

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;

(5) describe programs directed to meet the needs of special needs and low-income populations and ensure that a sufficient number of housing units are provided for individuals with disabilities;

(6) describe plans for the operation of clusters of housing provided to individuals and households, including access to public services, site management, security, and site density;

(7) describe plans for promoting the repair or rehabilitation of existing rental housing, including through lease agreements or other means, in order to improve the provision of housing to individuals and households under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174); and

(8) describe any additional authorities necessary to carry out any portion of the strategy.

(c) Guidance

The Administrator should develop and make publicly available guidance on—

(1) types of housing assistance available under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) to individuals and households affected by an emergency or major disaster;

(2) eligibility for such assistance (including, where appropriate, the continuation of such assistance); and

(3) application procedures for such assistance.

(d) 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 describing in detail the National Disaster Housing Strategy, including programs directed to meeting the needs of special needs populations.

(2) Updated report

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 Housing 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, §683, Oct. 4, 2006, 120 Stat. 1446.)

Editorial Notes

REFERENCES IN TEXT

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, referred to in subsec. (c)(1), 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. For complete classification of this Act to the Code, see Short Title note set out under section 5121 of Title 42 and Tables.

§ 773. Individuals with disabilities guidelines

Not later than 90 days after October 4, 2006, and in coordination with the National Advisory Council, the National Council on Disability, the Interagency Coordinating Council on Preparedness and Individuals With Disabilities established under Executive Order No. 13347, and the Disability Coordinator (established under section 321b of this title), the Administrator shall develop guidelines to accommodate individuals with disabilities, which shall include guidelines for—

(1) the accessibility of, and communications and programs in, shelters, recovery centers, and other facilities; and

(2) devices used in connection with disaster operations, including first aid stations, mass feeding areas, portable payphone stations, portable toilets, and temporary housing.

(Pub. L. 109–295, title VI, §689(a), Oct. 4, 2006, 120 Stat. 1448.)

Editorial Notes

REFERENCES IN TEXT

Executive Order No. 13347, referred to in text, is set out as a note under section 314 of this title.

§ 774. Reunification

(a) Definitions

In this section:

(1) Child Locator Center

The term “Child Locator Center” means the National Emergency Child Locator Center established under subsection (b).

(2) Declared event

The term “declared event” means a major disaster or emergency.

(3) Displaced adult

The term “displaced adult” means an individual 21 years of age or older who is displaced from the habitual residence of that individual as a result of a declared event.

(4) Displaced child

The term “displaced child” means an individual under 21 years of age who is displaced from the habitual residence of that individual as a result of a declared event.

(b) National Emergency Child Locator Center

(1) In general

Not later than 180 days after October 4, 2006, the Administrator, in coordination with the Attorney General of the United States, shall establish within the National Center for Missing and Exploited Children the National Emergency Child Locator Center. In establishing the National Emergency Child Locator Center, the Administrator shall establish procedures to make all relevant information available to the National Emergency Child Locator Center in a timely manner to facilitate the expeditious identification and reunification of children with their families.

(2) Purposes

The purposes of the Child Locator Center are to—

(A) enable individuals to provide to the Child Locator Center the name of and other identifying information about a displaced child or a displaced adult who may have information about the location of a displaced child;

(B) enable individuals to receive information about other sources of information about displaced children and displaced adults; and

(C) assist law enforcement in locating displaced children.

(3) Responsibilities and duties

The responsibilities and duties of the Child Locator Center are to—

(A) establish a toll-free telephone number to receive reports of displaced children and information about displaced adults that may assist in locating displaced children;

(B) create a website to provide information about displaced children;

(C) deploy its staff to the location of a declared event to gather information about displaced children;

(D) assist in the reunification of displaced children with their families;

(E) provide information to the public about additional resources for disaster assistance;

(F) work in partnership with Federal, State, and local law enforcement agencies;

(G) provide technical assistance in locating displaced children;

(H) share information on displaced children and displaced adults with governmental agencies and nongovernmental organizations providing disaster assistance;

(I) use its resources to gather information about displaced children;

(J) refer reports of displaced adults to—

(i) an entity designated by the Attorney General to provide technical assistance in locating displaced adults; and

(ii) the National Emergency Family Registry and Locator System as defined under section 775(a) of this title;

(K) enter into cooperative agreements with Federal and State agencies and other organizations such as the American Red Cross as necessary to implement the mission of the Child Locator Center; and

(L) develop an emergency response plan to prepare for the activation of the Child Locator Center.

(c) Omitted

(d) Report

Not later than 270 days after October 4, 2006, the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate and the Committee on Transportation and Infrastructure and the Committee on the Judiciary of the House of Representatives a report describing in detail the status of the Child Locator Center, including funding issues and any difficulties or issues in establishing the Center or completing the cooperative agreements described in subsection (b)(3)(K).

(Pub. L. 109-295, title VI, § 689b, Oct. 4, 2006, 120 Stat. 1449.)

Editorial Notes

CODIFICATION

Section is comprised of section 689b of Pub. L. 109-295. Subsec. (c) of section 689b of Pub. L. 109-295 amended section 11292 of Title 34, Crime Control and Law Enforcement.

§ 775. National Emergency Family Registry and Locator System

(a) Definitions

In this section—

(1) the term “displaced individual” means an individual displaced by an emergency or major disaster; and

(2) the term “National Emergency Family Registry and Locator System” means the National Emergency Family Registry and Locator System established under subsection (b).

(b) Establishment

Not later than 180 days after October 4, 2006, the Administrator shall establish a National Emergency Family Registry and Locator System to help reunify families separated after an emergency or major disaster.

(c) Operation of System

The National Emergency Family Registry and Locator System shall—

(1) allow a displaced adult (including medical patients) to voluntarily register (and allow an adult that is the parent or guardian of a displaced child to register such child), by submitting personal information to be entered into a database (such as the name, current location of residence, and any other relevant information that could be used by others seeking to locate that individual);

(2) ensure that information submitted under paragraph (1) is accessible to those individuals named by a displaced individual and to those law enforcement officials;

(3) be accessible through the Internet and through a toll-free number, to receive reports of displaced individuals; and

(4) include a means of referring displaced children to the National Emergency Child Locator Center established under section 774 of this title.

(d) Publication of information

Not later than 210 days after October 4, 2006, the Administrator shall establish a mechanism to inform the public about the National Emergency Family Registry and Locator System and its potential usefulness for assisting to reunite displaced individuals with their families.

(e) Coordination

Not later than 90 days after October 4, 2006, the Administrator shall enter a memorandum of understanding with the Department of Justice, the National Center for Missing and Exploited Children, the Department of Health and Human Services, and the American Red Cross and other relevant private organizations that will enhance the sharing of information to facilitate reuniting displaced individuals (including medical patients) with their families.

(f) Report

Not later than 270 days after October 4, 2006, the Administrator shall submit to the appropriate committees of Congress a report describing in detail the status of the National Emergency Family Registry and Locator System, including any difficulties or issues in establishing the System, including funding issues.

(Pub. L. 109-295, title VI, § 689c, Oct. 4, 2006, 120 Stat. 1451.)

§ 776. Individuals and households pilot program**(a) Pilot program****(1) In general**

The President, acting through the Administrator, in coordination with State, local, and tribal governments, shall establish and conduct a pilot program. The pilot program shall be designed to make better use of existing rental housing, located in areas covered by a major disaster declaration, in order to provide timely and cost-effective temporary housing assistance to individuals and households eligible for assistance under section 5174 of title 42 where alternative housing options are less available or less cost-effective.

(2) Administration**(A) In general**

For the purposes of the pilot program under this section, the Administrator may—

- (i) enter into lease agreements with owners of multi-family rental property located in areas covered by a major disaster declaration to house individuals and households eligible for assistance under section 5174 of title 42;
- (ii) make improvements to properties under such lease agreements;
- (iii) use the pilot program where the program is cost effective in that the cost to the Government for the lease agreements is in proportion to the savings to the Government by not providing alternative housing; and
- (iv) limit repairs to those required to ensure that the housing units shall meet Federal housing quality standards.

(B) Improvements to leased properties

Under the terms of any lease agreement for a property described under subparagraph (A)(ii), the value of the contribution of the Agency to such improvements—

- (i) shall be deducted from the value of the lease agreement; and
- (ii) may not exceed the value of the lease agreement.

(3) Consultation

In administering the pilot program under this section, the Administrator may consult with State, local, and tribal governments.

(4) Report**(A) In general**

Not later than March 31, 2009, the Administrator shall submit to the appropriate committees of Congress a report regarding the effectiveness of the pilot program.

(B) Contents

The Administrator shall include in the report—

- (i) an assessment of the effectiveness of the pilot program under this section, including an assessment of cost-savings to the Federal Government and any benefits to individuals and households eligible for assistance under section 5174 of title 42 under the pilot program;
- (ii) findings and conclusions of the Administrator with respect to the pilot program;
- (iii) an assessment of additional authorities needed to aid the Agency in its mission of providing disaster housing assistance to individuals and households eligible for assistance under section 5174 of title 42, either under the pilot program under this section or other potential housing programs; and
- (iv) any recommendations of the Administrator for additional authority to continue or make permanent the pilot program.

(b) Pilot program project approval

The Administrator shall not approve a project under the pilot program after December 31, 2008.

(Pub. L. 109-295, title VI, § 689i, Oct. 4, 2006, 120 Stat. 1454.)

§ 777. Public assistance pilot program**(a) Pilot program****(1) In general**

The President, acting through the Administrator, and in coordination with State and local governments, shall establish and conduct a pilot program to—

- (A) reduce the costs to the Federal Government of providing assistance to States and local governments under sections 5170b(a)(3)(A), 5172, and 5173 of title 42;
- (B) increase flexibility in the administration of sections 5170b(a)(3)(A), 5172, and 5173 of title 42; and
- (C) expedite the provision of assistance to States and local governments provided under sections 5170b(a)(3)(A), 5172, and 5173 of title 42.

(2) Participation

Only States and local governments that elect to participate in the pilot program may participate in the pilot program for a particular project.

(3) Innovative administration**(A) In general**

For purposes of the pilot program, the Administrator shall establish new procedures to administer assistance provided under the sections referred to in paragraph (1).

(B) New procedures

The new procedures established under subparagraph (A) may include 1 or more of the following:

- (i) Notwithstanding section 5172(c)(1)(A) of title 42, providing an option for a State

or local government to elect to receive an in-lieu contribution in an amount equal to 90 percent of the Federal share of the Federal estimate of the cost of repair, restoration, reconstruction, or replacement of a public facility owned or controlled by the State or local government and of management expenses.

(ii) Making grants on the basis of estimates agreed to by the local government (or where no local government is involved, by the State government) and the Administrator to provide financial incentives and disincentives for the local government (or where no local government is involved, for the State government) for the timely or cost effective completion of projects under sections 5170b(a)(3)(A), 5172, and 5173 of title 42.

(iii) Increasing the Federal share for removal of debris and wreckage for States and local governments that have a debris management plan approved by the Administrator and have pre-qualified 1 or more debris and wreckage removal contractors before the date of declaration of the major disaster.

(iv) Using a sliding scale for the Federal share for removal of debris and wreckage based on the time it takes to complete debris and wreckage removal.

(v) Using a financial incentive to recycle debris.

(vi) Reimbursing base wages for employees and extra hires of a State or local government involved in or administering debris and wreckage removal.

(4) Waiver

The Administrator may waive such regulations or rules applicable to the provisions of assistance under the sections referred to in paragraph (1) as the Administrator determines are necessary to carry out the pilot program under this section.

(b) Report

(1) In general

Not later than March 31, 2009, the Administrator shall submit to the appropriate committees of Congress a report regarding the effectiveness of the pilot program under this section.

(2) Contents

The report submitted under paragraph (1) shall include—

(A) an assessment by the Administrator of any administrative or financial benefits of the pilot program;

(B) an assessment by the Administrator of the effect, including any savings in time and cost, of the pilot program;

(C) any identified legal or other obstacles to increasing the amount of debris recycled after a major disaster;

(D) any other findings and conclusions of the Administrator with respect to the pilot program; and

(E) any recommendations of the Administrator for additional authority to continue or make permanent the pilot program.

(c) Deadline for initiation of implementation

The Administrator shall initiate implementation of the pilot program under this section not later than 90 days after October 4, 2006.

(d) Pilot program project duration

The Administrator may not approve a project under the pilot program under this section after December 31, 2008.

(Pub. L. 109–295, title VI, § 689j, Oct. 4, 2006, 120 Stat. 1455.)

PART D—PREVENTION OF FRAUD, WASTE, AND ABUSE

§ 791. Advance contracting

(a) Initial report

(1) In general

Not later than 180 days after October 4, 2006, the Administrator shall submit a report under paragraph (2) identifying—

(A) recurring disaster response requirements, including specific goods and services, for which the Agency is capable of contracting for in advance of a natural disaster or act of terrorism or other man-made disaster in a cost effective manner;

(B) recurring disaster response requirements, including specific goods and services, for which the Agency can not contract in advance of a natural disaster or act of terrorism or other man-made disaster in a cost effective manner; and

(C) a contracting strategy that maximizes the use of advance contracts to the extent practical and cost-effective.

(2) Submission

The report under paragraph (1) shall be submitted to the appropriate committees of Congress.

(b) Entering into contracts

(1) In general

Not later than 1 year after October 4, 2006, the Administrator shall enter into 1 or more contracts for each type of goods or services identified under subsection (a)(1)(A), and in accordance with the contracting strategy identified in subsection (a)(1)(C). Any contract for goods or services identified in subsection (a)(1)(A) previously awarded may be maintained in fulfilling this requirement.

(2) Considered factors

Before entering into any contract under this subsection, the Administrator shall consider section 5150 of title 42.

(3) Prenegotiated Federal contracts for goods and services

The Administrator, in coordination with State and local governments and other Federal agencies, shall establish a process to ensure that Federal prenegotiated contracts for goods and services are coordinated with State and local governments, as appropriate.

(4) Prenegotiated State and local contracts for goods and services

The Administrator shall encourage State and local governments to establish