

recover from, and mitigate against all hazards, including natural disasters, acts of terrorism, and other man-made disasters.

**(b) Distribution of guidelines**

The Administrator shall ensure that the guidelines are provided promptly to the appropriate committees of Congress and the States.

**(c) Objectives**

The Administrator shall ensure that the guidelines are specific, flexible, and measurable.

**(d) Terrorism risk assessment**

With respect to analyzing and assessing the risk of acts of terrorism, the Administrator shall consider—

(1) the variables of threat, vulnerability, and consequences related to population (including transient commuting and tourist populations), areas of high population density, critical infrastructure, coastline, and international borders; and

(2) the most current risk assessment available from the Chief Intelligence Officer of the Department of the threats of terrorism against the United States.

**(e) Preparedness priorities**

In establishing the guidelines under subsection (a), the Administrator shall establish preparedness priorities that appropriately balance the risk of all hazards, including natural disasters, acts of terrorism, and other man-made disasters, with the resources required to prevent, respond to, recover from, and mitigate against the hazards.

**(f) Mutual aid agreements**

The Administrator may provide support for the development of mutual aid agreements within States.

(Pub. L. 109-295, title VI, §646, Oct. 4, 2006, 120 Stat. 1426.)

**§ 747. Equipment and training standards**

**(a) Equipment standards**

**(1) In general**

The Administrator, in coordination with the heads of appropriate Federal agencies and the National Advisory Council, shall support the development, promulgation, and updating, as necessary, of national voluntary consensus standards for the performance, use, and validation of equipment used by Federal, State, local, and tribal governments and nongovernmental emergency response providers.

**(2) Requirements**

The national voluntary consensus standards shall—

(A) be designed to achieve equipment and other capabilities consistent with the national preparedness goal, including the safety and health of emergency response providers;

(B) to the maximum extent practicable, be consistent with existing national voluntary consensus standards;

(C) take into account, as appropriate, threats that may not have been contemplated when the existing standards were developed; and

(D) focus on maximizing operability, interoperability, interchangeability, durability, flexibility, efficiency, efficacy, portability, sustainability, and safety.

**(b) Training standards**

The Administrator shall—

(1) support the development, promulgation, and regular updating, as necessary, of national voluntary consensus standards for training; and

(2) ensure that the training provided under the national training program is consistent with the standards.

**(c) Consultation with standards organizations**

In carrying out this section, the Administrator shall consult with representatives of relevant public and private sector national voluntary consensus standards development organizations.

(Pub. L. 109-295, title VI, §647, Oct. 4, 2006, 120 Stat. 1426.)

**§ 748. Training and exercises**

**(a) National training program**

**(1) In general**

Beginning not later than 180 days after October 4, 2006, the Administrator, in coordination with the heads of appropriate Federal agencies, the National Council on Disability, and the National Advisory Council, shall carry out a national training program to implement the national preparedness goal, National Incident Management System, National Response Plan, and other related plans and strategies.

**(2) Training partners**

In developing and implementing the national training program, the Administrator shall—

(A) work with government training facilities, academic institutions, private organizations, and other entities that provide specialized, state-of-the-art training for emergency managers or emergency response providers; and

(B) utilize, as appropriate, training courses provided by community colleges, State and local public safety academies, State and private universities, and other facilities.

**(b) National exercise program**

**(1) In general**

Beginning not later than 180 days after October 4, 2006, the Administrator, in coordination with the heads of appropriate Federal agencies, the National Council on Disability, and the National Advisory Council, shall carry out a national exercise program to test and evaluate the national preparedness goal, National Incident Management System, National Response Plan, and other related plans and strategies.

**(2) Requirements**

The national exercise program—

(A) shall be—

(i) as realistic as practicable, based on current risk assessments, including credible and emerging threats, vulnerabilities,

and consequences, and designed to stress the national preparedness system;

(ii) designed, as practicable, to simulate the partial or complete incapacitation of a State, local, or tribal government;

(iii) carried out, as appropriate, with a minimum degree of notice to involved parties regarding the timing and details of such exercises, consistent with safety considerations;

(iv) designed to provide for the systematic evaluation of readiness and enhance operational understanding of the incident command system and relevant mutual aid agreements;

(v) designed to address the unique requirements of populations with special needs, including the elderly; and

(vi) designed to promptly develop after-action reports and plans for quickly incorporating lessons learned into future operations; and

(B) shall include a selection of model exercises that State, local, and tribal governments can readily adapt for use and provide assistance to State, local, and tribal governments with the design, implementation, and evaluation of exercises (whether a model exercise program or an exercise designed locally) that—

(i) conform to the requirements under subparagraph (A);

(ii) are consistent with any applicable State, local, or tribal strategy or plan; and

(iii) provide for systematic evaluation of readiness.

### (3) National level exercises

The Administrator shall periodically, but not less than biennially, perform national exercises for the following purposes:

(A) To test and evaluate the capability of Federal, State, local, and tribal governments to detect, disrupt, and prevent threatened or actual catastrophic acts of terrorism, especially those involving weapons of mass destruction.

(B) To test and evaluate the readiness of Federal, State, local, and tribal governments to respond and recover in a coordinated and unified manner to catastrophic incidents.

(Pub. L. 109–295, title VI, §648, Oct. 4, 2006, 120 Stat. 1427; Pub. L. 110–53, title IV, §§402, 403, Aug. 3, 2007, 121 Stat. 302, 303; Pub. L. 116–64, §3, Oct. 9, 2019, 133 Stat. 1123.)

#### Editorial Notes

##### AMENDMENTS

2019—Subsec. (b)(2)(A)(i). Pub. L. 116–64 inserted “and emerging” after “credible”.

2007—Subsec. (b)(2)(A)(iv) to (vi). Pub. L. 110–53, §402, added cls. (iv) to (vi) and struck out former cls. (iv) and (v) which read as follows:

“(iv) designed to provide for systematic evaluation of readiness; and

“(v) designed to address the unique requirements of populations with special needs; and”.

Subsec. (b)(2)(B). Pub. L. 110–53, §403, in introductory provisions, substituted “shall include a selection of model exercises that State, local, and tribal govern-

ments can readily adapt for use and provide assistance to State, local, and tribal governments with the design, implementation, and evaluation of exercises (whether a model exercise program or an exercise designed locally)” for “shall provide assistance to State, local, and tribal governments with the design, implementation, and evaluation of exercises”.

### § 748a. Prioritization of facilities

Not later than 180 days after October 5, 2018, the Administrator shall provide guidance and training on an annual basis to State, local, and Indian tribal governments, first responders, and utility companies on—

(1) the need to prioritize assistance to hospitals, nursing homes, and other long-term care facilities to ensure that such health care facilities remain functioning or return to functioning as soon as practicable during power outages caused by natural hazards, including severe weather events;

(2) how hospitals, nursing homes and other long-term care facilities should adequately prepare for power outages during a major disaster or emergency, as those terms are defined in section 5122 of title 42; and

(3) how State, local, and Indian tribal governments, first responders, utility companies, hospitals, nursing homes, and other long-term care facilities should develop a strategy to coordinate emergency response plans, including the activation of emergency response plans, in anticipation of a major disaster, including severe weather events.

(Pub. L. 115–254, div. D, §1208, Oct. 5, 2018, 132 Stat. 3441.)

#### Editorial Notes

##### CODIFICATION

Section was enacted as part of the Disaster Recovery Reform Act of 2018 and also as part of the FAA Reauthorization Act of 2018, and not as part of the Post-Katrina Emergency Management Reform Act of 2006 which comprises this chapter.

#### Statutory Notes and Related Subsidiaries

##### DEFINITIONS

For definitions of “Administrator” and “State” as used in this section, see section 1203 of Pub. L. 115–254, set out as a note under section 5122 of Title 42, The Public Health and Welfare.

### § 749. Comprehensive assessment system

#### (a) Establishment

The Administrator, in coordination with the National Council on Disability and the National Advisory Council, shall establish a comprehensive system to assess, on an ongoing basis, the Nation’s prevention capabilities and overall preparedness, including operational readiness.

#### (b) Performance metrics and measures

The Administrator shall ensure that each component of the national preparedness system, National Incident Management System, National Response Plan, and other related plans and strategies, and the reports required under section 752 of this title is developed, revised, and updated with clear and quantifiable performance metrics, measures, and outcomes.