

Subsec. (a)(2). Pub. L. 110-53, §407(1)(B), inserted “, including credentialing of personnel and typing of resources likely needed to respond to a natural disaster, act of terrorism, or other man-made disaster in accordance with section 320 of this title” before semicolon at end.

Subsec. (a)(5). Pub. L. 110-53, §407(1)(C)–(E), added par. (5).

Subsec. (d). Pub. L. 110-53, §407(2), inserted “to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives” after “certify” and struck out “coordinating, primary, or supporting” before “responsibilities”.

§ 754. Use of existing resources

In establishing the national preparedness goal and national preparedness system, the Administrator shall use existing preparedness documents, planning tools, and guidelines to the extent practicable and consistent with this Act.

(Pub. L. 109-295, title VI, §654, Oct. 4, 2006, 120 Stat. 1432.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in text, means title VI of Pub. L. 109-295, Oct. 4, 2006, 120 Stat. 1394, known as the Post-Katrina Emergency Management Reform Act of 2006. For complete classification of title VI to the Code, see Short Title note set out under section 701 of this title and Tables.

PART B—ADDITIONAL PREPAREDNESS

§ 761. Emergency Management Assistance Compact grants

(a) In general

The Administrator may make grants to administer the Emergency Management Assistance Compact consented to by the Joint Resolution entitled “Joint Resolution granting the consent of Congress to the Emergency Management Assistance Compact” (Public Law 104-321; 110 Stat. 3877).

(b) Uses

A grant under this section shall be used—

- (1) to carry out recommendations identified in the Emergency Management Assistance Compact after-action reports for the 2004 and 2005 hurricane season;
- (2) to administer compact operations on behalf of all member States and territories;
- (3) to continue coordination with the Agency and appropriate Federal agencies;
- (4) to continue coordination with State, local, and tribal government entities and their respective national organizations; and
- (5) to assist State and local governments, emergency response providers, and organizations representing such providers with credentialing emergency response providers and the typing of emergency response resources.

(c) Coordination

The Administrator shall consult with the Administrator of the Emergency Management Assistance Compact to ensure effective coordination of efforts in responding to requests for assistance.

(d) Authorization

There is authorized to be appropriated to carry out this section \$4,000,000 for each of fiscal years 2018 through 2022. Such sums shall remain available until expended.

(Pub. L. 109-295, title VI, §661, Oct. 4, 2006, 120 Stat. 1432; Pub. L. 115-254, div. D, §1217(b), Oct. 5, 2018, 132 Stat. 3451.)

Editorial Notes

REFERENCES IN TEXT

The Joint Resolution entitled “Joint Resolution granting the consent of Congress to the Emergency Management Assistance Compact”, referred to in subsec. (a), is Pub. L. 104-321, Oct. 19, 1996, 110 Stat. 3877, which is not classified to the Code.

AMENDMENTS

2018—Subsec. (d). Pub. L. 115-254 substituted “for each of fiscal years 2018 through 2022” for “for fiscal year 2008”.

§ 762. Emergency management performance grants program

(a) Definitions

In this section—

(1) the term “program” means the emergency management performance grants program described in subsection (b); and

(2) the term “State” has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(b) In general

The Administrator of the Federal Emergency Management Agency shall continue implementation of an emergency management performance grants program, to make grants to States to assist State, local, and tribal governments in preparing for all hazards, as authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(c) Federal share

Except as otherwise specifically provided by title VI of the Robert T. Stafford Disaster Relief and Emergency Assistance Act [42 U.S.C. 5195 et seq.], the Federal share of the cost of an activity carried out using funds made available under the program shall not exceed 50 percent.

(d) Apportionment

For fiscal year 2008, and each fiscal year thereafter, the Administrator shall apportion the amounts appropriated to carry out the program among the States as follows:

(1) Baseline amount

The Administrator shall first apportion 0.25 percent of such amounts to each of American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the Virgin Islands and 0.75 percent of such amounts to each of the remaining States.

(2) Remainder

The Administrator shall apportion the remainder of such amounts in the ratio that—

- (A) the population of each State; bears to
- (B) the population of all States.

(e) Consistency in allocation

Notwithstanding subsection (d), in any fiscal year before fiscal year 2013 in which the appropriation for grants under this section is equal to or greater than the appropriation for emergency management performance grants in fiscal year 2007, no State shall receive an amount under this section for that fiscal year less than the amount that State received in fiscal year 2007.

(f) Authorization of appropriations

There is authorized to be appropriated to carry out the program, for each of fiscal years 2018 through 2022, \$950,000,000.

(Pub. L. 109–295, title VI, § 662, Oct. 4, 2006, 120 Stat. 1433; Pub. L. 110–53, title II, § 201, Aug. 3, 2007, 121 Stat. 294; Pub. L. 115–254, div. D, § 1217(c), Oct. 5, 2018, 132 Stat. 3451.)

Editorial Notes**REFERENCES IN TEXT**

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, referred to in subsecs. (b) and (c), is Pub. L. 93–288, May 22, 1974, 88 Stat. 143, which is classified principally to chapter 68 (§ 5121 et seq.) of Title 42, The Public Health and Welfare. Title VI of the Act is classified generally to subchapter IV–B (§ 5195 et seq.) of chapter 68 of Title 42. For complete classification of this Act to the Code, see Short Title note set out under section 5121 of Title 42 and Tables.

AMENDMENTS

2018—Subsec. (f). Pub. L. 115–254 substituted “the program, for each of fiscal years 2018 through 2022” for “the program—

- “(1) for fiscal year 2008, \$400,000,000;
- “(2) for fiscal year 2009, \$535,000,000;
- “(3) for fiscal year 2010, \$680,000,000;
- “(4) for fiscal year 2011, \$815,000,000; and
- “(5) for fiscal year 2012”.

2007—Pub. L. 110–53 amended section catchline and text generally. Prior to amendment, text read as follows: “There is authorized to be appropriated for the Emergency Management Performance Grants Program for fiscal year 2008, an amount equal to the amount appropriated for the program for fiscal year 2007 and an additional \$175,000,000.”

§ 763. Transfer of Noble Training Center

The Noble Training Center is transferred to the Center for Domestic Preparedness. The Center for Domestic Preparedness shall integrate the Noble Training Center into the program structure of the Center for Domestic Preparedness.

(Pub. L. 109–295, title VI, § 663, Oct. 4, 2006, 120 Stat. 1433.)

§ 763a. Training for Federal Government, foreign governments, or private entities

In fiscal year 2013 and thereafter: (a) the Center for Domestic Preparedness may provide training to emergency response providers from the Federal Government, foreign governments, or private entities, if the Center for Domestic Preparedness is reimbursed for the cost of such training, and any reimbursement under this subsection shall be credited to the account from which the expenditure being reimbursed was made and shall be available, without fiscal year limitation, for the purposes for which amounts

in the account may be expended; (b) the head of the Center for Domestic Preparedness shall ensure that any training provided under (a) does not interfere with the primary mission of the Center to train State and local emergency response providers; and (c) subject to (b), nothing in (a) prohibits the Center for Domestic Preparedness from providing training to employees of the Federal Emergency Management Agency in existing chemical, biological, radiological, nuclear, explosives, mass casualty, and medical surge courses pursuant to 5 U.S.C. 4103 without reimbursement for the cost of such training.

(Pub. L. 113–6, div. D, title III, Mar. 26, 2013, 127 Stat. 359.)

Editorial Notes**CODIFICATION**

Section was enacted as part of the Department of Homeland Security Appropriations Act, 2013, and not as part of the Post-Katrina Emergency Management Reform Act of 2006 which comprises this chapter.

§ 764. National exercise simulation center

The President shall establish a national exercise simulation center that—

(1) uses a mix of live, virtual, and constructive simulations to—

(A) prepare elected officials, emergency managers, emergency response providers, and emergency support providers at all levels of government to operate cohesively;

(B) provide a learning environment for the homeland security personnel of all Federal agencies;

(C) assist in the development of operational procedures and exercises, particularly those based on catastrophic incidents; and

(D) allow incident commanders to exercise decisionmaking in a simulated environment; and

(2) uses modeling and simulation for training, exercises, and command and control functions at the operational level.

(Pub. L. 109–295, title VI, § 664, Oct. 4, 2006, 120 Stat. 1433.)

§ 765. Real property transactions**(a) Reports to the Armed Services Committees**

The Director of the Office of Civil and Defense Mobilization, or his designee, may not enter into any of the following listed transactions by or for the use of that agency until after the expiration of thirty days from the date upon which a report of the facts concerning the proposed transaction is submitted to the Committees on Armed Services of the Senate and House of Representatives:

(1) An acquisition of fee title to any real property, if the estimated price is more than \$50,000.

(2) A lease of any real property to the United States, if the estimated annual rental is more than \$50,000.

(3) A lease of real property owned by the United States, if the estimated annual rental is more than \$50,000.

(4) A transfer of real property owned by the United States to another Federal agency or to a State, if the estimated value is more than \$50,000.

(5) A report of excess real property owned by the United States to a disposal agency, if the estimated value is more than \$50,000.

If a transaction covered by clause (1) or (2) is part of a project, the report must include a summarization of the general plan for that project, including an estimate of the total cost of the lands to be acquired or leases to be made.

(b) Annual reports to Armed Services Committees

The Director of the Office of Civil and Defense Mobilization shall report annually to the Committees on Armed Services of the Senate and the House of Representatives on transactions described in subsection (a) that involve an estimated value of more than \$5,000 but not more than \$50,000.

(c) Real property governed by this section

This section applies only to real property in the States of the Union, the District of Columbia, and Puerto Rico. It does not apply to real property for river and harbor projects or flood-control projects, or to leases of Government-owned real property for agricultural or grazing purposes.

(d) Recital of compliance in instrument of conveyance as conclusive

A statement in an instrument of conveyance, including a lease, that the requirements of this section have been met, or that the conveyance is not subject to this section, is conclusive.

(Aug. 10, 1956, ch. 1041, § 43, 70A Stat. 636; Pub. L. 86-70, § 37, June 25, 1959, 73 Stat. 150; Pub. L. 86-500, title V, § 512, June 8, 1960, 74 Stat. 187; Pub. L. 86-624, § 38, June 12, 1960, 74 Stat. 421; Pub. L. 96-470, title II, § 202(c), Oct. 19, 1980, 94 Stat. 2242.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 2285 of the former Appendix to Title 50, War and National Defense, prior to editorial reclassification and renumbering as this section.

Prior to classification as section 2285, section was formerly classified to section 171x of Title 5 prior to the general revision and enactment of Title 5, Government Organization and Employees, by Pub. L. 89-554, § 1, Sept. 6, 1966, 80 Stat. 378.

Section was enacted as a part of act Aug. 10, 1956, ch. 1041, and not as part of the Post-Katrina Emergency Management Reform Act of 2006 which comprises this chapter.

AMENDMENTS

1980—Subsec. (b). Pub. L. 96-470 substituted “annually” for “quarterly”.

1960—Subsec. (a). Pub. L. 86-500 substituted “Director of the Office of Civil and Defense Mobilization” for “Administrator of the Federal Civil Defense Administration”, prohibited the Director from entering into any of the transactions listed in subsec. (a) until after the expiration of 30 days from the date upon which a report of the facts concerning the proposed transaction is submitted to the Committees on Armed Services of the Senate and House of Representatives, and increased the amounts in cls. (1) to (5) from \$25,000 to \$50,000.

Subsec. (b). Pub. L. 86-500 substituted “Director of the Office of Civil and Defense Mobilization” for “Administrator” and “\$50,000” for “\$25,000”.

Subsec. (c). Pub. L. 86-624 substituted “States of the Union, the District of Columbia” for “United States, Hawaii.”

Pub. L. 86-500 struck out “, Hawaii,” after “United States”.

Subsec. (d). Pub. L. 86-500 reenacted subsection without change.

1959—Subsec. (c). Pub. L. 86-70 struck out “Alaska,” after “United States,”.

Statutory Notes and Related Subsidiaries

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103-7 (in which a report required under 50 U.S.C. app. 2285(b) (now subsec. (b) of this section) is listed as the 10th item on page 169), see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance.

TRANSFER OF FUNCTIONS

Pub. L. 85-763, Aug. 26, 1958, 72 Stat. 861, amended Reorg. Plan No. 1 of 1958 by redesignating Office of Defense and Civilian Mobilization as Office of Civil and Defense Mobilization.

Pub. L. 87-296, Sept. 22, 1961, 75 Stat. 630, amended Reorg. Plan No. 1 of 1958 by redesignating Office of Civil and Defense Mobilization as Office of Emergency Planning.

Office of Emergency Planning renamed Office of Emergency Preparedness pursuant to section 402 of Pub. L. 90-608, Oct. 21, 1968, 82 Stat. 1194, which provided that references to Office of Emergency Planning after Oct. 21, 1968, should be deemed references to Office of Emergency Preparedness.

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of this title.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of this title, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of this title.

Executive Documents

TRANSFER OF FUNCTIONS

Functions of Federal Civil Defense Administration transferred to President by section 1 of Reorg. Plan No. 1 of 1958, eff. July 1, 1958, 23 F.R. 4991, 72 Stat. 1799, as amended, set out as a note under section 5195 of Title 42, The Public Health and Welfare. The Plan created a new agency in Executive Office of President known as Office of Defense and Civilian Mobilization.

Office of Emergency Preparedness, including offices of Director, Deputy Director, Assistant Directors, and Regional Directors, abolished and functions vested by law in Office of Emergency Preparedness or Director of Office of Emergency Preparedness transferred to President by sections 1 and 3(a)(1) of Reorg. Plan No. 1 of 1973, eff. July 1, 1973, 38 F.R. 9579, 87 Stat. 1089, set out as a note under section 5195 of Title 42, The Public Health and Welfare.

Functions vested in Director of Office of Emergency Preparedness as of June 30, 1973, by Executive Order,

proclamation, or other directive issued by or on behalf of President or otherwise, with certain exceptions, transferred to Administrator of General Services, effective July 1, 1973, by Ex. Ord. No. 11725, §3, eff. June 29, 1973, 38 F.R. 17175, formerly set out as a note under section 2271 of the former Appendix to Title 50, War and National Defense.

Functions of Administrator of Federal Civil Defense Administration under this section, previously transferred to President, delegated to Director of Federal Emergency Management Agency by section 4-105 of Ex. Ord. No. 12148, July 20, 1979, 44 F.R. 43242, set out as a note under section 5195 of Title 42, The Public Health and Welfare.

PART C—MISCELLANEOUS AUTHORITIES

§ 771. National Disaster Recovery Strategy

(a) In general

The Administrator, in coordination with the Secretary of Housing and Urban Development, the Administrator of the Environmental Protection Agency, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of the Treasury, the Secretary of Transportation, the Administrator of the Small Business Administration, the Assistant Secretary for Indian Affairs of the Department of the Interior, and the heads of other appropriate Federal agencies, State, local, and tribal government officials (including through the National Advisory Council), and representatives of appropriate nongovernmental organizations shall develop, coordinate, and maintain a National Disaster Recovery Strategy to serve as a guide to recovery efforts after major disasters and emergencies.

(b) Contents

The National Disaster Recovery Strategy shall—

- (1) outline the most efficient and cost-effective Federal programs that will meet the recovery needs of States, local and tribal governments, and individuals and households affected by a major disaster;
- (2) clearly define the role, programs, authorities, and responsibilities of each Federal agency that may be of assistance in providing assistance in the recovery from a major disaster;
- (3) promote the use of the most appropriate and cost-effective building materials (based on the hazards present in an area) in any area affected by a major disaster, with the goal of encouraging the construction of disaster-resistant buildings; and
- (4) describe in detail the programs that may be offered by the agencies described in paragraph (2), including—
 - (A) discussing funding issues;
 - (B) detailing how responsibilities under the National Disaster Recovery Strategy will be shared; and
 - (C) addressing other matters concerning the cooperative effort to provide recovery assistance.

(c) Report

(1) In general

Not later than 270 days after October 4, 2006, the Administrator shall submit to the appropriate committees of Congress a report de-

scribing in detail the National Disaster Recovery Strategy and any additional authorities necessary to implement any portion of the National Disaster Recovery Strategy.

(2) Update

The Administrator shall submit to the appropriate committees of Congress a report updating the report submitted under paragraph (1)—

- (A) on the same date that any change is made to the National Disaster Recovery Strategy; and
- (B) on a periodic basis after the submission of the report under paragraph (1), but not less than once every 5 years after the date of the submission of the report under paragraph (1).

(Pub. L. 109-295, title VI, §682, Oct. 4, 2006, 120 Stat. 1445.)

§ 772. National Disaster Housing Strategy

(a) In general

The Administrator, in coordination with representatives of the Federal agencies, governments, and organizations listed in subsection (b)(2) of this section, the National Advisory Council, the National Council on Disability, and other entities at the Administrator's discretion, shall develop, coordinate, and maintain a National Disaster Housing Strategy.

(b) Contents

The National Disaster Housing Strategy shall—

- (1) outline the most efficient and cost effective Federal programs that will best meet the short-term and long-term housing needs of individuals and households affected by a major disaster;
- (2) clearly define the role, programs, authorities, and responsibilities of each entity in providing housing assistance in the event of a major disaster, including—
 - (A) the Agency;
 - (B) the Department of Housing and Urban Development;
 - (C) the Department of Agriculture;
 - (D) the Department of Veterans Affairs;
 - (E) the Department of Health and Human Services;
 - (F) the Bureau of Indian Affairs;
 - (G) any other Federal agency that may provide housing assistance in the event of a major disaster;
 - (H) the American Red Cross; and
 - (I) State, local, and tribal governments;
- (3) describe in detail the programs that may be offered by the entities described in paragraph (2), including—
 - (A) outlining any funding issues;
 - (B) detailing how responsibilities under the National Disaster Housing Strategy will be shared; and
 - (C) addressing other matters concerning the cooperative effort to provide housing assistance during a major disaster;
- (4) consider methods through which housing assistance can be provided to individuals and households where employment and other resources for living are available;