

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3721

To amend the Homeland Security Act of 2002 to establish the United States  
Emergency Management Authority, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 25, 2006

Ms. COLLINS (for herself, Mr. LIEBERMAN, and Mr. SALAZAR) introduced the  
following bill; which was read twice and referred to the Committee on  
Homeland Security and Governmental Affairs

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## A BILL

To amend the Homeland Security Act of 2002 to establish  
the United States Emergency Management Authority,  
and for other purposes.

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 “Post Katrina Emer-  
5 gency Management Reform Act of 2006”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.

- Sec. 101. United States Emergency Management Authority.
- Sec. 102. Conforming amendments relating to intelligence reform.
- Sec. 103. Communication system grants.
- Sec. 104. Technical and conforming amendments.

#### TITLE II—STAFFORD ACT AMENDMENTS

- Sec. 201. General Federal assistance.
- Sec. 202. National Disaster Recovery Strategy.
- Sec. 203. Environmental mitigation.
- Sec. 204. Disaster housing strategy.
- Sec. 205. Essential services.
- Sec. 206. Hazard mitigation grant program formula.
- Sec. 207. Housing assistance.
- Sec. 208. Maximum amount under individual assistance programs.
- Sec. 209. Coordinating officers.
- Sec. 210. Definitions.
- Sec. 211. Catastrophic damage assistance.
- Sec. 212. Individuals with disabilities.
- Sec. 213. Disability coordinator.
- Sec. 214. Temporary housing.
- Sec. 215. GAO Study on accessibility of emergency shelters.
- Sec. 216. Reunification.
- Sec. 217. National Emergency Family Registry and Locator System.
- Sec. 218. Federal assistance to individuals and households.
- Sec. 219. Mental health services.
- Sec. 220. Language services.
- Sec. 221. Standards for state and local emergency preparedness operational plans.
- Sec. 222. Transportation assistance and case management services to individuals and households.
- Sec. 223. Non-federal assistance.
- Sec. 224. Disaster coordination.

#### TITLE III—STAFFING IMPROVEMENTS

- Sec. 301. Strategic human capital plan.
- Sec. 302. Career paths.
- Sec. 303. National Homeland Security Academy.
- Sec. 304. Surge capacity force.
- Sec. 305. Establishment of Homeland Security rotation program at the Department of Homeland Security.
- Sec. 306. Quarterly report on vacancy rate in employee positions.

#### TITLE IV—PLANNING, PREPAREDNESS, AND TRAINING

- Sec. 401. Definition.
- Sec. 402. Emergency response framework.
- Sec. 403. Review of the National Response Plan.
- Sec. 404. Planning and preparedness.
- Sec. 405. Training and exercises.
- Sec. 406. Emergency support function assurance programs.

#### TITLE V—PREVENTION OF FRAUD, WASTE, AND ABUSE DURING EMERGENCIES

- Sec. 501. Prohibition on excessive pass-through charges.

- Sec. 502. Fraud prevention programs.
- Sec. 503. Contingency Contracting Corps.
- Sec. 504. Verification measures for Individuals and Households Program.
- Sec. 505. Information Technology Systems.
- Sec. 506. Registry of Debris Contractors.
- Sec. 507. Use of certain supply schedules.
- Sec. 508. Use of local firms and individuals.
- Sec. 509. Advance contracting.

#### TITLE VI—MISCELLANEOUS PROVISIONS

- Sec. 601. Authorization of appropriations.
- Sec. 602. Effective date.

### 1 **SEC. 3. DEFINITIONS.**

2 In this Act—

3 (1) the term “Authority” means the United  
 4 States Emergency Management Authority estab-  
 5 lished under section 512 of the Homeland Security  
 6 Act of 2002, as amended by this Act;

7 (2) the term “Administrator” means the Ad-  
 8 ministrator of the Authority;

9 (3) the term “catastrophic incident” means any  
 10 natural or manmade incident, including an act of  
 11 terrorism, that results in extraordinary levels of cas-  
 12 ualties or damage, mass evacuations, or disruption  
 13 severely affecting the population, infrastructure, en-  
 14 vironment, economy, national morale, or government  
 15 functions in an area and may include an incident  
 16 with a sustained national impact over a prolonged  
 17 period of time, that may rapidly exceed resources  
 18 available to State and local government and private-  
 19 sector authorities in the impacted area, or may sig-

1 significantly interrupt governmental operations and  
2 emergency services to such an extent that national  
3 security could be threatened;

4 (4) the term “Department” means the Depart-  
5 ment of Homeland Security;

6 (5) the term “emergency response provider”  
7 has the same meaning given under section 2(6) of  
8 the Homeland Security Act of 2002;

9 (6) the term “Federal coordinating officer”  
10 means a Federal coordinating officer as described in  
11 section 302 of the Robert T. Stafford Disaster Relief  
12 and Emergency Assistance Act (42 U.S.C. 5143);

13 (7) the term “individual with a disability”  
14 means an individual with a disability as defined in  
15 section 3(2) of the Americans with Disabilities Act  
16 of 1990 (42 U.S.C. 12102(2));

17 (8) the term “National Advisory Council”  
18 means the National Advisory Council on Prepared-  
19 ness and Response established under section 518 of  
20 the Homeland Security Act of 2002, as amended by  
21 this Act;

22 (9) the term “National Incident Management  
23 System” means the National Incident Management  
24 System as described in the National Response Plan;

1           (10) the term “National Response Plan” means  
2 the National Response Plan prepared under Home-  
3 land Security Presidential Directive 5 or any presi-  
4 dential directive meant to replace or augment that  
5 directive;

6           (11) the term “Regional Office” means a Re-  
7 gional Office established under section 517 of the  
8 Homeland Security Act of 2002, as amended by this  
9 Act;

10           (12) the term “Regional Office strike team”  
11 means a Regional Office strike team established  
12 under section 517 of the Homeland Security Act of  
13 2002, as amended by this Act;

14           (13) the term “Secretary” means the Secretary  
15 of Homeland Security; and

16           (14) the term “surge capacity” means the abil-  
17 ity to rapidly and substantially increase the provi-  
18 sion of search and rescue capabilities, food, water,  
19 medicine, shelter and housing, medical care, evacu-  
20 ation capacity, staffing, including disaster assistance  
21 employees, and other resources necessary to save  
22 lives and protect property during a catastrophic inci-  
23 dent.

1                   **TITLE I—NATIONAL**  
 2                   **PREPAREDNESS AND RESPONSE**

3                   **SEC. 101. UNITED STATES EMERGENCY MANAGEMENT AU-**  
 4                   **THORITY.**

5                   Title V of the Homeland Security Act of 2002 (6  
 6 U.S.C. 311 et seq.) is amended—

7                   (1) by striking the title heading and inserting  
 8                   the following:

9                   **“TITLE           V—NATIONAL           PRE-**  
 10                   **PAREDNESS AND RESPONSE”;**

11                   (2) by striking sections 501 through 503;

12                   (3) by striking sections 506 and 507;

13                   (4) by redesignating sections 504, 505, 508,  
 14                   and 509 as sections 536, 537, 538, and 539, respec-  
 15                   tively;

16                   (5) by redesignating section 510 (relating to  
 17                   procurement of security countermeasures for the  
 18                   strategic national stockpile) as section 540;

19                   (6) by redesignating section 510 (relating to  
 20                   urban and other high risk area communications ca-  
 21                   pabilities) as section 541;

22                   (7) by inserting before section 536, as so redesi-  
 23                   gnated by this section, the following:

24                   **“SEC. 501. DEFINITIONS.**

25                   “In this title—

1           “(1) the term ‘all-hazards-plus’ means an ap-  
2           proach to preparedness, response, recovery, and  
3           mitigation that emphasizes the development of capa-  
4           bilities that are common to natural and man-made  
5           disasters, while also including the development of ca-  
6           pabilities that are uniquely relevant to specific types  
7           of disasters;

8           “(2) the term ‘Authority’ means the United  
9           States Emergency Management Authority estab-  
10          lished under section 512;

11          “(3) the term ‘Administrator’ means the Ad-  
12          ministrator of the Authority;

13          “(4) the term ‘catastrophic incident’ means any  
14          natural or manmade incident, including an act of  
15          terrorism, that results in extraordinary levels of cas-  
16          ualties or damage, mass evacuations, or disruption  
17          severely affecting the population, infrastructure, en-  
18          vironment, economy, national morale, or government  
19          functions in an area and may include an incident  
20          with a sustained national impact over a prolonged  
21          period of time, that may rapidly exceed resources  
22          available to State and local government and private-  
23          sector authorities in the impacted area, or may sig-  
24          nificantly interrupt governmental operations and

1 emergency services to such an extent that national  
2 security could be threatened;

3 “(5) the term ‘emergency communications capa-  
4 bilities’ means the ability to provide and maintain,  
5 throughout an emergency response operation, a con-  
6 tinuous flow of information among emergency re-  
7 sponders, agencies, and government officials from  
8 multiple disciplines and jurisdictions and at all levels  
9 of government, in the event of a natural disaster,  
10 terrorist attack, or other large-scale or catastrophic  
11 emergency, including where there has been signifi-  
12 cant damage to, or destruction of, critical infrastruc-  
13 ture, including substantial loss of ordinary tele-  
14 communications infrastructure and sustained loss of  
15 electricity;

16 “(6) the term ‘Federal coordinating officer’  
17 means a Federal coordinating officer as described in  
18 section 302 of the Robert T. Stafford Disaster Relief  
19 and Emergency Assistance Act (42 U.S.C. 5143);

20 “(7) the terms ‘interoperable emergency com-  
21 munications system’ and ‘communications interoper-  
22 ability’ mean the ability of emergency response pro-  
23 viders and relevant Federal, State, and local govern-  
24 ment agencies to—



1           “(A) communicate with each other as nec-  
2           essary, using information technology systems  
3           and radio communications systems; and

4           “(B) exchange voice, data, or video with  
5           each other on demand, in real time, as nec-  
6           essary;

7           “(8) the term ‘National Advisory Council’  
8           means the National Advisory Council on Prepared-  
9           ness and Response established under section 518;

10          “(9) the term ‘National Incident Management  
11          System’ means the National Incident Management  
12          System as described in the National Response Plan;

13          “(10) the term ‘National Response Plan’ means  
14          the National Response Plan prepared under Home-  
15          land Security Presidential Directive 5 or any presi-  
16          dential directive meant to replace or augment that  
17          directive; and

18          “(11) the term ‘surge capacity’ means the abil-  
19          ity to rapidly and substantially increase the provi-  
20          sion of search and rescue capabilities, food, water,  
21          medicine, shelter and housing, medical care, evacu-  
22          ation capacity, staffing, including disaster assistance  
23          employees, and other resources necessary to save  
24          lives and protect property during a catastrophic inci-  
25          dent, or other natural or man-made disaster.

1       **“Subtitle A—Preparedness and**  
2                                   **Response**

3       **“SEC. 511. DEFINITIONS.**

4           “In this subtitle—

5               “(1) the term ‘Nuclear Incident Response  
6       Team’ means a resource that includes—

7                       “(A) those entities of the Department of  
8       Energy that perform nuclear or radiological  
9       emergency support functions (including accident  
10      response, search response, advisory, and tech-  
11      nical operations functions), radiation exposure  
12      functions at the medical assistance facility  
13      known as the Radiation Emergency Assistance  
14      Center/Training Site (REAC/TS), radiological  
15      assistance functions, and related functions; and

16                      “(B) those entities of the Environmental  
17      Protection Agency that perform such support  
18      functions (including radiological emergency re-  
19      sponse functions) and related functions;

20               “(2) the term ‘Regional Advisory Council’  
21      means a Regional Advisory Council on Preparedness  
22      and Response established under section 513;

23               “(3) the term ‘Regional Administrator’ means a  
24      Regional Administrator for Preparedness and Re-  
25      sponse appointed under section 517; and

1           “(4) the term ‘Regional Office’ means a Re-  
2           gional Office established under section 517.

3   **“SEC. 512. UNITED STATES EMERGENCY MANAGEMENT AU-**  
4                                   **THORITY.**

5           “(a) IN GENERAL.—There is established in the De-  
6   partment the United States Emergency Management Au-  
7   thority, headed by an Administrator.

8           “(b) MISSION.—The mission of the Authority is to—

9                   “(1) lead the Nation’s efforts to prepare for, re-  
10           spond to, recover from, and mitigate the risks of  
11           natural and man-made disasters, including cata-  
12           strophic incidents;

13                   “(2) partner with State and local governments  
14           and emergency response providers, with other Fed-  
15           eral agencies, with the private sector, and with non-  
16           governmental organizations to build a national sys-  
17           tem of emergency management that can effectively  
18           and efficiently utilize the full measure of the Na-  
19           tion’s resources to respond to a catastrophic incident  
20           or other natural or man-made disaster;

21                   “(3) develop a Federal response capability that,  
22           when necessary and appropriate, can act effectively,  
23           rapidly, and proactively to deliver assistance essen-  
24           tial to saving lives or protecting or preserving prop-

1 erty or public health and safety in a natural or man-  
2 made disaster;

3 “(4) fuse the Department’s emergency re-  
4 sponse, preparedness, recovery, mitigation, and crit-  
5 ical infrastructure assets into a new, integrated or-  
6 ganization that can effectively confront the chal-  
7 lenges of a natural or man-made disaster;

8 “(5) develop and maintain robust Regional Of-  
9 fices that will work with State and local governments  
10 and emergency response providers to identify and  
11 address regional priorities;

12 “(6) under the leadership of the Secretary, co-  
13 ordinate with the Commandant of the Coast Guard,  
14 the Director of Customs and Border Protection, the  
15 Director of Immigration and Customs Enforcement,  
16 the National Operations Center, and other agencies  
17 and offices in the Department to take full advantage  
18 of the substantial range of resources in the Depart-  
19 ment that can be brought to bear in preparing for  
20 and responding to a natural or man-made disaster;

21 “(7) carry out the provisions of the Robert T.  
22 Stafford Disaster Relief and Emergency Assistance  
23 Act (42 U.S.C. 5121 et seq.);

24 “(8) provide funding, training, exercises, tech-  
25 nical assistance, planning, and other assistance, to

1 build local, State, regional, and national capabilities,  
2 including communications capabilities, necessary to  
3 respond to a potential natural or man-made disaster;

4 “(9) implement an all-hazards-plus strategy for  
5 preparedness that places priority on building those  
6 common capabilities necessary to respond to both  
7 terrorist attacks and natural disasters while also  
8 building the unique capabilities necessary to respond  
9 to specific types of incidents that pose the greatest  
10 risk to our Nation; and

11 “(10) promote, plan for, and facilitate the secu-  
12 rity and resiliency of critical infrastructure and key  
13 resources, including cyber infrastructure, against a  
14 natural or man-made disaster, and the post-disaster  
15 restoration of such critical infrastructure and key re-  
16 sources.

17 “(c) ADMINISTRATOR.—

18 “(1) IN GENERAL.—The Administrator shall be  
19 appointed by the President, by and with the advice  
20 and consent of the Senate.

21 “(2) QUALIFICATIONS.—The Administrator  
22 shall have not less than 5 years of executive leader-  
23 ship and management experience in the public or  
24 private sector, significant experience in crisis man-  
25 agement or another relevant field, and a dem-

1       onstrated ability to manage a substantial staff and  
2       budget.

3           “(3) REPORTING.—The Administrator shall re-  
4       port to the Secretary, without being required to re-  
5       port through any other official of the Department.

6           “(4) PRINCIPAL ADVISOR ON EMERGENCY PRE-  
7       PAREDNESS AND RESPONSE.—

8           “(A) IN GENERAL.—The Administrator is  
9       the principal emergency preparedness and re-  
10      sponse advisor to the President, the Homeland  
11      Security Council, and the Secretary.

12          “(B) ADVICE AND RECOMMENDATIONS.—

13           “(i) IN GENERAL.—In presenting ad-  
14      vice with respect to any matter to the  
15      President, the Homeland Security Council,  
16      or the Secretary, the Administrator shall,  
17      as the Administrator considers appro-  
18      priate, inform the President, the Homeland  
19      Security Council, or the Secretary, as the  
20      case may be, of the range of emergency  
21      mitigation, preparedness, response, and re-  
22      covery options with respect to that matter.

23           “(ii) ADVICE ON REQUEST.—The Ad-  
24      ministrator, as an emergency preparedness  
25      and response advisor, shall provide advice

1 to the President, the Homeland Security  
2 Council, or the Secretary on a particular  
3 matter when the President, the Homeland  
4 Security Council, or the Secretary requests  
5 such advice.

6 “(iii) RECOMMENDATIONS TO CON-  
7 GRESS.—After informing the Secretary,  
8 the Administrator may make such rec-  
9 ommendations to Congress relating to  
10 emergency preparedness and response as  
11 the Administrator considers appropriate.

12 “(C) RETENTION OF AUTHORITY.—Noth-  
13 ing in this paragraph shall be construed as af-  
14 fecting the authority of the Secretary under this  
15 Act.

16 **“SEC. 513. AUTHORITIES AND RESPONSIBILITIES.**

17 “(a) IN GENERAL.—The Administrator shall provide  
18 Federal leadership necessary to prepare for and respond  
19 to a natural or man-made disaster, including—

20 “(1) carrying out the mission to reduce the loss  
21 of life and property and protect the Nation from all  
22 hazards by leading and supporting the Nation in a  
23 comprehensive, risk-based emergency preparedness  
24 and response program of—

1           “(A) mitigation, by taking sustained ac-  
2           tions to reduce or eliminate long-term risk to  
3           people and property from hazards and their ef-  
4           fects;

5           “(B) preparedness, by planning, training,  
6           and building the emergency preparedness and  
7           response workforce to prepare effectively for,  
8           mitigate against, respond to, and recover from  
9           any hazard;

10          “(C) response, by conducting emergency  
11          operations to save lives and property through  
12          positioning emergency equipment, personnel,  
13          and supplies, through evacuating potential vic-  
14          tims, through providing food, water, shelter,  
15          and medical care to those in need, and through  
16          restoring critical public services;

17          “(D) recovery, by rebuilding communities  
18          so individuals, businesses, and governments can  
19          function on their own, return to normal life,  
20          and protect against future hazards; and

21          “(E) critical infrastructure protection, by  
22          establishing an inventory of, and protections  
23          for, public and private sector critical infrastruc-  
24          ture, including cyber and communications as-  
25          sets;



1           “(2) increasing efficiencies, by coordinating ef-  
2           forts relating to mitigation, preparedness, response,  
3           recovery, and infrastructure protection;

4           “(3) helping to ensure the effectiveness of emer-  
5           gency response providers in responding to a natural  
6           or man-made disaster;

7           “(4) providing the Federal Government’s re-  
8           sponse to a natural or man-made disaster, includ-  
9           ing—

10                   “(A) managing such response;

11                   “(B) directing the Domestic Emergency  
12           Support Team, the National Disaster Medical  
13           System, and (when operating as an organiza-  
14           tional unit of the Department under this title)  
15           the Nuclear Incident Response Team;

16                   “(C) overseeing the Metropolitan Medical  
17           Response System; and

18                   “(D) coordinating other Federal response  
19           resources, including requiring deployment of the  
20           Strategic National Stockpile, in the event of a  
21           natural or man-made disaster;

22           “(5) working with Federal, State, and local gov-  
23           ernment personnel, agencies, and authorities to build  
24           a comprehensive national incident management sys-  
25           tem to respond to a natural or man-made disaster;

1           “(6) with respect to the Nuclear Incident Re-  
2           sponse Team (regardless of whether it is operating  
3           as an organizational unit of the Department under  
4           this title)—

5                   “(A) establishing standards and certifying  
6                   when those standards have been met;

7                   “(B) conducting joint and other exercises  
8                   and training and evaluating performance; and

9                   “(C) providing funds to the Department of  
10                  Energy and the Environmental Protection  
11                  Agency, as appropriate, for homeland security  
12                  planning, exercises and training, and equip-  
13                  ment;

14                  “(7) helping to ensure that emergency response  
15                  providers acquire interoperable and sustainable tech-  
16                  nology;

17                  “(8) assisting the President in carrying out the  
18                  functions under the Robert T. Stafford Disaster Re-  
19                  lief and Emergency Assistance Act (42 U.S.C. 5121  
20                  et seq.);

21                  “(9) administering homeland security emer-  
22                  gency management, first responder, and other pre-  
23                  paredness grants;

24                  “(10) administering and implementing the Na-  
25                  tional Response Plan, including monitoring, evalu-

1       ating, and ensuring the readiness of each emergency  
2       support function under the National Response Plan;

3               “(11) coordinating with the National Advisory  
4       Council;

5               “(12) ensuring the protection of critical infra-  
6       structure by—

7                       “(A) carrying out the responsibilities under  
8                       paragraphs (2) through (6) of section 201(d);

9                       “(B) helping ensure the protection and re-  
10                      siliency of key resources and critical infrastruc-  
11                      ture, including cyber infrastructure, against a  
12                      natural or man-made disaster; and

13                     “(C) planning for, assisting with, and fa-  
14                     cilitating, the restoration of key resources and  
15                     critical infrastructure, including cyber infra-  
16                     structure, in the event of a natural or man-  
17                     made disaster;

18               “(13) establishing in each Regional Office a Re-  
19       gional Advisory Council on Preparedness and Re-  
20       sponse, to advise the Regional Administrator of that  
21       Regional Office on emergency preparedness and re-  
22       sponse issues specific to the region; and

23               “(14) otherwise carrying out the mission of the  
24       Authority as described in section 512(b).

1       “(b) ADDITIONAL RESPONSIBILITIES RELATED TO  
2 CATASTROPHIC INCIDENTS.—

3               “(1) IN GENERAL.—The Administrator, in con-  
4 sultation with the Secretary and other senior De-  
5 partment officials, shall develop a national emer-  
6 gency management system that is capable of re-  
7 sponding to catastrophic incidents.

8               “(2) IDENTIFICATION OF RESOURCES.—

9                       “(A) IN GENERAL.—The Administrator  
10 shall develop and submit to Congress annually  
11 an estimate of the resources of the Authority  
12 and other Federal agencies needed for and de-  
13 voted specifically to developing local, State, and  
14 national capabilities necessary to respond to a  
15 catastrophic incident.

16                      “(B) CONTENTS.—Each estimate under  
17 subparagraph (A) shall include the resources  
18 both necessary for and devoted to—

19                               “(i) planning;

20                               “(ii) training and exercises;

21                               “(iii) Regional Office enhancements;

22                               “(iv) staffing, including for surge ca-  
23 pacity during a catastrophic event;

24                               “(v) additional logistics capabilities;

1                   “(vi) other responsibilities under the  
2                   Catastrophic Incident Annex and the Cata-  
3                   strophic Incident Supplement of the Na-  
4                   tional Response Plan; and

5                   “(vii) State and local catastrophic pre-  
6                   paredness.

7           “(c) **ALL-HAZARDS-PLUS APPROACH.**—In carrying  
8 out the responsibilities of this section, the Administrator  
9 shall implement an all-hazards-plus strategy that places  
10 priority on building those common capabilities necessary  
11 to prepare for, respond to, recover from, and mitigate the  
12 risks of terrorist attacks and natural disasters, while also  
13 building the unique capabilities necessary to prepare for,  
14 respond to, recover from, and mitigate the risks of specific  
15 types of incidents that pose the greatest risk to the Na-  
16 tion.

17 **“SEC. 514. AUTHORITY COMPONENTS.**

18           “There are transferred to the Authority the following:

19                   “(1) The Federal Emergency Management  
20 Agency, as constituted on June 1, 2006, including  
21 all of its functions, personnel, assets, components,  
22 and liabilities, and including the functions of the  
23 Under Secretary for Federal Emergency Manage-  
24 ment relating thereto.

1           “(2) The Directorate of Preparedness, as con-  
2           stituted on June 1, 2006, including all of its func-  
3           tions, personnel assets, components, and liabilities,  
4           and including the functions of the Under Secretary  
5           for Preparedness relating thereto.

6   **“SEC. 515. PRESERVING THE UNITED STATES EMERGENCY**  
7                                   **MANAGEMENT AUTHORITY.**

8           “(a) DISTINCT ENTITY.—The Authority shall be  
9           maintained as a distinct entity within the Department.

10          “(b) REORGANIZATION.—Section 872 shall not apply  
11          to the Authority, including any function or organizational  
12          unit of the Authority.

13          “(c) PROHIBITION ON CHANGES TO MISSIONS.—

14                  “(1) IN GENERAL.—The Secretary may not  
15                  substantially or significantly reduce the authorities,  
16                  responsibilities, or functions of the Authority or the  
17                  capability of the Authority to perform those respon-  
18                  sibilities, except as otherwise specifically provided in  
19                  an Act enacted after the date of enactment of the  
20                  Post Katrina Emergency Management Reform Act  
21                  of 2006.

22                  “(2) CERTAIN TRANSFERS PROHIBITED.—No  
23                  asset, function or mission of the Authority may be  
24                  diverted to the principal and continuing use of any  
25                  other organization, unit, or entity of the Depart-

1       ment, except for details or assignments that do not  
2       reduce the capability of the Authority to perform its  
3       missions.

4       **“SEC. 516. DIRECTORS.**

5       “(a) IN GENERAL.—There shall be in the Authority  
6       a Director for Preparedness and a Director for Response  
7       and Recovery, each of whom shall be appointed by the  
8       President, by and with the advice and consent of the Sen-  
9       ate, and shall report to the Administrator.

10       “(b) QUALIFICATIONS.—

11               “(1) IN GENERAL.—A Director shall have—

12                       “(A) not less than 5 years of—

13                               “(i) executive leadership and manage-  
14                               ment experience in the public or private  
15                               sector; and

16                               “(ii) significant experience in crisis  
17                               management or another relevant field; and

18                               “(B) a demonstrated ability to manage a  
19                               substantial staff and budget.

20               “(2) CONCURRENT EXPERIENCE.—Service dur-  
21       ing any period of time may be used in meeting the  
22       requirements under both clause (i) and (ii) of para-  
23       graph (1)(A).

24       “(c) INITIAL DIRECTORS.—

1           “(1) IN GENERAL.—Except as provided under  
2 paragraph (2), the individual serving as the Under  
3 Secretary for Preparedness and the individual serv-  
4 ing as the Under Secretary for the Federal Emer-  
5 gency Management Agency on the effective date of  
6 the Post Katrina Emergency Management Reform  
7 Act of 2006, may serve as the Director for Pre-  
8 paredness and the Director of Response and Recov-  
9 ery, respectively, until a Director for Preparedness  
10 or a Director of Response and Recovery, as the case  
11 may be, is appointed under subsection (a).

12           “(2) PRIOR CONFIRMATION.—Paragraph (1)  
13 shall apply if the individual is serving as the Under  
14 Secretary for Preparedness or the Under Secretary  
15 for the Federal Emergency Management Agency,  
16 under an appointment by the President, by and with  
17 the advice and consent of the Senate.

18 **“SEC. 517. REGIONAL OFFICES.**

19           “(a) IN GENERAL.—

20           “(1) REGIONAL OFFICES.—The Administrator  
21 shall establish 10 Regional Offices of the Authority.

22           “(2) ADDITIONAL OFFICE.—In addition to the  
23 Regional Offices established under paragraph (1),  
24 the Administrator may designate the Office for Na-



1 tional Capital Region Coordination under section  
2 882 as a Regional Office.

3 “(b) MANAGEMENT OF REGIONAL OFFICES.—

4 “(1) REGIONAL ADMINISTRATOR.—Each Re-  
5 gional Office shall be headed by a Regional Adminis-  
6 trator for Preparedness and Response, who shall be  
7 appointed by the Administrator. Each Regional Ad-  
8 ministrator for Emergency Preparedness and Re-  
9 sponse shall report directly to the Administrator.

10 “(2) QUALIFICATIONS.—Each Regional Office  
11 shall be headed by an individual in the Senior Exec-  
12 utive Service qualified to act as a senior Federal co-  
13 ordinating officer to provide strategic oversight of  
14 incident management when needed.

15 “(c) RESPONSIBILITIES.—

16 “(1) IN GENERAL.—The Regional Adminis-  
17 trator shall work in partnership with State and local  
18 governments, emergency managers, emergency re-  
19 sponse providers, medical providers, the private sec-  
20 tor, nongovernmental organizations, multijuris-  
21 dictional councils of governments, and regional plan-  
22 ning commissions and organizations in the geo-  
23 graphical area served by the Regional Office to carry  
24 out the responsibilities of a Regional Administrator  
25 under this section.

1           “(2) RESPONSIBILITIES.—The responsibilities  
2 of a Regional Administrator include—

3           “(A) ensuring effective, coordinated, and  
4 integrated regional preparedness, mitigation, re-  
5 sponse, and recovery activities and programs  
6 for natural and man-made disasters (including  
7 planning, training, exercises, and professional  
8 development);

9           “(B) coordinating and integrating regional  
10 preparedness, mitigation, response, and recov-  
11 ery activities and programs for natural and  
12 man-made disasters (including planning, train-  
13 ing, exercises, and professional development),  
14 which shall include—

15           “(i) providing regional and interstate  
16 planning assistance;

17           “(ii) organizing, in consultation with  
18 the Administrator, regional training and  
19 exercise programs;

20           “(iii) providing support and coordina-  
21 tion officers for State and local govern-  
22 ment training and exercises;

23           “(iv) participating in emergency pre-  
24 paredness and planning activities by State,  
25 regional, and local governments;

1           “(v) assisting in the development of  
2           regional capabilities needed for a national  
3           catastrophic response system;

4           “(vi) helping to coordinate and de-  
5           velop interstate agreements; and

6           “(vii) coordinating the establishment  
7           of effective regional interagency emergency  
8           communications capabilities and commu-  
9           nications interoperability, and reporting  
10          annually to the Administrator, who shall  
11          provide the information to the Director for  
12          Emergency Communications, on regional  
13          efforts to achieve these goals and on re-  
14          gional progress in meeting the goals of the  
15          National Emergency Communications  
16          Strategy developed under section 535;

17          “(C) establishing and overseeing 1 or more  
18          strike teams within the region under subsection  
19          (e), which shall serve as the focal point of the  
20          Federal Government’s initial response efforts  
21          for a natural or man-made disaster within that  
22          region, and otherwise building Federal response  
23          capabilities to respond to a natural or man-  
24          made disaster within that region;

1           “(D) working with the private sector to as-  
2           sess weaknesses in critical infrastructure pro-  
3           tection in the region and to design and imple-  
4           ment programs to address those weaknesses;

5           “(E) designating an individual responsible  
6           for, in conjunction with other relevant Federal,  
7           State, and local officials, the development of  
8           strategic and operational regional plans to re-  
9           spond effectively to natural or manmade disas-  
10          ters in the region in support of the National  
11          Response Plan;

12          “(F) coordinating all activities conducted  
13          under this section with other Federal depart-  
14          ments and agencies; and

15          “(G) performing such other duties relating  
16          to such responsibilities as the Administrator  
17          may require.

18          “(d) AREA OFFICES.—The Administrator shall estab-  
19          lish an Area Office for the Pacific and an Area Office for  
20          the Caribbean, as components in the appropriate Regional  
21          Offices.

22          “(e) REGIONAL OFFICE STRIKE TEAMS.—

23                 “(1) ESTABLISHMENT.—In coordination with  
24          other relevant Federal agencies, each Regional Ad-

1 administrator shall establish multi-agency strike teams  
2 that shall consist of—

3 “(A) a designated Federal coordinating of-  
4 ficer;

5 “(B) personnel trained in incident manage-  
6 ment;

7 “(C) public affairs, response and recovery,  
8 and communications support personnel;

9 “(D) a defense coordinating officer;

10 “(E) liaisons to other Federal agencies;

11 “(F) such other personnel as the Adminis-  
12 trator or Regional Administrator determines  
13 appropriate; and

14 “(G) individuals from the agencies with  
15 primary responsibility for each of the emer-  
16 gency support functions in the National Re-  
17 sponse Plan, including the following:

18 “(i) Transportation.

19 “(ii) Communications.

20 “(iii) Public works and engineering.

21 “(iv) Emergency management.

22 “(v) Mass care.

23 “(vi) Housing and human services.

24 “(vii) Public health and medical serv-  
25 ices.

1 “(viii) Urban search and rescue.

2 “(ix) Public safety and security.

3 “(x) External affairs.

4 “(2) LOCATION OF MEMBERS.—The members  
5 of each Regional Office strike team, including rep-  
6 resentatives from agencies other than the Depart-  
7 ment, shall be based primarily at the Regional Office  
8 that corresponds to that strike team.

9 “(3) COORDINATION.—Each Regional Office  
10 strike team shall coordinate the training and exer-  
11 cises of that strike team with the State and local  
12 governments and private sector and nongovern-  
13 mental entities which the strike team shall support  
14 when a natural or man-made disaster occurs.

15 “(4) PREPAREDNESS.—Each Regional Office  
16 strike team shall be trained, equipped, and staffed to  
17 be well prepared to respond to natural and man-  
18 made disasters, including catastrophic incidents.

19 **“SEC. 518. NATIONAL ADVISORY COUNCIL ON PREPARED-**  
20 **NESS AND RESPONSE.**

21 “(a) ESTABLISHMENT.—Not later than 60 days after  
22 the date of enactment of the Post Katrina Emergency  
23 Management Reform Act of 2006, the Secretary shall es-  
24 tablish an advisory body under section 871(a), to be

1 known as the National Advisory Council on Preparedness  
2 and Response.

3 “(b) RESPONSIBILITIES.—The National Advisory  
4 Council shall advise the Administrator on all aspects of  
5 emergency preparedness and response.

6 “(c) MEMBERSHIP.—

7 “(1) IN GENERAL.—The members of the Na-  
8 tional Advisory Council shall be appointed by the  
9 Administrator, and shall, to the extent practicable,  
10 represent a geographic (including urban and rural)  
11 and substantive cross section of State and local gov-  
12 ernment officials and emergency managers, and  
13 emergency response providers, from State and local  
14 governments, the private sector, and nongovern-  
15 mental organizations, including as appropriate—

16 “(A) members selected from the emergency  
17 preparedness and response fields, including fire  
18 service, law enforcement, hazardous materials  
19 response, emergency medical services, and  
20 emergency preparedness and response per-  
21 sonnel, or organizations representing such  
22 members;

23 “(B) health scientists, emergency and in-  
24 patient medical providers, and public health  
25 professionals;

1           “(C) experts representing standards set-  
2           ting organizations;

3           “(D) State and local government officials  
4           with expertise in terrorism preparedness and  
5           emergency preparedness and response;

6           “(E) elected State and local government  
7           executives;

8           “(F) experts in public and private sector  
9           infrastructure protection, cybersecurity, and  
10          communications;

11          “(G) representatives of the disabled and  
12          other special needs populations; and

13          “(H) such other individuals as the Admin-  
14          istrator determines to be appropriate.

15          “(d) APPLICABILITY OF FEDERAL ADVISORY COM-  
16          MITTEE ACT.—

17                 “(1) IN GENERAL.—Notwithstanding section  
18                 871(a) and subject to paragraph (2), the Federal  
19                 Advisory Committee Act (5 U.S.C. App.), including  
20                 subsections (a), (b), and (d) of section 10 of such  
21                 Act, and section 552b(c) of title 5, United States  
22                 Code, shall apply to the Advisory Council.

23                 “(2) TERMINATION.—Section 14(a)(2)(B) of  
24                 the Federal Advisory Committee Act (5 U.S.C.  
25                 App.) shall not apply to the Advisory Council.



1 **“SEC. 519. NATIONAL INCIDENT MANAGEMENT SYSTEM IN-**  
2 **TEGRATION CENTER.**

3 “(a) IN GENERAL.—There is in the Authority a Na-  
4 tional Incident Management System Integration Center.

5 “(b) RESPONSIBILITIES.—

6 “(1) IN GENERAL.—The Administrator,  
7 through the National Incident Management System  
8 Integration Center, and in consultation with other  
9 Federal departments and agencies and the National  
10 Advisory Council, shall ensure ongoing management  
11 and maintenance of the National Incident Manage-  
12 ment System, the National Response Plan, any other  
13 document or tool in support of Homeland Security  
14 Presidential Directive 5, or any other Homeland Se-  
15 curity Presidential Directive relating to incident  
16 management and response.

17 “(2) SPECIFIC RESPONSIBILITIES.—The Na-  
18 tional Incident Management System Integration  
19 Center shall—

20 “(A) periodically review, and revise, as ap-  
21 propriate, the National Incident Management  
22 System and the National Response Plan;

23 “(B) review other matters relating to the  
24 National Incident Management System and the  
25 National Response Plan, as the Administrator  
26 may require;

1           “(C) develop and implement a national  
2 program for National Incident Management  
3 System and National Response Plan education  
4 and awareness;

5           “(D) oversee all aspects of the National  
6 Incident Management System, including the de-  
7 velopment of compliance criteria and implemen-  
8 tation activities at Federal, State, and local  
9 government levels;

10           “(E) provide guidance and assistance to  
11 States and local governments and emergency  
12 response providers, in adopting the National In-  
13 cident Management System; and

14           “(F) perform such other duties relating to  
15 such responsibilities as the Administrator may  
16 require.

17 **“SEC. 520. NATIONAL OPERATIONS CENTER.**

18           “(a) DEFINITION.—In this section, the term ‘situa-  
19 tional awareness’ means information gathered from a vari-  
20 ety of sources that, when communicated to emergency pre-  
21 paredness and response managers and decision makers,  
22 can form the basis for incident management decision-  
23 making.

24           “(b) ESTABLISHMENT.—There is established in the  
25 Department a National Operations Center.

1       “(c) PURPOSE.—The purposes of the National Oper-  
2 ations Center are to—

3           “(1) coordinate the national response to any  
4 natural or man-made disaster, as determined by the  
5 Secretary;

6           “(2) provide situational awareness and a com-  
7 mon operating picture for the entire Federal Govern-  
8 ment, and for State and local governments as appro-  
9 priate, for an event described in paragraph (1);

10          “(3) collect and analyze information to help  
11 deter, detect, and prevent terrorist acts;

12          “(4) disseminate terrorism and disaster-related  
13 information to Federal, State, and local govern-  
14 ments;

15          “(5) ensure that critical terrorism and disaster-  
16 related information reaches government decision-  
17 makers; and

18          “(6) perform such other duties as the Secretary  
19 may require.

20       “(d) RESPONSIBILITIES.—The National Operations  
21 Center shall carry out the responsibilities of the Homeland  
22 Security Operations Center, the National Response Co-  
23 ordination Center, and the Interagency Incident Manage-  
24 ment Group, as constituted on September 1, 2005.

1 **“SEC. 521. CHIEF MEDICAL OFFICER.**

2       “(a) IN GENERAL.—There is in the Authority a Chief  
3 Medical Officer, who shall be appointed by the President,  
4 by and with the advice and consent of the Senate. The  
5 Chief Medical Officer shall report directly to the Adminis-  
6 trator.

7       “(b) QUALIFICATIONS.—The individual appointed as  
8 Chief Medical Officer shall possess a demonstrated ability  
9 in and knowledge of medicine and public health.

10       “(c) RESPONSIBILITIES.—The Chief Medical Officer  
11 shall have the primary responsibility within the Depart-  
12 ment for medical issues related to natural and man-made  
13 disasters, including—

14               “(1) serving as the principal advisor to the Sec-  
15 retary and the Administrator on medical and public  
16 health issues;

17               “(2) coordinating the biosurveillance and detec-  
18 tion activities of the Department;

19               “(3) ensuring internal and external coordina-  
20 tion of all medical preparedness and response activi-  
21 ties of the Department, including training, exercises,  
22 and equipment support;

23               “(4) serving as the Department’s primary point  
24 of contact with the Department of Agriculture, the  
25 Department of Defense, the Department of Health  
26 and Human Services, the Department of Transpor-

1 tation, the Department of Veterans Affairs, and  
2 other Federal departments or agencies, on medical  
3 and public health issues;

4 “(5) serving as the Department’s primary point  
5 of contact for State and local government, the med-  
6 ical community, and others within and outside the  
7 Department, with respect to medical and public  
8 health matters;

9 “(6) discharging, in coordination with the  
10 Under Secretary for Science and Technology, the re-  
11 sponsibilities of the Department related to Project  
12 Bioshield;

13 “(7) establishing doctrine and priorities for the  
14 National Disaster Medical System, consistent with  
15 the National Response Plan and the National Inci-  
16 dent Management System, supervising its medical  
17 components, and exercising predeployment oper-  
18 ational control, including—

19 “(A) determining composition of the  
20 teams;

21 “(B) overseeing credentialing of the teams;  
22 and

23 “(C) training personnel of the teams;

24 “(8) managing the Metropolitan Medical Re-  
25 sponse System, including establishing doctrine and

1 priorities for the Metropolitan Medical Response  
2 System, consistent with the National Response Plan  
3 and the National Incident Management System, and  
4 developing and overseeing standards, plans, training,  
5 and exercises and coordinating with the Office of  
6 Grants and Training on the use and distribution of  
7 Metropolitan Medical Response grants;

8 “(9) assessing and monitoring long-term health  
9 issues of emergency managers and emergency re-  
10 sponse providers;

11 “(10) developing and updating, in consultation  
12 with the Secretary of Health and Human Services,  
13 guidelines for State and local governments for med-  
14 ical response plans for chemical, biological, radio-  
15 logical, nuclear, or explosive weapon attacks;

16 “(11) developing, in consultation with the Sec-  
17 retary of Health and Human Services, appropriate  
18 patient tracking capabilities to execute domestic pa-  
19 tient movement and evacuations, including a system  
20 that has the capacity of electronically maintaining  
21 and transmitting the health information of hospital  
22 patients;

23 “(12) establishing and providing oversight for  
24 the Department’s occupational health and safety  
25 program, including workforce health; and

1           “(13) performing such other duties relating to  
2           such responsibilities as the Secretary or the Admin-  
3           istrator may require.

4           “(d) LONG-TERM HEALTH ASSESSMENT PRO-  
5           GRAM.—

6           “(1) IN GENERAL.—The Chief Medical Officer,  
7           in consultation with the Director of the National In-  
8           stitute for Occupational Safety and Health, shall es-  
9           tablish a program to assess, monitor, and study the  
10          health and safety of emergency managers and emer-  
11          gency response providers, following Incidents of Na-  
12          tional Significance declared by the Secretary under  
13          the National Response Plan.

14          “(2) COOPERATIVE AGREEMENTS.—In carrying  
15          out the program under this subsection, the Chief  
16          Medical Officer shall enter into cooperative agree-  
17          ments, as necessary, with medical institutions in the  
18          areas affected by an Incident of National Signifi-  
19          cance.

20       **“SEC. 522. PUBLIC AND COMMUNITY PREPAREDNESS.**

21          “The Administrator shall promote public and commu-  
22          nity preparedness.

23       **“SEC. 523. BASIC LIFE SUPPORTING FIRST AID EDUCATION**  
24                               **FOR CHILDREN.**

25          “(a) DEFINITIONS.—In this section—

1           “(1) the term ‘age-appropriate’ means informa-  
2           tion, education, and skills suitable for the individual  
3           to understand and perform;

4           “(2) the term ‘appropriate municipal entity’  
5           means an agency of a unit of local government that  
6           is an emergency response provider or provides other  
7           similar medical services or training, including a fire  
8           department, law enforcement agency, hospital, school  
9           nurse, or emergency medical services provider;

10          “(3) the term ‘children’ means individuals  
11          under the age of 18 years enrolled in grades kinder-  
12          garten through 12;

13          “(4) the term ‘emergency medical professional’  
14          means an individual certified by a State in emer-  
15          gency medical services;

16          “(5) the term ‘life supporting first aid’ includes  
17          cardiopulmonary resuscitation, the use of an auto-  
18          matic external defibrillator, the Heimlich maneuver,  
19          blood-borne and biohazardous precautions, bleed  
20          control, and other life-sustaining procedures in the  
21          event of an emergency; and

22          “(6) the term ‘selected organization’ means the  
23          organization contracting with the Secretary of  
24          Homeland Security under subsection (b).



1       “(b) AUTHORITY.—The Secretary of Homeland Secu-  
2 rity, acting through the Chief Medical Officer, and in con-  
3 sultation with the Secretary of Education, shall enter into  
4 an agreement with an organization, under which such or-  
5 ganization shall provide funds to appropriate municipal  
6 entities to provide education and training in life sup-  
7 porting first aid to children, including scene safety proce-  
8 dures.

9       “(c) ELIGIBILITY.—In selecting an organization, the  
10 Secretary shall consider and give priority to an organiza-  
11 tion that—

12           “(1) has experience in training individuals (es-  
13 pecially children) to be active bystanders, equipped  
14 with life supporting first aid skills to assist during  
15 emergencies;

16           “(2) recognizes that life supporting first aid  
17 techniques are essential to maintaining life before  
18 the arrival of emergency response providers;

19           “(3) uses emergency medical professionals as  
20 instructors to teach life supporting first aid tech-  
21 niques to children and adults;

22           “(4) works with Federal, State, and local gov-  
23 ernment entities and the private sector to highlight  
24 the importance of public emergency preparedness  
25 and effective emergency response;

1           “(5) has developed and implemented, before the  
2           date of entering a contract under subsection (b), a  
3           testing component for evaluation, accountability, and  
4           data collection; and

5           “(6) is an affiliate of the Citizens Corps of the  
6           Department of Homeland Security.

7           “(d) USE OF FUNDS.—

8           “(1) IN GENERAL.—Funds provided under this  
9           section by the selected organization to an appro-  
10          priate municipal entity shall be used—

11           “(A) to create age-appropriate educational  
12          materials regarding life supporting first aid to  
13          be distributed to children;

14           “(B) to conduct training and clinical in-  
15          struction of children in life supporting first aid;  
16          and

17           “(C) for data collection and statistical  
18          analysis.

19           “(2) PRIORITY.—In providing funds to appro-  
20          priate municipal entities under this section, the se-  
21          lected organization shall give priority to emergency  
22          medical services, fire departments, law enforcement  
23          agencies, hospitals, and school nurses.

1 **“SEC. 524. SAVER PROGRAM.**

2       “(a) IN GENERAL.—In the Department there is a  
3 System Assessment and Validation for Emergency Re-  
4 sponders Program to provide impartial evaluations of  
5 emergency response equipment and systems.

6       “(b) REQUIREMENTS.—The program established  
7 under subsection (a) shall—

8           “(1) provide impartial, practitioner relevant,  
9 and operationally oriented assessments and valida-  
10 tions of emergency response provider equipment and  
11 systems that have not already been third-party cer-  
12 tified to a standard adopted by the Department, in-  
13 cluding—

14           “(A) commercial, off-the-shelf emergency  
15 response provider equipment and systems in all  
16 equipment list categories of the Standardized  
17 Equipment List published by the Interagency  
18 Board for Equipment Standardization and  
19 Interoperability; and

20           “(B) such other equipment or systems as  
21 the Secretary determines are appropriate;

22       “(2) provide information that enables decision-  
23 makers and emergency response providers to better  
24 select, procure, use, and maintain emergency re-  
25 sponse provider equipment or systems;

1           “(3) assess and validate the performance of  
2 products within a system and subsystems; and

3           “(4) provide information and feedback to emer-  
4 gency response providers through the Responder  
5 Knowledge Base of the National Memorial Institute  
6 for the Prevention of Terrorism, or other appro-  
7 priate forum.

8           “(c) ASSESSMENT AND VALIDATION PROCESS.—The  
9 assessment and validation of emergency response provider  
10 equipment and systems shall use multiple evaluation tech-  
11 niques, including—

12           “(1) operational assessments of equipment per-  
13 formance on vehicle platforms;

14           “(2) technical assessments on a comparative  
15 basis of system component performance across  
16 makes and models under controlled conditions; and

17           “(3) integrative assessments on an individual  
18 basis of system component interoperability and com-  
19 patibility with other system components.

20           “(d) PERSONAL PROTECTIVE EQUIPMENT.—To the  
21 extent practical, the assessment and validation of personal  
22 protective equipment under this section shall be conducted  
23 by the National Personal Protective Technology Labora-  
24 tory of the National Institute for Occupational Safety and  
25 Health.

1 **“SEC. 525. NATIONAL SEARCH AND RESCUE RESPONSE SYS-**  
2 **TEM.**

3 “(a) NATIONAL SEARCH AND RESCUE RESPONSE  
4 SYSTEM.—There is established in the Authority an emer-  
5 gency response system known as the National Search and  
6 Rescue Response System that provides a national network  
7 of standardized search and rescue resources to assist State  
8 and local governments in responding to any natural or  
9 man-made disaster.

10 “(b) ADMINISTRATION OF THE SYSTEM.—

11 “(1) TASK FORCE PARTICIPATION.—The Ad-  
12 ministrator shall select eligible search and rescue  
13 teams that are sponsored by State and local govern-  
14 ment entities to participate as task forces in the Na-  
15 tional Search and Rescue Response System. The Ad-  
16 ministrator shall determine the criteria for such par-  
17 ticipation.

18 “(2) AGREEMENTS WITH SPONSORING AGEN-  
19 CIES.—The Administrator shall enter into an agree-  
20 ment with the State or local government entity that  
21 sponsors each search and rescue team selected under  
22 paragraph (1) with respect the team’s participation  
23 as a task force in the National Search and Rescue  
24 Response System.

25 “(3) MANAGEMENT AND TECHNICAL TEAMS.—  
26 The Administrator shall maintain such management

1 and other technical teams as are necessary to ad-  
2 minister the National Search and Rescue Response  
3 System.

4 **“SEC. 526. METROPOLITAN MEDICAL RESPONSE SYSTEM.**

5 “(a) IN GENERAL.—There is in the Authority a Met-  
6 ropolitan Medical Response System. Under the Metropoli-  
7 tan Medical Response System, the Assistant Secretary for  
8 Grants and Planning, in coordination with the Chief Med-  
9 ical Officer, shall administer grants to develop, maintain,  
10 and enhance medical preparedness systems that are capa-  
11 ble of responding effectively to a public health crisis or  
12 mass-casualty event caused by a natural or man-made dis-  
13 aster.

14 “(b) USE OF FUNDS.—The Metropolitan Medical Re-  
15 sponse System shall make grants to local governments to  
16 enhance any of the following activities:

17 “(1) Medical surge capacity.

18 “(2) Mass prophylaxis.

19 “(3) Chemical, biological, radiological, nuclear,  
20 and explosive detection, response, and decontamina-  
21 tion capabilities.

22 “(4) Emergency communications capabilities.

23 “(5) Information sharing and collaboration ca-  
24 pabilities.

25 “(6) Regional collaboration.



1           “(A) PARTICULAR SUPPORT.—The support  
2 provided under paragraph (1) shall include  
3 modeling, simulation, and analysis of the sys-  
4 tems comprising critical infrastructure, in order  
5 to enhance critical infrastructure preparedness,  
6 protection, response, and recovery activities.

7           “(B) RELATIONSHIP WITH OTHER AGEN-  
8 CIES.—Each Federal agency and department  
9 with critical infrastructure responsibilities  
10 under Homeland Security Presidential Directive  
11 7, or any successor to such directive, shall es-  
12 tablish a formal relationship, including an  
13 agreement regarding information sharing, be-  
14 tween the elements of such agency or depart-  
15 ment and the National Infrastructure Simula-  
16 tion and Analysis Center.

17           “(C) PURPOSE.—

18           “(i) IN GENERAL.—The purpose of  
19 the relationship under subparagraph (B)  
20 shall be to permit each Federal agency and  
21 department described in subparagraph (B)  
22 to take full advantage of the capabilities of  
23 the National Infrastructure Simulation and  
24 Analysis Center (particularly vulnerability  
25 and consequence analysis), consistent with



1 its work load capacity and priorities, for  
2 real-time response to reported and pro-  
3 jected emergencies, natural disasters, ter-  
4 rorist attacks, or other catastrophic inci-  
5 dents.

6 “(ii) RECIPIENT OF CERTAIN SUP-  
7 PORT.—Modeling, simulation, and analysis  
8 provided under this subsection shall be  
9 provided to relevant Federal agencies and  
10 departments, including Federal agencies  
11 and departments with critical infrastruc-  
12 ture responsibilities under Homeland Secu-  
13 rity Presidential Directive 7, or any suc-  
14 cessor to such directive.

15 **“SEC. 528. EMERGENCY MANAGEMENT ASSISTANCE COM-**  
16 **PACT.**

17 “(a) IN GENERAL.—The Secretary, acting through  
18 the Administrator, may make grants for the purposes of  
19 administering and improving the Emergency Management  
20 Assistance Compact consented to by the Joint Resolution  
21 entitled ‘Joint Resolution granting the consent of Con-  
22 gress to the Emergency Management Assistance Compact’  
23 (Public Law 104–321; 110 Stat. 3877).

24 “(b) USES.—A grant under this section shall be used  
25 to—

1           “(1) carry out recommendations identified in  
2 after-action reports for the 2004 and 2005 hurricane  
3 season issued under the Emergency Management  
4 Assistance Compact;

5           “(2) coordinate with the Department and other  
6 Federal Government agencies;

7           “(3) coordinate with State and local govern-  
8 ment entities and their respective national associa-  
9 tions;

10          “(4) assist State and local governments, emer-  
11 gency response providers, and organizations rep-  
12 resenting such members with credentialing emer-  
13 gency response providers and the typing of emer-  
14 gency response resources; or

15          “(5) administer the operations of the Emer-  
16 gency Management Assistance Compact.

17 **“SEC. 529. OFFICE FOR THE PREVENTION OF TERRORISM.**

18          “(a) **ESTABLISHMENT.**—There is established in the  
19 Department an Office for the Prevention of Terrorism,  
20 which shall be headed by a Director.

21          “(b) **DIRECTOR.**—

22               “(1) **REPORTING.**—The Director of the Office  
23 for the Prevention of Terrorism shall report directly  
24 to the Secretary.

1           “(2) QUALIFICATIONS.—The Director of the  
2 Office for the Prevention of Terrorism shall have an  
3 appropriate background with experience in law en-  
4 forcement, intelligence, or other anti-terrorist func-  
5 tions.

6           “(c) ASSIGNMENT OF PERSONNEL.—

7           “(1) IN GENERAL.—The Secretary shall assign  
8 to the Office for the Prevention of Terrorism perma-  
9 nent staff and other appropriate personnel detailed  
10 from other components of the Department to carry  
11 out the responsibilities under this section.

12           “(2) LIAISONS.—The Secretary shall designate  
13 senior employees from each component of the De-  
14 partment that has significant antiterrorism respon-  
15 sibilities to act a liaison between that component  
16 and the Office for the Prevention of Terrorism.

17           “(d) RESPONSIBILITIES.—The Director of the Office  
18 for the Prevention of Terrorism shall—

19           “(1) coordinate policy and operations between  
20 the Department and State and local government  
21 agencies relating to preventing acts of terrorism  
22 within the United States;

23           “(2) serve as a liaison between State and local  
24 law enforcement agencies and the Department;

1           “(3) in coordination with the Office of Intel-  
2           ligence, develop better methods for the sharing of in-  
3           telligence with State and local law enforcement  
4           agencies;

5           “(4) work with the Assistant Secretary of the  
6           Office of Grants and Training to ensure that home-  
7           land security grants to State and local agencies, in-  
8           cluding the Law Enforcement Terrorism Prevention  
9           Program, Commercial Equipment Direct Assistance  
10          Program, grants to support fusion centers and other  
11          law enforcement-oriented programs are adequately  
12          focused on terrorism prevention activities; and

13          “(5) coordinate with the Authority, the Depart-  
14          ment of Justice, the National Institute of Justice,  
15          law enforcement organizations, and other appro-  
16          priate entities to develop national voluntary con-  
17          sensus standards for training and personal protec-  
18          tive equipment to be used in a tactical environment  
19          by law enforcement officers.

20          “(e) PILOT PROJECT.—

21                 “(1) IN GENERAL.—The Director of the Office  
22                 for the Prevention of Terrorism, in coordination with  
23                 the Director for Response, shall establish a pilot  
24                 project to determine the efficacy and feasibility of  
25                 establishing law enforcement deployment teams.

1           “(2) FUNCTION.—The law enforcement deploy-  
2           ment teams participating in the pilot program under  
3           this subsection shall form the basis of a national  
4           network of standardized law enforcement resources  
5           to assist State and local governments in responding  
6           to a natural or man-made disaster.

7           “(f) CONSTRUCTION.—Nothing in this section may be  
8           construed to affect the roles or responsibilities of the De-  
9           partment of Justice.

10   **“SEC. 530. DEPARTMENT OFFICIALS.**

11           “(a) CYBERSECURITY AND TELECOMMUNI-  
12           CATIONS.—There is in the Department an Assistant Sec-  
13           retary for Cybersecurity and Telecommunications.

14           “(b) UNITED STATES FIRE ADMINISTRATION.—The  
15           Administrator of the United States Fire Administration  
16           shall have a rank equivalent to an assistant secretary of  
17           the Department.

18   **“SEC. 531. CREDENTIALING.**

19           “(a) DEFINITIONS.—In this section—

20                   “(1) the term ‘credential’ means to provide doc-  
21                   umentation that can authenticate and verify the  
22                   qualifications and identity of managers of incidents,  
23                   emergency response providers, and other appropriate  
24                   personnel, including by ensuring that such personnel  
25                   possess a minimum common level of training, experi-

1       ence, physical and medical fitness, and capability ap-  
2       propriate for their position;

3               “(2) the term ‘credentialing’ means evaluating  
4       an individual’s qualifications for a specific position  
5       under guidelines created in this section and assign-  
6       ing such individual a qualification under the stand-  
7       ards developed in this section; and

8               “(3) the term ‘credentialed’ means an indi-  
9       vidual has been evaluated for a specific position  
10       under the guidelines created under this section.

11       “(b) REQUIREMENTS.—

12               “(1) IN GENERAL.—The Administrator shall  
13       enter into a memorandum of understanding to col-  
14       laborate with State and local governments, emer-  
15       gency response providers, and the organizations that  
16       represent them, to establish in consultation with the  
17       Authority nationwide standards for credentialing all  
18       personnel who are likely to respond to an emergency  
19       or major disaster.

20               “(2) CONTENTS.—The standards developed  
21       under paragraph (1) shall—

22               “(A) include the minimum professional  
23       qualifications, certifications, training, and edu-  
24       cation requirements for specific emergency re-

1           response functional positions that are applicable  
2           to Federal, State and local government;

3           “(B) be compatible with the National Inci-  
4           dent Management System; and

5           “(C) be consistent with standards for ad-  
6           vance registration for health professions volun-  
7           teers under section 319I of the Public Health  
8           Services Act (42 U.S.C. 247d–7b).

9           “(3) TIMEFRAME.—The Administrator shall de-  
10          velop standards under paragraph (1) not later than  
11          6 months after the date of enactment of the Post  
12          Katrina Emergency Management Reform Act of  
13          2006.

14          “(c) CREDENTIALING OF DEPARTMENT PER-  
15          SONNEL.—

16          “(1) IN GENERAL.—Not later than 1 year after  
17          the date of enactment of the Post Katrina Emer-  
18          gency Management Reform Act of 2006, the Sec-  
19          retary and the Administrator shall ensure that all  
20          personnel of the Department (including temporary  
21          personnel and individuals in the surge capacity force  
22          established under section 304 of the Post Katrina  
23          Emergency Management Reform Act of 2006) who  
24          are likely to respond to an emergency or major dis-  
25          aster are credentialed.

1           “(2) STRATEGIC HUMAN CAPITAL PLAN.—Not  
2 later than 90 days after completion of the  
3 credentialing under paragraph (1), the Adminis-  
4 trator shall evaluate whether the workforce of the  
5 Authority complies with the Strategic Human Cap-  
6 ital Plan of the Authority developed under section  
7 301 of the Post Katrina Emergency Management  
8 Reform Act of 2006 and is sufficient to respond to  
9 a catastrophic incident.

10          “(d) INTEGRATION WITH NATIONAL RESPONSE  
11 PLAN.—

12           “(1) DISTRIBUTION OF STANDARDS.—Not later  
13 than 6 months after the date of enactment of the  
14 Post Katrina Emergency Management Reform Act  
15 of 2006, the Administrator shall provide the stand-  
16 ards developed under subsection (b) to all Federal  
17 agencies that have responsibilities under the Na-  
18 tional Response Plan.

19           “(2) CREDENTIALING OF AGENCIES.—Not later  
20 than 180 days after the date on which the standards  
21 are provided under paragraph (1), each agency de-  
22 scribed in paragraph (1) shall—

23                   “(A) ensure that all employees or volun-  
24 teers of that agency who are likely to respond



1 to an emergency or major disaster are  
2 credentialed; and

3 “(B) submit to the Secretary the name of  
4 each credentialed employee or volunteer of such  
5 agency.

6 “(3) LEADERSHIP.—The Administrator shall  
7 provide leadership, guidance, and technical assist-  
8 ance to an agency described in paragraph (1) to fa-  
9 cilitate the credentialing process of that agency.

10 “(e) DOCUMENTATION AND DATABASE SYSTEM.—

11 “(1) IN GENERAL.—Not later than 1 year after  
12 the date of enactment of the Post Katrina Emer-  
13 gency Management Reform Act of 2006, the Admin-  
14 istrator shall establish and maintain a documenta-  
15 tion and database system of Federal emergency re-  
16 sponse providers and all other Federal personnel  
17 credentialed to respond to an emergency or major  
18 disaster.

19 “(2) ACCESSIBILITY.—The documentation and  
20 database system established under paragraph (1)  
21 shall be accessible to the Federal coordinating officer  
22 and other appropriate officials preparing for or re-  
23 sponding to an emergency or major disaster.

24 “(3) CONSIDERATIONS.—The Administrator  
25 shall consider whether the credentialing system can

1 be used to regulate access to areas affected by a  
2 major disaster.

3 “(f) GUIDANCE TO STATE AND LOCAL GOVERN-  
4 MENTS.—Not later than 6 months after the date of enact-  
5 ment of the Post Katrina Emergency Management Re-  
6 form Act of 2006, the Administrator shall—

7 “(1) in collaboration with the Emergency Man-  
8 agement Assistance Compact provide detailed writ-  
9 ten guidance, assistance, and expertise to State and  
10 local governments to facilitate the credentialing of  
11 State and local emergency response providers com-  
12 monly or likely to be used in responding to an emer-  
13 gency or major disaster; and

14 “(2) in coordination with the Emergency Man-  
15 agement Assistance Compact and appropriate na-  
16 tional professional organizations, assist State and  
17 local governments with credentialing the personnel  
18 of the State or local government under the guidance  
19 provided under paragraph (1).

20 “(g) GRANTS.—The Secretary may make grants to  
21 State and local governments, emergency response pro-  
22 viders, and organizations that represent them.

23 “(h) REPORT.—Not later than 6 months after the  
24 date of enactment of the Post Katrina Emergency Man-  
25 agement Reform Act of 2006 and annually thereafter, the

1 Administrator shall submit to the Committee on Home-  
2 land Security and Governmental Affairs of the Senate and  
3 the Committee on Homeland Security of the House of  
4 Representatives a report describing the implementation of  
5 this section, including the number and level of qualifica-  
6 tion of Federal personnel trained and ready to respond  
7 to an emergency or major disaster.

8 **“SEC. 532. TYPING OF RESOURCES.**

9 “(a) DEFINITIONS.—In this section—

10 “(1) the term ‘typed’ means an asset or re-  
11 source that has been evaluated for a specific func-  
12 tion under the guidelines created under this section;  
13 and

14 “(2) the term ‘typing’ means to define in detail  
15 the minimum capabilities of an asset or resource.

16 “(b) REQUIREMENTS.—

17 “(1) IN GENERAL.—The Administrator, shall  
18 enter into a memorandum of understanding to col-  
19 laborate with the State and local governments, emer-  
20 gency response providers, and organizations that  
21 represent them, to establish in consultation with the  
22 Administration, nationwide standards for typing of  
23 resources commonly or likely to be used in respond-  
24 ing to an emergency or major disaster.

1           “(2) CONTENTS.—The standards developed  
2           under paragraph (1) shall—

3                   “(A) be applicable to Federal, State, and  
4                   local government; and

5                   “(B) be compatible with the National Inci-  
6                   dent Management System.

7           “(c) TYPING OF DEPARTMENT RESOURCES AND AS-  
8           SETS.—Not later than 1 year after the date of enactment  
9           of the Post Katrina Emergency Management Reform Act  
10          of 2006, the Secretary shall ensure that all resources and  
11          assets of the Department that are commonly or likely to  
12          be used to respond to an emergency or major disaster are  
13          typed.

14          “(d) INTEGRATION WITH NATIONAL RESPONSE  
15          PLAN.—

16                   “(1) DISTRIBUTION OF STANDARDS.—Not later  
17                   than 6 months after the date of enactment of the  
18                   Post Katrina Emergency Management Reform Act  
19                   of 2006, the Administrator shall provide the stand-  
20                   ards developed under subsection (b) to all Federal  
21                   agencies that have responsibilities under the Na-  
22                   tional Response Plan.

23                   “(2) TYPING OF AGENCIES, ASSETS AND RE-  
24                   SOURCES.—Not later than 180 days after the date  
25                   on which the standards are provided under para-

1 graph (1), each agency described in paragraph (1)  
2 shall—

3 “(A) ensure that all resources and assets  
4 (including teams, equipment, and other assets)  
5 of that agency that are commonly or likely to  
6 be used to respond to an emergency or major  
7 disaster are typed; and

8 “(B) submit to the Secretary a list of all  
9 types resources and assets.

10 “(3) LEADERSHIP.—The Administrator shall  
11 provide leadership, guidance, and technical assist-  
12 ance to an agency described in paragraph (1) to fa-  
13 cilitate the typing process of that agency.

14 “(e) DOCUMENTATION AND DATABASE SYSTEM.—

15 “(1) IN GENERAL.—Not later than 1 year after  
16 the date of enactment of the Post Katrina Emer-  
17 gency Management Reform Act of 2006, the Admin-  
18 istrator shall establish and maintain a documenta-  
19 tion and database system of Federal resources and  
20 assets commonly or likely to be used to respond to  
21 an emergency or major disaster.

22 “(2) ACCESSIBILITY.—The documentation and  
23 database system established under paragraph (1)  
24 shall be accessible to the Federal coordinating officer

1 and other appropriate officials preparing for or re-  
2 sponding to an emergency or major disaster.

3 “(f) GUIDANCE TO STATE AND LOCAL GOVERN-  
4 MENTS.—Not later than 6 months after the date of enact-  
5 ment of the Post Katrina Emergency Management Re-  
6 form Act of 2006, the Administrator in collaboration with  
7 State and local governments, emergency response pro-  
8 viders, and the organizations that represent them, shall—

9 “(1) provide detailed written guidance, assist-  
10 ance, and expertise to State and local governments  
11 to facilitate the typing of the resources and assets  
12 of State and local governments likely to be used in  
13 responding to an emergency or major disaster; and

14 “(2) assist State and local governments with  
15 typing resources and assets of State or local govern-  
16 ments under the guidance provided under paragraph  
17 (1).

18 “(g) GRANTS.—The Secretary may make grants to  
19 State and local governments, emergency response pro-  
20 viders, and the organizations that represent them, to de-  
21 velop and maintain a database of typed resources of State  
22 and local governments.

23 “(h) REPORT.—Not later than 6 months after the  
24 date of enactment of the Post Katrina Emergency Man-  
25 agement Reform Act of 2006 and annually thereafter, the

1 Administrator shall submit to the Committee on Home-  
2 land Security and Governmental Affairs of the Senate and  
3 the Committee on Homeland Security of the House of  
4 Representatives a report describing the implementation of  
5 this section, including the number and type of Federal re-  
6 sources and assets ready to respond to an emergency or  
7 major disaster.

8 **“SEC. 533. PROVIDING SECURE ACCESS TO CRITICAL IN-**  
9 **FRASTRUCTURE.**

10 “Not later than 6 months after the date of enactment  
11 of the Post Katrina Emergency Management Reform Act  
12 of 2006, and in coordination with appropriate national  
13 professional organizations, Federal, State, and local gov-  
14 ernment agencies, and private-sector and nongovern-  
15 mental entities, the Administrator shall create model  
16 standards or guidelines that States may adopt in conjunc-  
17 tion with critical infrastructure owners and operators and  
18 their employees to permit access to restricted areas in the  
19 event of an emergency or major disaster.

20 **“SEC. 534. IMPROVEMENTS TO INFORMATION TECH-**  
21 **NOLOGY SYSTEMS.**

22 “(a) MEASURES TO IMPROVE INFORMATION TECH-  
23 NOLOGY SYSTEMS.—The Administrator shall take appro-  
24 priate measures to update and improve the information

1 technology systems of the Authority, including measures  
2 to—

3           “(1) ensure that the multiple information tech-  
4 nology systems of the Authority (including the Na-  
5 tional Emergency Management Information System,  
6 the Logistics Information Management System III,  
7 and the Automated Deployment Database) are fully  
8 compatible and can share and access information  
9 from each other;

10           “(2) ensure technology enhancements reach the  
11 headquarters and regional offices of the Authority in  
12 a timely fashion, to allow seamless integration;

13           “(3) develop and maintain a testing environ-  
14 ment that ensures that all system components are  
15 properly and thoroughly tested before their release;

16           “(4) ensure that the information technology  
17 systems of the Authority have the capacity to track  
18 disaster response personnel, mission assignments  
19 task orders, commodities, and supplies used in re-  
20 sponse to an emergency or major disaster;

21           “(5) make appropriate improvements to the Na-  
22 tional Emergency Management Information System  
23 to address current shortcomings; and

24           “(6) provide training, manuals, and guidance  
25 on information technology systems to personnel, in-



1 including disaster response personnel, to help ensure  
2 employees can properly use information technology  
3 systems.

4 “(b) REPORT.—Not later than 270 days after the  
5 date of enactment of the Post Katrina Emergency Man-  
6 agement Reform Act of 2006, the Administrator shall sub-  
7 mit to the Committee on Homeland Security and Govern-  
8 mental Affairs of the Senate and the Committee on Home-  
9 land Security of the House of Representatives a report de-  
10 scribing the implementation of this section, including any  
11 actions taken, improvements made, any remaining prob-  
12 lems and describing any additional funding needed to  
13 make necessary and appropriate improvements to the in-  
14 formation technology systems of the Authority.

15 **“SEC. 535. HURRICANE AND TSUNAMI EVACUATION TECH-**  
16 **NICAL ASSISTANCE.**

17 “(a) IN GENERAL.—The Administrator shall provide  
18 technical assistance to States and local governments that  
19 experience hurricanes, tsunamis or other severe weather  
20 events, including the preparation of hurricane evacuation  
21 studies and evacuation plans assessing current storm  
22 surge estimates, evacuation zones, evacuation clearance  
23 times, transportation capacity, and shelter capacity.

24 “(b) PLAN AND SCHEDULE.—

1           “(1) IN GENERAL.—Not later than 180 days  
2 after the date of enactment of the Post Katrina  
3 Emergency Management Reform Act of 2006, the  
4 Administrator shall—

5           “(A) establish a plan and schedule for  
6 completing, maintaining, and periodically up-  
7 dating evacuation studies carried out by the Ad-  
8 ministrator to ensure that States and local gov-  
9 ernments that experience hurricanes, tsunamis,  
10 or other severe weather events have current and  
11 complete information available to them for the  
12 preparation of their own evacuation plans; and

13           “(B) include in the plan and schedule an-  
14 nual maintenance and updates of existing hurri-  
15 cane evacuation studies following each hurri-  
16 cane season for those basins impacted by a hur-  
17 ricane.

18           “(2) PREVIOUSLY INITIATED STUDIES.—Any  
19 evacuation study initiated prior to the promulgation  
20 of a plan and schedule established under subsection  
21 (a) shall be completed not later than January 1,  
22 2008.

23           “(c) ASSISTANCE AND GUIDELINES.—The Adminis-  
24 trator shall develop guidelines for the preparation of, and  
25 assist each State that is eligible for assistance under this

1 section in producing a State pre-storm evacuation and  
2 shelter plan which shall address the following:

3           “(1) Information, guidance, and data contained  
4           in current hurricane evacuation studies and other  
5           models or projections of current storm surge esti-  
6           mates, evacuation zones, evacuation clearance times,  
7           transportation capacity, and shelter capacity.

8           “(2) Guidance regarding storm surge and evac-  
9           uation-related estimates projections provided by the  
10          National Weather Service or the National Oceanic  
11          and Atmospheric Administration.

12          “(3) State planning assumptions, procedures  
13          and guidelines for pre-storm evacuation-decision  
14          making and sheltering based on current hurricane  
15          evacuation studies and published guidance by the  
16          Authority.

17          “(4) Transportation and shelter capabilities or  
18          resources that will be available and used by the  
19          State and by each county, parish or municipality to  
20          implement the State pre-storm evacuation and shel-  
21          ter plan.

22          “(5) Estimated costs for the State and for each  
23          county or parish to provide pre-storm evacuation  
24          and sheltering based on historical data, current cost

1 estimates developed by the State Comptroller that  
2 are updated after each hurricane season.

3 “(6) Document limitations on State, county,  
4 parish, or city resources or capability to provide for  
5 pre-storm evacuation and shelter and the planning  
6 assumptions of the State regarding the need for  
7 Federal assistance to compensate for such limita-  
8 tions.

9 “(d) REPORT TO CONGRESS.—Not later than 1 year  
10 after the date of enactment of the Post Katrina Emer-  
11 gency Management Reform Act of 2006, and annually  
12 thereafter, the Administrator shall report to the Com-  
13 mittee on Homeland Security and Governmental Affairs  
14 and the Committee on Appropriations of the Senate and  
15 the Committee on Homeland Security and the Committee  
16 on Appropriations of the House of Representatives on the  
17 actions taken by the Administrator to carry out the provi-  
18 sions of this section, including the status of evacuation  
19 studies, State evacuation and shelter plans, and the incor-  
20 poration of lessons learned from post-storm assessments.”;  
21 and

22 (8) by inserting after section 541 (as redesign-  
23 nated by paragraph (6) of this subsection) the fol-  
24 lowing:

1                   **“Subtitle B—Emergency**  
2                   **Communications**

3 **“SEC. 551. DEFINITIONS.**

4           “In this subtitle—

5                   “(1) the term ‘eligible region’ means—

6                           “(A) 2 or more contiguous incorporated  
7 municipalities, counties, parishes, Indian tribes  
8 or other general purpose jurisdictions that—

9                                   “(i) have joined together to enhance  
10 emergency communications capabilities or  
11 communications interoperability between  
12 emergency response providers in those ju-  
13 risdictions and with State and Federal offi-  
14 cials; and

15                                   “(ii) includes the largest city in any  
16 metropolitan statistical area, as defined by  
17 the Office of Management and Budget; or

18                           “(B) any other area the Secretary deter-  
19 mines to be consistent with the definition of a  
20 region in the national preparedness guidance  
21 issued under Homeland Security Presidential  
22 Directive 8;

23                   “(2) the term ‘National Emergency Commu-  
24 nications Strategy’ means the strategy established  
25 under section 553; and

1           “(3) the term ‘Office of Emergency Commu-  
2           nications’ means the office established under section  
3           552.

4   **“SEC. 552. OFFICE OF EMERGENCY COMMUNICATIONS.**

5           “(a) IN GENERAL.—There is established in the Au-  
6           thority an Office of Emergency Communications.

7           “(b) DIRECTOR.—The head of the Office of Emer-  
8           gency Communications shall be the Director for Emer-  
9           gency Communications. The Director shall report to the  
10          Assistant Secretary for Cybersecurity and Telecommuni-  
11          cations.

12          “(c) RESPONSIBILITIES.—The Director for Emer-  
13          gency Communications shall—

14                 “(1) assist the Secretary in developing and im-  
15                 plementing the program described in section  
16                 7303(a)(1) of the Intelligence Reform and Terrorism  
17                 Prevention Act of 2004 (6 U.S.C. 194(a)(1));

18                 “(2) carry out the responsibilities and authori-  
19                 ties of the Department relating to the development  
20                 and implementation of a strategy to achieve commu-  
21                 nications interoperability and emergency communica-  
22                 tions capabilities and promulgating grant guidance  
23                 for that purpose;

24                 “(3) carry out the responsibilities under section  
25                 541;

1           “(4) conduct extensive, nationwide outreach and  
2 foster the development of emergency communica-  
3 tions capabilities and interoperable communications  
4 systems by State and local governments and public  
5 safety agencies, and by regional consortia thereof,  
6 by—

7           “(A) developing, updating, and imple-  
8 menting a national strategy to achieve emer-  
9 gency communications capabilities, with goals  
10 and timetables;

11           “(B) developing, updating, and imple-  
12 menting a national strategy to achieve commu-  
13 nications interoperability, with goals and time-  
14 tables;

15           “(C) developing a national architecture,  
16 which defines the components of an interoper-  
17 able system and how the components are con-  
18 structed;

19           “(D) establishing and maintaining a task  
20 force that represents the broad customer base  
21 of public safety agencies of State and local gov-  
22 ernments, and Federal agencies, involved in  
23 public safety disciplines such as law enforce-  
24 ment, firefighting, emergency medical services,  
25 public health, and disaster recovery, in order to

1 receive input and coordinate efforts to achieve  
2 emergency communications capabilities and  
3 communications interoperability;

4 “(E) working with the Office of Grants  
5 and Training Interoperable Communications  
6 Technical Assistance Program to provide tech-  
7 nical assistance to State and local government  
8 officials and the Regional Advisory Councils es-  
9 tablished under section 513;

10 “(F) promoting a greater understanding of  
11 the importance of emergency communications  
12 capabilities, communications interoperability,  
13 and the benefits of sharing resources among all  
14 levels of Federal, State, and local government;

15 “(G) promoting development of standard  
16 operating procedures for incident response and  
17 facilitating the sharing of information on best  
18 practices (including from governments abroad)  
19 for achieving emergency communications capa-  
20 bilities and communications interoperability;

21 “(H) making recommendations to Con-  
22 gress about any changes in Federal law nec-  
23 essary to remove barriers to achieving emer-  
24 gency communications capabilities and commu-  
25 nications interoperability;



1           “(I) funding and conducting pilot pro-  
2 grams, as necessary, in order to—

3           “(i) evaluate and validate technology  
4 concepts in real-world environments to  
5 achieve emergency communications capa-  
6 bilities and communications interoper-  
7 ability;

8           “(ii) encourage more efficient use of  
9 resources, including equipment and spec-  
10 trum; and

11           “(iii) test and deploy public safety  
12 communications systems that are less  
13 prone to failure, support nonvoice services,  
14 consume less spectrum, and cost less;

15           “(J) liaisoning with the private sector to  
16 develop solutions to improve emergency commu-  
17 nications capabilities and achieve communica-  
18 tions interoperability;

19           “(K) using modeling and simulation for  
20 training exercises and command and control  
21 functions at the operational level; and

22           “(L) performing other functions necessary  
23 to improve emergency communications capabili-  
24 ties and achieve communications interoper-  
25 ability;

1           “(5) administer the responsibilities and authori-  
2           ties of the Department relating to the Integrated  
3           Wireless Network Program;

4           “(6) administer the National Communications  
5           System of the Department under the Preparedness  
6           Directorate;

7           “(7) administer responsibilities and authorities  
8           of the Department related to the Emergency Alert  
9           System and the Integrated Public Alert and Warn-  
10          ing System of the Federal Emergency Management  
11          Agency;

12          “(8) administer the responsibilities and authori-  
13          ties of the Office of Interoperability and Compat-  
14          ibility;

15          “(9) coordinate the establishment of a national  
16          response capability with initial and ongoing plan-  
17          ning, implementation, and training for the deploy-  
18          ment of backup communications services in the  
19          event of a catastrophic loss of local and regional  
20          emergency communications services;

21          “(10) assist the President, the National Secu-  
22          rity Council, the Homeland Security Council, the Di-  
23          rector of the Office of Science and Technology Pol-  
24          icy, and the Director of the Office of Management  
25          and Budget in ensuring the operability of the tele-

1 communications functions and responsibilities of the  
2 Federal Government;

3 “(11) review, in consultation with the Assistant  
4 Secretary for Grants and Training, all interoperable  
5 emergency communications plans of Federal, State,  
6 and local governments, including Statewide and tac-  
7 tical interoperability plans; and

8 “(12) through the National Communications  
9 System, create an interactive database that contains  
10 an inventory of emergency communications assets  
11 maintained by the Federal Government and where  
12 appropriate, State and local governments and the  
13 private sector, that—

14 “(A) can be deployed rapidly following a  
15 natural or man-made disaster to assist emer-  
16 gency response providers and State and local  
17 governments; and

18 “(B) includes land mobile radio systems,  
19 satellite phones, portable infrastructure equip-  
20 ment, backup power system equipment, and  
21 other appropriate equipment and systems.

22 **“SEC. 553. NATIONAL EMERGENCY COMMUNICATIONS**  
23 **STRATEGY.**

24 “(a) IN GENERAL.—Not later than 180 days after  
25 the completion of the baseline assessment under section

1 554, and in cooperation with State and local governments,  
2 Federal departments and agencies, emergency response  
3 providers, and the private sector, the Secretary, acting  
4 through the Director for Emergency Communications,  
5 shall develop a National Emergency Communications  
6 Strategy to achieve emergency communications capabili-  
7 ties and interoperable emergency communications.

8 “(b) CONTENTS.—The National Emergency Commu-  
9 nication Strategy shall—

10 “(1) include, in consultation with the National  
11 Institute of Standards and Technology, a process for  
12 expediting national voluntary consensus-based emer-  
13 gency communications equipment standards for the  
14 purchase and use by public safety agencies of inter-  
15 operable emergency communications equipment and  
16 technologies;

17 “(2) identify the appropriate emergency com-  
18 munications capabilities and communications inter-  
19 operability necessary for Federal, State, and local  
20 governments to operate during natural and man-  
21 made disasters.

22 “(3) address both short-term and long-term so-  
23 lutions to achieving Federal, State, and local emer-  
24 gency communications capabilities and interoperable  
25 emergency communications systems, including provi-

1 sion of commercially available equipment that facili-  
2 tates operability, interoperability, coordination, and  
3 integration among emergency communications sys-  
4 tems;

5 “(4) identify how Federal Government depart-  
6 ments and agencies that respond to natural or man-  
7 made disasters can work effectively with State and  
8 local governments, in all States, and with such other  
9 entities as are necessary to implement the strategy;

10 “(5) include measures to identify and overcome  
11 all obstacles to achieving interoperable emergency  
12 communications;

13 “(6) set goals and establish timetables for the  
14 development of an emergency, command-level com-  
15 munication system based on equipment available  
16 across the United States and a nationwide interoper-  
17 able emergency communications system;

18 “(7) identify appropriate and reasonable meas-  
19 ures public safety agencies should employ to ensure  
20 that their network infrastructure maintains oper-  
21 ability during a natural or man-made disaster;

22 “(8) include education of State and local emer-  
23 gency response personnel about the availability of  
24 backup emergency communications assets and their

1 importance in planning for natural and man-made  
2 disasters; and

3 “(9) identify, in consultation with the Federal  
4 Communications Commission, measures States and  
5 localities should employ to ensure operability of 911,  
6 E911 and public safety answering points during nat-  
7 ural and man-made disasters.

8 **“SEC. 554. ASSESSMENTS AND REPORTS.**

9 “(a) BASELINE OPERABILITY AND INTEROPER-  
10 ABILITY ASSESSMENT.—Not later than June 1, 2000, and  
11 periodically thereafter, but not less frequently than every  
12 5 years, the Secretary, acting through the Director for  
13 Emergency Communications, shall conduct an assessment  
14 of Federal, State, and local governments to—

15 “(1) define the range of emergency communica-  
16 tions capabilities and communications interoper-  
17 ability needed for specific events;

18 “(2) assess the capabilities to meet such com-  
19 munications needs;

20 “(3) determine the degree to which necessary  
21 emergency communications capabilities and commu-  
22 nications interoperability have been achieved;

23 “(4) ascertain the needs that remain for com-  
24 munications interoperability to be achieved;

1           “(5) assess the ability of communities to pro-  
2           vide and maintain emergency communications capa-  
3           bilities and communications interoperability among  
4           emergency response providers, and government offi-  
5           cials in the event of a natural or man-made disaster,  
6           including when there is substantial damage to ordi-  
7           nary communications infrastructure or a sustained  
8           loss of electricity;

9           “(6) include a national interoperable emergency  
10          communication inventory that—

11               “(A) identifies for each Federal depart-  
12               ment and agency—

13                   “(i) the channels and frequencies  
14                   used;

15                   “(ii) the nomenclature used to refer to  
16                   each channel or frequency used; and

17                   “(iii) the types of communications  
18                   system and equipment used;

19               “(B) identifies the interoperable emergency  
20               communication systems in use for public safety  
21               systems in the United States; and

22               “(C) provides a listing of public safety mu-  
23               tual aid channels in operation and their ability  
24               to connect to an interoperable emergency com-  
25               munications system;

1           “(7) compile a list of best practices among com-  
2           munities for providing and maintaining emergency  
3           communications capabilities and communications  
4           interoperability in the event of a natural or man-  
5           made disaster; and

6           “(8) evaluate the feasibility and desirability of  
7           the Department developing, on its own or in con-  
8           junction with the Department of Defense, a mobile  
9           communications capability, modeled on the Army  
10          Signal Corps, that could be deployed to support  
11          emergency communications at the site of acts of ter-  
12          rorism, natural disasters, or other emergencies.

13          “(b) ANNUAL REPORT.—Not later than 1 year after  
14          the date of enactment of the Post Katrina Emergency  
15          Management Reform Act of 2006, and annually thereafter  
16          until the date that is 10 years after such date, the Sec-  
17          retary, acting through the Director for Emergency Com-  
18          munications, shall submit to the Committee on Homeland  
19          Security and Governmental Affairs of the Senate and the  
20          Committee on Homeland Security of the House of Rep-  
21          resentatives a report on the progress of the Department  
22          in implementing and achieving the goals of this subtitle,  
23          including a description of the findings of the most recent  
24          nationwide assessment conducted under subsection (a).



1 **“SEC. 555. COORDINATION OF FEDERAL EMERGENCY COM-**  
2 **MUNICATIONS GRANT PROGRAMS.**

3 “(a) ASSESSMENT OF GRANTS AND STANDARDS PRO-  
4 GRAMS.—The Secretary, acting through the Director for  
5 Emergency Communications, in coordination with other  
6 Federal departments and agencies, shall review Federal  
7 emergency communications grants and standards pro-  
8 grams across the Federal government to—

9 “(1) integrate and coordinate Federal grant  
10 guidelines for the use of Federal assistance relating  
11 to interoperable emergency communications and  
12 emergency communications capabilities;

13 “(2) assess and make recommendations to en-  
14 sure that such guidelines are consistent across the  
15 Federal Government; and

16 “(3) assess and make recommendations to en-  
17 sure conformity with the goals and objectives identi-  
18 fied in the National Emergency Communications  
19 Strategy.

20 “(b) DENIAL OF ELIGIBILITY FOR GRANTS.—

21 “(1) IN GENERAL.—The Secretary may prohibit  
22 any State or local government from using Federal  
23 homeland security assistance administered by the  
24 Department to achieve, maintain, or enhance inter-  
25 operable emergency communications capabilities if—

1           “(A) such government has not complied  
2 with the requirement to submit a Statewide  
3 Interoperable Communications Plan under sec-  
4 tion 7303(f) of the Intelligence Reform and  
5 Terrorism Prevention Act of 2004 (6 U.S.C.  
6 194(f));

7           “(B) the State or local government has not  
8 taken adequate steps to maintain operability of  
9 network infrastructure during a natural or  
10 man-made disaster; or

11           “(C) a grant request does not comply with  
12 interoperable communications equipment stand-  
13 ards after those standards have been developed  
14 through a voluntary consensus-based process or  
15 are promulgated pursuant to the authority  
16 under paragraph (2).

17           “(2) STANDARDS.—If the Secretary determines  
18 that inadequate progress is being made on the com-  
19 pletion of voluntary consensus-based interoperable  
20 communications equipment standards, the Secretary  
21 may promulgate such standards and include them in  
22 interoperable communications grant guidance.

1 **“SEC. 556. EMERGENCY COMMUNICATIONS INTEROPER-**  
2 **ABILITY RESEARCH AND DEVELOPMENT.**

3 “(a) IN GENERAL.—The Secretary shall establish a  
4 comprehensive research and development program to pro-  
5 mote emergency communications capabilities and commu-  
6 nications interoperability among emergency response pro-  
7 viders, including by—

8 “(1) promoting research on a competitive basis  
9 through the Directorate of Science and Technology  
10 Homeland Security Advanced Research Projects  
11 Agency; and

12 “(2) establishing a Center of Excellence under  
13 the Department of Homeland Security Centers of  
14 Excellence Program, using a competitive process, fo-  
15 cused on enhancing information and communications  
16 systems for emergency response providers.

17 “(b) PURPOSES.—The purposes of the program es-  
18 tablished under subsection (a) include—

19 “(1) understanding the strengths and weak-  
20 nesses of the diverse public safety communications  
21 systems currently in use;

22 “(2) examining how current and emerging tech-  
23 nology can make public safety organizations more ef-  
24 fective, and how Federal, State, and local govern-  
25 ment agencies can use this technology in a coherent  
26 and cost-effective manner;

1           “(3) exploring Federal, State, and local govern-  
2           ment policies that shall move systematically towards  
3           long-term solutions;

4           “(4) evaluating and validating technology con-  
5           cepts, and promoting the deployment of advanced  
6           public safety information technologies for emergency  
7           communications capabilities and communications  
8           interoperability; and

9           “(5) advancing the creation of a national strat-  
10          egy to enhance emergency communications capabili-  
11          ties, promote interoperability and efficient use of  
12          spectrum in communications systems, improve infor-  
13          mation sharing across organizations, and use ad-  
14          vanced information technology to increase the effec-  
15          tiveness of first responders in valuable new ways.

16 **“SEC. 557. EMERGENCY COMMUNICATIONS PILOT**  
17 **PROJECTS.**

18          “(a) ESTABLISHMENT.—

19                 “(1) IN GENERAL.—Not later than 1 year after  
20                 the date of enactment of the Post Katrina Emer-  
21                 gency Management Reform Act of 2006, the Sec-  
22                 retary shall establish not fewer than 2 pilot projects  
23                 to develop and evaluate strategies and technologies  
24                 for providing and maintaining emergency commu-  
25                 nications capabilities communications interoper-

1 ability among emergency response providers and  
2 government officials in the event of a natural or  
3 man-made disaster in which there is significant dam-  
4 age to, or destruction of, critical infrastructure, in-  
5 cluding substantial loss of ordinary telecommuni-  
6 cations infrastructure and sustained loss of elec-  
7 tricity.

8 “(2) INTEROPERABLE DATA COMMUNICA-  
9 TIONS.—At least 1 pilot project under this section  
10 shall involve the development of interoperable data  
11 communications, including medical and victim infor-  
12 mation, so that this information can be shared  
13 among responders, as needed, at all levels of govern-  
14 ment.

15 “(b) SELECTION CRITERIA.—In selecting areas for  
16 the location of the pilot projects under this section, the  
17 Secretary shall consider—

18 “(1) the risk to the area from a large-scale ter-  
19 rorist attack or natural disaster;

20 “(2) the number of potential victims from a  
21 large-scale terrorist attack or natural disaster in the  
22 area;

23 “(3) the capabilities of the emergency commu-  
24 nications systems of the area and capabilities for the

1 development of modeling and simulation training  
2 and command and control functions; and

3 “(4) such other criteria as the Secretary may  
4 determine appropriate.

5 **“SEC. 558. EMERGENCY COMMUNICATIONS AND INTER-**  
6 **OPERABILITY GRANTS.**

7 “(a) IN GENERAL.—The Secretary, through the Of-  
8 fice of the Grants and Training, shall make grants to  
9 States and eligible regions for initiatives necessary to im-  
10 prove emergency communications capabilities and to  
11 achieve short-term or long-term solutions to statewide, re-  
12 gional, national, and, where appropriate, international  
13 interoperability.

14 “(b) USE OF GRANT FUNDS.—Grants awarded under  
15 subsection (a) may be used for initiatives to achieve short-  
16 term or long-term solutions for emergency communica-  
17 tions capabilities and communications interoperability  
18 within the State or region and to assist with any aspect  
19 of the communication life cycle, including—

20 “(1) statewide or regional communications  
21 planning;

22 “(2) system design and engineering;

23 “(3) procurement and installation of equipment;

24 “(4) exercises;

1           “(5) modeling and simulation exercises for  
2           operational command and control functions;

3           “(6) other activities determined by the Sec-  
4           retary to be integral to the achievement of emer-  
5           gency communications capabilities and communica-  
6           tions interoperability; and

7           “(7) technical assistance and training.

8           “(c) COORDINATION.—The Secretary shall ensure  
9           that the Office of Grants and Training coordinates its ac-  
10          tivities with the Office of Emergency Communications, the  
11          Directorate of Science and Technology and other Federal  
12          entities so that grants awarded under this section, and  
13          other grant programs related to homeland security, fulfill  
14          the purposes of this section and facilitate the achievement  
15          of emergency communications capabilities and commu-  
16          nications interoperability consistent with the national  
17          strategy.

18          “(d) APPLICATION.—

19                 “(1) IN GENERAL.—A State or eligible region  
20                 desiring a grant under this section shall submit an  
21                 application at such time, in such manner, and ac-  
22                 companied by such information as the Secretary may  
23                 reasonably require.

1           “(2) MINIMUM CONTENTS.—At a minimum,  
2 each application submitted under paragraph (1)  
3 shall—

4           “(A) identify the critical aspects of the  
5 communications life cycle, including planning,  
6 system design and engineering, procurement  
7 and installation, and training for which funding  
8 is requested;

9           “(B) describe how—

10           “(i) the proposed use of funds would  
11 be consistent with and address the goals in  
12 any applicable State homeland security  
13 plan, and, unless the Secretary determines  
14 otherwise, are consistent with the national  
15 strategy and architecture; and

16           “(ii) the applicant intends to spend  
17 funds under the grant, to administer such  
18 funds, and to allocate such funds among  
19 any participating local governments; and

20           “(C) be consistent with the Interoperable  
21 Communications Plan required by section  
22 7303(f) of the Intelligence Reform and Ter-  
23 rorism Prevention Act of 2004 (6 U.S.C.  
24 194(f)).

25           “(e) STATE REVIEW AND SUBMISSION.—



1           “(1) IN GENERAL.—To ensure consistency with  
2 State homeland security plans, an eligible region ap-  
3 plying for a grant under this section shall submit its  
4 application to each State within which any part of  
5 the eligible region is located for review before sub-  
6 mission of such application to the Secretary.

7           “(2) DEADLINE.—Not later than 30 days after  
8 receiving an application from an eligible region  
9 under paragraph (1), each such State shall transmit  
10 the application to the Secretary.

11           “(3) STATE DISAGREEMENT.—If the Governor  
12 of any such State determines that a regional appli-  
13 cation is inconsistent with the State homeland secu-  
14 rity plan of that State, or otherwise does not sup-  
15 port the application, the Governor shall—

16                   “(A) notify the Secretary in writing of that  
17 fact; and

18                   “(B) provide an explanation of the reasons  
19 for not supporting the application at the time  
20 of transmission of the application.

21           “(f) AWARD OF GRANTS.—

22           “(1) CONSIDERATIONS.—In approving applica-  
23 tions and awarding grants under this section, the  
24 Secretary shall consider—

1           “(A) the nature of the threat to the State  
2 or eligible region from natural or man-made  
3 disasters;

4           “(B) the location, risk, or vulnerability of  
5 critical infrastructure and key national assets,  
6 including the consequences from damage to  
7 critical infrastructure in nearby jurisdictions as  
8 a result of a natural or man-made disaster;

9           “(C) the size of the population, and the  
10 population density of the area, that will be  
11 served by the interoperable emergency commu-  
12 nications systems, except that the Secretary  
13 shall not establish a minimum population re-  
14 quirement that would disqualify from consider-  
15 ation an area that otherwise faces significant  
16 threats, vulnerabilities, or consequences from a  
17 natural or man-made disaster;

18           “(D) the extent to which grants will be  
19 used to implement emergency communications  
20 and interoperability solutions—

21                   “(i) consistent with the national strat-  
22 egy and compatible with national infra-  
23 structure and equipment standards; and

24                   “(ii) more efficient and cost effective  
25 than current approaches;

1           “(E) the number of jurisdictions within re-  
2           gions participating in the development of emer-  
3           gency communications capabilities and inter-  
4           operable emergency communications systems,  
5           including the extent to which the application in-  
6           cludes all incorporated municipalities, counties,  
7           parishes, and tribal governments within the  
8           State or eligible region, and their coordination  
9           with Federal and State agencies;

10           “(F) the extent to which a grant would ex-  
11           pedite the achievement of emergency commu-  
12           nications capabilities and communications inter-  
13           operability in the State or eligible region with  
14           Federal, State, and local government agencies;

15           “(G) the extent to which a State or eligible  
16           region, given its financial capability, dem-  
17           onstrates its commitment to expeditiously  
18           achieving emergency communications capabili-  
19           ties and communications interoperability by  
20           supplementing Federal funds with non-Federal  
21           funds;

22           “(H) whether the State or eligible region is  
23           on or near an international border;

1           “(I) whether the State or eligible region  
2 encompasses an economically significant border  
3 crossing;

4           “(J) whether the State or eligible region  
5 has a coastline bordering an ocean or inter-  
6 national waters;

7           “(K) the extent to which geographic bar-  
8 riers pose unusual obstacles to achieving emer-  
9 gency communications capabilities or commu-  
10 nications interoperability;

11           “(L) the threats, vulnerabilities, and con-  
12 sequences faced by the State or eligible region  
13 related to at-risk site or activities in nearby ju-  
14 risdictions, including the need to respond to  
15 natural or man-made disasters arising in those  
16 jurisdictions;

17           “(M) the need to achieve nationwide emer-  
18 gency communications capabilities and commu-  
19 nications interoperability, consistent with the  
20 national strategies;

21           “(N) the extent to which the State has for-  
22 mulated a State executive interoperability com-  
23 mittee or conducted similar statewide planning  
24 efforts; and

1           “(O) such other factors as are specified by  
2 the Secretary in writing.

3           “(2) REVIEW PANEL.—

4           “(A) IN GENERAL.—The Secretary shall  
5 establish a review panel under section 871(a) to  
6 assist in reviewing grant applications under this  
7 section.

8           “(B) RECOMMENDATIONS.—The review  
9 panel established under subparagraph (A) shall  
10 make recommendations to the Secretary regard-  
11 ing applications for grants under this section.

12           “(C) MEMBERSHIP.—The review panel es-  
13 tablished under subparagraph (A) shall include  
14 individuals with technical expertise in emer-  
15 gency communications and communications  
16 interoperability and emergency response pro-  
17 viders and other relevant State and local offi-  
18 cials.

19           “(3) AVAILABILITY OF FUNDS.—Any grant  
20 funds awarded that may be used to support emer-  
21 gency communications capabilities or communica-  
22 tions interoperability shall, as the Secretary may de-  
23 termine, remain available for up to 3 years, con-  
24 sistent with section 7303(e) of the Intelligence Re-

1 form and Terrorism Prevention Act of 2004 (6  
2 U.S.C. 194(e)).”.

3 **SEC. 102. CONFORMING AMENDMENTS RELATING TO IN-**  
4 **TELLIGENCE REFORM.**

5 Section 7303(g) of the Intelligence Reform and Ter-  
6 rorism Prevention Act of 2004 (6 U.S.C. 194(g)) is  
7 amended—

8 (1) by striking paragraph (1) and inserting the  
9 following:

10 “(1) INTEROPERABLE EMERGENCY COMMU-  
11 NICATIONS SYSTEM AND COMMUNICATIONS INTER-  
12 OPERABILITY.—The terms ‘interoperable emergency  
13 communications system’ and ‘communications inter-  
14 operability’ mean the ability of emergency response  
15 providers and relevant Federal, State, and local gov-  
16 ernment agencies to—

17 “(A) communicate with each other as nec-  
18 essary, using information technology systems  
19 and radio communications systems; and

20 “(B) exchange voice, data, or video with  
21 each other on demand, in real time, as nec-  
22 essary.”; and

23 (2) by adding at the end the following:

24 “(3) EMERGENCY COMMUNICATIONS CAPABILI-  
25 TIES.—The term ‘emergency communications capa-

1 bilities’ means the ability to provide and maintain,  
2 throughout an emergency response operation, a con-  
3 tinuous flow of information among emergency re-  
4 sponders, agencies, and government officials from  
5 multiple disciplines and jurisdictions and at all levels  
6 of government in the event of a natural disaster, ter-  
7 rorist attack, or other large-scale or catastrophic  
8 emergency, including where there has been signifi-  
9 cant damage to, or destruction of, critical infrastruc-  
10 ture, substantial loss of ordinary telecommunications  
11 infrastructure, and sustained loss of electricity.”.

12 **SEC. 103. COMMUNICATION SYSTEM GRANTS.**

13 (a) DEFINITIONS.—In this section—

14 (1) the term “demonstration project” means a  
15 demonstration project established under subsection  
16 (b)(1);

17 (2) the term “emergency response provider”  
18 has the meaning given that term in section 2(7) of  
19 the Homeland Security Act of 2002 (6 U.S.C.  
20 101(6)), as redesignated by this Act; and

21 (3) the term “interoperable emergency commu-  
22 nications system” has the meaning given that term  
23 in paragraph (10) of section 2 of the Homeland Se-  
24 curity Act of 2002 (6 U.S.C. 101), as amended by  
25 this Act.

1 (b) IN GENERAL.—

2 (1) ESTABLISHMENT.—There is established in  
3 the Department an “International Border Commu-  
4 nity Interoperable Communications Demonstration  
5 Project”.

6 (2) MINIMUM NUMBER OF COMMUNITIES.—The  
7 Secretary shall select not fewer than 6 communities  
8 to participate in a demonstration project.

9 (3) LOCATION OF COMMUNITIES.—Not fewer  
10 than 3 of the communities selected under paragraph  
11 (2) shall be located on the northern border of the  
12 United States and not fewer than 3 of the commu-  
13 nities selected under paragraph (2) shall be located  
14 on the southern border of the United States.

15 (c) PROJECT REQUIREMENTS.—A demonstration  
16 project shall—

17 (1) address the interoperable emergency com-  
18 munications system needs of police officers, fire-  
19 fighters, emergency medical technicians, National  
20 Guard, and other emergency response providers;

21 (2) foster interoperable emergency communica-  
22 tions systems—

23 (A) among Federal, State, local, and tribal  
24 government agencies in the United States in-



1           involved in preventing or responding to terrorist  
2           attacks or other catastrophic events; and

3                   (B) with similar agencies in Canada or  
4           Mexico;

5           (3) identify common international cross-border  
6           frequencies for communications equipment, including  
7           radio or computer messaging equipment;

8           (4) foster the standardization of equipment for  
9           interoperable emergency communications systems;

10           (5) identify solutions that will facilitate commu-  
11           nications interoperability across national borders ex-  
12           peditiously;

13           (6) ensure that emergency response providers  
14           can communicate with each other and the public at  
15           disaster sites or in the event of a terrorist attack or  
16           other catastrophic event;

17           (7) provide training and equipment to enable  
18           emergency response providers to deal with threats  
19           and contingencies in a variety of environments; and

20           (8) identify and secure appropriate joint-use  
21           equipment to ensure communications access.

22           (d) DISTRIBUTION OF FUNDS.—

23                   (1) IN GENERAL.—The Secretary shall dis-  
24           tribute funds under this section to each community  
25           participating in a demonstration project through the

1 State, or States, in which each community is lo-  
2 cated.

3 (2) OTHER PARTICIPANTS.—Not later than 60  
4 days after receiving funds under paragraph (1), a  
5 State receiving funds under this section shall make  
6 the funds available to the local governments and  
7 emergency response providers selected by the Sec-  
8 retary to participate in a demonstration project.

9 (e) REPORTING.—Not later than December 31, 2007,  
10 and each year thereafter in which funds are appropriated  
11 for a demonstration project, the Secretary shall submit to  
12 the Committee on Homeland Security and Governmental  
13 Affairs of the Senate and the Committee on Homeland  
14 Security of the House of Representatives a report on the  
15 demonstration projects.

16 **SEC. 104. TECHNICAL AND CONFORMING AMENDMENTS.**

17 (a) EXECUTIVE SCHEDULE.—

18 (1) ADMINISTRATOR.—Section 5313 of title 5,  
19 United States Code, is amended by adding at the  
20 end the following:

21 “Administrator of the United States Emergency  
22 Management Authority.”.

23 (2) DIRECTORS.—Section 5314 of title 5,  
24 United States Code, is amended by adding at the  
25 end the following:

1           “Directors, United States Emergency Manage-  
2           ment Authority.”.

3           (3) FEMA OFFICERS.—

4           (A) FEDERAL INSURANCE ADMINIS-  
5           TRATOR.—Section 5315 of title 5, United  
6           States Code, is amended by striking “Federal  
7           Insurance Administrator, Federal Emergency  
8           Management Agency.” and inserting “Insur-  
9           ance Administrator, United States Emergency  
10          Management Agency.”.

11          (B) INSPECTOR GENERAL.—Section 5315  
12          of title 5, United States Code, is amended by  
13          striking “Inspector General, Federal Emer-  
14          gency Management Agency.” and inserting “In-  
15          spector General, United States Emergency  
16          Management Agency.”.

17          (C) CHIEF INFORMATION OFFICER.—Sec-  
18          tion 5315 of title 5, United States Code, is  
19          amended by striking “Chief Information Offi-  
20          cer, Federal Emergency Management Agency.”  
21          and inserting “Chief Information Officer,  
22          United States Emergency Management Agen-  
23          cy.”.

1 (b) OFFICERS OF THE DEPARTMENT.—Section  
2 103(a) of the Homeland Security Act of 2002 (6 U.S.C.  
3 113(a)) is amended—

4 (1) by striking paragraph (5) and inserting the  
5 following:

6 “(5) An Administrator of the United States  
7 Emergency Management Authority.”;

8 (2) by striking paragraph (2); and

9 (3) by redesignating paragraphs (3) through  
10 (10) (as amended by this subsection) as paragraphs  
11 (2) through (9), respectively.

12 (c) REFERENCES.—Any reference to the Federal  
13 Emergency Management Agency, or the Director thereof,  
14 in any law, rule, regulation, certificate, directive, instruc-  
15 tion, or other official paper in force on the effective date  
16 of this title shall be considered to refer and apply to the  
17 United States Emergency Management Authority and the  
18 Administrator thereof, respectively.

19 (d) TABLE OF CONTENTS.—The table of contents in  
20 section 1(b) of the Homeland Security Act of 2002 (6  
21 U.S.C. 101 et seq.) is amended by striking the items relat-  
22 ing to title V and sections 501 through 509 and inserting  
23 the following:

“TITLE V—NATIONAL PREPAREDNESS AND RESPONSE

“Sec. 501. Definitions.

“Subtitle A—Preparedness and Response

- “See. 511. Definitions.
- “See. 512. United States Emergency Management Authority.
- “See. 513. Authorities and responsibilities.
- “See. 514. Authority components.
- “See. 515. Preserving the United States Emergency Management Authority.
- “See. 516. Directors.
- “See. 517. Regional Offices.
- “See. 518. National Advisory Council on Preparedness and Response.
- “See. 519. National Incident Management System Integration Center.
- “See. 520. National Operations Center.
- “See. 521. Chief Medical Officer.
- “See. 522. Public and community preparedness.
- “See. 523. Basic life supporting first aid education for children.
- “See. 524. SAVER Program.
- “See. 525. National Search and Rescue Response System.
- “See. 526. Metropolitan Medical Response System.
- “See. 527. National Infrastructure Simulation and Analysis Center.
- “See. 528. Emergency Management Assistance Compact authorization.
- “See. 529. Office for the Prevention of Terrorism.
- “See. 530. Department officials.
- “See. 531. Credentialing.
- “See. 532. Typing of resources.
- “See. 533. Providing secure access to critical infrastructure.
- “See. 534. Improvements to information technology systems.
- “See. 535. Hurricane and tsunami evacuation technical assistance.
- “See. 536. Nuclear incident response.
- “See. 537. Conduct of certain public health-related activities.
- “See. 538. Use of national private sector networks in emergency response.
- “See. 539. Use of commercially available technology, goods, and services.
- “See. 540. Procurement of security countermeasures for strategic national stockpile.
- “See. 541. Urban and other high risk area communications capabilities.

“Subtitle B—Emergency Communications

- “See. 551. Definitions.
- “See. 552. Office of Emergency Communications.
- “See. 553. National Emergency Communications Strategy.
- “See. 554. Assessments and reports.
- “See. 555. Coordination of Federal emergency communications grant programs.
- “See. 556. Emergency communications interoperability research and development.
- “See. 557. Emergency communications pilot projects.
- “See. 558. Emergency communications and interoperability grants.”.

1           **TITLE II—STAFFORD ACT**  
2                           **AMENDMENTS**

3   **SEC. 201. GENERAL FEDERAL ASSISTANCE.**

4           Section 402 of the Robert T. Stafford Disaster Relief  
5 and Emergency Assistance Act (42 U.S.C. 5170a) is  
6 amended—

7           (1) by striking “In any major disaster, the  
8    President” and inserting the following:

9           “(a) IN GENERAL.—In any major disaster, the Presi-  
10 dent”;

11           (2) in subsection (a)(1), as so designated by  
12 this section, by striking “efforts” and inserting “re-  
13 sponse or recovery efforts, including precautionary  
14 evacuations”;

15           (3) in subsection (a)(2), as so designated by  
16 this section, by striking the semicolon and inserting  
17 “, including precautionary evacuations;”; and

18           (4) by adding at the end the following:

19           “(5) provide accelerated Federal assistance and  
20 Federal support where necessary to save lives, pre-  
21 vent human suffering, or mitigate severe damage,  
22 which may be provided in the absence of a specific  
23 request and in which case the President—

1           “(A) shall, to the extent practicable, notify  
2           and coordinate with a State in which such as-  
3           sistance or support is provided; and

4           “(B) shall not, in notifying and coordi-  
5           nating with a State under subparagraph (A),  
6           delay or impede the rapid deployment, use, and  
7           distribution of critical resources to victims of a  
8           major disaster.

9           “(b) RECOVERY EFFORTS.—In any major disaster,  
10          the President may assist State and local governments in  
11          short-term and long-term recovery from the consequences  
12          of a major disaster and coordinate any such federal assist-  
13          ance provided by—

14               “(1) identifying federal programs and agencies  
15               to support the implementation of short-term and  
16               long-term recovery efforts of State, regional, local,  
17               tribal governments;

18               “(2) directing any Federal agency, with or  
19               without reimbursement to utilize its authorities and  
20               resources to—

21                       “(A) support State, and local governments,  
22                       nongovernmental organizations, and the private  
23                       sector by conducting a postdisaster assessment  
24                       of social, economic, and environmental impacts;  
25                       and

1           “(B) provide technical assistance, guid-  
2           ance, and resources to State and local govern-  
3           ments to undertake long-term recovery activi-  
4           ties;

5           “(3) creating a plan that clearly outlines the  
6           roles, responsibilities, and shared activities of each  
7           Federal department and agency involved in long-  
8           term recovery activities;

9           “(4) coordinating long-term recovery activities  
10          and mitigation provided by all Federal agencies,  
11          nongovernmental organizations, the private sector,  
12          and State and local governments; and

13          “(5) providing technical assistance and other  
14          advice to State and local governments affected by  
15          the major disaster to—

16                 “(A) assess social, economic, and environ-  
17                 mental impacts (including impacts to living re-  
18                 sources) of the major disaster on the affected  
19                 geographic region;

20                 “(B) support coordinated, multi-scale plan-  
21                 ning that takes postdisaster assessments and  
22                 hazard and risk modeling into account;

23                 “(C) coordinate data sharing and informa-  
24                 tion management between Federal agencies,



1 State and local governments, nongovernmental  
2 organizations, and the private sector;

3 “(D) coordinate implementation of plans  
4 for long-term recovery activities; and

5 “(E) manage, control, and mitigate hazard  
6 risk in a way that reduces injuries, loss of life,  
7 damage to the natural environment, and dam-  
8 age and destruction of property, including dam-  
9 age to living resources and facilities.

10 “(c) LONG-TERM RECOVERY OFFICES.—The Presi-  
11 dent may establish and operate long-term recovery offices  
12 in any area in which the President has declared a major  
13 disaster.

14 “(d) GUIDELINES.—The President shall promulgate  
15 and maintain guidelines to assist Governors in making re-  
16 quests under this section by defining the types of assist-  
17 ance available to affected States and the circumstances  
18 under which such requests are likely to be approved.”.

19 **SEC. 202. NATIONAL DISASTER RECOVERY STRATEGY.**

20 (a) IN GENERAL.—The Administrator, in coordina-  
21 tion with the Secretary of Housing and Urban Develop-  
22 ment, the Administrator of the Environmental Protection  
23 Agency, the Secretary of Agriculture, the Secretary of  
24 Commerce, the Secretary of the Treasury, the Adminis-  
25 trator of the Small Business Administration, and State

1 and local government officials, shall develop, coordinate,  
2 and maintain a National Disaster Recovery Strategy.

3 (b) CONTENTS.—The National Disaster Recovery  
4 Strategy shall—

5 (1) outline the most efficient and cost effective  
6 Federal programs that will meet the short-term and  
7 long-term recovery needs of States, local govern-  
8 ments, and individuals affected by a major disaster;

9 (2) clearly define the role, programs, authori-  
10 ties, and responsibilities of each Federal department  
11 or agency that may be of assistance in providing as-  
12 sistance in the recovery from a major disaster;

13 (3) describe in detail the programs that will be  
14 offered by the departments and agencies described in  
15 paragraph (2), including—

16 (A) discussing funding issues;

17 (B) detailing how responsibilities under the  
18 National Disaster Recovery Strategy will be  
19 shared; and

20 (C) addressing other matters concerning  
21 the cooperative effort to provide recovery assist-  
22 ance.

23 (c) REPORT.—Not later than 270 days after the date  
24 of enactment of this Act, and on May 1 of every year  
25 thereafter, the Administrator shall submit to the Com-

1 mittee on Homeland Security and Governmental Affairs  
2 of the Senate and the Committee on Homeland Security  
3 of the House of Representatives a report describing in de-  
4 tail the National Disaster Recovery Strategy and any ad-  
5 ditional authorities necessary to implement any portions  
6 of the National Disaster Recovery Strategy.

7 **SEC. 203. ENVIRONMENTAL MITIGATION.**

8 (a) IN GENERAL.—Section 322(c)(1) of the Robert  
9 T. Stafford Disaster Relief and Emergency Assistance Act  
10 (42 U.S.C. 5165(c)(1)) is amended by inserting “or man-  
11 made” after “natural”.

12 (b) HAZARD MITIGATION.—The second sentence of  
13 section 404(a) of the Robert T. Stafford Disaster Relief  
14 and Emergency Assistance Act (42 U.S.C. 5170c(a)) is  
15 amended by inserting “or man-made” after “natural”.

16 **SEC. 204. DISASTER HOUSING STRATEGY.**

17 (a) IN GENERAL.—The Administrator, in coordina-  
18 tion with the Secretary of Housing and Urban Develop-  
19 ment and State and local government officials, shall de-  
20 velop, coordinate, and maintain a National Disaster Hous-  
21 ing Strategy.

22 (b) CONTENTS.—The National Disaster Housing  
23 Strategy shall—

24 (1) outline the most efficient and cost effective  
25 Federal programs that will best meet the short-term

1 and long-term housing needs of individuals and  
2 households affected by major disasters;

3 (2) clearly define the role, programs, authori-  
4 ties, and responsibilities of each entity in providing  
5 housing assistance in the event of a major disaster,  
6 including—

7 (A) the Authority;

8 (B) the Department of Housing and  
9 Urban Development;

10 (C) the Department of Agriculture;

11 (D) the Department of Veterans Affairs;

12 (E) the Department of Health and Human  
13 Services;

14 (F) any other Federal agency that may  
15 provide housing assistance in the event of a  
16 major disaster;

17 (G) the American Red Cross; and

18 (H) State and local governments;

19 (3) describe in detail the programs that will be  
20 offered by the entities described in paragraph (2),  
21 including—

22 (A) outlining any funding issues;

23 (B) detailing how responsibilities under the  
24 National Disaster Housing Strategy will be  
25 shared; and

1 (C) addressing other matters concerning  
2 the cooperative effort to provide housing assist-  
3 ance during a major disaster;

4 (4) consider methods through which housing as-  
5 sistance can be provided to individuals and house-  
6 holds where employment and other resources for liv-  
7 ing are available;

8 (5) describe programs directed to meet the  
9 needs of special needs and low income populations;

10 (6) describe plans for the operation of clusters  
11 of housing provided to individuals and households,  
12 including but not limited to access to public services,  
13 site management, security, and site density; and

14 (7) describe any additional authorities nec-  
15 essary to carry out any portion of the strategy.

16 (c) REPORT.—Not later than 270 days after the date  
17 of enactment of this Act, and on May 1 of every year  
18 thereafter, the Administrator shall submit to the Com-  
19 mittee on Homeland Security and Governmental Affairs  
20 and the Committee on Banking, Housing, and Urban Af-  
21 fairs of the Senate and the Committee on Homeland Secu-  
22 rity and the Committee on Transportation and Infrastruc-  
23 ture of the House of Representatives a report describing  
24 in detail the National Disaster Housing Strategy, includ-

1 ing programs directed to meeting the needs of special  
2 needs populations.

3 **SEC. 205. ESSENTIAL SERVICES.**

4 Title IV of the Robert T. Stafford Disaster Relief and  
5 Emergency Assistance Act (42 U.S.C. 5170 et seq.) is  
6 amended by adding at the end the following:

7 **“SEC. 425. ESSENTIAL SERVICE PROVIDERS.**

8 “(a) DEFINITION.—In this section, the term ‘essen-  
9 tial service provider’ means an entity that—

10 “(1) provides—

11 “(A) telecommunications service;

12 “(B) electrical power;

13 “(C) natural gas;

14 “(D) water and sewer services; or

15 “(E) any other essential service, as deter-  
16 mined by the President;

17 “(2) is—

18 “(A) a municipal entity;

19 “(B) a nonprofit entity; or

20 “(C) a private, for-profit entity; and

21 “(3) is contributing to efforts to respond to an  
22 emergency or major disaster.

23 “(b) AUTHORIZATION.—In an emergency or major  
24 disaster, the President may use Federal equipment, sup-  
25 plies, facilities, personnel, and other non-monetary re-

1 sources to assist an essential service provider, in exchange  
2 for reasonable compensation.

3 “(c) COMPENSATION.—

4 “(1) IN GENERAL.—The President shall, by  
5 regulation, establish a mechanism to set reasonable  
6 compensation to the Federal Government for the  
7 provision of assistance under subsection (b).

8 “(2) CRITERIA.—The mechanism established  
9 under paragraph (1)—

10 “(A) shall reflect the cost to the govern-  
11 ment (or if this is not readily obtainable, the  
12 full market value under the applicable cir-  
13 cumstances) for assistance provided under sub-  
14 section (b) in setting compensation;

15 “(B) shall have, to the maximum degree  
16 feasible, streamlined procedures for determining  
17 compensation; and

18 “(C) may, at the President’s discretion, be  
19 based on a good faith estimate of cost to the  
20 government rather than an actual accounting of  
21 costs.

22 “(3) PERIODIC REVIEW.—The President shall  
23 periodically review, and if necessary revise, the regu-  
24 lations established under paragraphs (1) and (2) to  
25 ensure that these regulations result in full com-

1       pensation to the government for transferred re-  
2       sources. Such reviews shall occur no less frequently  
3       than once every 2 years, and the results of such re-  
4       views shall be reported to the Committee on Trans-  
5       portation and Infrastructure and the Committee on  
6       Homeland Security of the House of Representatives  
7       and the Committee on Homeland Security and Gov-  
8       ernmental Affairs of the Senate.”.

9       **SEC. 206. HAZARD MITIGATION GRANT PROGRAM FOR-**  
10                                   **MULA.**

11       The third sentence of section 404(a) of the Robert  
12       T. Stafford Disaster Relief and Emergency Assistance Act  
13       (42 U.S.C. 5170c(a)) is amended by striking “7.5 per-  
14       cent” and inserting “15 percent for the amount spent up  
15       to \$2,000,000,000, 10 percent for amounts between  
16       \$2,000,000,000 and \$10,000,000,000, and 7.5 percent on  
17       amounts spent between \$10,000,000,000 and  
18       \$35,333,000,000”.

19       **SEC. 207. HOUSING ASSISTANCE.**

20       Section 408 of the Robert T. Stafford Disaster Relief  
21       and Emergency Assistance Act (42 U.S.C. 5174) is  
22       amended—

23               (1) in subsection (b), by adding at the end the  
24       following:



1           “(3) CONSENT OF INDIVIDUAL OR HOUSE-  
2           HOLD.—

3                   “(A) IN GENERAL.—Notwithstanding para-  
4                   graph (2), the President shall seek the consent  
5                   of each individual or household before providing  
6                   such individual or household with a direct hous-  
7                   ing assistance option.

8                   “(B) REJECTION OF DIRECT HOUSING AS-  
9                   SISTANCE.—If an individual or household does  
10                  not provide consent under subparagraph (A),  
11                  such individual or household shall remain eligi-  
12                  ble for any other assistance available under this  
13                  section.”; and

14                  (2) in subsection (c)(1)—

15                   (A) by striking “TEMPORARY” in the para-  
16                   graph heading;

17                   (B) in paragraph (1)(B)—

18                           (i) in clause (i), by striking “housing  
19                           units” and inserting “semi-permanent, or  
20                           permanent housing”; and

21                           (ii) in clause (iii), by striking “hous-  
22                           ing units” and inserting “semi-permanent,  
23                           or permanent housing”;

24                   (C) in paragraph (4)—

- 1 (i) by inserting “or semi-permanent”  
2 after “permanent”; and  
3 (ii) by striking “insular” and “re-  
4 mote”.

5 **SEC. 208. MAXIMUM AMOUNT UNDER INDIVIDUAL ASSIST-**  
6 **ANCE PROGRAMS.**

7 Section 408(c) of the Robert T. Stafford Disaster Re-  
8 lief and Emergency Assistance Act (42 U.S.C. 5174(e))  
9 is amended—

- 10 (1) by striking paragraph (2)(C); and  
11 (2) in paragraph (3)—  
12 (A) by striking subparagraph (B); and  
13 (B) by redesignating subparagraph (C) as  
14 subparagraph (B).

15 **SEC. 209. COORDINATING OFFICERS.**

16 Section 302(b) of the Robert T. Stafford Disaster Re-  
17 lief and Emergency Assistance Act (42 U.S.C. 5143(b))  
18 is amended—

- 19 (1) in paragraph (3), by striking “and” at the  
20 end;  
21 (2) in paragraph (4), by striking the period and  
22 inserting “; and”; and  
23 (3) by adding at the end the following:

1           “(5) serve as a primary point of contact for,  
2           and provide situational awareness to, the Secretary  
3           of Homeland Security.”.

4 **SEC. 210. DEFINITIONS.**

5           Section 102 of the Robert T. Stafford Disaster Relief  
6 and Emergency Assistance Act (42 U.S.C. 5122) is  
7 amended—

8           (1) in paragraph (2), by striking “or, regardless  
9           of cause, any fire, flood, or explosion” and inserting  
10          “any fire, flood, or explosion (regardless of cause),  
11          any act of domestic terrorism or international ter-  
12          rorism (as those terms are defined in section 2331  
13          of title 18, United States Code), any outbreak of in-  
14          fectious disease, any chemical release, or any other  
15          incident”;

16          (2) in paragraph (9), by inserting “(including  
17          museums, zoos, performing arts organizations, com-  
18          munity centers, libraries, homeless shelters, senior  
19          citizen centers, rehabilitation facilities, and shelter  
20          workshops)” after “general public”; and

21          (3) by redesignating paragraphs (6) through  
22          (9) as paragraphs (7) through (10), respectively,  
23          and inserting after paragraph (5) the following:

24                 “(6) INDIVIDUAL WITH A DISABILITY.—The  
25                 term ‘individual with a disability’ means an indi-

1       vidual with a disability as defined in section 3(2) of  
 2       the Americans with Disabilities Act of 1990 (42  
 3       U.S.C. 12102(2)).”.

4       **SEC. 211. CATASTROPHIC DAMAGE ASSISTANCE.**

5       The Robert T. Stafford Disaster Relief and Emer-  
 6       gency Assistance Act (42 U.S.C. 5121 et seq.) is amend-  
 7       ed—

8               (1) by redesignating title VII as title VIII;

9               (2) by redesignating sections 701 through 705  
 10       as subsections 801 through 805, respectively; and

11              (3) by inserting after title VI, the following:

12              **“TITLE VII—CATASTROPHIC**  
 13              **DAMAGE ASSISTANCE**

14              **“SEC. 701. ADDITIONAL ASSISTANCE.**

15              “(a) IN GENERAL.—Following a declaration of a  
 16       major disaster, if a damage assessment indicates that  
 17       damages qualify as catastrophic, the President may pro-  
 18       vide, in addition to other relief available under section  
 19       408, the assistance provided for in this title or alter the  
 20       assistance available under section 408 as described in this  
 21       title.

22              “(b) REGULATIONS.—The President shall promul-  
 23       gate regulations establishing a threshold for a catastrophic  
 24       damages determination which consider the following fac-  
 25       tors:

1           “(1) The dollar amount per capita of damage to  
2 the State, its political subdivisions, or a region.

3           “(2) The impact on the ability of the State, its  
4 political subdivisions, or regions to perform response  
5 and recovery activities, as well as capacity to provide  
6 basic services to citizenry.

7           “(3) The estimated impact of revenue loss to  
8 the State, its political subdivisions, or a region.

9           “(4) The number of individuals and households  
10 displaced from their predisaster residences by the  
11 event.

12           “(5) The severity of loss of housing stock, util-  
13 ity services, and alternative living accommodations.

14           “(6) The severity of the impact on employment  
15 rates in the State, its political subdivisions, or a re-  
16 gion.

17           “(7) The anticipated length and difficulty of the  
18 recovery process.

19           “(8) Other factors that the President deems  
20 relevant.

21 **“SEC. 702. CATASTROPHIC DAMAGE.**

22           “(a) IN GENERAL.—

23           “(1) TYPES OF ASSISTANCE.—In the event of a  
24 catastrophic damages determination under section  
25 701 the President may provide to an individual or

1 household any type of assistance authorized under  
2 section 408 in the event of a major disaster.

3 “(2) TERMS.—Except as provided in subsection  
4 (b), assistance under paragraph (1) shall be pro-  
5 vided on the same terms and conditions as under  
6 section 408.

7 “(b) MAXIMUM AMOUNT; FEDERAL SHARE.—

8 “(1) MAXIMUM AMOUNT.—The President may  
9 increase the maximum amount of assistance under  
10 subsection (a)(1), which may not exceed twice the  
11 maximum amount authorized under section 408(h).

12 “(2) FEDERAL SHARE.—The President may in-  
13 crease the Federal share of the costs eligible to be  
14 paid using assistance provided under subsection  
15 (a)(1) to not more than—

16 “(A) 100 percent for assistance provided  
17 under section 408(g)(2) during the 3-month pe-  
18 riod beginning on the date on which the Presi-  
19 dent declared the major disaster; and

20 “(B) 90 percent for assistance provided  
21 under section 408(g)(2) during the period be-  
22 ginning on the day after the date described in  
23 subparagraph (A) and ending on the date that  
24 is 9 months after the date on which the Presi-  
25 dent declared the major disaster.

1 **“SEC. 703. MORTGAGE AND RENTAL ASSISTANCE.**

2 “(a) **ELIGIBLE PERSON.**—In this section, the term  
3 ‘eligible person’ means an individual or household who—

4 “(1) resides in his or her predisaster primary  
5 residence;

6 “(2) has experienced a loss of at least 20 per-  
7 cent of his or her predisaster income as a result of  
8 a major disaster;

9 “(3) has a rent or mortgage payment that con-  
10 stitutes at least 25 percent of his or her post-dis-  
11 aster income; and

12 “(4) as a result of financial hardship caused by  
13 the incident determined to have caused catastrophic  
14 damage, is subject to—

15 “(A) dispossession or eviction from the res-  
16 idence of the individual or household; or

17 “(B) foreclosure of a mortgage or lien or  
18 termination of a lease entered into before the  
19 date on which the catastrophic incident was de-  
20 clared.

21 “(b) **ASSISTANCE.**—The President may provide as-  
22 sistance to eligible persons to make mortgage or rental  
23 payments.

24 “(c) **LIMITATIONS.**—Assistance under subsection (b)  
25 shall be included against the assistance limitation under  
26 section 702(b)(1). Such assistance shall be provided as an

1 alternative to other housing assistance described in sec-  
2 tions 408(b) and 702(a).

3 “(d) PROMULGATION OF RULES AND VERIFICATION  
4 REQUIREMENTS.—Not later than 120 days after the date  
5 of enactment of the Post Katrina Emergency Management  
6 Reform Act of 2006, the President shall promulgate rules  
7 and issue verification requirements, documents, and proce-  
8 dures to administer the program authorized under this  
9 section.

10 “(e) PERIOD OF ASSISTANCE.—The President may  
11 not provide assistance to an individual or household under  
12 subsection (b) for more than 12 months during the 18-  
13 month period beginning on the date of the declaration of  
14 a major disaster by the President.

15 **“SEC. 704. DISASTER UNEMPLOYMENT ASSISTANCE.**

16 “(a) IN GENERAL.—The President may provide to an  
17 individual unemployed as a result of a major disaster caus-  
18 ing catastrophic damage as determined under section  
19 701(a) any assistance authorized under section 410 in the  
20 event of a major disaster for the period authorized under  
21 subsection (b).

22 “(b) DURATION OF ASSISTANCE.—The President  
23 may provide assistance to an individual under subsection  
24 (a) for not more than 52 weeks after the date on which



1 the President declared the major disaster that resulted in  
2 the unemployment of that individual.

3 **“SEC. 705. COMMUNITY DISASTER LOAN PROGRAM.**

4 “(a) IN GENERAL.—Except as provided in subsection  
5 (b), the President may provide to a local government lo-  
6 cated in an area for which the President has determined  
7 has suffered catastrophic damage from a major disaster  
8 any assistance authorized under section 417 in the event  
9 of a major disaster.

10 “(b) MAXIMUM AMOUNT AND USE OF FUNDS.—

11 “(1) MAXIMUM AMOUNT.—In providing assist-  
12 ance under subsection (a), the President may waive  
13 the limitations under section 417(b) on the max-  
14 imum amount of a loan under section 417. The  
15 President may establish additional criteria for eligi-  
16 bility for assistance provided in excess of the limita-  
17 tion under Sec. 417(b) in order to ensure that the  
18 additional assistance is awarded to those jurisdic-  
19 tions most impacted by the major disaster.

20 “(2) USE OF FUNDS.—The President may au-  
21 thorize a local government receiving assistance under  
22 subsection (a) to use that assistance for salaries, in-  
23 cluding overtime, of employees of that local govern-  
24 ment.

1 **“SEC. 706. REIMBURSEMENT FOR PURCHASES.**

2 “(a) DEFINITIONS.—In this section:

3 “(1) DISASTER PERIOD.—The term ‘disaster  
4 period’ means, with respect to any State that in-  
5 cludes an area for which a major disaster has been  
6 declared in accordance with section 401, the period  
7 beginning on the earliest date on which any area of  
8 the State was so declared and ending on the latest  
9 date for which any such declaration of an area of  
10 the State terminates.

11 “(2) SURVIVOR.—The term ‘survivor’ means an  
12 individual who—

13 “(A) resides in an area for which a major  
14 disaster has been declared in accordance with  
15 section 401; or

16 “(B) resided in an area described in sub-  
17 paragraph (A) during the 7 days immediately  
18 preceding the date of declaration of a major  
19 disaster described in subparagraph (A).

20 “(b) REIMBURSEMENT.—

21 “(1) IN GENERAL.—Notwithstanding any other  
22 provision of law, the President may reimburse a  
23 community for each purchase of supplies (such as  
24 food, personal hygiene products, linens, and cloth-  
25 ing) distributed to survivors. The Federal share of  
26 such assistance shall be 90 percent.

1           “(2) ELIGIBLE PURCHASES.—Reimbursement  
2           under paragraph (1) shall be available only with re-  
3           spect to supplies that—

4                   “(A) are purchased with taxpayer dollars;  
5           and

6                   “(B) would otherwise be eligible for reim-  
7           bursement if purchased by a survivor.

8           “(c) PERIOD OF APPLICABILITY.—This section and  
9           the authority provided by this section apply only to a com-  
10          munity assisting survivors from a State during the dis-  
11          aster period of the State.”.

12   **SEC. 212. INDIVIDUALS WITH DISABILITIES.**

13          (a) STANDARDS.—Not later than 90 days after the  
14          date of enactment of this Act, the Administrator shall de-  
15          velop standards to accommodate individuals with disabil-  
16          ities, which shall include standards for—

17                  (1) the accessibility of, and communications and  
18          programs in, shelters, recovery centers, and other fa-  
19          cilities; and

20                  (2) devices used in connection with disaster op-  
21          erations, including first aid stations, mass feeding  
22          areas, portable payphone stations, portable toilets,  
23          and temporary housing.

24          (b) NONDISCRIMINATION IN DISASTER ASSIST-  
25          ANCE.—Section 308(a) of the Robert T. Stafford Disaster

1 Relief and Emergency Assistance Act (42 U.S.C. 5151(a))  
2 is amended by inserting “disability,” after “age,”.

3 (c) ESSENTIAL ASSISTANCE.—Section 403(a) of the  
4 Robert T. Stafford Disaster Relief and Emergency Assist-  
5 ance Act (42 U.S.C. 5170b(a)) is amended—

6 (1) in paragraph (2), by inserting “durable  
7 medical equipment,” after “medicine”; and

8 (2) in paragraph (3)(B), by inserting “durable  
9 medical equipment,” after “medicine”.

10 (d) REPAIR, RESTORATION, AND REPLACEMENT OF  
11 DAMAGED FACILITIES.—Section 406(e)(1)(A)(ii) of the  
12 Robert T. Stafford Disaster Relief and Emergency Assist-  
13 ance Act (42 U.S.C. 5172(e)(1)(A)(ii)) is amended by in-  
14 serting “disability accessibility requirements,” after “spec-  
15 ifications” .

16 (e) FEDERAL ASSISTANCE TO INDIVIDUALS AND  
17 HOUSEHOLDS.—Section 408 of the Robert T. Stafford  
18 Disaster Relief and Emergency Assistance Act (42 U.S.C.  
19 5174) is amended—

20 (1) in subsection (b)(1), by inserting “, or with  
21 respect to individuals with disabilities, rendered in-  
22 accessible or uninhabitable,” after “uninhabitable”;  
23 and

24 (2) in subsection (d)(1)(A)—

1 (A) in clause (i), by striking “and” after  
2 the semicolon;

3 (B) by redesignating clause (ii) as clause  
4 (iii); and

5 (C) by inserting after clause (i) the fol-  
6 lowing:

7 “(ii) meets the physical accessibility  
8 requirements for individuals with disabili-  
9 ties; and”.

10 (f) EMERGENCY PUBLIC TRANSPORTATION.—Section  
11 419 of the Robert T. Stafford Disaster Relief and Emer-  
12 gency Assistance Act (42 U.S.C. 5186) is amended by in-  
13 serting “The President shall ensure to the maximum ex-  
14 tent practicable that temporary public transportation serv-  
15 ices under this section are planned, designed, and carried  
16 out to meet the needs of individuals with disabilities and  
17 others with special needs.” at the end.

18 (g) EXERCISES.—The Administrator shall include in-  
19 dividuals with disabilities in preparedness and planning  
20 activities.

21 **SEC. 213. DISABILITY COORDINATOR.**

22 The Robert T. Stafford Disaster Relief and Emer-  
23 gency Assistance Act is amended by inserting after section  
24 302 the following:

1 **“SEC. 302A. DISABILITY COORDINATOR.**

2       “(a) IN GENERAL.—After consultation with organi-  
3 zations representing individuals with disabilities and the  
4 Interagency Coordinating Council on Preparedness and  
5 Individuals with Disabilities established under Executive  
6 Order 13347 (6 U.S.C. 312 note), the Administrator of  
7 the United States Emergency Management Agency shall  
8 appoint a Disability Coordinator. The Disability Coordi-  
9 nator shall report directly to the Administrator, in order  
10 to ensure that the needs of individuals with disabilities are  
11 being properly addressed in emergency preparedness and  
12 disaster relief.

13       “(b) RESPONSIBILITIES.—The Disability Coordinator  
14 shall be responsible for—

15               “(1) providing guidance and coordination on  
16 matters related to individuals with disabilities in  
17 emergency planning requirements and relief efforts  
18 in the event of a major disaster;

19               “(2) interacting directly with Administration  
20 staff, the Interagency Coordinating Council on Pre-  
21 paredness and Individuals with Disabilities estab-  
22 lished under Executive Order No. 13347 (6 U.S.C.  
23 312 note), other agencies of the Federal Govern-  
24 ment, and State and local government authorities re-  
25 garding the needs of individuals with disabilities in

1 emergency planning requirements and relief efforts  
2 in the event of a major disaster;

3 “(3) consulting with organizations that rep-  
4 resent the interests and rights of individuals with  
5 disabilities about the needs of individuals with dis-  
6 abilities in emergency planning requirements and re-  
7 lief efforts in the event of a major disaster;

8 “(4) coordinating and disseminating best prac-  
9 tices and model evacuation plans for individuals with  
10 disabilities;

11 “(5) developing a curriculum for first responder  
12 training on the needs of individuals with disabilities,  
13 including the needs of individuals with physical dis-  
14 abilities and the needs of individuals with psychiatric  
15 disabilities;

16 “(6) developing training materials for State and  
17 local governmental officials, first responders, and  
18 others about the importance of allowing individuals  
19 with disabilities to retain their durable medical  
20 equipment, wheelchairs, service animals, and other  
21 assistive devices, to the maximum extent possible, in  
22 the aftermath of a major disaster;

23 “(7) working with the Director of the Centers  
24 for Medicare and Medicaid Services, durable medical  
25 equipment regional carriers, manufacturers and sup-

1 pliers of durable medical equipment, and medical  
2 professionals to draft an emergency response plan  
3 for the temporary loan or replacement of durable  
4 medical equipment in the event of a major disaster;

5 “(8) ensuring the accessibility of telephone hot-  
6 lines and websites regarding emergency prepared-  
7 ness, evacuations, and disaster relief;

8 “(9) working with the Chairman of the Federal  
9 Communications Commission to ensure that video  
10 programming distributors, including broadcasters,  
11 cable operators, and satellite television services,  
12 make emergency information accessible to individ-  
13 uals with hearing and vision disabilities;

14 “(10) coordinating the availability of accessible  
15 transportation options for individuals with disabil-  
16 ities in the event of an evacuation;

17 “(11) providing guidance and implementing  
18 policies to ensure that the rights and wishes of indi-  
19 viduals with disabilities regarding post-evacuation  
20 residency and relocation are respected;

21 “(12) ensuring that meeting the needs of indi-  
22 viduals with disabilities are included in any Federal  
23 emergency response plans; and





1 higher percentage, based on census  
2 data or other available data on the lo-  
3 cation of people with disabilities, or in  
4 response to evidence of a need for  
5 higher percentage or number received  
6 in any other manner. In reviewing a  
7 request under this subclause, or other-  
8 wise assessing the existence of such  
9 needs, the President shall take into  
10 account the expected needs of eligible  
11 persons with an without disabilities”.

12 **SEC. 215. GAO STUDY ON ACCESSIBILITY OF EMERGENCY**  
13 **SHELTERS.**

14 (a) IN GENERAL.—The Comptroller General of the  
15 United States shall conduct a national study regarding  
16 whether, and, if so, to what extent, emergency shelters for  
17 use in response to a major disaster, as that term is defined  
18 in section 102(2) of the Robert T. Stafford Disaster Relief  
19 and Emergency Assistance Act (42 U.S.C. 5122(2)) are  
20 accessible to, and usable by, individuals with disabilities.

21 (b) REPORT.—Not later than 12 months after the  
22 date of enactment of this Act, the Comptroller General  
23 of the United States shall submit a report summarizing  
24 the results of this study to the Committee on Homeland  
25 Security and Governmental Affairs and the Committee on

1 Health, Education, Labor, and Pensions of the Senate and  
2 the Committee on Homeland Security and the Committee  
3 on Education and the Workforce of the House of Rep-  
4 resentatives.

5 **SEC. 216. REUNIFICATION.**

6 (a) DEFINITIONS.—In this section:

7 (1) CHILD LOCATOR CENTER.—The term  
8 “Child Locator Center” means the National Emer-  
9 gency Child Locator Center established under sub-  
10 section (c).

11 (2) DECLARED EVENT.—The term “declared  
12 event” means major disaster or emergency declared  
13 under the short title.

14 (3) DISPLACED ADULT.—The term “displaced  
15 adult” means an individual 21 years of age or older  
16 who is displaced from the habitual residence of that  
17 individual as a result of a declared event.

18 (4) DISPLACED CHILD.—The term “displaced  
19 child” means an individual under 21 years of age  
20 who is displaced from the habitual residence of that  
21 individual as a result of a declared event.

22 (b) NATIONAL EMERGENCY CHILD LOCATOR CEN-  
23 TER.—

24 (1) IN GENERAL.—Not later than 180 days  
25 after the date of enactment of this Act, the Attorney

1 General of the United States, in coordination with  
2 the Authority, shall establish within the National  
3 Center for Missing and Exploited Children the Na-  
4 tional Emergency Child Locator Center.

5 (2) PURPOSES.—The purposes of the Child Lo-  
6 cator Center are to—

7 (A) enable individuals to provide to the  
8 Child Locator Center the name of and other  
9 identifying information about a displaced child  
10 or a displaced adult who may have information  
11 about the location of a displaced child;

12 (B) enable individuals to receive informa-  
13 tion about other sources of information about  
14 displaced children and displaced adults; and

15 (C) assist law enforcement in locating dis-  
16 placed children.

17 (3) RESPONSIBILITIES AND DUTIES.—The re-  
18 sponsibilities and duties of the Child Locator Center  
19 are to—

20 (A) establish a toll-free telephone number  
21 to receive reports of displaced children and in-  
22 formation about displaced adults that may as-  
23 sist in locating displaced children;

24 (B) create a website to provide information  
25 about displaced children;

1 (C) deploy its staff to the location of a de-  
2 clared event to gather information about dis-  
3 placed children;

4 (D) assist in the reunification of displaced  
5 children with their families;

6 (E) provide information to the public about  
7 additional resources for disaster assistance;

8 (F) work in partnership with Federal,  
9 State, and local law enforcement agencies;

10 (G) provide technical assistance in locating  
11 displaced children;

12 (H) share information on displaced chil-  
13 dren and displaced adults with governmental  
14 agencies and nongovernmental organizations  
15 providing disaster assistance;

16 (I) use its resources to gather information  
17 about displaced children;

18 (J) refer reports of displaced adults to an  
19 entity designated by the Attorney General to  
20 provide technical assistance in locating dis-  
21 placed adults;

22 (K) enter into cooperative agreements with  
23 Federal and State agencies as necessary to im-  
24 plement the mission of the Child Locator Cen-  
25 ter; and

1           (L) develop an emergency response plan to  
 2           prepare for the activation of the Child Locator  
 3           Center.

4           (c) CONFORMING AMENDMENTS.—Section 403(1) of  
 5 the Missing Children’s Assistance Act (42 U.S.C.  
 6 5772(1)) is amended—

7           (1) in subparagraph (A), by striking “or” at  
 8           the end;

9           (2) in subparagraph (B), by adding “or” after  
 10          the semicolon; and

11          (3) by inserting after subparagraph (B) the fol-  
 12          lowing:

13                   “(C) the individual is an individual under  
 14                   21 years of age who is displaced from the habit-  
 15                   ual residence of that individual as a result of an  
 16                   emergency or major disaster (as those terms  
 17                   are defined in section 102 of the Robert T.  
 18                   Stafford Disaster Relief and Emergency Assist-  
 19                   ance Act (42 U.S.C. 5122)).”.

20 **SEC. 217. NATIONAL EMERGENCY FAMILY REGISTRY AND**  
 21 **LOCATOR SYSTEM.**

22          (a) DEFINITIONS.—In this section—

23           (1) the term “displaced individual” means an  
 24           individual displaced by an emergency or major dis-  
 25           aster; and

1           (2) the term “National Emergency Family Reg-  
2           istry and Locator System” means the National  
3           Emergency Family Registry and Locator System es-  
4           tablished under subsection (b).

5           (b) ESTABLISHMENT.—Not later than 180 days after  
6           the date of enactment of this Act, the Administrator shall  
7           establish a National Emergency Family Registry and Lo-  
8           cator System to help reunify families separated after an  
9           emergency or major disaster.

10          (c) OPERATION OF SYSTEM.—The National Emer-  
11          gency Family Registry and Locator System shall—

12               (1) allow a displaced individual to voluntarily  
13               register, by submitting personal information to be  
14               entered into a database (such as the name, current  
15               location of residence, and any other relevant infor-  
16               mation that could be used by others seeking to lo-  
17               cate that individual);

18               (2) include a means of providing information  
19               submitted under paragraph (1) to a family member  
20               of a displaced individual and to law enforcement of-  
21               ficials; and

22               (3) be accessible through the Internet and  
23               through a toll-free number, to receive reports of dis-  
24               placed individuals.

1 (d) PUBLICATION OF INFORMATION.—Not later than  
2 210 days after the date of enactment of this Act, the Ad-  
3 ministrator shall establish a mechanism to inform the pub-  
4 lic about the National Emergency Family Registry and  
5 Locator System and its potential usefulness for assisting  
6 to reunite displaced individuals with their families.

7 (e) COORDINATION.—Not later than 90 days after  
8 the date of enactment of this Act, the Administrator shall  
9 enter a memorandum of understanding with the Depart-  
10 ment of Justice, the National Center for Missing and Ex-  
11 ploited Children, the Department of Health and Human  
12 Services, and the American Red Cross and other relevant  
13 private organizations that will enhance the sharing of in-  
14 formation to facilitate reuniting displaced individuals with  
15 their families.

16 **SEC. 218. FEDERAL ASSISTANCE TO INDIVIDUALS AND**  
17 **HOUSEHOLDS.**

18 (a) SHARED HOUSEHOLDS.—

19 (1) IN GENERAL.—Section 408(b)(1) of the  
20 Robert T. Stafford Disaster Relief and Emergency  
21 Assistance Act (42 U.S.C. 5174(b)(1)) is amended—

22 (A) by striking “The President may” and  
23 inserting the following:

24 “(A) IN GENERAL.—The President may”;

25 and



1 (B) by adding at the end the following:

2 “(B) SHARED HOUSEHOLDS.—

3 “(i) DEFINITION.—In this subpara-  
4 graph, the term ‘member of the predisaster  
5 household’ means an individual who was a  
6 member of the predisaster household of the  
7 individual or a member of the predisaster  
8 household seeking assistance, as the case  
9 may be.

10 “(ii) ELIGIBILITY FOR SHARED  
11 HOUSEHOLDS.—The President may not  
12 deny assistance to an individual or house-  
13 hold under this section because a member  
14 of the predisaster household has already  
15 received assistance under this section, if  
16 the individual or household seeking assist-  
17 ance—

18 “(I) has evacuated the  
19 predisaster residence of that indi-  
20 vidual or household and who for good  
21 cause, as determined by the President,  
22 resides in a different location than a  
23 member of the predisaster household  
24 who has already received assistance  
25 under this section;

1           “(II) is a victim of domestic vio-  
2           lence, dating violence, sexual assault  
3           or stalking and, in order to protect his  
4           or her safety or because of family or  
5           household break-up or divorce, resides  
6           in a different residence than the mem-  
7           ber of the predisaster household who  
8           has already received assistance under  
9           this section; or

10           “(III) has other good cause, as  
11           determined by the President, for  
12           maintaining a separate household  
13           from the member of the predisaster  
14           household who has already received  
15           assistance under this section.”.

16           (2) REGULATIONS.—Not later than 180 days  
17           after the date of enactment of this Act, the Presi-  
18           dent shall issue regulations to carry out the amend-  
19           ments made by this subsection.

20           (b) UTILITY COSTS AND FAIR MARKET RENT.—

21           (1) IN GENERAL.—Section 408(c)(1)(A) of the  
22           Robert T. Stafford Disaster Relief and Emergency  
23           Assistance Act (42 U.S.C. 5174(c)(1)(A)) is amend-  
24           ed—

1 (A) in clause (ii) by inserting “(as deter-  
2 mined by the Department of Housing and  
3 Urban Development)” after “rent”;

4 (B) in clause (ii) by inserting “security de-  
5 posits” after “hookups”;

6 (C) in clause (ii) by adding “The assist-  
7 ance provided under clause (i) may be used for  
8 tenant-paid utilities, except telephones.” at the  
9 end; and

10 (D) by adding at the end the following:

11 “(iii) ADJUSTMENTS TO AMOUNT.—

12 “(I) IN GENERAL.—The Presi-  
13 dent shall provide assistance under  
14 clause (i) in an amount up to 120  
15 percent of fair market rent plus the  
16 costs described in clause (ii) if the  
17 President determines that, as a result  
18 of rental market changes caused by  
19 the major disaster and its con-  
20 sequences, the fair market rent does  
21 not accurately reflect the reasonable  
22 cost of rental units available to indi-  
23 viduals and households receiving as-  
24 sistance under clause (i). The Presi-  
25 dent may provide assistance over 120

1 percent of fair market rent if the  
2 President determines that due to ex-  
3 traordinary circumstances a higher  
4 percentage is necessary. The Presi-  
5 dent shall publicly announce any ad-  
6 justment to the fair market rent in  
7 accordance with this subsection.

8 “(II) PERSONS WITH DISABIL-  
9 ITIES.—The President shall adjust the  
10 amount of assistance under clause (i)  
11 if the President deems such adjust-  
12 ment necessary to accommodate the  
13 special housing needs of an individual  
14 with disabilities as defined in section  
15 3(2) of the Americans with Disabil-  
16 ities Act of 1990 (42 U.S.C.  
17 12102(2)).”.

18 (2) EMERGENCY.—Section 408(c) of the Robert  
19 T. Stafford Disaster Relief and Emergency Assist-  
20 ance Act (42 U.S.C. 5174(c)) is amended—

21 (A) In paragraph 6, by striking “and”  
22 after the semicolon;

23 (B) in paragraph 7, by striking the period  
24 and inserting “; and”; and

25 (C) by adding at the end the following:

1           “(8) provide accelerated Federal assistance in  
2 Federal support where necessary to save lives, pre-  
3 vent human suffering, or mitigate severe damage,  
4 which may be provided in the absence of a specific  
5 request in which the President—

6           “(A) shall, to the extent practicable, notify  
7 and coordinate with a State in which such as-  
8 sistance or support is provided; and

9           “(B) shall not, in notifying and coordi-  
10 nating with a State under subparagraph (A),  
11 delay or impede the rapid deployment, use, and  
12 distribution of critical resources to victims of an  
13 emergency.”.

14           (c) GUIDANCE ON HOUSING ASSISTANCE.—Section  
15 408(c) of the Robert T. Stafford Disaster Relief and  
16 Emergency Assistance Act (42 U.S.C. 5174(c)) is amend-  
17 ed by adding at the end the following:

18           “(5) PUBLIC GUIDANCE ON HOUSING ASSIST-  
19 ANCE.—

20           “(A) IN GENERAL.—The President shall  
21 issue public guidance in simple terms explain-  
22 ing—

23           “(i) all types of housing assistance  
24 available under this Act to individuals and  
25 households affected by a major disaster;

1           “(ii) the specific requirements that in-  
2           dividuals and households shall meet to be  
3           eligible for different types of housing as-  
4           sistance under this Act, including require-  
5           ments for continuation of housing assist-  
6           ance provided;

7           “(iii) procedures for applying for such  
8           assistance;

9           “(iv) any relevant local condition; and

10           “(v) any modifications of previously  
11           announced policies or procedures.

12           “(B) FORM OF ISSUING GUIDANCE.—The  
13           President shall—

14           “(i) post the guidance described in  
15           subparagraph (A) on the website of the  
16           Authority;

17           “(ii) provide a copy of the guidance  
18           described in subparagraph (A) to any indi-  
19           vidual or household who requests housing  
20           assistance; and

21           “(iii) take other reasonable steps to  
22           ensure that the guidance described in sub-  
23           paragraph (A) is freely accessible to the  
24           public.

1           “(C) ACCESSIBILITY.—The guidance under  
2           subparagraph (A) shall be issued in formats  
3           that may be understood by individuals with—

4                   “(i) vision impairments;

5                   “(ii) limited English proficiency; and

6                   “(iii) other special needs.

7           “(D) REVISIONS.—Any revisions to the  
8           guidance described in subparagraph (A) shall  
9           be publicized as described in subparagraph (B).

10           “(E) DEADLINE.—Not later than 5 days  
11           after declaring a major disaster, the President  
12           shall publicize the guidance described in this  
13           section and any local modifications. The Presi-  
14           dent shall also publicize any subsequent modi-  
15           fications to the policy guidance described in this  
16           section within not later than 2 days of the date  
17           of any such modification.”.

18 **SEC. 219. MENTAL HEALTH SERVICES.**

19           (a) IN GENERAL.—The Robert T. Stafford Disaster  
20           Relief and Emergency Assistance Act (42 U.S.C. 5121 et  
21           seq.) is amended by striking section 416 and inserting the  
22           following:

23 **“SEC. 416. MENTAL HEALTH SERVICES.**

24           “(a) IN GENERAL.—The President is authorized to  
25           provide mental health and substance abuse services to in-

1 individuals affected by a major disaster (including children  
2 and other vulnerable populations, and emergency response  
3 providers responding to a major disaster) to relieve or pre-  
4 vent mental health or substance abuse problems caused  
5 or aggravated by such major disaster or its aftermath.

6       “(b) TYPES OF ASSISTANCE.—The assistance pro-  
7 vided under subsection (a) may include providing financial  
8 assistance to Federal, State, or local government agencies  
9 or private mental health or substance abuse organizations  
10 to provide mental health or substance abuse services or  
11 train individuals to provide such services.

12       “(c) DURATION OF ASSISTANCE.—The President  
13 may provide an award of financial assistance described in  
14 this section for a period of no more than 9 months after  
15 the date of notice of the grant award. The President may  
16 extend the period of such an award for 90 days because  
17 of documented extraordinary circumstances. In limited cir-  
18 cumstances, such as disasters of a catastrophic nature, the  
19 President may extend the period of such an award beyond  
20 90 days if the President determines it is in the public in-  
21 terest.”.

22       (b) RESPONSE PLAN.—Not later than 180 days after  
23 the date of enactment of this Act, the Substance Abuse  
24 and Mental Health Services Administration and other  
25 Federal agencies providing mental health or substance



1 abuse services, in coordination with the Administrator and  
2 State and local government officials with responsibilities  
3 for providing mental health or substance abuse prevention  
4 and services, shall—

5 (1) conduct a survey of mental health or sub-  
6 stance abuse services and any applicable support  
7 services available to individuals affected by major  
8 disasters and to emergency response providers re-  
9 sponding to major disasters; and

10 (2) develop a strategy for the adequate provi-  
11 sion of mental health and substance abuse services  
12 to individuals affected by major disasters and to  
13 emergency response providers responding to major  
14 disasters.

15 **SEC. 220. LANGUAGE SERVICES.**

16 (a) DEFINITION.—For purposes of this section—

17 (1) the term “documents” includes—

18 (A) emergency notifications, public broad-  
19 casts, flyers, brochures, applications, and letters  
20 containing important information regarding as-  
21 sistance authorized to be provided by the Presi-  
22 dent under this Act;

23 (B) notices pertaining to the reduction, de-  
24 nial, or termination of services or benefits

1 under this Act, including the right to appeal  
2 such actions; and

3 (C) notices of the availability of free lan-  
4 guage services and other outreach materials;  
5 and

6 (2) the term “appropriate population segments”  
7 includes groups comprising a substantial portion of  
8 limited English proficient individuals in the area for  
9 which the President declares a major disaster.

10 (b) PURPOSE.—The purpose of this section is to as-  
11 sist providers of disaster relief related services

12 (1) to improve, through effective communica-  
13 tion, the quality of disaster relief related information  
14 and services for individuals with limited English pro-  
15 ficiency or individuals with disabilities or individuals  
16 with other special needs; and

17 (2) to meet their obligation and responsibility to  
18 ensure equal access to such services for such individ-  
19 uals.

20 (c) REASONABLE STEPS TO ENSURE EFFECTIVE  
21 COMMUNICATION WITH PEOPLE WITH LIMITED ENGLISH  
22 PROFICIENCY OR INDIVIDUALS WITH DISABILITIES.—In  
23 carrying out the Robert T. Stafford Disaster Relief and  
24 Emergency Assistance Act, the President shall—

1           (1) ensure that all Federal entities that provide  
2 assistance under this Act maintain, on a continuing  
3 and updated basis, the capability to administer com-  
4 petent interpretation and translation services;

5           (2) consult available census data and commu-  
6 nicate with State and local governments and relevant  
7 non-governmental organizations for the purposes  
8 of—

9                   (A) identifying individuals with limited  
10 English proficiency; and

11                   (B) including such individuals in disaster  
12 preparedness planning;

13           (3) direct all Federal agencies to implement dis-  
14 aster relief assistance under the Robert T. Stafford  
15 Disaster Relief and Emergency Assistance Act by  
16 providing to appropriate population segments, in a  
17 timely manner, competent interpretation services  
18 and translated documents;

19           (4) provide documents to individuals with dis-  
20 abilities or other special needs in formats they can  
21 understand;

22           (5) ensure that translated documents are pro-  
23 vided to organizations that could assist with their  
24 distribution to affected population segments;

1           (6) have available for activation disaster assist-  
2           ance employees sufficient to comply with (1), (2),  
3           (3), and (4); and

4           (7) develop and maintain an informational  
5           clearinghouse of model language assistance pro-  
6           grams and best practices for State and local govern-  
7           ments in providing disaster and emergency related  
8           services.

9           (d) **TECHNICAL ASSISTANCE FOR DEVELOPMENT OF**  
10 **PLANS AND PROGRAMS.**—Section 201(b) of the Robert T.  
11 Stafford Disaster Relief and Emergency Assistance Act  
12 (42 U.S.C. 5131(b)) is amended by inserting “with and  
13 without English proficiency, disabilities, or other special  
14 needs,” after “to individuals”.

15 **SEC. 221. STANDARDS FOR STATE AND LOCAL EMERGENCY**  
16 **PREPAREDNESS OPERATIONAL PLANS.**

17           (a) **STANDARDS.**—Section 613 of the Robert T. Staf-  
18 ford Disaster Relief and Emergency Assistance Act (42  
19 U.S.C. 5196b) is amended by redesignating subsection (g)  
20 as subsection (h) and inserting the following:

21           “(g) **STANDARDS FOR STATE AND LOCAL EMER-**  
22 **GENCY PREPAREDNESS PLANS.**—In approving standards  
23 for State and local emergency preparedness plans under  
24 subsection (b)(3), the Administrator shall ensure that  
25 such plans take into account the needs of individuals with

1 special needs and requirements as described in Section  
2 611(f) and individuals with pets as described in Section  
3 611(g).”.

4 (b) PLANNING FOR SPECIAL NEEDS.—Section 611 of  
5 the Robert T. Stafford Disaster Relief and Emergency As-  
6 sistance Act (42 U.S.C. 5196) is amended by redesi-  
7 gnating subsections (f) through (k) as subsections (h)  
8 through (m) and inserting the following:

9 “(f) The Administrator of the United States Emer-  
10 gency Management Authority, shall take appropriate ac-  
11 tions to ensure that each State, in its Homeland Security  
12 Strategy or other homeland security plan, provides de-  
13 tailed and comprehensive pre-disaster and post-disaster  
14 plans for individuals with special needs and their care  
15 givers, including but not limited to individuals with dis-  
16 abilities and individuals with chronic diseases, including  
17 those with service animals, individuals with limited  
18 English proficiency, children, and the elderly in emer-  
19 gencies, including but not limited to plans for medical  
20 care, evacuations and sheltering. Further, in the case of  
21 evacuation planning, the Administrator shall also ensure  
22 that such plans address the needs of those unable to evac-  
23 uate themselves, including those individuals with low-in-  
24 come or without access to private transportation and those

1 requiring specialized transportation because of medical  
2 conditions.”.

3 (c) PLANNING FOR INDIVIDUALS WITH PETS.—Sec-  
4 tion 611 of the Robert T. Stafford Disaster Relief and  
5 Emergency Assistance Act (42 U.S.C. 5196) is amended  
6 by inserting after subsection (f), as added by subpara-  
7 graph (b), the following:

8 “(g) The Administrator of the United States Emer-  
9 gency Management Authority shall take appropriate ac-  
10 tions to ensure that State and local emergency prepared-  
11 ness, evacuation, and sheltering plans take into account  
12 the needs of individuals with household pets prior to, dur-  
13 ing, and following a major disaster.”.

14 (d) ASSISTANCE TO STATES AND LOCAL AUTHORI-  
15 TIES.—Section 611(l)(1) of the Robert T. Stafford Dis-  
16 aster Relief and Emergency Assistance Act, as redesign-  
17 nated by subsection (b) of this section is amended by strik-  
18 ing the period at the end of the first sentence and adding  
19 the following: “in addition, the Administrator may provide  
20 financial and technical support including the services of  
21 subject matter experts, such as pediatricians and geriatrici-  
22 cians, on the basis of programs or projects approved by  
23 the Administrator, to States and local authorities for the  
24 purpose of developing and implementing plans for individ-  
25 uals with special needs and requirements as identified in

1 subsection 611(f), including procurement of facilities and  
2 medical equipment and supplies for the care of such indi-  
3 viduals, and individuals with pets as identified in sub-  
4 section 611 (g), including the procurement, construction,  
5 leasing, or renovating of emergency shelter facilities and  
6 materials that will accommodate individuals with disabil-  
7 ities, individuals with special needs, and individuals with  
8 pets or service animals.”.

9 (e) REPORT TO CONGRESS.—Not later than one year  
10 after the date of enactment of this Act, the Administrator  
11 shall—

12 (1) submit to Congress a report evaluating the  
13 adequacy of the plans of the States to evacuate indi-  
14 viduals with special needs and requirements, as de-  
15 fined in subsection (b) of this section in emergencies  
16 or major disasters that would warrant their evacu-  
17 ation; and

18 (2) include in the report a discussion of—

19 (A) whether or not the States have the re-  
20 sources necessary to implement fully their evac-  
21 uation and sheltering plans; and

22 (B) the manner in which the plans of the  
23 States are integrated with the response plans of  
24 the Federal Government for emergencies that

1           would require the evacuation and sheltering of  
2           individuals with special needs.

3       (f) TRAINING PROGRAMS.—

4           (1) IN GENERAL.—Section 611(h)(1) of the  
5       Robert T. Stafford Disaster Relief and Emergency  
6       Assistance Act, as redesignated by subsection (b) of  
7       this section is amended by striking subparagraph  
8       (A) and insert the following:

9                   “(A) conduct or arrange by contract or  
10                  otherwise, the training programs for the in-  
11                  struction of emergency preparedness and re-  
12                  sponse officials and other persons in the organi-  
13                  zation, operation and techniques of emergency  
14                  preparedness and response, including but not  
15                  limited to planning for and responding to indi-  
16                  viduals with special needs”.

17          (2) EMERGENCY ASSISTANCE.—Section 502 of  
18       the Robert T. Stafford Disaster Relief and Emer-  
19       gency Assistance Act (42 U.S.C. 5192) is amend-  
20       ed—

21                  (A) in subsection (a)(1), by striking the  
22                  semicolon and inserting “, including pre-  
23                  cautionary evacuations;”;



1 (B) in subsection (b), by striking the pe-  
2 riod and inserting “, including precautionary  
3 evacuations.”; and

4 (C) adding at the end the following:

5 “(c) GUIDELINES.—The President shall promulgate  
6 and maintain guidelines to assist Governors in making re-  
7 quests under this section by defining the types of assist-  
8 ance available to affected States and the circumstances  
9 under which such requests are likely to be approved.”.

10 **SEC. 222. TRANSPORTATION ASSISTANCE AND CASE MAN-**  
11 **AGEMENT SERVICES TO INDIVIDUALS AND**  
12 **HOUSEHOLDS.**

13 Title IV of the Robert T. Stafford Disaster Relief and  
14 Emergency Assistance Act (42 U.S.C. 5170 et seq.) is  
15 amended by adding at the end the following:

16 **“SEC. 425. TRANSPORTATION ASSISTANCE TO INDIVIDUALS**  
17 **AND HOUSEHOLDS.**

18 “The President may provide transportation assist-  
19 ance to relocate individuals displaced from their  
20 predisaster primary residences as a result of an incident  
21 declared under this Act or otherwise transported from  
22 their predisaster primary residences under section  
23 403(a)(3) or 502, to and from alternative locations for  
24 short or long-term accommodation or to return an indi-  
25 vidual or household to their predisaster primary residence

1 or alternative location as deemed necessary by the Presi-  
2 dent.

3 **“SEC. 426. CASE MANAGEMENT SERVICES.**

4 “The President may provide case management serv-  
5 ices, including financial assistance to state or local agen-  
6 cies or qualified private organizations to provide such serv-  
7 ices, to victims of major disasters to identify and address  
8 unmet needs.”.

9 **SEC. 223. NON-FEDERAL ASSISTANCE.**

10 Section 801 (b) of the Robert T. Stafford Disaster  
11 Relief and Emergency Assistance Act (42 U.S.C. 5201),  
12 as redesignated by this Act, is amended—

13 (1) in subsection (b), by striking the period at  
14 the end of the first sentence and adding the fol-  
15 lowing: “including from foreign organizations and  
16 governments.”; and

17 (2) by adding at the end the following:

18 “(c) RECEIPT AND COORDINATION OF GIFTS FROM  
19 FOREIGN SOURCES.—Notwithstanding the provisions of  
20 section 612, the President or his delegate shall coordinate  
21 receipt of gifts or assistance from foreign sources with the  
22 Secretary of Defense and the Secretary of State with re-  
23 gard to—

1           “(1) the identification of emergency require-  
2           ments for which such gifts or assistance is required  
3           and appropriate, and

4           “(2) procedures for receipt, distribution, and  
5           monitoring of the use of such gifts or assistance.”.

6 **SEC. 224. DISASTER COORDINATION.**

7           Not later than 180 days after the date of enactment  
8           of this Act, the Administrator shall, in consultation with  
9           the Secretary of Defense and the Secretary of State, de-  
10          velop policies and procedures relating to the effective co-  
11          ordination of disaster assistance from non-Federal enti-  
12          ties, including private and foreign entities and govern-  
13          ments, as provided under section 801 of the Robert T.  
14          Stafford Disaster Relief and Emergency Assistance Act,  
15          as redesignated by this Act, including—

16                (1) coordination with other disaster assistance  
17                from the Federal Government, and State and local  
18                governments and other sources;

19                (2) identification of requirements for utilization  
20                that are necessary and appropriate for such assist-  
21                ance;

22                (3) receipt and distribution; and

23                (4) monitoring to ensure of its appropriate final  
24                use.

1                   **TITLE III—STAFFING**  
2                   **IMPROVEMENTS**

3 **SEC. 301. STRATEGIC HUMAN CAPITAL PLAN.**

4           (a) **DEFINITIONS.**—In this section—

5               (1) the term “appropriate committees of Con-  
6               gress” means—

7                   (A) the Committee on Homeland Security  
8                   and Governmental Affairs of the Senate; and

9                   (B) the Committee on Homeland Security  
10                  and the Committee on Government Reform of  
11                  the House of Representatives; and

12               (2) the term “strategic human capital plan”  
13               means the plan developed under subsection (b).

14           (b) **PLAN DEVELOPMENT.**—Not later than 6 months  
15 after the date of enactment of this Act, the Administrator  
16 shall develop and submit to the appropriate committees  
17 of Congress a strategic plan to shape and improve the  
18 workforce of the Authority.

19           (c) **CONTENTS.**—The strategic human capital plan  
20 shall include—

21               (1) a workforce gap analysis, including an as-  
22               sessment of—

23                   (A) the critical skills and competencies  
24                   that will be needed in the workforce of the Au-  
25                   thority to support the mission and responsibil-

1           ities of, and effectively manage, the Authority  
2           during the 10-year period beginning on the date  
3           of enactment of this Act;

4           (B) the skills and competencies of the  
5           workforce of the Federal Emergency Manage-  
6           ment Agency on the day before the date of en-  
7           actment of this Act and projected trends in that  
8           workforce, based on expected losses due to re-  
9           tirement and other attrition; and

10          (C) the staffing levels of each category of  
11          employee, including gaps in the workforce of  
12          the Federal Emergency Management Agency on  
13          the day before the date of enactment of this Act  
14          and the projected workforce of the Authority  
15          that should be addressed to ensure that the Au-  
16          thority has continued access to the critical skills  
17          and competencies described in subparagraph  
18          (A);

19          (2) a plan of action for developing and reshap-  
20          ing the workforce of the Authority to address the  
21          gaps in critical skills and competencies identified  
22          under paragraph (1)(C), including—

23                (A) specific recruiting and retention goals,  
24                including the use of bonus authority under sec-  
25                tions 5753 and 5754 of title 5, United States

1 Code, (including the program objectives of the  
2 Authority to be achieved through such goals);

3 (B) specific strategies for developing,  
4 training, deploying, compensating, and moti-  
5 vating and retaining the Authority workforce  
6 and its ability to fulfill the Authority's mission  
7 and responsibilities (including the program ob-  
8 jectives of the Department and the Authority to  
9 be achieved through such strategies);

10 (C) specific strategies for recruiting indi-  
11 viduals who have served in multiple State agen-  
12 cies with emergency management responsibil-  
13 ities; and

14 (D) specific strategies for the development,  
15 training, and coordinated and rapid deployment  
16 of the Surge Capacity Force established by sec-  
17 tion 304; and

18 (3) a discussion that—

19 (A) details the number of employees of the  
20 Department not employed by the Authority  
21 serving in the Surge Capacity Force and the  
22 qualifications or credentials of such individuals;

23 (B) details the number of individuals not  
24 employed by the Department serving in the

1 Surge Capacity Force and the qualifications or  
2 credentials of such individuals;

3 (C) describes the training given to the  
4 Surge Capacity Force during the last year;

5 (D) states whether the Surge Capacity  
6 Force is able to adequately prepare for, respond  
7 to, and recover from a natural or man-made  
8 disaster, including catastrophic incident; and

9 (E) describes any additional authorities or  
10 resources necessary to address any deficiencies  
11 in the Surge Capacity Force.

12 (d) ANNUAL UPDATES.—Not later than May 1,  
13 2007, and May 1 of each year thereafter until 2012, the  
14 Administrator shall submit to the appropriate committees  
15 of Congress an update of the strategic human capital plan,  
16 including an assessment by the Administrator, using re-  
17 sults-oriented performance measures, of the progress of  
18 the Department and the Authority in implementing the  
19 strategic human capital plan.

20 (e) COMPTROLLER GENERAL REVIEW.—

21 (1) IN GENERAL.—Not later than 90 days after  
22 the Administrator submits the strategic human cap-  
23 ital plan under subsection (b), the Comptroller Gen-  
24 eral of the United States shall submit to the appro-

1        appropriate committees of Congress a report evaluating  
2        the plan.

3            (2) UPDATES.—Not later than 90 days after  
4        the Administrator submits an update of the strategic  
5        human capital plan under subsection (d), the Comp-  
6        troller General shall submit to the appropriate com-  
7        mittees of Congress a report evaluating the updated  
8        plan.

9        **SEC. 302. CAREER PATHS.**

10        (a) IN GENERAL.—The Administrator shall—

11            (1) ensure that appropriate career paths for  
12        personnel are identified, including the education,  
13        training, experience, and assignments necessary for  
14        career progression within the Authority; and

15            (2) publish information on the career paths de-  
16        scribed in paragraph (1).

17        (b) EDUCATION, TRAINING, AND EXPERIENCE.—The  
18        Administrator shall ensure that all personnel of the Au-  
19        thority are provided the opportunity to acquire the edu-  
20        cation, training, and experience necessary to qualify for  
21        promotion within the Authority, including the opportunity  
22        to participate in the Rotation Program established under  
23        section 305.



1 (c) POLICY.—The Administrator shall establish a pol-  
 2 icy for assigning Authority personnel to positions that pro-  
 3 vide for a balance between—

4 (1) the need for such personnel to serve in ca-  
 5 reer enhancing positions; and

6 (2) the need to require service in a position for  
 7 sufficient period of time to provide the stability nec-  
 8 essary—

9 (A) to carry out the duties of that position;

10 and

11 (B) for responsibility and accountability  
 12 for actions taken in that position.

13 **SEC. 303. NATIONAL HOMELAND SECURITY ACADEMY.**

14 (a) ESTABLISHMENT OF NATIONAL HOMELAND SE-  
 15 CURITY ACADEMY.—

16 (1) IN GENERAL.—Title VIII of the Homeland  
 17 Security Act of 2002 (6 U.S.C. 361 et seq.) is  
 18 amended by adding after section 801 the following:

19 **“SEC. 802. NATIONAL HOMELAND SECURITY ACADEMY.**

20 **“(a) ESTABLISHMENT.—**

21 **“(1) IN GENERAL.—The Secretary—**

22 **“(A) shall establish the National Home-**  
 23 **land Security Academy (referred to in this sec-**  
 24 **tion as the ‘Academy’) within the Authority;**  
 25 **and**

1           “(B) may enter into cooperative agree-  
2           ments with other agencies or entities to utilize  
3           space and provide for the lease of real property  
4           for the Academy or any component of the Acad-  
5           emy.

6           “(2) COMPOSITION.—The Academy shall con-  
7           sist of—

8           “(A) the National Homeland Security  
9           Education and Strategy Center (referred to in  
10          this section as the ‘Strategy Center’) to provide  
11          fundamental instruction and develop a home-  
12          land security curriculum focusing primarily on  
13          the Federal Government’s overall strategy,  
14          goals, methods, and techniques;

15          “(B) a communications network capable of  
16          delivering distance learning opportunities, at  
17          the direction of the Strategy Center;

18          “(C) the programs of the Center for  
19          Homeland Defense and Security located at the  
20          Naval Postgraduate School, and such programs  
21          shall be incorporated into the Academy in a  
22          manner to be determined by the Secretary; and

23          “(D) the National Homeland Security  
24          Education Network, which—

1           “(i) shall be composed of representa-  
2           tives from all of the academies and train-  
3           ing centers within the jurisdiction of the  
4           Department;

5           “(ii) shall work with the Academy to  
6           develop a standardized homeland security  
7           curriculum to be incorporated, as appro-  
8           priate, at each academy and training cen-  
9           ter to ensure that the focus of the indi-  
10          vidual centers is coordinated with the cen-  
11          tralized educational strategies and goals of  
12          the Academy; and

13          “(iii) shall not affect the respective  
14          missions and goals of the participating  
15          academies and training centers.

16          “(3) MISSION.—The mission of the Academy  
17          shall be to—

18                 “(A) establish an educational system to—

19                         “(i) cultivate leaders in homeland se-  
20                         curity; and

21                         “(ii) ensure that Federal, State, local,  
22                         tribal, and private sector officials get the  
23                         full range of skills needed to provide robust  
24                         homeland security;

1           “(B) provide strategic education and train-  
2           ing to carry out the missions of the Department  
3           of Homeland Security;

4           “(C) provide cross-disciplinary and joint  
5           education and training to Federal, State, and  
6           local government officials responsible for the di-  
7           rect application and execution of vital homeland  
8           security missions; and

9           “(D) focus primarily on shorter-term class-  
10          es and exercises to maximize participation by  
11          the homeland security community.

12          “(4) ENROLLMENT TARGET.—

13                 “(A) IN GENERAL.—The Strategy Center  
14                 shall have an initial annual enrollment target of  
15                 1,000 resident students, as described in sub-  
16                 section (b)(3)(A).

17                 “(B) NON-RESIDENT STUDENTS.—The en-  
18                 rollment target under subparagraph (A) does  
19                 not include non-resident students, including  
20                 students who participate in electronic learning  
21                 systems.

22          “(5) RESPONSIBILITIES.—

23                 “(A) IN GENERAL.—In addition to pro-  
24                 viding traditional course work and hands-on  
25                 training exercises, the Academy shall encourage

1 the development and use of modern technology  
2 to ensure that the training offered at the Acad-  
3 emy, and to organizations and individuals re-  
4 ceiving instruction over electronic learning sys-  
5 tems—

6 “(i) is tailored to the unique needs of  
7 the individuals and groups that need train-  
8 ing;

9 “(ii) efficiently uses such technology;  
10 and

11 “(iii) translates directly into practical  
12 skills.

13 “(B) INSTRUCTIONAL MATERIALS.—The  
14 Academy shall develop instructional require-  
15 ments for courses related to its mission that are  
16 supported with materials that are adequately  
17 reviewed and continuously updated.

18 “(C) CERTIFICATION.—

19 “(i) IN GENERAL.—The Academy may  
20 establish certification criteria for students  
21 in areas related to its mission, in consulta-  
22 tion with the Network established under  
23 subsection (e).

24 “(ii) RECERTIFICATION.—The criteria  
25 established under clause (i) shall include

1 requirements for recertification and ensure  
2 the availability of needed assessment tools.

3 “(D) INFORMATION REPOSITORY.—The  
4 Academy shall provide a repository of approved  
5 instructional materials, instructional software,  
6 and other materials that are easily accessible by  
7 participants.

8 “(E) COMMUNICATION NETWORKS.—The  
9 Academy shall certify, and operate, if necessary,  
10 a secure, reliable communication system capable  
11 of delivering instructional materials to partici-  
12 pants at any time and place.

13 “(F) INSTRUCTION AND EXPERTISE.—The  
14 Academy shall certify instructors, experts, coun-  
15 selors, and other individuals who can provide  
16 answers and advice to students over commu-  
17 nication systems.

18 “(6) STRATEGY CENTER.—

19 “(A) RESPONSIBILITIES.—The Strategy  
20 Center shall—

21 “(i) provide curriculum development  
22 and classroom instruction for resident stu-  
23 dents that focus on the strategic goals,  
24 methods, and techniques for homeland se-  
25 curity;

1 “(ii) provide instruction—

2 “(I) primarily to Federal employ-  
3 ees described under subsection  
4 (b)(3)(A) with homeland security re-  
5 sponsibilities; and

6 “(II) to small numbers of State  
7 and local government officials and pri-  
8 vate individuals; and

9 “(iii) direct the operation of the Acad-  
10 emy’s electronic learning systems.

11 “(B) CURRICULUM.—The curriculum  
12 taught at the Strategy Center shall—

13 “(i) include basic education about  
14 homeland security, the Department, and  
15 the relationship of the directorates within  
16 the Department;

17 “(ii) include the relationship between  
18 the Department and other Federal, State,  
19 and local agencies with homeland security  
20 responsibilities; and

21 “(iii) be developed with assistance  
22 from the National Homeland Security  
23 Education Network.

24 “(b) ADMINISTRATION.—

1           “(1) EXECUTIVE DIRECTOR.—The Secretary  
2 shall appoint an Executive Director for the Acad-  
3 emy, who shall—

4           “(A) administer the operations of the  
5 Academy;

6           “(B) establish an Academic Board, to be  
7 headed by the Dean of the Academic Board, ap-  
8 pointed under paragraph (2);

9           “(C) hire initial staff and faculty, as ap-  
10 propriate and necessary;

11           “(D) contract with practitioners and ex-  
12 perts, as appropriate, to supplement academic  
13 instruction; and

14           “(E) make recommendations to the Sec-  
15 retary regarding long-term staffing and funding  
16 levels for the Academy.

17           “(2) DEAN OF THE ACADEMIC BOARD.—The  
18 Executive Director shall appoint, with the approval  
19 of the Secretary, a permanent professor to serve as  
20 Dean of the Academic Board and perform such du-  
21 ties as the Executive Director may prescribe.

22           “(3) DIRECTOR OF ADMISSIONS.—The Execu-  
23 tive Director shall appoint, with the approval of the  
24 Secretary, a Director of Admissions, who shall—



1           “(A) grant admission to the Strategy Cen-  
2           ter to—

3                   “(i) new employees of the Depart-  
4                   ment, who have clear homeland security re-  
5                   sponsibilities;

6                   “(ii) mid-level executive employees of  
7                   the Department, including employees that  
8                   receive academy or other training, who  
9                   demonstrate a need for cross-disciplinary  
10                  or advanced education and training and  
11                  have been endorsed by the appropriate  
12                  Under Secretary;

13                  “(iii) other Federal employees with  
14                  homeland security responsibilities who have  
15                  been endorsed by the head of their agency;

16                  “(iv) State and local employees who—

17                          “(I) demonstrate a clear respon-  
18                          sibility for providing homeland secu-  
19                          rity; and

20                          “(II) possess the nomination of  
21                          the Governor of their State, or Head  
22                          of applicable jurisdiction; and

23                  “(v) private sector applicants who  
24                  demonstrate a clear responsibility for pro-  
25                  viding homeland security;

1           “(B) ensure that students from each level  
2 of government and the private sector are in-  
3 cluded in all programs and classes, whenever  
4 appropriate; and

5           “(C) perform such duties as the Executive  
6 Director may prescribe.

7           “(c) BOARD OF VISITORS.—

8           “(1) ESTABLISHMENT.—Before the Academy  
9 admits any students, the Secretary shall establish a  
10 Board of Visitors (in this section referred to as the  
11 ‘Board’) to—

12           “(A) assist in the development of cur-  
13 riculum and programs at the Academy; and

14           “(B) recommend the site for the location  
15 of the Strategy Center.

16           “(2) MEMBERSHIP.—

17           “(A) COMPOSITION.—The Board will be  
18 composed of—

19           “(i) the Secretary, or designee, who  
20 shall serve as chair;

21           “(ii) the Executive Director of the  
22 Academy, or designee, who shall be a non-  
23 voting member;

1           “(iii) the Chairman of the Committee  
2           on Homeland Security and Governmental  
3           Affairs of the Senate, or designee;

4           “(iv) the Ranking Member of the  
5           Committee on Homeland Security and  
6           Governmental Affairs of the Senate, or  
7           designee;

8           “(v) the Chairman of the Committee  
9           on Homeland Security of the House of  
10          Representatives, or designee;

11          “(vi) the Ranking Member of the  
12          Committee on Homeland Security of the  
13          House of Representatives, or designee;

14          “(vii) the Secretary of Health and  
15          Human Services, or designee;

16          “(viii) the Secretary of Defense, or  
17          designee;

18          “(ix) the Secretary of Education, or  
19          designee;

20          “(x) the Secretary of Transportation,  
21          or designee;

22          “(xi) the Director of the Federal Bu-  
23          reau of Investigation, or designee;

24          “(xii) 4 persons, who shall be ap-  
25          pointed by the Secretary for 2-year terms

1 to represent State and local governments;  
2 and

3 “(xiii) 4 persons, who shall be ap-  
4 pointed by the Secretary for 2-year terms  
5 to represent first responders.

6 “(B) PROHIBITION.—Any person described  
7 under subparagraph (A), whose membership on  
8 the Board would create a conflict of interest,  
9 shall not serve as a member of the Board.

10 “(C) VACANCIES.—If a member of the  
11 Board dies or resigns from office, the official  
12 who designated the member shall designate a  
13 successor for the unexpired portion of the term.

14 “(3) DUTIES.—

15 “(A) ACADEMY VISITS.—The Board shall  
16 visit the Academy not less than annually, and  
17 may, with the approval of the Secretary, make  
18 other visits to the Academy in connection with  
19 the duties of the Board or to consult with the  
20 Executive Director of the Academy.

21 “(B) INQUIRIES.—The Board shall inquire  
22 into the curriculum, instruction, physical equip-  
23 ment, fiscal affairs, academic methods, student  
24 body composition, and other matters relating to

1 the Academy that the Board decides to con-  
2 sider.

3 “(C) REPORTS.—

4 “(i) ANNUAL REPORT.—Not later  
5 than 60 days after each annual visit, the  
6 Board shall submit a written report to the  
7 Secretary, which describes its action, and  
8 of its views and recommendations per-  
9 taining to the Academy.

10 “(ii) ADDITIONAL REPORTS.—Any re-  
11 port of a visit, other than the annual visit,  
12 shall, if approved by a majority of the  
13 members of the Board, be submitted to the  
14 Secretary not later than 60 days after the  
15 approval.

16 “(4) TRAVEL EXPENSES.—The members of the  
17 Board shall be allowed travel expenses, including per  
18 diem in lieu of subsistence, at rates authorized for  
19 employees of agencies under subchapter I of chapter  
20 57 of title 5, United States Code, while away from  
21 their homes or regular places of business in the per-  
22 formance of services for the Board.

23 “(d) REPORTS TO CONGRESS.—

24 “(1) CURRICULUM AND ATTENDANCE.—The  
25 Secretary shall submit an annual report that de-

1 scribes the curriculum of, and enrollment at, the  
2 Academy to—

3 “(A) the Committee on Homeland Security  
4 and Governmental Affairs of the Senate; and

5 “(B) the Committee on Homeland Security  
6 of the House of Representatives.

7 “(2) FEASIBILITY REPORT.—Not later than 1  
8 year after the establishment of the Academy, the  
9 Secretary shall submit a report to the Committee on  
10 Homeland Security and Governmental Affairs of the  
11 Senate and the Committee on Homeland Security of  
12 the House of Representatives that—

13 “(A) recommends an appropriate combina-  
14 tion of students from Federal, State, and local  
15 government and the private sector, and the per-  
16 centage of costs related to the education of each  
17 of these student groups that should be reim-  
18 bursable;

19 “(B) describes the feasibility of expanding  
20 the Academy in regional offices of the Authority  
21 or other government or university programs to  
22 provide ongoing education and training for Fed-  
23 eral employees with homeland security respon-  
24 sibilities; and

1           “(C) describes the feasibility of providing  
2           education for the general public through elec-  
3           tronic learning systems.

4           “(e) NATIONAL HOMELAND SECURITY EDUCATION  
5 NETWORK.—

6           “(1) ESTABLISHMENT.—The Executive Direc-  
7           tor of the Academy shall establish a National Home-  
8           land Security Education Network (referred to in this  
9           section as the ‘Network’), as described under sub-  
10          section (a)(2)(B).

11          “(2) MEMBERSHIP.—The Network shall be  
12          comprised of representatives from Federal training  
13          and certification organizations, including—

14                 “(A) the National Homeland Security  
15                 Academy;

16                 “(B) the Office of Domestic Preparedness;

17                 “(C) the National Domestic Preparedness  
18                 Consortium;

19                 “(D) the Center for Homeland Defense  
20                 and Security at the Naval Postgraduate School;

21                 “(E) the Federal Law Enforcement Train-  
22                 ing Center, including all schools or training and  
23                 education programs managed or co-located with  
24                 the Center;

1           “(F) the Customs and Border Protection  
2 Academy;

3           “(G) the Border Patrol Academy;

4           “(H) the Bureau of Immigration and Customs  
5 Enforcement Academy;

6           “(I) the Secret Service Academy;

7           “(J) the United States Coast Guard Academy,  
8 including all schools within the jurisdiction  
9 of the Coast Guard Academy;

10          “(K) the Emergency Management Institute;  
11

12          “(L) the Animal and Plant Health Inspection  
13 Service Training Program;

14          “(M) the Federal Air Marshal Training  
15 Center;

16          “(N) the National Fire Academy; and

17          “(O) other relevant training facilities within  
18 the Department.

19          “(3) CURRICULUM REQUIREMENTS.—The curriculum  
20 and course work developed as part of the  
21 Network shall be incorporated into the curriculum of  
22 the institutions listed under paragraph (2), as appropriate,  
23 to ensure that students at these institutions understand  
24 how their homeland security responsibilities relate to other  
25 homeland security re-



1       sponsibilities in the Department and other Federal,  
2       State, and local agencies. The training centers and  
3       academies listed under paragraph (2) shall retain  
4       their respective missions and goals.

5               “(4) SEMI-ANNUAL MEETINGS.—The Executive  
6       Director and the Dean of the Academic Board shall  
7       meet with the Network not less than once every 6  
8       months to—

9                       “(A) discuss curriculum requirements; and

10                      “(B) coordinate training activities within  
11       the Network.

12               “(5) REPORTS.—Not later than 2 years after  
13       the date of enactment of this section, and every 2  
14       years thereafter, the Network shall submit a report  
15       to the Committee on Homeland Security and Gov-  
16       ernmental Affairs of the Senate and the Committee  
17       on Homeland Security of the House of Representa-  
18       tives, which describes the Network’s—

19                      “(A) strategy for using advanced instruc-  
20       tional technologies;

21                      “(B) plans for future improvement; and

22                      “(C) success in working with other organi-  
23       zations in achieving the goals described under  
24       subparagraphs (A) and (B).”.

1           (2) TECHNICAL AMENDMENT.—Section 1(b) of  
2           the Homeland Security Act of 2002 (Public Law  
3           107–296) is amended by inserting after the item re-  
4           lating to section 801 the following:

“Sec. 802. National Homeland Security Academy.”.

5           (b) STATE AND LOCAL EDUCATION AND TRAINING  
6 COORDINATOR.—The Secretary, through the Adminis-  
7 trator, shall appoint a State and Local Education and  
8 Training Coordinator, who shall—

9           (1) serve as the primary point of contact be-  
10          tween Federal, State, and local training facilities,  
11          the National Homeland Security Academy, and the  
12          Authority, in order to—

13                 (A) maximize the ability of the Academy to  
14                 identify non-Academy programs that meet spe-  
15                 cific training goals and are crucial to the Na-  
16                 tion’s homeland security mission; and

17                 (B) assist the Academy and the Authority  
18                 in determining where to direct Federal training  
19                 funds; and

20           (2) at least semiannually, conduct meetings  
21          with a coalition of State and local education and  
22          training facilities to—

23                 (A) allow State and local fire, rescue, and  
24                 law enforcement training facilities to provide

1           input on decisions made concerning the training  
2           of first responders; and

3                   (B) increase curriculum coordination be-  
4           tween the Academy and Federal, State, and  
5           local facilities.

6 **SEC. 304. SURGE CAPACITY FORCE.**

7           (a) DEFINITION.—In this section, the term “Surge  
8 Capacity Force” means the Surge Capacity Force estab-  
9 lished under subsection (b).

10          (b) ESTABLISHMENT.—

11               (1) IN GENERAL.—The Administrator shall es-  
12           tablish a Surge Capacity Force for deployment of in-  
13           dividuals for natural or man-made disasters, includ-  
14           ing catastrophic incidents, as determined by the Ad-  
15           ministrator.

16               (2) EMPLOYEES DESIGNATED TO SERVE.—The  
17           Secretary shall designate employees of the Depart-  
18           ment who are not employees of the Authority to  
19           serve on the Surge Capacity Force.

20          (c) CAPABILITIES.—The Administrator shall—

21               (1) include a sufficient number of individuals  
22           credentialed in accordance with section 205 that are  
23           capable of deploying rapidly and efficiently after ac-  
24           tivation to prepare for, respond to, and recover from

1 a natural or man-made disaster, including a cata-  
2 strophic incident; and

3 (2) include a sufficient number of full-time,  
4 highly-trained individuals credentialed in accordance  
5 with section 205 to lead and manage the Surge Ca-  
6 pacity Force.

7 (d) TRAINING.—The Administrator shall provide ap-  
8 propriate and continuous training to individuals serving  
9 in the Surge Capacity Force to ensure such personnel are  
10 adequately trained on the Authority’s programs and poli-  
11 cies relevant to assistance provided by the Authority as  
12 a result of an emergency or major disaster.

13 (e) DATABASE.—The Administrator shall establish  
14 and maintain a database regarding the members of the  
15 Surge Capacity Force that includes the skills, qualifica-  
16 tions, and disaster management experience of such mem-  
17 bers.

18 (f) ANNUITANTS.—If an individual receiving an an-  
19 nuity from the Civil Service Retirement and Disability  
20 Fund becomes temporarily reemployed under this section,  
21 such annuity shall not be discontinued on that basis. An  
22 individual so reemployed as a Surge Capacity Force em-  
23 ployee shall not be considered an employee for the pur-  
24 poses of chapter 83 or 84 of title 5, United States Code.

1 (g) NO IMPACT ON AUTHORITY PERSONNEL CEIL-  
2 ING.—Surge Capacity Force members under this section  
3 shall not be counted against any personnel ceiling applica-  
4 ble to the Authority.

5 (h) EXPENSES.—The Administrator may provide  
6 members of the Surge Capacity Force with travel ex-  
7 penses, including per diem in lieu of subsistence, at rates  
8 authorized for employees of agencies under subchapter I  
9 of chapter 57 of title 5, United States Code, for the pur-  
10 pose of participating in any training that relates to service  
11 as a member of the Surge Capacity Force.

12 **SEC. 305. ESTABLISHMENT OF HOMELAND SECURITY ROTA-**  
13 **TION PROGRAM AT THE DEPARTMENT OF**  
14 **HOMELAND SECURITY.**

15 (a) ESTABLISHMENT.—

16 (1) IN GENERAL.—Title VIII of the Homeland  
17 Security Act of 2002 (6 U.S.C. 361 et seq.) is  
18 amended by inserting after section 843 the fol-  
19 lowing:

20 **“SEC. 844. HOMELAND SECURITY ROTATION PROGRAM.**

21 **“(a) ESTABLISHMENT.—**

22 **“(1) IN GENERAL.—**Not later than 180 days  
23 after the date of enactment of this section, the Sec-  
24 retary shall establish the Homeland Security Rota-  
25 tion Program (in this section referred to as the ‘Ro-

1 tation Program’) for employees of the Department.  
2 The Rotation Program shall use applicable best  
3 practices, including those from the Chief Human  
4 Capital Officers Council.

5 “(2) GOALS.—The Rotation Program estab-  
6 lished by the Secretary shall—

7 “(A) be established in accordance with the  
8 Human Capital Strategic Plan of the Depart-  
9 ment;

10 “(B) provide middle and senior level em-  
11 ployees in the Department the opportunity to  
12 broaden their knowledge through exposure to  
13 other components of the Department;

14 “(C) expand the knowledge base of the De-  
15 partment by providing for rotational assign-  
16 ments of employees to other components;

17 “(D) build professional relationships and  
18 contacts among the employees in the Depart-  
19 ment;

20 “(E) invigorate the workforce with exciting  
21 and professionally rewarding opportunities;

22 “(F) incorporate Department human cap-  
23 ital strategic plans and activities, and address  
24 critical human capital deficiencies, recruitment  
25 and retention efforts, and succession planning

1 within the Federal workforce of the Depart-  
2 ment; and

3 “(G) complement and incorporate (but not  
4 replace) rotational programs within the Depart-  
5 ment in effect on the date of enactment of this  
6 section.

7 “(3) ADMINISTRATION.—

8 “(A) IN GENERAL.—The Chief Human  
9 Capital Officer shall administer the Rotation  
10 Program.

11 “(B) RESPONSIBILITIES.—The Chief  
12 Human Capital Officer shall—

13 “(i) provide oversight of the establish-  
14 ment and implementation of the Rotation  
15 Program;

16 “(ii) establish a framework that sup-  
17 ports the goals of the Rotation Program  
18 and promotes cross-disciplinary rotational  
19 opportunities;

20 “(iii) establish eligibility for employees  
21 to participate in the Rotation Program and  
22 select participants from employees who  
23 apply;

24 “(iv) establish incentives for employ-  
25 ees to participate in the Rotation Program,

1 including promotions and employment  
2 preferences;

3 “(v) ensure that the Rotation Pro-  
4 gram provides professional education and  
5 training;

6 “(vi) ensure that the Rotation Pro-  
7 gram develops qualified employees and fu-  
8 ture leaders with broad-based experience  
9 throughout the Department;

10 “(vii) provide for greater interaction  
11 among employees in components of the De-  
12 partment; and

13 “(viii) coordinate with rotational pro-  
14 grams within the Department in effect on  
15 the date of enactment of this section.

16 “(4) ALLOWANCES, PRIVILEGES, AND BENE-  
17 FITS.—All allowances, privileges, rights, seniority,  
18 and other benefits of employees participating in the  
19 Rotation Program shall be preserved.

20 “(5) REPORTING.—Not later than 180 days  
21 after the date of the establishment of the Rotation  
22 Program, the Secretary shall submit a report on the  
23 status of the Rotation Program, including a descrip-  
24 tion of the Rotation Program, the number of em-  
25 ployees participating, and how the Rotation Program



1 is used in succession planning and leadership devel-  
 2 opment to—

3 “(A) the Committee on Homeland Security  
 4 and Governmental Affairs of the Senate;

5 “(B) the Committee on Homeland Security  
 6 of the House of Representatives; and

7 “(C) the Committee on Government Re-  
 8 form of the House of Representatives.”.

9 (2) TECHNICAL AND CONFORMING AMEND-  
 10 MENT.—Section 1(b) of the Homeland Security Act  
 11 of 2002 (6 U.S.C. 101) is amended by inserting  
 12 after the item relating to section 843 the following:

“Sec. 844. Homeland Security Rotation Program.”.

13 **SEC. 306. QUARTERLY REPORT ON VACANCY RATE IN EM-**  
 14 **PLOYEE POSITIONS.**

15 (a) DEFINITION.—In this section the term “appro-  
 16 priate committees of Congress” means—

17 (1) the Committee on Homeland Security and  
 18 Governmental Affairs of the Senate; and

19 (2) the Committee on Homeland Security and  
 20 the Committee on Government Reform of the House  
 21 of Representatives.

22 (b) INITIAL REPORT.—

23 (1) IN GENERAL.—Not later than 3 months  
 24 after the date of enactment of this Act, the Adminis-  
 25 trator shall develop and submit to the appropriate

1 committees of Congress a report on the vacancies in  
2 employee positions of the Federal Emergency Man-  
3 agement Agency on the day before the date of enact-  
4 ment of this Act and the vacancies in employee posi-  
5 tions the Authority established under this Act.

6 (2) CONTENTS.—The report under this sub-  
7 section shall include—

8 (A) vacancies of each category of employee  
9 position;

10 (B) the number of applicants for each va-  
11 cancy for which public notice has been given;

12 (C) the length of time that each vacancy  
13 has been pending;

14 (D) hiring-cycle time for each vacancy that  
15 has been filled; and

16 (E) a plan for reducing the hiring-cycle  
17 time and reducing the current and anticipated  
18 vacancies with highly-qualified personnel.

19 (c) QUARTERLY UPDATES.—Not later than 3 months  
20 after submission of the initial report, and every 3 months  
21 thereafter until 5 years after the date of enactment of this  
22 Act, the Administrator shall submit to the appropriate  
23 committees of Congress an update of the report under  
24 subsection (b), including an assessment by the Adminis-  
25 trator of the progress of the Authority in filling vacant

1 employee positions of the Federal Emergency Manage-  
2 ment Agency on the day before the date of enactment to  
3 this Act, and vacant employee positions of the Authority  
4 established under this Act.

5 **TITLE IV—PLANNING,**  
6 **PREPAREDNESS, AND TRAINING**

7 **SEC. 401. DEFINITION.**

8 In this title, the term “Emergency Support Function  
9 Annex” means an Emergency Support Function Annex to  
10 the National Response Plan.

11 **SEC. 402. EMERGENCY RESPONSE FRAMEWORK.**

12 (a) IN GENERAL.—The Secretary, acting through the  
13 Administrator, shall employ the National Incident Man-  
14 agement System and the National Response Plan as the  
15 framework for emergency response and domestic incident  
16 management.

17 (b) USE BY FEDERAL AGENCIES.—

18 (1) NATIONAL RESPONSE PLAN.—The National  
19 Response Plan shall be the governing plan for any  
20 Federal involvement or assistance in a natural or  
21 man-made disaster or other incident of national sig-  
22 nificance.

23 (2) NATIONAL INCIDENT MANAGEMENT SYS-  
24 TEM.—The National Incident Management System  
25 shall be the incident management system for any

1 Federal involvement or assistance in a natural or  
2 manmade disaster or other incident of national sig-  
3 nificance.

4 **SEC. 403. REVIEW OF THE NATIONAL RESPONSE PLAN.**

5 (a) REVIEW AND REVISION OF PLAN.—

6 (1) IN GENERAL.—Not later than May 1, 2007,  
7 the Secretary, acting through the Administrator, and  
8 in conjunction with the Federal agencies and non-  
9 governmental organizations that are signatories to  
10 the National Response Plan and with the National  
11 Advisory Council, shall—

12 (A) conduct a comprehensive review of the  
13 adequacy of the National Response Plan, in-  
14 cluding incorporating lessons learned from Hur-  
15 ricane Katrina of 2005; and

16 (B) revise and update the National Re-  
17 sponse Plan, as appropriate, to incorporate the  
18 findings of the review under subparagraph (A)  
19 and the changes to the National Response Plan  
20 required under paragraph (2).

21 (2) CHANGES REQUIRED.—The comprehensive  
22 review and update required under paragraph (1)  
23 shall ensure the following:

24 (A) PRINCIPAL FEDERAL OFFICIAL.—

1 (i) IN GENERAL.—That the position  
2 of Principal Federal Official under the Na-  
3 tional Response Plan is eliminated.

4 (ii) CHAIN OF COMMAND.—That the  
5 National Response Plan provides for a  
6 clear chain of command to lead and coordi-  
7 nate the Federal response to any natural  
8 or man-made disaster. The chain of the  
9 command specified in the National Re-  
10 sponse Plan shall provide for a role for the  
11 Administrator consistent with the Adminis-  
12 trator’s role as the principal emergency  
13 preparedness and response advisor to the  
14 President, the Homeland Security Council,  
15 and the Secretary under section 512(c)(4)  
16 of the Homeland Security Act of 2002 and  
17 the Administrator’s responsibility to man-  
18 age the response of the Federal Govern-  
19 ment to a natural or man-made disaster  
20 under section 513(a)(4) of that Act and  
21 shall provide for a role for the Federal Co-  
22 ordinating Officer consistent with the re-  
23 sponsibilities under section 302(b) of the  
24 Robert T. Stafford Disaster Relief and

1           Emergency Assistance Act (42 U.S.C.  
2           5143(b).

3                   (iii) INCIDENTS OF NATIONAL SIG-  
4                   NIFICANCE THAT ARE NOT STAFFORD ACT  
5                   DECLARATIONS.—The President or the  
6                   Secretary may designate a Federal coordi-  
7                   nating officer for Incidents of National  
8                   Significance or other domestic incidents  
9                   not considered an emergency or major dis-  
10                  aster under the Robert T. Stafford Dis-  
11                  aster Relief and Emergency Assistance  
12                  Act. In such cases, the Federal coordi-  
13                  nating officer shall have all the authorities  
14                  and responsibilities the Federal coordi-  
15                  nating officer would have under section  
16                  302 (b) of the Robert T. Stafford Disaster  
17                  Relief and Emergency Assistance Act (42  
18                  U.S.C. 5143(b)), in addition to any others  
19                  the President, the Secretary, or the Ad-  
20                  ministrator may assign.

21                   (B) MASS CARE, HOUSING, AND HUMAN  
22                   SERVICES EMERGENCY SUPPORT FUNCTION.—  
23                   That, in consultation with the Department of  
24                   Justice and the Department of Health and  
25                   Human Services, the National Response Plan

1 includes measures to reunify families separated  
2 after a major disaster or catastrophic event, in-  
3 cluding the location of missing children, and  
4 that the appropriate agency or quasi-govern-  
5 mental organization is assigned timely responsi-  
6 bility for that task.

7 (C) PUBLIC HEALTH AND MEDICAL EMER-  
8 GENCY SUPPORT FUNCTION.—That, in con-  
9 sultation with the Secretary of Health and  
10 Human Services and other relevant Federal  
11 agencies, the National Response Plan, including  
12 any Emergency Support Function Annex relat-  
13 ing to public health and medical services—

14 (i) addresses the public health and  
15 medical needs of evacuees, special-needs  
16 populations, and the general population  
17 that is affected by a natural or man-made  
18 disaster; and

19 (ii) assigns and clarifies the responsi-  
20 bility for mortuary activities.

21 (D) SEARCH AND RESCUE.—That, in con-  
22 sultation with the member agencies or depart-  
23 ments of the National Search and Rescue Com-  
24 mittee, the National Response Plan, including

1           Emergency Support Function Annex 9 (relating  
2           to urban search and rescue)—

3                   (i) addresses the full range of search  
4                   and rescue requirements and environments  
5                   for natural and man-made disasters; and

6                   (ii) designates coordinating, primary,  
7                   and supporting agencies appropriate to a  
8                   range of environments of natural or man-  
9                   made disasters.

10           (E) SENIOR FEDERAL LAW ENFORCEMENT  
11           OFFICER.—That, in consultation with the At-  
12           torney General, the National Response Plan  
13           clearly describes—

14                   (i) the roles and responsibilities of the  
15                   Senior Federal Law Enforcement Officer;

16                   (ii) how the roles and responsibilities  
17                   of the Senior Federal Law Enforcement  
18                   Officer relate to the roles and responsibil-  
19                   ities of other law enforcement entities; and

20                   (iii) how the roles and responsibilities  
21                   of the Senior Federal Law Enforcement  
22                   Officer relate to the roles and responsibil-  
23                   ities of Federal agencies provided for  
24                   under Emergency Support Function Annex



1           13 of the National Response Plan (relating  
2           to public safety and security).

3           (F) INFRASTRUCTURE PROTECTION EMER-  
4           GENCY SUPPORT FUNCTION.—That, in con-  
5           sultation with other Federal departments and  
6           agencies responsible for infrastructure restora-  
7           tion, the need for an additional emergency sup-  
8           port function annex within the National Re-  
9           sponse Plan focused on the identification, pro-  
10          tection, resiliency, and restoration of critical in-  
11          frastructure and key resources is considered.

12          (G) MARITIME SALVAGE.—That, in con-  
13          sultation with the Commandant of the Coast  
14          Guard, the Secretary of the Navy, and the  
15          Chief Engineer of the United States Army  
16          Corps of Engineers, the National Response  
17          Plan—

18                 (i) assigns a single Federal agency to  
19                 coordinate maritime-salvage needs during a  
20                 natural or man-made disaster;

21                 (ii) clarifies the responsibilities of the  
22                 coordinating agency assigned under clause  
23                 (i) and other Federal agencies relating to  
24                 maritime salvage; and

1 (iii) considers the need for an addi-  
2 tional Emergency Support Function Annex  
3 within the National Response Plan focused  
4 on maritime salvage and wreck removal.

5 (H) CATASTROPHIC INCIDENTS.—The  
6 timely completion of the Catastrophic Incident  
7 Supplement to the National Response Plan, and  
8 that the Catastrophic Incident Supplement ef-  
9 fectively addresses response requirements in the  
10 event of a catastrophic incident.

11 (3) CONSULTATION WITH STATE AND LOCAL  
12 GOVERNMENTS.—In reviewing and revising the Na-  
13 tional Response Plan under paragraph (1), and in  
14 making any subsequent significant revision of the  
15 National Response Plan, the Secretary and the Ad-  
16 ministrator shall, to the fullest extent possible, con-  
17 sult with State and local government officials, in-  
18 cluding through the National Advisory Council.

19 (4) ACCESSIBILITY.—In revising or updating  
20 the National Response Plan under paragraph  
21 (1)(B), and in any subsequent revision of the Na-  
22 tional Response Plan, the Secretary, acting through  
23 the Administrator, shall ensure that the National  
24 Response Plan is written in a manner that provides  
25 clear, unambiguous, and accessible guidance and in-

1 formation, and whenever possible, uses plain  
2 English.

3 (b) REPORTING.—

4 (1) IN GENERAL.—The Secretary, acting  
5 through the Administrator, shall submit to the Com-  
6 mittee on Homeland Security and Governmental Af-  
7 fairs of the Senate and the Committee on Homeland  
8 Security of the House of Representatives—

9 (A) not later than May 1, 2007, a report  
10 on the results of its review under subsection  
11 (a), including a detailed discussion of how the  
12 changes to the National Response Plan de-  
13 scribed in subsection (a)(2) have been imple-  
14 mented; and

15 (B) after May 1, 2007, a copy of any pro-  
16 posed change, not later than 30 days before the  
17 date of implementing that proposed change to  
18 the National Response Plan.

19 **SEC. 404. PLANNING AND PREPAREDNESS.**

20 (a) IN GENERAL.—The Secretary, acting through the  
21 Administrator, in conjunction with other Federal depart-  
22 ments and agencies with coordinating, primary, and sup-  
23 porting roles under the National Response Plan and its  
24 annexes, and in consultation with State and local govern-  
25 ment officials, including through the National Advisory

1 Council, shall develop a unified system of strategic and  
2 operational plans to respond effectively to natural or man-  
3 made disasters, in support of the National Response Plan.  
4 These plans shall include plans for specific geographic re-  
5 gions and for specific types of high-risk events, and shall  
6 include, at a minimum, the following elements:

7           (1) Concepts of operation for appropriate dis-  
8 aster and catastrophic incidents.

9           (2) Critical tasks and Department and Agency  
10 responsibilities, consistent with the National Re-  
11 sponse Plan and all Emergency Support Functions.

12           (3) Detailed resource and personnel require-  
13 ments and sourcing for the accomplishment of crit-  
14 ical tasks and capabilities.

15           (4) Creation and maintenance of asset inven-  
16 tories by departments and agencies with Emergency  
17 Support Function responsibilities.

18           (5) Incorporation of deployable interagency  
19 headquarters units, including crisis planning teams,  
20 to manage the response and to ensure unity of effort  
21 by all response organizations.

22           (6) Provision for special needs populations in  
23 all planning.

24           (b) CATASTROPHIC PLANNING.—

1           (1) IN GENERAL.—In carrying out the require-  
2           ments of subsection (a), the Administrator shall de-  
3           velop comprehensive operational plans to respond to  
4           catastrophic incidents.

5           (2) CONTENTS.—The plans developed under  
6           paragraph (1)—

7                   (A) shall include the elements under sub-  
8                   section (a); and

9                   (B) shall—

10                          (i) be based on specific identified na-  
11                          tional and regional risks;

12                          (ii) be developed in conjunction with  
13                          State and local government officials and  
14                          other relevant Federal departments and  
15                          agencies;

16                          (iii) provide for the surge capacity  
17                          necessary to respond proportionately to the  
18                          scale of the event;

19                          (iv) provide, where necessary and ap-  
20                          propriate for the proactive, rapid, and self-  
21                          sustaining deployment and integration of  
22                          Federal resources and personnel essential  
23                          to save lives, prevent suffering, and pre-  
24                          serve property or public health and safety;

1 (v) address the implementation of the  
2 appropriate means of ensuring continuity  
3 of government and command structures in  
4 the affected area;

5 (vi) include planning for the emer-  
6 gency sheltering, accommodation (includ-  
7 ing details on feeding, protecting, and  
8 managing), relocation, transportation,  
9 placement, and long-term housing of large  
10 populations of displaced victims in the  
11 event of a catastrophic incident, that in-  
12 cludes identifying housing options in dif-  
13 ferent regions of the country, site options  
14 for temporary, semi-permanent, and per-  
15 manent housing, and available land and  
16 property that could serve to shelter mass  
17 populations during catastrophic events;  
18 and

19 (vii) address the recovery of areas af-  
20 fected by the catastrophe.

21 (c) STANDARDS AND GUIDANCE.—The Secretary,  
22 acting through the Administrator, shall—

23 (1) provide clear standardization, guidance, and  
24 assistance with planning at the Federal, State, and  
25 local levels; and

1 (2) ensure—

2 (A) a common terminology, approach and  
3 framework for all strategic and operational  
4 planning; and

5 (B) that planning considers current  
6 threats, both natural and man-made.

7 (d) PLANNING.—

8 (1) IN GENERAL.—Planning under subsections  
9 (a) and (b) shall, at a minimum, address the fol-  
10 lowing matters:

11 (A) HEALTH AND MEDICAL.—

12 (i) IN GENERAL.—Preparedness and  
13 deployment of health and medical re-  
14 sources, including clearly defining the re-  
15 sponsibility for logistics, security, and  
16 other support assets, and the ability to  
17 track these resources.

18 (ii) NATIONAL DISASTER MEDICAL  
19 SYSTEM.—With respect to the National  
20 Disaster Medical System, the provision of  
21 resources to equip, staff and train National  
22 Disaster Medical System teams, transpor-  
23 tation, logistics and communications capa-  
24 bilities, and training and outreach pro-

1           grams and patient triage and tracking ca-  
2           pabilities.

3           (B) HUMAN SERVICES.—Operational plans  
4           for the expeditious location of missing children  
5           and the reunification of families, to include—

6                   (i) clarification of the role of the Na-  
7                   tional Center for Missing and Exploited  
8                   Children;

9                   (ii) appropriate coordination and in-  
10                  formation-sharing between the Authority,  
11                  the Department of Justice, the National  
12                  Center for Missing and Exploited Children,  
13                  the Department of Health and Human  
14                  Services, the Red Cross, other relevant  
15                  nongovernmental organizations, and Fed-  
16                  eral, State, and local emergency manage-  
17                  ment and law enforcement agencies, in-  
18                  cluding the development of advance cooper-  
19                  ative agreements as necessary to facilitate  
20                  implementation during response; and

21                  (iii) appropriate public information  
22                  gathering and dissemination mechanisms.

23           (C) SEARCH AND RESCUE.—In consulta-  
24           tion with the National Search and Rescue Com-  
25           mittee, development of a National Search and



1 Rescue Plan that includes the search and res-  
2 cue requirements of a multi-environment (air,  
3 water, or land) disaster including, providing for  
4 a unified coordination structure, asset deploy-  
5 ment, a communications network, and sharing  
6 of information with state and local search and  
7 rescue units.

8 (D) EVACUATION.—In coordination with  
9 State and local governments, plans to support  
10 mass evacuations in advance of, or following, a  
11 natural or manmade disaster, that address—

12 (i) keeping families together through-  
13 out evacuation and sheltering;

14 (ii) populations lacking the means to  
15 evacuate themselves and individuals with  
16 special needs;

17 (iii) policies and provisions for evacu-  
18 ating pets;

19 (iv) the deployment and employment  
20 of various transportation modes necessary  
21 to expedite mass evacuations, together with  
22 appropriate security escorts;

23 (v) information and guidance to the  
24 public; and

1 (vi) short-term and long-term shel-  
2 tering following evacuation.

3 (E) COORDINATION WITH DEPARTMENT OF  
4 DEFENSE.—In conjunction with the Depart-  
5 ment of Defense, including the United States  
6 Northern Command, the United States Pacific  
7 Command, the National Guard Bureau, and the  
8 National Advisory Council, develop plans for  
9 military support of civilian authorities under  
10 the National Response Plan, including—

11 (i) the coordinated deployment, and  
12 the reception, staging, onward movement,  
13 and integration of appropriate units and  
14 personnel of the regular components and  
15 reserve components of the Armed Forces  
16 in response to natural and man-made dis-  
17 asters under the National Response Plan;

18 (ii) the coordination, command, and  
19 control of units and personnel in order to  
20 facilitate and ensure integrated military  
21 support for the response to natural and  
22 man-made disasters under the National  
23 Response Plan;

24 (iii) the identification of response as-  
25 sets (including helicopters, boats, medical

1 supplies and personnel, food and water,  
2 communications equipment, and other as-  
3 sets) required for military support for the  
4 response to natural and man-made disas-  
5 ters under the National Response Plan,  
6 and the development of procedures and  
7 guidelines for the pre-positioning or pre-as-  
8 sembly of such assets;

9 (iv) procedures for expedited requests  
10 and approvals of Federal payment for, or  
11 Federal reimbursement of, the costs of the  
12 States in deploying members of the Na-  
13 tional Guard in State status under the Na-  
14 tional Response Plan;

15 (v) procedures for coordination be-  
16 tween the Department of Defense and the  
17 State governments to ensure that the mili-  
18 tary support provided under the National  
19 Response Plan meets applicable State re-  
20 quirements;

21 (vi) procedures for identifying units  
22 and personnel of the regular components of  
23 the Armed Forces that have capabilities  
24 suitable for purposes of providing military

1 support to natural and man-made disasters  
2 under the National Response Plan;

3 (vii) military support for the distribu-  
4 tion by the Department and the Authority  
5 of basic commodities in response to a cata-  
6 strophic event; and

7 (viii) plans for the timely and appro-  
8 priate employment of reconnaissance assets  
9 to ensure situational awareness throughout  
10 the Federal Government in the wake of a  
11 natural or man-made disaster or cata-  
12 strophic incident.

13 (F) PRIVATE SECTOR AND NONGOVERN-  
14 MENTAL ORGANIZATIONS.—To the extent pos-  
15 sible, and appropriate, incorporate coordination  
16 with and integration of support from the pri-  
17 vate sector and nongovernmental organizations  
18 whether in accordance with, or in the absence  
19 of, prior agreements. Planning shall also incor-  
20 porate the means to communicate and coordi-  
21 nate with such entities during response efforts.

22 (G) MARITIME SALVAGE.—In coordination  
23 with Federal, State, or local government agen-  
24 cies that have or may have maritime salvage re-  
25 sponsibilities, including the United States Coast

1           Guard, the United States Navy, the Authority,  
2           and the United States Army Corps of Engi-  
3           neers, plans to allow salvage to proceed in a  
4           timely manner during a natural or man-made  
5           disaster and, where appropriate, provide for a  
6           national emergency salvage contract to one or  
7           more qualified national salvors that would allow  
8           immediate access to commercial salvage assets.

9           (e) NATIONAL AND INTER-AGENCY PREPARED-  
10          NESS.—The Secretary, acting through the Administrator,  
11          shall ensure the following:

12               (1) ASSET INVENTORY.—In conjunction with  
13               the appropriate Federal agencies and departments  
14               with coordinating, primary, and supporting respon-  
15               sibilities under the National Response Plan, the de-  
16               velopment of an inventory of Federal resources, in-  
17               cluding assets and personnel with particular skills  
18               that are available for deployment and employment in  
19               response to natural and man-made disasters.

20               (2) PRESCRIPTED MISSION ASSIGNMENTS.—To  
21               the extent practicable and where appropriate, the de-  
22               velopment of prescribed mission assignments in  
23               conjunction with the appropriate Federal agencies  
24               and departments with coordinating, primary and

1 supporting responsibilities under the National Re-  
2 sponse Plan.

3 (3) REPRESENTATION AT MILITARY COM-  
4 MANDS.—In consultation with the Department of  
5 Defense—

6 (A) the determination of appropriate rep-  
7 resentatives of the Department to the United  
8 States Northern Command and, as appropriate,  
9 the United States Pacific Command; and

10 (B) the integration of such representatives  
11 into national planning, training, exercising, and  
12 responses to a natural or man-made disaster to  
13 promote better coordination.

14 (4) COORDINATION WITH DEPARTMENT OF  
15 HEALTH AND HUMAN SERVICES.—Not later than  
16 March 1, 2007, the Secretary of Homeland Security  
17 and the Secretary of Health and Human Services  
18 shall—

19 (A) establish a memorandum of under-  
20 standing defining the respective roles and re-  
21 sponsibilities of their respective departments in  
22 providing for public health and medical care  
23 under the National Response Plan or in the  
24 event that the Secretary of Health and Human  
25 Services declares a public health emergency

1 under section 319 of the Public Health Service  
2 Act (42 U.S.C. 300hh et. seq.) and for coordi-  
3 nating their respective activities in such an  
4 event, including but not limited to deployment,  
5 operational control and re-supply of National  
6 Disaster Medical System and Metropolitan  
7 Medical Response System assets; and

8 (B) create a pilot project for establishing  
9 “special needs registries” in which individuals  
10 could voluntarily enroll. The registries would in-  
11 clude an individual’s location, medical needs,  
12 transportation needs, mobility, emergency con-  
13 tact information, etc., and which emergency and  
14 evacuation personnel and transportation pro-  
15 viders would be used in the event of an emer-  
16 gency to best meet the needs of special needs  
17 individuals and seniors in the community.

18 (f) REPORTS.—

19 (1) IN GENERAL.—Not later than May 1, 2007,  
20 and annually thereafter until May 1, 2017, the Sec-  
21 retary of Homeland Security, acting through the Ad-  
22 ministrator, shall submit a report to the Committee  
23 on Homeland Security and Governmental Affairs of  
24 the Senate and the Committee on Homeland Secu-  
25 rity of the House of Representatives describing all

1 Federal planning and preparedness efforts relating  
2 to the National Response Plan, including an evalua-  
3 tion of the status of national disaster planning, par-  
4 ticularly for catastrophic incidents.

5 (2) INITIAL REPORT.—The initial report sub-  
6 mitted under paragraph (1) shall include findings on  
7 the status and progress in completing the national  
8 operational plans described in subsections (a)  
9 through (d) and the preparedness efforts described  
10 in subsection (e).

11 **SEC. 405. TRAINING AND EXERCISES.**

12 (a) IN GENERAL.—The Administrator, in conjunction  
13 with other Federal departments and agencies with coordi-  
14 nating, primary, or support functions under the National  
15 Response Plan and in consultation with the National Advi-  
16 sory Committee, shall develop and implement a national  
17 training and exercise program to prepare for a fully co-  
18 ordinated and effective national response to natural and  
19 man-made disasters.

20 (b) REQUIREMENTS.—The training and exercise pro-  
21 gram under subsection (a) shall at a minimum include the  
22 following:

23 (1) STATE AND EMERGENCY MANAGEMENT OR-  
24 GANIZATIONS.—With respect to State and emer-  
25 gency organizations—



1           (A) incorporate input from States and  
2           emergency management organizations in devel-  
3           oping the national exercise and training pro-  
4           grams under subsection (a); and

5           (B) develop exercise and training programs  
6           for States and emergency management organi-  
7           zations relating to conducting disaster and cat-  
8           astrophic response training and exercises on the  
9           National Response Plan, State disaster plans,  
10          the Catastrophic Incident Annex to the Na-  
11          tional Response Plan, and operational plans de-  
12          veloped under section 404.

13          (2) INCORPORATION OF DISASTER RESPONSE  
14          ENTITIES.—Incorporate all Federal departments and  
15          agencies with any responsibilities under the National  
16          Response Plan, emergency agencies of State and  
17          local governments, and first responder groups out-  
18          side of government, including exercises relating to  
19          large-scale natural and man-made disasters, includ-  
20          ing catastrophic incidents, that simulate the partial  
21          or complete incapacitation of emergency response  
22          providers from State and local government.

23          (3) SCOPE.—Programs to address the unique  
24          requirements of the various special needs popu-  
25          lations.

1           (4) SURGE CAPACITY.—A training program on  
2 disaster response and recovery for employees of the  
3 Federal government designated as part of the surge  
4 capacity of the Federal Government, including dis-  
5 aster assistance employees.

6           (5) SENIOR OFFICIALS.—A training program  
7 that ensures that senior level officials from Federal  
8 agencies and departments with responsibilities under  
9 the National Response Plan, including senior mili-  
10 tary officers and officials with responsibilities related  
11 to mitigation, preparedness, response, and recovery  
12 from a natural or man-made disaster on a national  
13 level are trained in the National Response Plan, Na-  
14 tional Incident Management System, and, as appro-  
15 priate, the Defense Support to Civil Authorities mis-  
16 sion of the Department of Defense.

17           (6) ELECTED OFFICIALS.—A training program  
18 for Federal, State, and local government elected offi-  
19 cials regarding the National Response Plan, Na-  
20 tional Incident Management System, and, as appro-  
21 priate, the Defense Support to Civil Authorities mis-  
22 sion of the Department of Defense.

23           (7) PROCEDURES.—Procedures for imple-  
24 menting lessons learned from exercises into disaster  
25 response plans and programs.

1 (c) REPORTS.—

2 (1) IN GENERAL.—Not later than May 1, 2007,  
3 and annually thereafter until May 1, 2017, the Ad-  
4 ministrator shall submit to the Committee on Home-  
5 land Security and Governmental Affairs of the Sen-  
6 ate and the Committee on Homeland Security of the  
7 House of Representatives a report regarding the de-  
8 velopment and implementation of national exercise  
9 and training programs under subsection (a) by the  
10 Administrator.

11 (2) INITIAL REPORT.—The initial report sub-  
12 mitted under paragraph (1) shall describe the status  
13 and progress of the national exercise and training  
14 programs under subsection (b).

15 **SEC. 406. EMERGENCY SUPPORT FUNCTION ASSURANCE**  
16 **PROGRAMS.**

17 (a) ENTITY REPORTS AND CERTIFICATION.—Not  
18 later than February 1, 2007, and annually thereafter,  
19 each agency or entity designated as a primary or support  
20 organization for any emergency support function under  
21 the National Response Plan and annexes thereof shall pro-  
22 vide the coordinating organization for that emergency sup-  
23 port function with a detailed description of its plan to ful-  
24 fill its responsibilities under such Plan and annexes, in-  
25 cluding identification of key personnel and organizations

1 or offices responsible for such functions, and the staffing  
2 and budget allocated for these purposes for the current  
3 year and staffing and budget needs for the succeeding  
4 year. Each such agency or entity shall include in each such  
5 report a certification that the agency or entity is capable  
6 and prepared to fulfill its responsibilities under such Plan  
7 and annexes. If such agency or entity concludes that the  
8 agency or entity is not capable and prepared, the agency  
9 or entity should submit a remedial plan to the Adminis-  
10 trator and the coordinating organization for the relevant  
11 emergency support function.

12 (b) COORDINATING ORGANIZATION REPORTS AND  
13 CERTIFICATION.—Each agency or entity designated as the  
14 coordinating organizations under the National Response  
15 Plan and annexes thereof shall evaluate plans submitted  
16 by the primary and support agencies or entities in sub-  
17 section (a). Not later than March 1, 2007, and annually  
18 thereafter, each coordinating organization for an emer-  
19 gency support function under the Plan and its annexes  
20 thereof shall provide the Administrator with a detailed de-  
21 scription of its coordinated plan with primary and support  
22 entities or agencies for the relevant emergency support  
23 function to fulfill its responsibilities under the Plan and  
24 its annexes thereof, including identification of key per-  
25 sonnel and organizations or offices responsible for such

1 functions, and the staffing and budget allocated for these  
2 purposes for the current year and staffing and budget  
3 needs for the succeeding year. Each such agency or entity  
4 shall include in each such report a certification that the  
5 coordinating, primary, and support agencies or entities are  
6 capable and prepared to fulfill their responsibilities under  
7 such Plan and annexes. If such agency or entity concludes  
8 that the coordinating, primary, or support agency or entity  
9 is not capable and prepared, the agency or entity should  
10 submit a remedial plan to the Administrator and the co-  
11 ordinating organization for the relevant emergency sup-  
12 port function.

13 (c) EVALUATION AND REPORT TO CONGRESS BY THE  
14 ADMINISTRATOR.—

15 (1) IN GENERAL.—The Administrator shall en-  
16 sure that each agency or entity designated as a co-  
17 ordinating, primary, or support organization under  
18 the National Response Plan and annexes thereof is  
19 capable and prepared to carry out its responsibilities  
20 including appropriate operational plans, staffing, re-  
21 sources, and training.

22 (2) REPORTS.—Not later than June 1, 2007,  
23 and annually thereafter, the Administrator shall sub-  
24 mit a report to the Committee on Homeland Secu-  
25 rity and Governmental Affairs of the Senate and the

1 Homeland Security Committee of the House of Rep-  
2 resentatives that—

3 (A) evaluates and verifies the readiness of  
4 such agencies or entities for the purposes under  
5 paragraph (1);

6 (B) includes an appendix that identifies  
7 the level of funding and staffing each agency or  
8 entity has designated to meet its responsibilities  
9 under the National Response Plan; and

10 (C) in those cases where the Administrator  
11 determines that an agency or entity is not capa-  
12 ble or prepared to fulfill its responsibilities,  
13 identifies the deficiencies and develops an alter-  
14 native mechanism to ensure that the necessary  
15 capabilities are in place to meet the require-  
16 ments of the plan.

17 **TITLE V—PREVENTION OF**  
18 **FRAUD, WASTE, AND ABUSE**  
19 **DURING EMERGENCIES**

20 **SEC. 501. PROHIBITION ON EXCESSIVE PASS-THROUGH**  
21 **CHARGES.**

22 (a) REGULATIONS REQUIRED.—Not later than 120  
23 days after the date of the enactment of this Act, the Ad-  
24 ministrator for Federal Procurement Policy shall prescribe  
25 regulations prohibiting excessive pass-through charges on

1 contracts or subcontracts (or task or delivery orders) that  
2 are entered into for or on behalf of an executive agency  
3 that are in excess of the simplified acquisition threshold,  
4 as specified in section 4(11) of the Office of Federal Pro-  
5 curement Policy Act (41 U.S.C. 403(11)).

6 (b) SCOPE OF REGULATIONS.—The regulations pre-  
7 scribed under this section shall not apply to any firm,  
8 fixed-price contract or subcontract (or task or delivery  
9 order) that is—

10 (1) awarded on the basis of adequate price com-  
11 petition; or

12 (2) for the acquisition of a commercial item, as  
13 defined in section 4(12) of the Office of Federal  
14 Procurement Policy Act (41 U.S.C. 403(12)).

15 (c) DEFINITIONS.—In this section:

16 (1) The term “excessive pass-through charge”  
17 means a charge by a covered contractor or subcon-  
18 tractor for overhead or profit on work performed by  
19 a covered lower-tier contractor (other than charges  
20 for the direct costs of managing lower-tier contracts  
21 and overhead and profit based on such direct costs).

22 (2) The term “covered contractor” means the  
23 following:

24 (A) A contractor that assigns work ac-  
25 counting for more than 90 percent of the cost

1 of contract performance (not including overhead  
2 or profit) to subcontractors.

3 (B) In the case of a contract providing for  
4 the development or production of a system of  
5 systems, a contractor that assigns work ac-  
6 counting for more than 90 percent of the cost  
7 of contract performance (not including overhead  
8 or profit) for any particular system under such  
9 contract to subcontractors.

10 (3) The term “covered lower-tier contractor”  
11 means the following:

12 (A) With respect to a covered contractor  
13 described by paragraph (2)(A) in a contract,  
14 any lower-tier subcontractor under such con-  
15 tract.

16 (B) With respect to a covered contractor  
17 described by paragraph (2)(B) in a contract,  
18 any lower-tier subcontractor on a system under  
19 such contract for which such covered contractor  
20 has assigned work accounting for more than 90  
21 percent of the cost of contract performance (not  
22 including overhead or profit).

23 (4) The term “executive agency” has the mean-  
24 ing given such term in section 4 of the Office of  
25 Federal Procurement Policy Act (41 U.S.C. 403).



1 (d) EFFECTIVE DATE.—The regulations prescribed  
2 under this section shall apply to contracts awarded on or  
3 after the date that is 120 days after the date of the enact-  
4 ment of this Act.

5 (e) GAO REPORT.—Not later than 180 days after the  
6 date of enactment of this Act, the Comptroller General  
7 shall submit a report to Congress that—

8 (1) determines the total number all contracts  
9 and subcontracts described under subsection (a) en-  
10 tered into during the 2-year period preceding the  
11 date of enactment of this Act to carry out the Rob-  
12 ert T. Stafford Disaster Relief and Emergency As-  
13 sistance Act or relating to Hurricane Katrina;

14 (2) determines the number of the contracts and  
15 subcontracts described under paragraph (1) of this  
16 subsection to which the prohibition under subsection  
17 (a) would have applied if this section had been in ef-  
18 fect during that 2-year period; and

19 (3) determines the number of the contracts and  
20 subcontracts described under paragraph (1) of this  
21 subsection to which the prohibition under subsection  
22 (a) would have applied if—

23 (A) this section had been in effect during  
24 that 2-year period; and

1 (B) the term “80 percent” is substituted  
2 for the term “90 percent” each place it appears  
3 in subsection (c).

4 **SEC. 502. FRAUD PREVENTION PROGRAMS.**

5 (a) REPORT.—

6 (1) ANALYSIS.—The Secretary shall submit to  
7 the Committee on Homeland Security and Govern-  
8 mental Affairs of the Senate and the Committee on  
9 Homeland Security of the House of Representatives  
10 a report containing an analysis of fraud prevention  
11 programs used by the Department in connection  
12 with assistance programs. The analysis should as-  
13 sess, among other relevant issues, the effectiveness  
14 of, and adherence to, the fraud prevention controls  
15 used in such programs for registration and payment  
16 processes.

17 (2) RECOMMENDATIONS.—The report required  
18 under this subsection shall include recommendations  
19 for additional fraud prevention controls, including  
20 requiring that data provided by registrants be vali-  
21 dated against other Federal Government or third-  
22 party sources to determine the accuracy of identi-  
23 fication and residence information.

24 (b) TRAINING.—The Secretary shall conduct training  
25 on fraud awareness for key Department personnel, includ-

1 ing contracting officers and the Surge Capacity Force es-  
2 tablished under section 304(b), for the purpose of pre-  
3 venting fraud in the assistance programs of the Depart-  
4 ment.

5 **SEC. 503. CONTINGENCY CONTRACTING CORPS.**

6 (a) ESTABLISHMENT AND PURPOSE.—The Director  
7 of the Office of Management and Budget, in consultation  
8 with the heads of other relevant executive agencies, is au-  
9 thorized to establish and maintain a Contingency Con-  
10 tracting Corps (hereafter in this section referred to as the  
11 “Corps”). The Corps shall be composed of contracting of-  
12 ficers of executive agencies who are trained and available  
13 to perform on a temporary and volunteer basis services  
14 necessary to assist agencies with contracting activities  
15 during emergencies.

16 (b) SERVICE.—An employee of an executive agency  
17 shall receive the approval of such agency prior to per-  
18 forming services for the Corps under subsection (a) that  
19 reduce substantially the amount of time such employee is  
20 able to perform his or her normal job functions, and may  
21 perform such services for not more than one year. An em-  
22 ployee performing services for the Corps in accordance  
23 with this subsection shall not be removed from his or her  
24 job as a result of performing such services.

1           (c) TRAINING.—Members of the Corps shall receive  
2 training on contingency contracting from the Defense Ac-  
3 quisition University or the Federal Acquisition Institute.  
4 The training shall be provided using available funds in the  
5 Acquisition Workforce Training Fund established under  
6 section 37(h)(3)(A) of the Office of Federal Procurement  
7 Policy Act (41 U.S.C. 433(h)(3)(A)).

8           (d) CONTINGENCY CONTRACTING REGULATIONS.—  
9 Not later than 180 days after the date of enactment of  
10 this Act, the Administrator of the Office of Federal Pro-  
11 curement Policy shall revise the Federal Acquisition Regu-  
12 lation to compile the relevant sections relating to contin-  
13 gency contracting into a single chapter or annex.

14 **SEC. 504. VERIFICATION MEASURES FOR INDIVIDUALS AND**  
15 **HOUSEHOLDS PROGRAM.**

16           Not later than 180 days after the date of the enact-  
17 ment of this Act, the Administrator shall prescribe regula-  
18 tions—

19           (1) establishing an identity verification process  
20 for Individuals and Households Program (IHP) reg-  
21 istrants applying via the Internet or by telephone to  
22 provide reasonable assurance that disaster assistance  
23 payments are made only to qualified individuals;

24           (2) developing procedures to improve the exist-  
25 ing review process of duplicate registrations con-

1        taining the exact same social security numbers and  
2        to identify the reasons why registrations flagged as  
3        invalid or as potential duplicates have been over-  
4        ridden and approved for payment;

5            (3) establishing an address verification process  
6        for IHP registrants applying via the Internet or by  
7        telephone to provide reasonable assurance that dis-  
8        aster assistance payments are made only to qualified  
9        individuals;

10           (4) establishing procedures for entering into  
11        agreements with other agencies, such as the Social  
12        Security Administration, to periodically authenticate  
13        information contained in the IHP registrations;

14           (5) establishing procedures to collect duplicate  
15        expedited assistance payments or to offset these  
16        amounts against future payments;

17           (6) ensuring that future distributions of IHP  
18        debit cards include instructions on the proper use of  
19        IHP funds, similar to those instructions provided to  
20        recipients of IHP checks and electronic fund trans-  
21        fers, to prevent improper usage;

22           (7) ensuring that any systems or processes es-  
23        tablished pursuant to paragraphs (1) through (6)  
24        are fully tested before implementation for quality as-  
25        surance; and

1           (8) providing an expedited and simplified review  
2           and appeal process for IHP registrants whose dis-  
3           aster assistance applications are denied.

4 **SEC. 505. INFORMATION TECHNOLOGY SYSTEMS.**

5           The Secretary shall ensure that information tech-  
6           nology systems have functions to help ensure the validity  
7           of claims for assistance under the Robert T. Stafford Dis-  
8           aster Relief and Emergency Assistance Act (42 U.S.C.  
9           5121 et seq.), to deter waste, fraud, and abuse.

10 **SEC. 506. REGISTRY OF DEBRIS CONTRACTORS.**

11           (a) DEFINITIONS.—In this section—

12                   (1) the term “registry” means the registry cre-  
13                   ated under subsection (b); and

14                   (2) the terms “small business concern”, “small  
15                   business concern owned and controlled by socially  
16                   and economically disadvantaged individuals”, “small  
17                   business concern owned and controlled by women”,  
18                   and “small business concern owned and controlled  
19                   by service-disabled veterans” have the meanings  
20                   given those terms under the Small Business Act (15  
21                   U.S.C. 631 et seq.).

22           (b) REGISTRY.—

23                   (1) IN GENERAL.—The Administrator shall cre-  
24                   ate a registry of contractors who are capable of per-  
25                   forming debris removal, distribution of supplies, re-

1 construction, and other disaster or emergency relief  
2 activities.

3 (2) CONTENTS.—The registry shall include, for  
4 each business concern—

5 (A) the name of the business concern;

6 (B) the location of the business concern;

7 (C) the area served by the business con-  
8 cern;

9 (D) the type of good or service provided by  
10 the business concern; and

11 (E) whether the business concern is—

12 (i) a small business concern;

13 (ii) a small business concern owned  
14 and controlled by socially and economically  
15 disadvantaged individuals;

16 (iii) a small business concern owned  
17 and controlled by women; or

18 (iv) a small business concern owned  
19 and controlled by service-disabled veterans.

20 (3) SOURCE OF INFORMATION.—

21 (A) SUBMISSION.—Information maintained  
22 in the registry shall be submitted on a vol-  
23 untary basis by business concerns.

1           (B) ATTESTATION.—Each business con-  
2           cern submitting information to the registry  
3           shall submit—

4                   (i) an attestation that the information  
5                   is true; and

6                   (ii) documentation supporting such at-  
7                   testation.

8           (C) VERIFICATION.—The Administrator of  
9           the United States Emergency Management Au-  
10           thority shall verify that the documentation sub-  
11           mitted by each business concern supports the  
12           information submitted by that business concern.

13           (D) ENFORCEMENT PENALTIES FOR MIS-  
14           REPRESENTATION.—Any business concern that  
15           misrepresents the status of that business con-  
16           cern as a small business concern, a small busi-  
17           ness concern owned and controlled by socially  
18           and economically disadvantaged individuals, a  
19           small business concern owned and controlled by  
20           women, or a small business concern owned and  
21           controlled by service-disabled veterans shall be  
22           subject to the criminal and civil provisions of  
23           section 1001 of title 18, United States Code,  
24           and sections 3729 through 3733 of title 31,  
25           United States Code.



1           (4) AVAILABILITY OF REGISTRY.—The registry  
2 shall be made generally available on the Internet site  
3 of the United States Emergency Management Au-  
4 thority .

5           (5) CONSULTATION OF REGISTRY.—As part of  
6 the acquisition planning for contracting for debris  
7 removal, distribution of supplies in a disaster, recon-  
8 struction, and other disaster or emergency relief ac-  
9 tivities, a Federal agency shall consult the registry.

10 **SEC. 507. USE OF CERTAIN SUPPLY SCHEDULES.**

11       Section 502(e) of title 40, United States Code, is  
12 amended by striking paragraph (1) and inserting the fol-  
13 lowing:

14           “(1) IN GENERAL.—The Administrator may  
15 provide for the use by State or local governments of  
16 Federal supply schedules of the General Services Ad-  
17 ministration for—

18           “(A) automated data processing equipment  
19 (including firmware), software, supplies, sup-  
20 port equipment, and services (as contained in  
21 Federal supply classification code group 70);  
22 and

23           “(B) procurement of supplies or services to  
24 be used to prepare for or respond to a emer-  
25 gency or major disaster declared by the Presi-

1           dent under the Robert T. Stafford Disaster Re-  
2           lief and Emergency Assistance Act (42 U.S.C.  
3           5121 et seq).”.

4 **SEC. 508. USE OF LOCAL FIRMS AND INDIVIDUALS.**

5           The Robert T. Stafford Disaster Relief and Emer-  
6           gency Assistance Act (42 U.S.C. 5121 et seq.) is amended  
7           by striking section 307 and inserting the following:

8 **“SEC. 307. USE OF LOCAL FIRMS AND INDIVIDUALS.**

9           “(a) CONTRACTS OR AGREEMENTS WITH PRIVATE  
10          ENTITIES.—

11           “(1) IN GENERAL.—In the expenditure of Fed-  
12          eral funds for debris clearance, distribution of sup-  
13          plies, reconstruction, and other major disaster or  
14          emergency assistance activities which may be carried  
15          out by contract or agreement with private organiza-  
16          tions, firms, or individuals, preference shall be given,  
17          to the maximum extent practicable, to those organi-  
18          zations, firms, and individuals residing or doing  
19          business primarily in the area affected by such  
20          major disaster or emergency.

21           “(2) CONSTRUCTION.—This subsection shall  
22          not be considered to restrict the use of Department  
23          of Defense resources under this Act in the provision  
24          of assistance in a major disaster.

25          “(b) IMPLEMENTATION.—

1           “(1) CONTRACTS NOT TO ENTITIES IN AREA.—  
2     Any expenditure of Federal funds for debris clear-  
3     ance, distribution of supplies, reconstruction, and  
4     other major disaster or emergency assistance activi-  
5     ties which may be carried out by contract or agree-  
6     ment with private organizations, firms, or individ-  
7     uals, not awarded to an organization, firm, or indi-  
8     vidual residing or doing business primarily in the  
9     area affected by such major disaster shall be justi-  
10    fied in writing in the contract file.

11           “(2) TRANSITION.—To the maximum extent  
12    feasible and practicable, following the declaration of  
13    an emergency or major disaster, an agency per-  
14    forming response, relief, and reconstruction activities  
15    shall transition work performed under contracts in  
16    effect on the date on which the President declares  
17    the emergency or major disaster to organizations,  
18    firms, and individuals residing or doing business pri-  
19    marily in any area affected by the major disaster or  
20    emergency.”.

21 **SEC. 509. ADVANCE CONTRACTING.**

22           (a) INITIAL REPORT.—

23           (1) IN GENERAL.—Not later than 180 days  
24    after the date of enactment of this Act, the Adminis-

1       trator shall submit a report under paragraph (2)  
2       identifying—

3               (A) recurring disaster response require-  
4               ments, including specific goods and services, for  
5               which the Authority is capable of contracting  
6               for in advance of natural or man-made disasters  
7               in a cost effective manner;

8               (B) recurring disaster response require-  
9               ments, including specific goods and services, for  
10              which the Authority can not contract in ad-  
11              vance of a natural or manmade disaster in a  
12              cost-effective manner; and

13              (C) a contracting strategy that maximizes  
14              the use of advance contracts to the extent prac-  
15              tical and cost effective.

16       (2) SUBMISSION.—The report under paragraph  
17       (1) shall be submitted to—

18              (A) the Committee on Homeland Security  
19              and Governmental Affairs the Senate; and

20              (B) the Committee on Homeland Security  
21              of the House of Representatives.

22       (b) ENTERING INTO CONTRACTS.—Not later than 1  
23       year after the date of enactment of this Act, the Adminis-  
24       trator shall enter into 1 or more contracts through the  
25       use of competitive procedures for each type of goods or

1 services identified under subsection (a)(1)(A), and in ac-  
2 cordance with the contracting strategy identified in sub-  
3 section (a)(1)(C). Any contract for goods or services iden-  
4 tified in subsection (a)(1)(A) previously awarded under  
5 competitive procedures may be maintained in fulfilling this  
6 requirement.

7 (c) MAINTENANCE OF CONTRACTS.—After the date  
8 described under subsection (b), the Administrator shall  
9 have the responsibility to maintain contracts for appro-  
10 priate levels of goods and services in accordance with sub-  
11 section (a)(1)(C).

12 (d) REPORT ON CONTRACTS NOT USING COMPETI-  
13 TIVE PROCEDURES.—At the end of each fiscal quarter, be-  
14 ginning with the first fiscal quarter occurring at least 90  
15 days after the date of enactment of this Act, the Adminis-  
16 trator shall submit a report on each disaster assistance  
17 contract entered into by the Authority by other than com-  
18 petitive procedures to—

19 (1) the Committee on Homeland Security and  
20 Governmental Affairs the Senate; and

21 (2) the Committee on Homeland Security of the  
22 House of Representatives.

1           **TITLE VI—MISCELLANEOUS**  
2                           **PROVISIONS**

3   **SEC. 601. AUTHORIZATION OF APPROPRIATIONS.**

4           (a) IN GENERAL.—There are authorized to be appro-  
5   priated—

6           (1) for fiscal year 2007—

7                   (A) \$249,000,000 for “Administrative and  
8           Regional Operations”; and

9                   (B) \$240,000,000 for “Readiness, Mitiga-  
10          tion, Response, and Recovery”;

11          (2) for fiscal year 2008—

12                   (A) \$273,900,000 for “Administrative and  
13          Regional Operations”; and

14                   (B) \$264,000,000 for “Readiness, Mitiga-  
15          tion, Response, and Recovery”; and

16          (3) for fiscal year 2009—

17                   (A) \$301,290,000 for “Administrative and  
18          Regional Operations”; and

19                   (B) \$290,400,000 for “Readiness, Mitiga-  
20          tion, Response, and Recovery”.

21          (b) COMMUNICATIONS.—There are authorized to be  
22   appropriated—

23           (1) to carry out section 528 of the Homeland  
24   Security Act of 2002 (as amended by this Act),  
25   \$4,000,000 for each of fiscal years 2007 through

1 2010, and such amounts appropriated under this  
2 section shall remain available for 3 fiscal years after  
3 the date on which such funds are appropriated; and

4 (2) to carry out section 558 of the Homeland  
5 Security Act of 2002 (as added by this Act)—

6 (A) \$400,000,000 for fiscal year 2007;

7 (B) \$500,000,000 for fiscal year 2008;

8 (C) \$600,000,000 for fiscal year 2009;

9 (D) \$800,000,000 for fiscal year 2010;

10 (E) \$1,000,000,000 for fiscal year 2011;

11 and

12 (F) such sums as are necessary for each  
13 fiscal year thereafter; and

14 (3) for the operations of the Office for Emer-  
15 gency Communications and to carry out subtitle B  
16 of title V of the Homeland Security Act of 2002 ex-  
17 cept for section 558 (as added by this Act)—

18 (A) \$127,232,000 for fiscal year 2007;

19 (B) \$126,549,000 for fiscal year 2008;

20 (C) \$125,845,000 for fiscal year 2009;

21 (D) \$125,121,000 for fiscal year 2010;

22 and

23 (E) such sums as are necessary for each  
24 fiscal year thereafter.

1       (c) OTHER AUTHORIZATIONS.—Except as provided  
2 in subsections (b) and (c), there are authorized to be ap-  
3 propriated such sums as are necessary to carry out this  
4 Act, and the amendments made by this Act.

5 **SEC. 602. EFFECTIVE DATE.**

6       This Act and the amendments made by this Act shall  
7 take affect on January 1, 2007.

○