

108TH CONGRESS
2D SESSION

S. 1612

AN ACT

To establish a technology, equipment, and information transfer program within the Department of Homeland Security.

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 “Homeland Security
5 Technology Improvement Act of 2004”.

1 **SEC. 2. HOMELAND SECURITY TECHNOLOGY TRANSFER**
2 **PROGRAM.**

3 (a) IN GENERAL.—Section 313 of the Homeland Se-
4 curity Act of 2002 (6 U.S.C. 193) is amended—

5 (1) in subsection (b), by adding at the end the
6 following:

7 “(6) The establishment of a multi-agency home-
8 land security technology, equipment, and informa-
9 tion transfer program to allow for the transfer of
10 technology, equipment, and information to State and
11 local law enforcement agencies.”;

12 (2) by redesignating subsection (c) as sub-
13 section (d); and

14 (3) by inserting after subsection (b) the fol-
15 lowing:

16 “(c) TECHNOLOGY TRANSFER PROGRAM.—In devel-
17 oping the program described under subsection (b)(6), the
18 Secretary, acting through the Under Secretary for Science
19 and Technology shall—

20 “(1) in close cooperation with the Office of Do-
21 mestic Preparedness, conduct, on an ongoing basis—

22 “(A) research and development of new
23 technologies;

24 “(B) surveys and reviews of available ap-
25 propriate technologies; and

1 “(C) tests, evaluations, and demonstrations
2 of new and available technologies that signifi-
3 cantly improve the capability of law enforce-
4 ment agencies in countering terrorist threats;

5 “(2) in support of the activities described in
6 paragraph (1)—

7 “(A) consult with State and local law en-
8 forcement agencies and others determined by
9 the Secretary, including the advisory committee
10 established under section 430(d);

11 “(B) work with the National Institute for
12 Standards and Technology and any other office
13 or agency determined by the Secretary;

14 “(C) at the discretion of the Secretary,
15 enter into agreements and coordinate with other
16 Federal agencies to maximize the effectiveness
17 of the technologies, equipment, and informa-
18 tion; and

19 “(3) provide a comprehensive list of available
20 technologies, equipment, and information to the Of-
21 fice for Domestic Preparedness which shall admin-
22 ister a technology transfer program described under
23 section 430(d).”.

1 (b) OFFICE FOR DOMESTIC PREPAREDNESS.—Sec-
2 tion 430 of the Homeland Security Act of 2002 (6 U.S.C.
3 238) is amended—

4 (1) by redesignating subsection (d) as sub-
5 section (e); and

6 (2) by inserting after subsection (c) the fol-
7 lowing:

8 “(d) TECHNOLOGY, EQUIPMENT, AND INFORMATION
9 TRANSFER PROGRAM.—

10 “(1) ADMINISTRATION.—The Director of the
11 Office for Domestic Preparedness, in coordination
12 with the Under Secretary for Science and Tech-
13 nology, shall establish and administer a technology
14 transfer program through which the Director shall—

15 “(A) make the counterterrorism tech-
16 nology, equipment, and information available to
17 State and local law enforcement agencies each
18 year based on—

19 “(i) the comprehensive list of available
20 technologies, equipment, and information
21 described under section 313(c); and

22 “(ii) the needs identified by the advi-
23 sory committee established under this sub-
24 section;

1 “(B) consult with State and local law en-
2 forcement agencies and others, as determined
3 by the Secretary;

4 “(C) accept applications from the head of
5 State and local law enforcement agencies that
6 wish to acquire such technologies, equipment,
7 and information to improve the homeland secu-
8 rity capabilities of those agencies, and review
9 these applications with the advisory committee
10 established under this subsection; and

11 “(D) transfer the approved technology,
12 equipment, and information and provide the ap-
13 propriate training to the State or local law en-
14 forcement agencies to implement such tech-
15 nology, equipment, and information.

16 “(2) TECHNOLOGY TRANSFER ADVISORY COM-
17 MITTEE.—Under the authority of section 871, the
18 Secretary, acting through the Director of the Office
19 for Domestic Preparedness, shall establish an advi-
20 sory committee, or designate an existing advisory
21 committee comprised of retired and active duty
22 State and local law enforcement officers, to advise
23 the Director of the Office for Domestic Preparedness
24 and the Under Secretary for Science and Technology

1 regarding the homeland security technology transfer
2 program established under this subsection.

3 “(3) EXPANSION OF PROGRAM.—Upon the ap-
4 proval of the Secretary, the Director of the Office
5 for Domestic Preparedness may expand the program
6 established under this subsection to transfer tech-
7 nology, equipment, and information to first respond-
8 ers other than law enforcement agencies and revise
9 the advisory committee accordingly.

10 “(4) LIMITATION ON ADMINISTRATION EXPEND-
11 ITURE.—Not more than 10 percent of the budget of
12 the technology, equipment, and information transfer
13 program established under this subsection may be
14 used for administrative expenses.

15 “(5) AUTHORIZATION OF APPROPRIATIONS.—
16 There are authorized to be appropriated
17 \$50,000,000 for each of the fiscal years 2005
18 through 2014 to carry out this subsection.”.

Passed the Senate February 4, 2004.

Attest:

Secretary.

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