H.R. 6825, The "Nonprofit Security Grant Program Improvement Act"

As Introduced by Chairman Bennie G. Thompson & Ranking Member John Katko

Endorsed by Jewish Federations of North America (JFNA), Anti-Defamation League (ADL), Sikh Coalition, Secure Community Network (SCN) & Union of Orthodox Jewish Congregations of America

Cosponsors: Jackson Lee, Langevin, Payne, Correa, Slotkin, Van Drew, Cleaver, Green, Clarke, Swalwell, Titus, Watson Coleman, Rice, Demings, Barragán, Gottheimer, Luria, Malinowski, Torres

On January 15, 2022, an armed individual entered Congregation Beth Israel synagogue in Colleyville, Texas, and held four people hostage for 11 hours.[1] This incident came at time when the terrorism landscape is complex, diffused, and dynamic with threats and violence against houses of worship and other nonprofits heightened. In 2019, Congress enacted a bill, authored by Chairman Thompson, to authorize the Nonprofit Security Grant Program (NSGP), a risk-based program to bolster security of non-profits against terrorism.[2] Importantly, the legislation, in recognition of how diffused the threat was, required grant funds to be available to nonprofit organizations regardless of whether they are located in an at-risk urban area. The NSGP funds physical security enhancements and other security-related activities to nonprofit organizations, such as houses of worship and universities, that are at high risk of a terrorist attack.[3] Among other things, NSGP funds may be used for "active shooter training, fencing, barriers, and surveillance cameras."[4]

In response to growing threats against nonprofits, in Fiscal Year (FY) 2021, NSGP was appropriated at $180 million, which was double the funding level of the prior year.[5] Even with the significant increase in funding, the demand for the program has never been greater. In FY 2021, there were a total of 3,361 NSGP applicants requesting approximately $400 million reflecting more than a $200 million delta between requests and funding.[6]

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[1] Alaa Elassar, Michelle Watson, and Alanne Orjoux, *FBI Identifies Hostage-Taker at Texas Synagogue*, CNN. Jan. 17, 2022, https://www.cnn.com/2022/01/16/us/colleyville-texas-hostage-situation-sunday/index.html.
[2] P.L. No: 116-108
[3] *Fiscal Year 2021 Nonprofit Security Grant Program Fact Sheet*, DEPT. OF HOMELAND SECURITY, https://www.fema.gov/sites/default/files/documents/fema_fy2021-nsgp-nofo_3-2-2021.pdf (accessed Jan. 25, 2022).
[4] *Id.*
[5] *Id.*
[6] FEMA, Briefing Slide Obtained During Staff Briefing on July. 22, 2021.

With the expansion of the program, additional resources are needed for the FEMA and its partners at the State level to ensure effective administration and oversight. On February 8, 2022, the Committee held a hearing where it took testimony from stakeholders involved in the NSGP including the rabbi who used NSGP training to bring the Colleyville hostage incident to a peaceful conclusion. At the hearing, the head of the Jewish Federation of North America, explained that the lack of dedicated resources to administer this program, "undermines the application review and oversight processes and challenges the capacity of FEMA and the SAAs [State Administrative Agencies] workforce to coordinate the NSGP program in an efficient and effective way."[7] Witnesses identified a number of other impacts associated with the lack of adequate resources for administering the program. Specifically, they expressed concern about the lack of technical assistance and feedback to applicants, particularly under-resourced or inexperienced applicants.

To make improvements to the program and ensure additional resources are available to at-risk nonprofits, including Historically Black Colleges and Universities that have experienced a spate of terrorist threats in recent months,[8] Chairman Thompson introduced H.R. 6825, the ***Nonprofit Security Grant Program Improvement Act***. This legislation would:

- More than doubles the authorization level for the NSGP to $500,000,000 for each fiscal year 2023 through 2028 and would:
    - Provide an even 50/50 split of funding for nonprofits located within and outside of UASI jurisdictions.
- Establish a grant office within FEMA specifically for the Nonprofit Security Grant Program that would:
    - Provide outreach, engagement, education, and technical assistance and support to eligible nonprofits, with particular attention to nonprofits in underserved communities;
    - Establish mechanisms for the Administrator to provide feedback to eligible nonprofit organizations that do not receive grants and to collect data to measure the effectiveness of NSGP grants;
    - Establish and enforce a standardized baseline operational requirements for States, including requirements for States to adhere to eliminate or prevent any administrative or operational obstacles that may impact eligible nonprofit organizations; and
    - Carry out efforts to prevent waste, fraud, and abuse, including through audits of grantees.
- Authorize States, FEMA, and grantees to utilize a percentage of grant for administering the program.

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[7] Fingerhut, *supra note 5.*
[8] Lauren Lumpkin, *FBI Reports at Least 57 Bomb Threats to HBCUs, Other Institutions Since January,* THE WASHINGTON POST*,* Feb. 23, 2022, https://www.washingtonpost.com/education/2022/02/23/fbi-bomb-threats-hbcu-worship/.