

107TH CONGRESS  
2D SESSION

# H. R. 5461

To enhance homeland security by encouraging the development of regional comprehensive emergency preparedness and coordination plans.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 2002

Mr. KINGSTON (for himself, Mr. LARSON of Connecticut, Mr. TOM DAVIS of Virginia, and Mr. LEWIS of Kentucky) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To enhance homeland security by encouraging the development of regional comprehensive emergency preparedness and coordination plans.

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 “Regional Comprehen-  
5       sive Emergency Preparedness, Coordination, and Recovery  
6       Act of 2002”.

7       **SEC. 2. FINDINGS; PURPOSE.**

8       (a) FINDINGS.—Congress finds the following:

1           (1) Responders to the terrorist attacks at the  
2           World Trade Center, the Pentagon, and the tragedy  
3           in Pennsylvania on September 11, 2001, from nu-  
4           merous jurisdictions assisted the fire and rescue  
5           workers responsible for responding within their ju-  
6           risdictions.

7           (2) Even in the largest municipality, first re-  
8           sponders need the support of local elected officials  
9           and neighboring jurisdictions, as well as support  
10          from numerous regional, State, Federal, and private  
11          sector entities.

12          (3) The sheer number of agencies taking part  
13          in any emergency response demands coordination,  
14          mutual support, and effective communication. Re-  
15          gional planning and coordination of response efforts  
16          are essential to ensure the least loss of life and dam-  
17          age to property.

18          (4) Regional councils of governments, regional  
19          planning commissions, and development districts  
20          have the accountability and experience necessary to  
21          coordinate comprehensive regional plans that encom-  
22          pass the needs of the Federal, State, and local gov-  
23          ernments, the private sector, and all other parties  
24          with a stake in providing for the security of their  
25          communities. Regional councils of government can

1 ensure the development of a coordinated emergency  
2 preparedness and recovery plan involving Federal,  
3 State, and local governments and the private sector.

4 (5) Coordinated, area-wide training, equipment  
5 acquisition, and recovery planning is essential for ef-  
6 fective regional preparedness and mitigation.

7 (b) PURPOSE.—The purpose of this Act is to encour-  
8 age and facilitate the development and implementation of  
9 regional emergency preparedness and coordination plans  
10 among Federal, State, and local governments and the pri-  
11 vate sector within the region and to facilitate preparedness  
12 and mitigation efforts.

13 **SEC. 3. DEFINITIONS.**

14 In this Act:

15 (1) The term “region” means a designated  
16 multijurisdictional planning area or a sub-State dis-  
17 trict with boundaries established by State law or  
18 through mutual agreement of local governments.

19 (2) The term “regional council” means a multi-  
20 purpose association of governments in a planning re-  
21 gion, including councils of governments, regional  
22 planning commissions, and area development dis-  
23 tricts.

24 (3) The term “local government” means any  
25 city, county, or township within the United States.

1           (4) The term “State” means any of the 50  
2       States, the District of Columbia, or any territory of  
3       the United States.

4           (5) The term “stakeholder” means Federal,  
5       State, local, private, and nonprofit entities, includ-  
6       ing, but not limited to—

7                   (A) local elected officials;

8                   (B) local State emergency management  
9       agencies;

10                  (C) local fire and rescue personnel;

11                  (D) health professionals;

12                  (E) local school representatives;

13                  (F) college and university representatives;

14                  (G) the business community;

15                  (H) port and airport officials;

16                  (I) utilities;

17                  (J) State departments of transportation;

18       and

19                  (K) other individuals and entities identified  
20       by the stakeholders.

21           (6) The term “regional plan” means a regional  
22       emergency preparedness, response, mitigation, and  
23       recovery plan.

1 **SEC. 4. REQUIREMENT TO COORDINATE THE DEVELOP-**  
2 **MENT OF REGIONAL EMERGENCY PREPARED-**  
3 **NESS, COORDINATION, AND RECOVERY**  
4 **PLANS.**

5 (a) IN GENERAL.—The regional councils as defined  
6 in section 3(2) shall—

7 (1) convene all local governments, Federal,  
8 State, and private sector interests within a region to  
9 coordinate the development of emergency prepared-  
10 ness, response, mitigation, and recovery plans for  
11 the entire region; and

12 (2) convene all stakeholders within the region.

13 (b) ELEMENTS OF THE REGIONAL PLAN.—The  
14 emergency response plan required to be developed under  
15 subsection (a) shall include, at a minimum—

16 (1) an assessment of potential targets for de-  
17 struction;

18 (2) an assessment of available equipment and  
19 manpower to respond to a disaster;

20 (3) an assessment of equipment needs;

21 (4) establishment of a regional communication  
22 system among stakeholders;

23 (5) establishment of a secure information repos-  
24 itory that includes information needed, as necessary,  
25 to coordinate stakeholder responsibilities within the  
26 region; and

(6) information on the following:

(A) RESPONSE RESOURCES.—

(i) Locations, contacts, capabilities, and capacities of emergency medical facilities.

(ii) Locations, contacts, and equipment listings for fire, police, and emergency medical technician services.

(iii) Locations of, and 24-hour contacts for, appropriate medical facilities and personnel and other potential first responders.

(iv) Locations and contacts for area stakeholders involved in the operation and maintenance of essential services within the region.

(v) Locations and contacts for area key military personnel and facilities.

(B) SUPPORT FACILITIES.—

(i) Locations, capabilities, and capacities of existing shelters.

(ii) Locations of, and available facilities at, schools, colleges, universities, churches, and other public buildings.

1 (iii) Locations of major water and  
2 food supplies.

3 (C) INFRASTRUCTURE.—

4 (i) Locations of water treatment and  
5 storage facilities and distribution mains.

6 (ii) Locations of utilities lines, pipe-  
7 lines, and generating facilities.

8 (iii) Locations of sewer mains and  
9 treatment plants.

10 (iv) Locations of voice, data, video,  
11 microwave, and satellite uplink commu-  
12 nication facilities.

13 (v) Locations of radio and television  
14 studios and transmission sites.

15 (vi) Locations and capacities of short-  
16 wave radio facilities and volunteers.

17 (vii) Locations of major bridges and  
18 dams.

19 (viii) Locations of major educational  
20 facilities.

21 (D) TRANSPORTATION FACILITIES.—

22 (i) Locations and capacities of major  
23 transportation facilities, lines, and termi-  
24 nals, including ports and airports.

1                   (ii) Locations and capacities of local  
2                   and regional transportation routes.

3                   (E) AT-RISK POPULATIONS.—

4                   (i) Locations of large population con-  
5                   centrations and the times of those con-  
6                   centrations.

7                   (ii) Schedules of major public events  
8                   and capacities of venues.

9                   (iii) Population statistics, including  
10                  block level population data.

11                  (iv) School enrollment numbers.

12                  (v) Locations of elderly, infirm, and  
13                  disabled persons who need special assist-  
14                  ance.

15                  (F) POTENTIAL TARGETS.—

16                  (i) Locations of major concentrations  
17                  of hazardous and biohazard chemicals.

18                  (ii) Locations of fuel depots and dis-  
19                  pensing facilities which meet certain Envi-  
20                  ronmental Protection Agency thresholds.

21                  (iii) Locations of major concentrations  
22                  of munitions and explosives.

23                  (iv) Locations of other potential tar-  
24                  gets, such as nuclear power plants, in the  
25                  region.



1 (G) DEBRIS DISPOSAL.—

2 (i) Identification of locations for de-  
3 bris disposal.

4 (ii) Identification of potential health  
5 hazards to personnel involved in debris dis-  
6 posal.

7 (c) PLANNING ACTIVITIES.—Planning activities pur-  
8 suant to this section shall include analyzing and docu-  
9 menting the possibility of a disaster and the potential con-  
10 sequences or impacts upon life, property, and the environ-  
11 ment and planning for utilization of Geographic Informa-  
12 tion Systems, to assess hazards and evaluate the con-  
13 sequences of potential emergencies or disasters.

14 (d) APPROVAL OF REGIONAL PLAN.—The plan shall  
15 be approved by the designated regional planning agency's  
16 governing body and Governor or Governors not later than  
17 the date that is 12 months after the designated agency  
18 has received an initial planning grant under this Act.

19 (e) UPDATE OF REGIONAL PLAN.—The regional plan  
20 shall be reviewed annually and updated as needed, based  
21 on revised threat assessments, trainings, and drills.

22 (f) SECURITY OF MAPPING AND INFRASTRUCTURE  
23 INFORMATION CONTAINED WITHIN REGIONAL PLAN.—

24 (1) For security purposes, the information contained in  
25 the regional plan required under subsection (b)(5) shall

1 be available only to those public and private officials and  
2 agencies that have responsibility under such plan.

3 (2) Computer and software technology shall be re-  
4 quired for securing the key resources and critical infra-  
5 structure that may be outlined within the regional plan.

6 (3) It shall be necessary to seek the appropriate  
7 measures to protect the key resources and critical infra-  
8 structure within each region in coordination with other  
9 agencies and representatives from within the region in-  
10 cluding Federal, State, and local government personnel,  
11 agencies and authorities, the private sector, and other en-  
12 tities.

13 (4) It shall be necessary to continue to review and  
14 analyze and make recommendations for improvements in  
15 the policies and procedures governing the security of this  
16 information and sharing it with law enforcement, intel-  
17 ligence, emergency management, and other entities related  
18 to homeland security within the Federal Government and  
19 between such representatives within the region, including  
20 Federal, State, and local government personnel agencies,  
21 authorities, and the private sector.

22 **SEC. 5. FUNDING.**

23 (a) IN GENERAL.—From the amounts appropriated  
24 to Federal or State agencies for emergency preparedness  
25 and homeland security, an amount of not less than three

1 percent shall be allocated to the Department of Homeland  
2 Security, or other agency designated by Congress, for the  
3 preparation, review, and update of regional plans required  
4 by this Act. Such funds shall be allocated to designated  
5 regional councils for the purposes set forth in this Act.

6 (b) FORMULA.—Allocations to regions shall be ac-  
7 cording to a formula that takes into account the popu-  
8 lation of a region, base amounts necessary to prepare a  
9 regional plan, vulnerability to catastrophic events, and the  
10 presence of facilities of State or national significance.

11 (c) CONSISTENCY.—Funding from Federal agencies  
12 for local, regional, or State projects for emergency pre-  
13 paredness, response, recovery, or mitigation shall require  
14 consistency with regional plans.

