H. R. 3552

To improve emergency response activities in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 2013

Mr. ANDREWS introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To improve emergency response activities in the United States, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Emergency Response Improvement Act”.

SEC. 2. STATE OFFICES OF EMERGENCY MANAGEMENT.

(a) IN GENERAL.—To be eligible for assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) on or after October 1, 2014, the chief executive officer of a State shall be re-
required to maintain a State Office of Emergency Manage-
ment.

(b) DUTIES.—The State Office of Emergency Man-
agement referred to in subsection (a)—

(1) shall coordinate the State response to an
emergency; and

(2) may request Federal assistance with respect
to an emergency.

SEC. 3. EMERGENCY RESPONSE.

(a) FEDERAL INCIDENT COMMANDER.—If one or
more Federal departments or agencies provides assistance
to a State in response to an emergency, the President shall
designate an individual from one such department or
agency to serve as the Federal incident commander for
that emergency.

(b) FUNCTIONS.—As soon as practicable after des-
ignation under subsection (a), a Federal incident com-
mander shall—

(1) meet with representatives of Federal, State,
and local entities involved in the response to the
emergency; and

(2) assist such representatives in—

(A) creating a plan to respond to the emer-
gency that specifies the responsibilities of each
entity involved in the response;
(B) designating an individual to lead the response; and

(C) drafting and executing a memorandum of understanding with respect to the plan described in subparagraph (A) that describes the responsibilities of each entity involved in the response.

(c) FAILURE TO AGREE.—In the absence of a memorandum of understanding described in subsection (b)(2)(C), the Federal incident commander shall report to the President or the President’s designee and recommend if, and to what extent, the relevant Federal departments or agencies should be involved in the response to the emergency.

SEC. 4. EFFECT.
Nothing in this Act shall be construed to limit, expand, or change any authority granted to a Federal, State, or local entity to respond to an emergency under Federal, State, or local law.

SEC. 5. DEFINITIONS.
(a) IN GENERAL.—In this Act, the terms “emergency”, “Indian tribal government”, and “State” have the meanings given such terms in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).
(b) Treatment of Indian Tribal Governments.—For the purposes of this Act, any reference to "State" shall be treated as a reference also to "Indian tribal government".