

(3) Tribal funding report

At the end of each fiscal year, the Administrator shall submit to the appropriate committees of Congress a report setting forth the amount of funding provided during that fiscal year to Indian tribes under any grant program administered by the Department, whether provided directly or through a subgrant from a State or high-risk urban area.

(Pub. L. 107–296, title XX, § 2022, as added Pub. L. 110–53, title I, § 101, Aug. 3, 2007, 121 Stat. 287; amended Pub. L. 111–204, § 2(h)(6)(B)(iii), July 22, 2010, 124 Stat. 2231; Pub. L. 113–284, § 2(c)(1), (2), Dec. 18, 2014, 128 Stat. 3089.)

REFERENCES IN TEXT

The Improper Payments Information Act of 2002, referred to in subsec. (a)(1)(C), is Pub. L. 107–300, Nov. 26, 2002, 116 Stat. 2350, which is set out as a note under section 3321 of Title 31, Money and Finance.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, referred to in subsec. (a)(2)(A), is Pub. L. 93–288, May 22, 1974, 88 Stat. 143. Section 203 of the Act is classified to section 5133 of Title 42, The Public Health and Welfare. Titles IV and V of the Act are classified generally to subchapters IV (§5170 et seq.) and IV–A (§5191 et seq.), respectively, of chapter 68 of Title 42. For complete classification of this Act to the Code, see Short Title note set out under section 5121 of Title 42 and Tables.

Section 2(h) of the Improper Payments Elimination and Recovery Act of 2010, referred to in subsec. (a)(5), is section 2(h) of Pub. L. 111–204, which is set out as a note under section 3321 of Title 31, Money and Finance.

AMENDMENTS

Subsec. (a)(3) to (7). Pub. L. 113–284 redesignated pars. (4) to (7) as (3) to (6), respectively, substituted, in par. (4), “paragraph (2)” for “paragraphs (2) and (3)” and “paragraph (3)” for “paragraph (4)”, and struck out former par. (3) which related to Office of Inspector General performance audits.

2010—Subsec. (a)(6). Pub. L. 111–204 substituted “under section 2(h) of the Improper Payments Elimination and Recovery Act of 2010 (31 U.S.C. 3321 note)” for “(as that term is defined by the Director of the Office of Management and Budget under section 3561 of title 31)”.

EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113–284, § 2(c)(3), Dec. 18, 2014, 128 Stat. 3090, provided that: “The amendments made by this subsection [amending this section] shall take effect on January 1, 2015.”

§ 613. Identification of reporting redundancies and development of performance metrics

(a) Definition

In this section, the term “covered grants” means grants awarded under section 604 of this title, grants awarded under section 605 of this title, and any other grants specified by the Administrator.

(b) Initial report

Not later than 90 days after October 12, 2010, the Administrator shall submit to the appropriate committees of Congress a report that includes—

(1) an assessment of redundant reporting requirements imposed by the Administrator on State, local, and tribal governments in connection with the awarding of grants, including—

(A) a list of each discrete item of data requested by the Administrator from grant recipients as part of the process of administering covered grants;

(B) identification of the items of data from the list described in subparagraph (A) that are required to be submitted by grant recipients on multiple occasions or to multiple systems; and

(C) identification of the items of data from the list described in subparagraph (A) that are not necessary to be collected in order for the Administrator to effectively and efficiently administer the programs under which covered grants are awarded;

(2) a plan, including a specific timetable, for eliminating any redundant and unnecessary reporting requirements identified under paragraph (1); and

(3) a plan, including a specific timetable, for promptly developing a set of quantifiable performance measures and metrics to assess the effectiveness of the programs under which covered grants are awarded.

(c) Biennial reports

Not later than 1 year after the date on which the initial report is required to be submitted under subsection (b), and once every 2 years thereafter, the Administrator shall submit to the appropriate committees of Congress a grants management report that includes—

(1) the status of efforts to eliminate redundant and unnecessary reporting requirements imposed on grant recipients, including—

(A) progress made in implementing the plan required under subsection (b)(2);

(B) a reassessment of the reporting requirements to identify and eliminate redundant and unnecessary requirements;

(2) the status of efforts to develop quantifiable performance measures and metrics to assess the effectiveness of the programs under which the covered grants are awarded, including—

(A) progress made in implementing the plan required under subsection (b)(3);

(B) progress made in developing and implementing additional performance metrics and measures for grants, including as part of the comprehensive assessment system required under section 749 of this title; and

(3) a performance assessment of each program under which the covered grants are awarded, including—

(A) a description of the objectives and goals of the program;

(B) an assessment of the extent to which the objectives and goals described in subparagraph (A) have been met, based on the quantifiable performance measures and metrics required under this section, section 612(a)(4)¹ of this title, and section 749 of this title;

(C) recommendations for any program modifications to improve the effectiveness of the program, to address changed or emerging conditions; and

¹ See References in Text note below.

(D) an assessment of the experience of recipients of covered grants, including the availability of clear and accurate information, the timeliness of reviews and awards, and the provision of technical assistance, and recommendations for improving that experience.

(d) Grants program measurement study

(1) In general

Not later than 30 days after October 12, 2010, the Administrator shall enter into a contract with the National Academy of Public Administration under which the National Academy of Public Administration shall assist the Administrator in studying, developing, and implementing—

(A) quantifiable performance measures and metrics to assess the effectiveness of grants administered by the Department, as required under this section and section 749 of this title; and

(B) the plan required under subsection (b)(3).

(2) Report

Not later than 1 year after the date on which the contract described in paragraph (1) is awarded, the Administrator shall submit to the appropriate committees of Congress a report that describes the findings and recommendations of the study conducted under paragraph (1).

(3) Authorization of appropriations

There are authorized to be appropriated to the Administrator such sums as may be necessary to carry out this subsection.

(Pub. L. 107–296, title XX, §2023, as added Pub. L. 111–271, §2(a), Oct. 12, 2010, 124 Stat. 2852.)

REFERENCES IN TEXT

Section 612(a)(4) of this title, referred to in subsec. (c)(3)(B), was redesignated section 612(a)(3) of this title by Pub. L. 113–284, §2(c)(2)(A), Dec. 18, 2014, 128 Stat. 3089.

SUBCHAPTER XVI—CHEMICAL FACILITY
ANTI-TERRORISM STANDARDS

TERMINATION OF SUBCHAPTER

For termination of subchapter by section 5 of Pub. L. 113–254, see Effective and Termination Dates note set out under section 621 of this title.

§ 621. Definitions

In this subchapter—

(1) the term “CFATS regulation” means—

(A) an existing CFATS regulation; and

(B) any regulation or amendment to an existing CFATS regulation issued pursuant to the authority under section 627 of this title;

(2) the term “chemical facility of interest” means a facility that—

(A) holds, or that the Secretary has a reasonable basis to believe holds, a chemical of interest, as designated under Appendix A to part 27 of title 6, Code of Federal Regulations, or any successor thereto, at a threshold quantity set pursuant to relevant risk-related security principles; and

(B) is not an excluded facility;

(3) the term “covered chemical facility” means a facility that—

(A) the Secretary—

(i) identifies as a chemical facility of interest; and

(ii) based upon review of the facility’s Top-Screen, determines meets the risk criteria developed under section 622(e)(2)(B) of this title; and

(B) is not an excluded facility;

(4) the term “excluded facility” means—

(A) a facility regulated under the Maritime Transportation Security Act of 2002 (Public Law 107–295; 116 Stat. 2064);

(B) a public water system, as that term is defined in section 300f of title 42;

(C) a Treatment Works, as that term is defined in section 1292 of title 33;

(D) a facility owned or operated by the Department of Defense or the Department of Energy; or

(E) a facility subject to regulation by the Nuclear Regulatory Commission, or by a State that has entered into an agreement with the Nuclear Regulatory Commission under section 2021(b) of title 42 to protect against unauthorized access of any material, activity, or structure licensed by the Nuclear Regulatory Commission;

(5) the term “existing CFATS regulation” means—

(A) a regulation promulgated under section 550 of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109–295; 6 U.S.C. 121 note) that is in effect on the day before December 18, 2014; and

(B) a Federal Register notice or other published guidance relating to section 550 of the Department of Homeland Security Appropriations Act, 2007 that is in effect on the day before December 18, 2014;

(6) the term “expedited approval facility” means a covered chemical facility for which the owner or operator elects to submit a site security plan in accordance with section 622(c)(4) of this title;

(7) the term “facially deficient”, relating to a site security plan, means a site security plan that does not support a certification that the security measures in the plan address the security vulnerability assessment and the risk-based performance standards for security for the facility, based on a review of—

(A) the facility’s site security plan;

(B) the facility’s Top-Screen;

(C) the facility’s security vulnerability assessment; or

(D) any other information that—

(i) the facility submits to the Department; or

(ii) the Department obtains from a public source or other source;

(8) the term “guidance for expedited approval facilities” means the guidance issued under section 622(c)(4)(B)(i) of this title;

(9) the term “risk assessment” means the Secretary’s application of relevant risk cri-