



PUBLIC LAW 110-53—AUG. 3, 2007

IMPLEMENTING RECOMMENDATIONS OF THE
9/11 COMMISSION ACT OF 2007

Public Law 110–53
110th Congress

An Act

Aug. 3, 2007
[H.R. 1]

Implementing
Recommendations
of the 9/11
Commission Act
of 2007.
6 USC 101 note.

To provide for the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Implementing Recommendations of the 9/11 Commission Act of 2007”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—HOMELAND SECURITY GRANTS

- Sec. 101. Homeland Security Grant Program.
- Sec. 102. Other amendments to the Homeland Security Act of 2002.
- Sec. 103. Amendments to the Post-Katrina Emergency Management Reform Act of 2006.
- Sec. 104. Technical and conforming amendments.

TITLE II—EMERGENCY MANAGEMENT PERFORMANCE GRANTS

- Sec. 201. Emergency management performance grant program.
- Sec. 202. Grants for construction of emergency operations centers.

TITLE III—ENSURING COMMUNICATIONS INTEROPERABILITY FOR FIRST RESPONDERS

- Sec. 301. Interoperable emergency communications grant program.
- Sec. 302. Border interoperability demonstration project.

TITLE IV—STRENGTHENING USE OF THE INCIDENT COMMAND SYSTEM

- Sec. 401. Definitions.
- Sec. 402. National exercise program design.
- Sec. 403. National exercise program model exercises.
- Sec. 404. Preidentifying and evaluating multijurisdictional facilities to strengthen incident command; private sector preparedness.
- Sec. 405. Federal response capability inventory.
- Sec. 406. Reporting requirements.
- Sec. 407. Federal preparedness.
- Sec. 408. Credentialing and typing.
- Sec. 409. Model standards and guidelines for critical infrastructure workers.
- Sec. 410. Authorization of appropriations.

TITLE V—IMPROVING INTELLIGENCE AND INFORMATION SHARING WITHIN THE FEDERAL GOVERNMENT AND WITH STATE, LOCAL, AND TRIBAL GOVERNMENTS

Subtitle A—Homeland Security Information Sharing Enhancement

- Sec. 501. Homeland Security Advisory System and information sharing.
- Sec. 502. Intelligence Component Defined.
- Sec. 503. Role of intelligence components, training, and information sharing.
- Sec. 504. Information sharing.

Subtitle B—Strategies and Reports on Human Rights and the Promotion of
Democracy

- Sec. 2121. Strategies, priorities, and annual report.
Sec. 2122. Translation of human rights reports.

Subtitle C—Advisory Committee on Democracy Promotion and the Internet Website
of the Department of State

- Sec. 2131. Advisory Committee on Democracy Promotion.
Sec. 2132. Sense of Congress regarding the Internet website of the Department of
State.

Subtitle D—Training in Democracy and Human Rights; Incentives

- Sec. 2141. Training in democracy promotion and the protection of human rights.
Sec. 2142. Sense of Congress regarding ADVANCE Democracy Award.
Sec. 2143. Personnel policies at the Department of State.

Subtitle E—Cooperation With Democratic Countries

- Sec. 2151. Cooperation with democratic countries.

Subtitle F—Funding for Promotion of Democracy

- Sec. 2161. The United Nations Democracy Fund.
Sec. 2162. United States democracy assistance programs.

TITLE XXII—INTEROPERABLE EMERGENCY COMMUNICATIONS

- Sec. 2201. Interoperable emergency communications.
Sec. 2202. Clarification of congressional intent.
Sec. 2203. Cross border interoperability reports.
Sec. 2204. Extension of short quorum.
Sec. 2205. Requiring reports to be submitted to certain committees.

TITLE XXIII—EMERGENCY COMMUNICATIONS MODERNIZATION

- Sec. 2301. Short title.
Sec. 2302. Funding for program.
Sec. 2303. NTIA coordination of E-911 implementation.

TITLE XXIV—MISCELLANEOUS PROVISIONS

- Sec. 2401. Quadrennial homeland security review.
Sec. 2402. Sense of the Congress regarding the prevention of radicalization leading
to ideologically-based violence.
Sec. 2403. Requiring reports to be submitted to certain committees.
Sec. 2404. Demonstration project.
Sec. 2405. Under Secretary for Management of Department of Homeland Security.

TITLE I—HOMELAND SECURITY GRANTS

SEC. 101. HOMELAND SECURITY GRANT PROGRAM.

The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.)
is amended by adding at the end the following:

“TITLE XX—HOMELAND SECURITY GRANTS

“SEC. 2001. DEFINITIONS.

6 USC 601.

“In this title, the following definitions shall apply:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the
Administrator of the Federal Emergency Management Agency.

“(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term
‘appropriate committees of Congress’ means—

“(A) the Committee on Homeland Security and Govern-
mental Affairs of the Senate; and

“(B) those committees of the House of Representatives that the Speaker of the House of Representatives determines appropriate.

“(3) CRITICAL INFRASTRUCTURE SECTORS.—The term ‘critical infrastructure sectors’ means the following sectors, in both urban and rural areas:

- “(A) Agriculture and food.
- “(B) Banking and finance.
- “(C) Chemical industries.
- “(D) Commercial facilities.
- “(E) Commercial nuclear reactors, materials, and waste.
- “(F) Dams.
- “(G) The defense industrial base.
- “(H) Emergency services.
- “(I) Energy.
- “(J) Government facilities.
- “(K) Information technology.
- “(L) National monuments and icons.
- “(M) Postal and shipping.
- “(N) Public health and health care.
- “(O) Telecommunications.
- “(P) Transportation systems.
- “(Q) Water.

“(4) DIRECTLY ELIGIBLE TRIBE.—The term ‘directly eligible tribe’ means—

- “(A) any Indian tribe—
 - “(i) that is located in the continental United States;
 - “(ii) that operates a law enforcement or emergency response agency with the capacity to respond to calls for law enforcement or emergency services;
 - “(iii)(I) that is located on or near an international border or a coastline bordering an ocean (including the Gulf of Mexico) or international waters;
 - “(II) that is located within 10 miles of a system or asset included on the prioritized critical infrastructure list established under section 210E(a)(2) or has such a system or asset within its territory;
 - “(III) that is located within or contiguous to 1 of the 50 most populous metropolitan statistical areas in the United States; or
 - “(IV) the jurisdiction of which includes not less than 1,000 square miles of Indian country, as that term is defined in section 1151 of title 18, United States Code; and
 - “(iv) that certifies to the Secretary that a State has not provided funds under section 2003 or 2004 to the Indian tribe or consortium of Indian tribes for the purpose for which direct funding is sought; and
- “(B) a consortium of Indian tribes, if each tribe satisfies the requirements of subparagraph (A).

“(5) ELIGIBLE METROPOLITAN AREA.—The term ‘eligible metropolitan area’ means any of the 100 most populous metropolitan statistical areas in the United States.

“(6) HIGH-RISK URBAN AREA.—The term ‘high-risk urban area’ means a high-risk urban area designated under section 2003(b)(3)(A).

“(7) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given that term in section 4(e) of the Indian Self-Determination Act (25 U.S.C. 450b(e)).

“(8) METROPOLITAN STATISTICAL AREA.—The term ‘metropolitan statistical area’ means a metropolitan statistical area, as defined by the Office of Management and Budget.

“(9) NATIONAL SPECIAL SECURITY EVENT.—The term ‘National Special Security Event’ means a designated event that, by virtue of its political, economic, social, or religious significance, may be the target of terrorism or other criminal activity.

“(10) POPULATION.—The term ‘population’ means population according to the most recent United States census population estimates available at the start of the relevant fiscal year.

“(11) POPULATION DENSITY.—The term ‘population density’ means population divided by land area in square miles.

“(12) QUALIFIED INTELLIGENCE ANALYST.—The term ‘qualified intelligence analyst’ means an intelligence analyst (as that term is defined in section 210A(j)), including law enforcement personnel—

“(A) who has successfully completed training to ensure baseline proficiency in intelligence analysis and production, as determined by the Secretary, which may include training using a curriculum developed under section 209; or

“(B) whose experience ensures baseline proficiency in intelligence analysis and production equivalent to the training required under subparagraph (A), as determined by the Secretary.

“(13) TARGET CAPABILITIES.—The term ‘target capabilities’ means the target capabilities for Federal, State, local, and tribal government preparedness for which guidelines are required to be established under section 646(a) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 746(a)).

“(14) TRIBAL GOVERNMENT.—The term ‘tribal government’ means the government of an Indian tribe.

“Subtitle A—Grants to States and High-Risk Urban Areas

“SEC. 2002. HOMELAND SECURITY GRANT PROGRAMS.

6 USC 603.

“(a) GRANTS AUTHORIZED.—The Secretary, through the Administrator, may award grants under sections 2003 and 2004 to State, local, and tribal governments.

“(b) PROGRAMS NOT AFFECTED.—This subtitle shall not be construed to affect any of the following Federal programs:

“(1) Firefighter and other assistance programs authorized under the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.).

“(2) Grants authorized under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

“(3) Emergency Management Performance Grants under the amendments made by title II of the Implementing Recommendations of the 9/11 Commission Act of 2007.

“(4) Grants to protect critical infrastructure, including port security grants authorized under section 70107 of title 46, United States Code, and the grants authorized under title XIV and XV of the Implementing Recommendations of the 9/11 Commission Act of 2007 and the amendments made by such titles.

“(5) The Metropolitan Medical Response System authorized under section 635 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 723).

“(6) The Interoperable Emergency Communications Grant Program authorized under title XVIII.

“(7) Grant programs other than those administered by the Department.

“(c) RELATIONSHIP TO OTHER LAWS.—

“(1) IN GENERAL.—The grant programs authorized under sections 2003 and 2004 shall supercede all grant programs authorized under section 1014 of the USA PATRIOT Act (42 U.S.C. 3714).

“(2) ALLOCATION.—The allocation of grants authorized under section 2003 or 2004 shall be governed by the terms of this subtitle and not by any other provision of law.

6 USC 604.

“SEC. 2003. URBAN AREA SECURITY INITIATIVE.

“(a) ESTABLISHMENT.—There is established an Urban Area Security Initiative to provide grants to assist high-risk urban areas in preventing, preparing for, protecting against, and responding to acts of terrorism.

“(b) ASSESSMENT AND DESIGNATION OF HIGH-RISK URBAN AREAS.—

“(1) IN GENERAL.—The Administrator shall designate high-risk urban areas to receive grants under this section based on procedures under this subsection.

“(2) INITIAL ASSESSMENT.—

“(A) IN GENERAL.—For each fiscal year, the Administrator shall conduct an initial assessment of the relative threat, vulnerability, and consequences from acts of terrorism faced by each eligible metropolitan area, including consideration of—

“(i) the factors set forth in subparagraphs (A) through (H) and (K) of section 2007(a)(1); and

“(ii) information and materials submitted under subparagraph (B).

“(B) SUBMISSION OF INFORMATION BY ELIGIBLE METROPOLITAN AREAS.—Prior to conducting each initial assessment under subparagraph (A), the Administrator shall provide each eligible metropolitan area with, and shall notify each eligible metropolitan area of, the opportunity to—

“(i) submit information that the eligible metropolitan area believes to be relevant to the determination of the threat, vulnerability, and consequences it faces from acts of terrorism; and

“(ii) review the risk assessment conducted by the Department of that eligible metropolitan area, including the bases for the assessment by the Department of the threat, vulnerability, and consequences

from acts of terrorism faced by that eligible metropolitan area, and remedy erroneous or incomplete information.

“(3) DESIGNATION OF HIGH-RISK URBAN AREAS.—

“(A) DESIGNATION.—

“(i) IN GENERAL.—For each fiscal year, after conducting the initial assessment under paragraph (2), and based on that assessment, the Administrator shall designate high-risk urban areas that may submit applications for grants under this section.

“(ii) ADDITIONAL AREAS.—Notwithstanding paragraph (2), the Administrator may—

“(I) in any case where an eligible metropolitan area consists of more than 1 metropolitan division (as that term is defined by the Office of Management and Budget) designate more than 1 high-risk urban area within a single eligible metropolitan area; and

“(II) designate an area that is not an eligible metropolitan area as a high-risk urban area based on the assessment by the Administrator of the relative threat, vulnerability, and consequences from acts of terrorism faced by the area.

“(iii) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to require the Administrator to—

“(I) designate all eligible metropolitan areas that submit information to the Administrator under paragraph (2)(B)(i) as high-risk urban areas; or

“(II) designate all areas within an eligible metropolitan area as part of the high-risk urban area.

“(B) JURISDICTIONS INCLUDED IN HIGH-RISK URBAN AREAS.—

“(i) IN GENERAL.—In designating high-risk urban areas under subparagraph (A), the Administrator shall determine which jurisdictions, at a minimum, shall be included in each high-risk urban area.

“(ii) ADDITIONAL JURISDICTIONS.—A high-risk urban area designated by the Administrator may, in consultation with the State or States in which such high-risk urban area is located, add additional jurisdictions to the high-risk urban area.

“(c) APPLICATION.—

“(1) IN GENERAL.—An area designated as a high-risk urban area under subsection (b) may apply for a grant under this section.

“(2) MINIMUM CONTENTS OF APPLICATION.—In an application for a grant under this section, a high-risk urban area shall submit—

“(A) a plan describing the proposed division of responsibilities and distribution of funding among the local and tribal governments in the high-risk urban area;

“(B) the name of an individual to serve as a high-risk urban area liaison with the Department and among the various jurisdictions in the high-risk urban area; and

“(C) such information in support of the application as the Administrator may reasonably require.

“(3) ANNUAL APPLICATIONS.—Applicants for grants under this section shall apply or reapply on an annual basis.

“(4) STATE REVIEW AND TRANSMISSION.—

“(A) IN GENERAL.—To ensure consistency with State homeland security plans, a high-risk urban area applying for a grant under this section shall submit its application to each State within which any part of that high-risk urban area is located for review before submission of such application to the Department.

“(B) DEADLINE.—Not later than 30 days after receiving an application from a high-risk urban area under subparagraph (A), a State shall transmit the application to the Department.

Notification.

“(C) OPPORTUNITY FOR STATE COMMENT.—If the Governor of a State determines that an application of a high-risk urban area is inconsistent with the State homeland security plan of that State, or otherwise does not support the application, the Governor shall—

“(i) notify the Administrator, in writing, of that fact; and

“(ii) provide an explanation of the reason for not supporting the application at the time of transmission of the application.

“(5) OPPORTUNITY TO AMEND.—In considering applications for grants under this section, the Administrator shall provide applicants with a reasonable opportunity to correct defects in the application, if any, before making final awards.

“(d) DISTRIBUTION OF AWARDS.—

“(1) IN GENERAL.—If the Administrator approves the application of a high-risk urban area for a grant under this section, the Administrator shall distribute the grant funds to the State or States in which that high-risk urban area is located.

Deadline.

“(2) STATE DISTRIBUTION OF FUNDS.—

“(A) IN GENERAL.—Not later than 45 days after the date that a State receives grant funds under paragraph (1), that State shall provide the high-risk urban area awarded that grant not less than 80 percent of the grant funds. Any funds retained by a State shall be expended on items, services, or activities that benefit the high-risk urban area.

“(B) FUNDS RETAINED.—A State shall provide each relevant high-risk urban area with an accounting of the items, services, or activities on which any funds retained by the State under subparagraph (A) were expended.

“(3) INTERSTATE URBAN AREAS.—If parts of a high-risk urban area awarded a grant under this section are located in 2 or more States, the Administrator shall distribute to each such State—

“(A) a portion of the grant funds in accordance with the proposed distribution set forth in the application; or

“(B) if no agreement on distribution has been reached, a portion of the grant funds determined by the Administrator to be appropriate.

“(4) CERTIFICATIONS REGARDING DISTRIBUTION OF GRANT FUNDS TO HIGH-RISK URBAN AREAS.—A State that receives grant funds under paragraph (1) shall certify to the Administrator that the State has made available to the applicable high-risk urban area the required funds under paragraph (2).

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this section—

- “(1) \$850,000,000 for fiscal year 2008;
- “(2) \$950,000,000 for fiscal year 2009;
- “(3) \$1,050,000,000 for fiscal year 2010;
- “(4) \$1,150,000,000 for fiscal year 2011;
- “(5) \$1,300,000,000 for fiscal year 2012; and
- “(6) such sums as are necessary for fiscal year 2013, and each fiscal year thereafter.

“SEC. 2004. STATE HOMELAND SECURITY GRANT PROGRAM.

6 USC 605.

“(a) ESTABLISHMENT.—There is established a State Homeland Security Grant Program to assist State, local, and tribal governments in preventing, preparing for, protecting against, and responding to acts of terrorism.

“(b) APPLICATION.—

“(1) IN GENERAL.—Each State may apply for a grant under this section, and shall submit such information in support of the application as the Administrator may reasonably require.

“(2) MINIMUM CONTENTS OF APPLICATION.—The Administrator shall require that each State include in its application, at a minimum—

“(A) the purpose for which the State seeks grant funds and the reasons why the State needs the grant to meet the target capabilities of that State;

“(B) a description of how the State plans to allocate the grant funds to local governments and Indian tribes; and

“(C) a budget showing how the State intends to expend the grant funds.

“(3) ANNUAL APPLICATIONS.—Applicants for grants under this section shall apply or reapply on an annual basis.

“(c) DISTRIBUTION TO LOCAL AND TRIBAL GOVERNMENTS.—

“(1) IN GENERAL.—Not later than 45 days after receiving grant funds, any State receiving a grant under this section shall make available to local and tribal governments, consistent with the applicable State homeland security plan—

Deadline.

“(A) not less than 80 percent of the grant funds;

“(B) with the consent of local and tribal governments, items, services, or activities having a value of not less than 80 percent of the amount of the grant; or

“(C) with the consent of local and tribal governments, grant funds combined with other items, services, or activities having a total value of not less than 80 percent of the amount of the grant.

“(2) CERTIFICATIONS REGARDING DISTRIBUTION OF GRANT FUNDS TO LOCAL GOVERNMENTS.—A State shall certify to the Administrator that the State has made the distribution to local and tribal governments required under paragraph (1).

“(3) EXTENSION OF PERIOD.—The Governor of a State may request in writing that the Administrator extend the period under paragraph (1) for an additional period of time. The

Administrator may approve such a request if the Administrator determines that the resulting delay in providing grant funding to the local and tribal governments is necessary to promote effective investments to prevent, prepare for, protect against, or respond to acts of terrorism.

“(4) EXCEPTION.—Paragraph (1) shall not apply to the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, or the Virgin Islands.

“(5) DIRECT FUNDING.—If a State fails to make the distribution to local or tribal governments required under paragraph (1) in a timely fashion, a local or tribal government entitled to receive such distribution may petition the Administrator to request that grant funds be provided directly to the local or tribal government.

“(d) MULTISTATE APPLICATIONS.—

“(1) IN GENERAL.—Instead of, or in addition to, any application for a grant under subsection (b), 2 or more States may submit an application for a grant under this section in support of multistate efforts to prevent, prepare for, protect against, and respond to acts of terrorism.

“(2) ADMINISTRATION OF GRANT.—If a group of States applies for a grant under this section, such States shall submit to the Administrator at the time of application a plan describing—

“(A) the division of responsibilities for administering the grant; and

“(B) the distribution of funding among the States that are parties to the application.

“(e) MINIMUM ALLOCATION.—

“(1) IN GENERAL.—In allocating funds under this section, the Administrator shall ensure that—

“(A) except as provided in subparagraph (B), each State receives, from the funds appropriated for the State Homeland Security Grant Program established under this section, not less than an amount equal to—

“(i) 0.375 percent of the total funds appropriated for grants under this section and section 2003 in fiscal year 2008;

“(ii) 0.365 percent of the total funds appropriated for grants under this section and section 2003 in fiscal year 2009;

“(iii) 0.36 percent of the total funds appropriated for grants under this section and section 2003 in fiscal year 2010;

“(iv) 0.355 percent of the total funds appropriated for grants under this section and section 2003 in fiscal year 2011; and

“(v) 0.35 percent of the total funds appropriated for grants under this section and section 2003 in fiscal year 2012 and in each fiscal year thereafter; and

“(B) for each fiscal year, American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the Virgin Islands each receive, from the funds appropriated for the State Homeland Security Grant Program established under this section, not less than an amount

Territories.

equal to 0.08 percent of the total funds appropriated for grants under this section and section 2003.

“(2) EFFECT OF MULTISTATE AWARD ON STATE MINIMUM.—

Any portion of a multistate award provided to a State under subsection (d) shall be considered in calculating the minimum State allocation under this subsection.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for grants under this section—

“(1) \$950,000,000 for each of fiscal years 2008 through 2012; and

“(2) such sums as are necessary for fiscal year 2013, and each fiscal year thereafter.

“SEC. 2005. GRANTS TO DIRECTLY ELIGIBLE TRIBES.

6 USC 606.

“(a) IN GENERAL.—Notwithstanding section 2004(b), the Administrator may award grants to directly eligible tribes under section 2004.

“(b) TRIBAL APPLICATIONS.—A directly eligible tribe may apply for a grant under section 2004 by submitting an application to the Administrator that includes, as appropriate, the information required for an application by a State under section 2004(b).

“(c) CONSISTENCY WITH STATE PLANS.—

“(1) IN GENERAL.—To ensure consistency with any applicable State homeland security plan, a directly eligible tribe applying for a grant under section 2004 shall provide a copy of its application to each State within which any part of the tribe is located for review before the tribe submits such application to the Department.

“(2) OPPORTUNITY FOR COMMENT.—If the Governor of a State determines that the application of a directly eligible tribe is inconsistent with the State homeland security plan of that State, or otherwise does not support the application, not later than 30 days after the date of receipt of that application the Governor shall—

Deadline.
Notification.

“(A) notify the Administrator, in writing, of that fact; and

“(B) provide an explanation of the reason for not supporting the application.

“(d) FINAL AUTHORITY.—The Administrator shall have final authority to approve any application of a directly eligible tribe. The Administrator shall notify each State within the boundaries of which any part of a directly eligible tribe is located of the approval of an application by the tribe.

Notification.

“(e) PRIORITIZATION.—The Administrator shall allocate funds to directly eligible tribes in accordance with the factors applicable to allocating funds among States under section 2007.

“(f) DISTRIBUTION OF AWARDS TO DIRECTLY ELIGIBLE TRIBES.—If the Administrator awards funds to a directly eligible tribe under this section, the Administrator shall distribute the grant funds directly to the tribe and not through any State.

“(g) MINIMUM ALLOCATION.—

“(1) IN GENERAL.—In allocating funds under this section, the Administrator shall ensure that, for each fiscal year, directly eligible tribes collectively receive, from the funds appropriated for the State Homeland Security Grant Program established under section 2004, not less than an amount equal

to 0.1 percent of the total funds appropriated for grants under sections 2003 and 2004.

“(2) EXCEPTION.—This subsection shall not apply in any fiscal year in which the Administrator—

“(A) receives fewer than 5 applications under this section; or

“(B) does not approve at least 2 applications under this section.

“(h) TRIBAL LIAISON.—A directly eligible tribe applying for a grant under section 2004 shall designate an individual to serve as a tribal liaison with the Department and other Federal, State, local, and regional government officials concerning preventing, preparing for, protecting against, and responding to acts of terrorism.

“(i) ELIGIBILITY FOR OTHER FUNDS.—A directly eligible tribe that receives a grant under section 2004 may receive funds for other purposes under a grant from the State or States within the boundaries of which any part of such tribe is located and from any high-risk urban area of which it is a part, consistent with the homeland security plan of the State or high-risk urban area.

“(j) STATE OBLIGATIONS.—

“(1) IN GENERAL.—States shall be responsible for allocating grant funds received under section 2004 to tribal governments in order to help those tribal communities achieve target capabilities not achieved through grants to directly eligible tribes.

“(2) DISTRIBUTION OF GRANT FUNDS.—With respect to a grant to a State under section 2004, an Indian tribe shall be eligible for funding directly from that State, and shall not be required to seek funding from any local government.

“(3) IMPOSITION OF REQUIREMENTS.—A State may not impose unreasonable or unduly burdensome requirements on an Indian tribe as a condition of providing the Indian tribe with grant funds or resources under section 2004.

“(k) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the authority of an Indian tribe that receives funds under this subtitle.

6 USC 607.

“SEC. 2006. TERRORISM PREVENTION.

“(a) LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM.—

“(1) IN GENERAL.—The Administrator shall ensure that not less than 25 percent of the total combined funds appropriated for grants under sections 2003 and 2004 is used for law enforcement terrorism prevention activities.

“(2) LAW ENFORCEMENT TERRORISM PREVENTION ACTIVITIES.—Law enforcement terrorism prevention activities include—

“(A) information sharing and analysis;

“(B) target hardening;

“(C) threat recognition;

“(D) terrorist interdiction;

“(E) overtime expenses consistent with a State homeland security plan, including for the provision of enhanced law enforcement operations in support of Federal agencies, including for increased border security and border crossing enforcement;