needs, and  
18          emergency response provider organizations to pro-  
19          mote citizen preparedness and participation.

20          “(7) Assisting in the implementation of national  
21          strategies for public and community preparedness,  
22          including the development of individual preparedness  
23          skills and capabilities, assembling preparedness kits,  
24          developing emergency communications plans, train-  
25          ing in basic first aid, and learning how to react to

1 a variety of emergencies, including an act of ter-  
2 rorism involving chemical, biological, radiological, or  
3 nuclear weapons, and natural disasters, including  
4 hurricanes, floods, earthquakes, and tsunamis.

5 “(8) Establishing and maintaining a community  
6 preparedness resource center to compile and dissemi-  
7 nate best practices of citizen preparedness programs.

8 “(d) UNDERSERVED POPULATIONS.—In carrying out  
9 the responsibilities under this section, the Director shall  
10 consider the unique preparedness challenges faced by—

11 “(1) persons with physical and mental disabil-  
12 ities, health problems, visual impairments, hearing  
13 impairments, limited English proficiency, and lit-  
14 eracy barriers;

15 “(2) socially and economically disadvantaged  
16 households and communities;

17 “(3) the elderly;

18 “(4) children; and

19 “(5) individuals with pets or service animals.

20 **“SEC. 2102. CITIZEN CORPS PROGRAM.**

21 “(a) ESTABLISHMENT.—There is in the Community  
22 Preparedness Division a Citizen Corps Program, through  
23 which the Secretary shall bring community and govern-  
24 ment leaders together to coordinate and leverage efforts  
25 to strengthen community involvement in emergency pre-

1 paredness, planning, mitigation, response, and recovery  
2 for acts of terrorism and natural disasters.

3 “(b) GRANT PROGRAM.—

4 “(1) IN GENERAL.—As part of the Citizen  
5 Corps Program, the Secretary shall carry out a  
6 grant program to make grants to States.

7 “(2) APPLICATION.—To be eligible to receive a  
8 grant under this subsection, a State shall submit an  
9 application containing such information and assur-  
10 ances as the Secretary may require.

11 “(3) USE OF FUNDS.—A grant under this sub-  
12 section may be used for any of the following pur-  
13 poses:

14 “(A) To form and sustain a State or local  
15 Citizen Corps Council.

16 “(B) To develop and implement edu-  
17 cational programs for the public on both ter-  
18 rorism and natural disaster preparedness and  
19 volunteer responsibilities.

20 “(C) To develop and implement a plan or  
21 to amend an existing plan to facilitate citizen  
22 preparedness and participation.

23 “(D) To facilitate citizen participation in  
24 preparedness training and exercises.

1           “(E) To implement volunteer programs  
2           and activities to support emergency response  
3           providers.

4           “(4) CONDITIONS OF RECEIPT OF FUNDS.—  
5           Each State that receives a grant under this sub-  
6           section shall ensure that in carrying out any of the  
7           purposes under paragraph (3) outreach efforts ex-  
8           tend, as appropriate, to—

9                   “(A) underserved populations specified in  
10                  section 2101(d);

11                   “(B) neighborhoods bordering critical in-  
12                  frastructure;

13                   “(C) urban and rural communities;

14                   “(D) border communities; and

15                   “(E) faith-based and volunteer community  
16                  service organizations.

17           “(c) ADMINISTRATION AND COORDINATION.—As  
18           part of the Citizen Corps Program, the Secretary shall—

19                   “(1) administer—

20                           “(A) the Community Emergency Response  
21                           Team Program under section 2103, or any suc-  
22                           cessor thereto; and

23                           “(B) the Fire Corps Program under sec-  
24                           tion 2104, or any successor thereto;

1           “(2) coordinate with the Secretary of Health  
2           and Human Services in the administration of the  
3           Medical Reserve Corps, or any successor thereto,  
4           which is a program to educate and train citizens and  
5           medical professionals to assist with medical and pub-  
6           lic health outreach and administration before, dur-  
7           ing, and after acts of terrorism and other emer-  
8           gencies; and

9           “(3) coordinate with the Attorney General in  
10          the administration of—

11                 “(A) Neighborhood Watch, or any suc-  
12                 cessor thereto, which is a program to provide  
13                 information, training, and resources to citizens  
14                 and law enforcement agencies throughout the  
15                 country to identify potential terrorist activities  
16                 and other threats; and

17                 “(B) Volunteers In Police Services, or any  
18                 successor thereto, which is a program to edu-  
19                 cate and train citizens to increase the capacity  
20                 of volunteer State and local law enforcement of-  
21                 ficials to assist before, during, and after an act  
22                 of terrorism or other emergency.

23          “(d) COOPERATIVE AGREEMENTS WITH NON-PROF-  
24          IT ENTITIES.—The Secretary may enter into cooperative  
25          agreements with non-profit entities to enhance citizen pre-

1 paredness and outreach programs that the Secretary has  
2 determined have a proven track record of success on a na-  
3 tional or regional basis.

4 “(e) REPORTS TO CONGRESS.—Not later than one  
5 year after the date of the enactment of the Citizen and  
6 Community Preparedness Act of 2008, and every two  
7 years thereafter, the Director of the Community Prepared-  
8 ness Division shall submit to Congress a report that evalu-  
9 ates the management and effectiveness of the Fire Corps  
10 Program under section 2104 and the Community Emer-  
11 gency Response Team Program under section 2103.

12 “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
13 is authorized to be appropriated to carry out this section—

14 “(1) \$30,000,000 for fiscal year 2009;

15 “(2) \$35,000,000 for fiscal year 2010;

16 “(3) \$40,000,000 for fiscal year 2011;

17 “(4) \$45,000,000 for fiscal year 2012; and

18 “(5) \$50,000,000 for fiscal year 2013.

19 **“SEC. 2103. COMMUNITY EMERGENCY RESPONSE TEAM**  
20 **PROGRAM.**

21 “(a) ESTABLISHMENT.—There is in the Community  
22 Preparedness Division a Community Emergency Response  
23 Team Program, through which the Secretary shall educate  
24 citizens about preparedness and mitigation and train citi-  
25 zens in basic response skills, including fire safety, light

1 search and rescue, and medical operations in preparation  
2 for acts of terrorism and other emergencies.

3 “(b) AUTHORIZATION OF APPROPRIATIONS.—Of the  
4 amounts authorized to be appropriated under section  
5 2102(f) for any fiscal year, \$1,750,000 is authorized to  
6 carry out this section.

7 **“SEC. 2104. FIRE CORPS PROGRAM.**

8 “(a) ESTABLISHMENT.—There is in the Community  
9 Preparedness Division a Fire Corps Program, through  
10 which the Secretary shall facilitate the use of volunteers  
11 in non-emergency roles at fire and rescue departments to  
12 better prepare local communities to respond to acts of ter-  
13 rorism and other emergencies.

14 “(d) FIRE CORPS ADVISORY COMMITTEE.—

15 “(1) ESTABLISHMENT.—The Secretary shall es-  
16 tablish an advisory committee to be known as the  
17 ‘Fire Corps Advisory Committee’ (hereinafter re-  
18 ferred to in this section as the ‘Committee’) to pro-  
19 vide guidance and assistance to the Secretary in car-  
20 rying out the Fire Corps Program.

21 “(2) MEMBERSHIP.—The members of the Com-  
22 mittee shall be appointed by the Secretary and shall  
23 include—

24 “(A) representatives of fire and emergency  
25 service organizations;

1           “(B) representatives of the United States  
2           Fire Administration; and

3           “(C) other individuals that the Secretary  
4           determines are appropriate.

5           “(3) TERMS OF SERVICE; PAY AND ALLOW-  
6           ANCES.—The Secretary shall determine the number,  
7           terms of service, and pay and allowances of members  
8           of the Committee appointed by the Secretary, except  
9           that the term of service of any such member may  
10          not exceed three years.

11          “(4) APPLICABILITY OF FEDERAL ADVISORY  
12          COMMITTEE ACT.—Section 14(a)(2)(B) of the Fed-  
13          eral Advisory Committee Act (5 U.S.C. App.) shall  
14          not apply to the Committee.

15          “(h) AUTHORIZATION OF APPROPRIATIONS.—Of the  
16          amounts authorized to be appropriated under section  
17          2102(g)(1) for any fiscal year, \$1,500,000 is authorized  
18          to carry out this section.

19          **“SEC. 2105. NATIONAL CITIZEN CORPS COUNCIL.**

20          “(a) ESTABLISHMENT.—There is in the Community  
21          Preparedness Division a National Citizen Corps Council.

22          “(b) MEMBERSHIP.—The members of the Council  
23          shall be national leaders of organizations and associations  
24          representing emergency response providers, community  
25          and volunteer services providers, government officials, the

1 private sector, and underserved populations described in  
2 section 2101(d) and shall be appointed by the Secretary.  
3 The Secretary shall determine the number of members of  
4 the Council.

5 “(c) RESPONSIBILITIES.—The responsibilities of the  
6 Council are as follows:

7 “(1) To facilitate cooperation at the national  
8 level in support of the Citizen Corps Program under  
9 section 2102.

10 “(2) To identify opportunities for Federal,  
11 State, local, and tribal organizations to collaborate  
12 to accomplish the shared goals of the Citizen Corps  
13 Program.

14 “(3) To encourage the development and support  
15 of State and local Citizen Corps Councils.

16 “(4) To exchange facts and information regard-  
17 ing programs to promote citizen preparedness, public  
18 awareness, and volunteer service opportunities.

19 “(d) MEETINGS.—The Secretary or a designee shall  
20 convene meetings of the National Citizen Corps Council  
21 at the discretion of the Secretary but not less than annu-  
22 ally.

23 **“SEC. 2106. PUBLIC AFFAIRS CAMPAIGN.**

24 “(a) ESTABLISHMENT.—The Secretary shall carry  
25 out a public affairs campaign using various media outlets

1 that is designed to assist citizens in preparing for an act  
2 of terrorism or other emergency.

3 “(b) INFORMATION DISSEMINATION.—The campaign  
4 shall—

5 “(1) utilize a broad spectrum of both main-  
6 stream and specialty print, radio and television out-  
7 lets; and

8 “(2) disseminate information to underserved  
9 communities specified in section 2101(d).

10 “(c) AUTHORIZATION OF APPROPRIATIONS.—There  
11 is authorized to be appropriated to carry out this section  
12 \$5,000,000 for each of fiscal years 2009 through 2013.

13 **“SEC. 2107. PILOT PROGRAM TO ENHANCE CITIZEN PRE-**  
14 **PAREDNESS AT EDUCATIONAL INSTITU-**  
15 **TIONS.**

16 “(a) IN GENERAL.—Not later than 90 days after the  
17 date of the enactment of the Citizen and Community Pre-  
18 paredness Act of 2008, the Secretary shall commence a  
19 pilot program to enhance citizen preparedness at primary  
20 and secondary schools and on university and college cam-  
21 puses by providing training, exercises, and public aware-  
22 ness campaigns.

23 “(b) SELECTION OF EDUCATIONAL INSTITUTIONS.—  
24 The Secretary shall select at least three primary and sec-  
25 ondary schools and at least three colleges and universities

1 to participate in the pilot program required under sub-  
2 section (a). At each school, college, and university selected  
3 by the Secretary, the Secretary shall develop and imple-  
4 ment a program to prepare administrators, teachers, stu-  
5 dents, and parents for acts of terrorism and other emer-  
6 gencies.

7       “(c) SELECTION CRITERIA.—In selecting educational  
8 institutions under subsection (b) to participate in the pilot  
9 program required under subsection (a), the Secretary shall  
10 ensure the participation of educational institutions of  
11 varying sizes that represent a geographic (including urban  
12 and rural) cross section of the United States. The Sec-  
13 retary shall also ensure the participation of historically  
14 black colleges and universities, Hispanic-serving institu-  
15 tions, or Tribal colleges and universities.

16       “(d) TRANSFER OF INFORMATION AND KNOWL-  
17 EDGE.—The Secretary shall establish mechanisms to en-  
18 sure that the information and knowledge acquired by each  
19 participant in the pilot program are transferred to the  
20 other participants and other interested parties.

21       “(e) REPORT.—Not later than 6 months after the  
22 date on which the Secretary completes the pilot program  
23 under this section, the Secretary shall submit to the Com-  
24 mittee on Homeland Security of the House of Representa-  
25 tives and the Committee on Homeland Security and Gov-

1 ernmental Affairs of the Senate a report on the pilot pro-  
2 gram under this section.

3 “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
4 are authorized to be appropriated such sums as may be  
5 necessary to carry out this section.

6 “(g) TERMINATION.—The authority to carry out a  
7 pilot program under this section shall terminate on the  
8 date that is two years after the date of the enactment of  
9 the Citizen and Community Preparedness Act of 2008.

10 “(h) DEFINITIONS.—For the purposes of this section:

11 “(1) The term ‘historically Black college or uni-  
12 versity’ has the meaning given that term in section  
13 322 of the Higher Education Act of 1965 (20  
14 U.S.C. 1061).

15 “(2) The term ‘Hispanic-serving institution’ has  
16 the meaning given that term in section 502(5) of  
17 such Act (20 U.S.C. 1101a(5)).

18 “(3) The term ‘Tribal College or University’  
19 has the meaning given that term in section 316 of  
20 such Act (20 U.S.C. 1059c(b)(3)).”.

21 (b) CLERICAL AMENDMENT.—The table of contents  
22 in section 1(b) of such Act is amended by adding at the  
23 end the following:

“TITLE XXI—DOMESTIC PREPAREDNESS AND COLLECTIVE  
RESPONSE TO TERRORISM AND OTHER EMERGENCIES

“Sec. 2101. Community Preparedness Division.

“Sec. 2102. Citizen Corps Program.

“Sec. 2103. Community Emergency Response Team Program.

“Sec. 2104. Fire Corps Program.

“Sec. 2105. National Citizen Corps Council.

“Sec. 2106. Public affairs campaign.

“Sec. 2107. Pilot program to enhance citizen preparedness at educational institutions.”.

**1 SEC. 3. REPORT TO CONGRESS.**

2 Not later than 90 days after the date of the enact-  
3 ment of this Act, and annually thereafter, the Secretary  
4 shall submit to the Committee on Homeland Security of  
5 the House of Representatives and the Committee on  
6 Homeland Security and Governmental Affairs of the Sen-  
7 ate a report specifying the amount of grant funds awarded  
8 to each State under section 2102(b) of the Homeland Se-  
9 curity Act of 2002, as added by section 2, and the pur-  
10 poses for which such funds were awarded.

○