109TH CONGRESS 1ST SESSION

H. R. 3816

To reestablish the Federal Emergency Management Agency as an independent agency and to require that its Director be adequately qualified.

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IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2005

Mr. Udal of Colorado introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

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A BILL

To reestablish the Federal Emergency Management Agency as an independent agency and to require that its Director be adequately qualified.

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

2 SECTION 1. FEDERAL EMERGENCY MANAGEMENT AGENCY.

3 (a) INDEPENDENT ESTABLISHMENT.—The Federal Emergency Management Agency shall be an independent establishment in the executive branch that is responsible for the Nation’s preparedness for and response to natural disasters.
(b) **Director.**—

   (1) **In general.**—The Agency shall be headed by a Director, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall report directly to the President. The Director of the Federal Emergency Management Agency shall be compensated at the rate provided for at level I of the Executive Schedule under section 5312 of title 5, United States Code.

   (2) **Qualifications.**—The Director shall be appointed from among persons who at the time of appointment have—

       (A) appropriate formal training in emergency or disaster-related management; and

       (B) extensive background in emergency or disaster-related management, including at least two years of experience as head of a disaster-management agency of—

           (i) a State; or

           (ii) a political subdivision of a State that has a population of not less than 1,000,000 residents according to the most recent decennial Federal census.

   (3) **Term of office.**—The term of office of an individual appointed as the Director shall be 6 years.

(d) TRANSITION PERIOD.—The transfers under this section shall be carried out as soon as practicable after the date of enactment of this Act. During the transition period, the Secretary of Homeland Security shall provide to the Director of the Federal Emergency Management Agency such assistance, including the use of personnel and
assets, as the Director may request in preparing for the
transfer.

SEC. 2. CONFORMING AMENDMENT.
Section 504(a) of the Homeland Security Act of 2002
(6 U.S.C. 314(a)) is amended by striking “, major dis-
aster,”.

SEC. 3. REPEALS.
The following provisions of the Homeland Security
Act of 2002 (6 U.S.C. 101 et seq.) are repealed:

(1) Section 2(11).
(2) Section 503(1).
(3) Section 507.