

115TH CONGRESS  
2D SESSION

# H. R. 5399

To amend the Homeland Security Act of 2002 to clarify that grants made pursuant to the Urban Area Security Initiative and the State Homeland Security Grant Program may be used to increase the preparedness of high-risk State, local, territorial, and tribal governments against weapons of mass destruction and biological and chemical attacks, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2018

Ms. GABBARD (for herself, Mr. GARRETT, Ms. BORDALLO, Mrs. RADEWAGEN, Ms. HANABUSA, and Mr. YOUNG of Alaska) 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 clarify that grants made pursuant to the Urban Area Security Initiative and the State Homeland Security Grant Program may be used to increase the preparedness of high-risk State, local, territorial, and tribal governments against weapons of mass destruction and biological and chemical attacks, 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 “Civil Defense Pre-  
3 paredness Act of 2018”.

4 **SEC. 2. WMD GRANTS.**

5 (a) IN GENERAL.—Title XX of the Homeland Secu-  
6 rity Act of 2002 is amended—

7 (1) in section 2001 (6 U.S.C. 601)—

8 (A) by redesignating paragraphs (1), (2),  
9 (3), (4), (5), (6), (7), (8), (9), (10), (11), (12),  
10 (13), and (14) as paragraphs (2), (3), (4), (6),  
11 (7), (8), (9), (10), (11), (12), (13), (14), (15),  
12 and (16), respectively;

13 (B) by inserting before paragraph (2), as  
14 so redesignated, the following new paragraph:

15 “(1) ADVERSARY COUNTRY.—The term ‘adver-  
16 sary country’ means a country referred to or de-  
17 scribed as hostile or as an adversary country in the  
18 most recent National Security Strategy.”;

19 (C) by inserting after paragraph (4), as so  
20 redesignated, the following new paragraph:

21 “(5) HIGH-RISK STATE.—The term ‘high-risk  
22 State’ means—

23 “(A) a State or territory that is geographi-  
24 cally closest to known adversary countries; and

25 “(B) a State or territory proven or deter-  
26 mined by the Secretary, in consultation with the

1 Secretary of Defense, to be highly susceptible to  
2 a rocket-propelled or other form of kinetically-  
3 delivered weapon of mass destruction from an  
4 adversary country.”; and

5 (D) by adding at the end the following new  
6 paragraph:

7 “(17) WEAPON OF MASS DESTRUCTION.—The  
8 term ‘weapon of mass destruction’ means—

9 “(A) any explosive, incendiary, poison gas,  
10 or missile having an explosive or incendiary  
11 charge of more than one-quarter ounce; or

12 “(B) any weapon—

13 “(i) intended to cause widespread  
14 death or serious bodily injury through the  
15 release, dissemination, or impact of toxic  
16 chemicals or disease organisms; or

17 “(ii) that is designed to release radi-  
18 ation or radioactivity at a level dangerous  
19 to human life.”;

20 (2) in subsection (a) of section 2003 (6 U.S.C.  
21 604), by inserting “, including to assist high-risk  
22 urban areas to increase preparedness against rocket-  
23 propelled or other forms of kinetically-delivered  
24 weapons of mass destruction, including nuclear, bio-

1 logical, and chemical attacks” before the period at  
2 the end;

3 (3) in subsection (a) of section 2004 (6 U.S.C.  
4 605), by inserting “, including to assist high-risk  
5 States to increase preparedness against rocket-pro-  
6 pelled or other forms of kinetically-delivered weapons  
7 of mass destruction, including nuclear, biological,  
8 and chemical attacks” before the period at the end;

9 (4) in subsection (b) of section 2007 (6 U.S.C.  
10 608)—

11 (A) by redesignating paragraph (9) as  
12 paragraph (10); and

13 (B) by inserting after paragraph (8) the  
14 following new paragraph:

15 “(9) Rocket-propelled or other form of  
16 kinetically-delivered weapon of mass destruction.”;  
17 and

18 (5) in subsection (a) of section 2008 (6 U.S.C.  
19 609)—

20 (A) by redesignating paragraph (14) as  
21 paragraph (15); and

22 (B) by inserting after paragraph (13) the  
23 following new paragraph:

24 “(14) joint projects with State, local, and tribal  
25 entities for the procurement of, building, and related

1 training of biological weapons attack protective  
2 equipment, chemical weapons attack protective  
3 equipment, and nuclear weapons attack building re-  
4 inforcement;”.

5 (b) ANNUAL REPORTS.—Not later than December  
6 31, 2018, and annually thereafter, the Secretary of Home-  
7 land Security shall submit to the Committee on Homeland  
8 Security of the House of Representatives and the Com-  
9 mittee on Homeland Security and Governmental Affairs  
10 of the Senate and make publically available on an internet  
11 website of the Department of Homeland Security a report  
12 on the number of grants made under sections 2003 and  
13 2004 of the Homeland Security Act of 2002 (6 U.S.C.  
14 604 and 605) during the immediately preceding fiscal  
15 year, with specific information relating to the number of  
16 such grants that pertained to increasing preparedness  
17 against rocket-propelled or other forms of kinetically-deliv-  
18 ered weapons of mass destruction (as such term is defined  
19 in section 2001 of the Homeland Security Act of 2002,  
20 as amended by subsection (a)(1)), including nuclear, bio-  
21 logical, and chemical attacks.

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