

109TH CONGRESS
1ST SESSION

S. 2043

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide grants for mass evacuation exercises for urban and suburban areas and the execution of emergency response plans, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 2005

Mr. DURBIN (for himself, Mr. COCHRAN, and Mr. SALAZAR) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide grants for mass evacuation exercises for urban and suburban areas and the execution of emergency response plans, and for other purposes.

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 “Mass Evacuation Exer-
5 cise Assistance Act of 2005”.

1 **SEC. 2. MASS EVACUATION EXERCISES AND EXECUTION OF**
2 **EMERGENCY RESPONSE PLANS.**

3 Section 201 of the Robert T. Stafford Disaster Relief
4 and Emergency Assistance Act (42 U.S.C. 5131) is
5 amended by adding at the end the following:

6 “(e) GRANTS FOR MASS EVACUATION EXERCISES
7 FOR URBAN AND SUBURBAN AREAS AND THE EXECUTION
8 OF EMERGENCY RESPONSE PLANS.—

9 “(1) IN GENERAL.—The Secretary of Homeland
10 Security shall make grants to States or units of local
11 governments nominated by States to—

12 “(A) establish programs for the develop-
13 ment of plans and conduct of exercises for the
14 mass evacuation of persons in urban and subur-
15 ban areas; and

16 “(B) execute plans developed under sub-
17 paragraph (A), including the purchase and
18 stockpiling of necessary supplies for emergency
19 routes and shelters.

20 “(2) CONDITIONS.—As a condition for the re-
21 ceipt of assistance under paragraph (1)(A), the Sec-
22 retary of Homeland Security may establish any
23 guidelines and standards for the programs that the
24 Secretary determines to be appropriate.

25 “(3) REQUIREMENTS.—To the maximum extent
26 practicable, a program assisted under paragraph

1 (1)(A) shall incorporate the coordinated use of pub-
2 lic and private transportation resources in the plans
3 developed and the exercises carried out under the
4 program.

5 “(4) PARTICIPATION OF MEMBERS OF THE
6 ARMED FORCES.—

7 “(A) IN GENERAL.—The Secretary of De-
8 fense may authorize the participation of mem-
9 bers of the Armed Forces and the use of appro-
10 priate Department of Defense equipment and
11 materials in an exercise carried out under a
12 program assisted under this subsection.

13 “(B) REIMBURSEMENT FOR PARTICIPA-
14 TION OF GUARD.—In the event members of the
15 National Guard in State status participate in
16 an exercise carried out under a program as-
17 sisted under this subsection pursuant to an au-
18 thorization of the chief executive officer of a
19 State, the Secretary of Defense may, using
20 amounts available to the Department of De-
21 fense, reimburse the State for the costs to the
22 State of the participation of such members in
23 such exercise.

24 “(5) AUTHORIZATION OF APPROPRIATIONS.—
25 There is authorized to be appropriated to carry out

1 this subsection \$250,000,000 for each of fiscal years
2 2006 through 2010.

3 “(f) MASS EVACUATION PLANS.—

4 “(1) REQUIREMENT.—Each State or unit of
5 local government receiving a grant under subsection
6 (e)(1) shall, in consultation with relevant local gov-
7 ernments, develop and maintain detailed and com-
8 prehensive mass evacuation plans for each area in
9 the jurisdiction of the State unit of local govern-
10 ment.

11 “(2) PLAN DEVELOPMENT.—In developing the
12 evacuation plans required under paragraph (1), each
13 State or unit of local government shall, to the max-
14 imum extent practicable—

15 “(A) assist urban and suburban county
16 and municipal governments in establishing and
17 maintaining mass evacuation plans;

18 “(B) assist hospitals, nursing homes, other
19 institutional adult congregate living facilities,
20 group homes, and other health or residential
21 care facilities that house individuals with special
22 needs in establishing and maintaining mass
23 evacuation plans; and

24 “(C) integrate the plans described in sub-
25 paragraphs (A) and (B) and coordinate evacu-

1 ation efforts with the entities described in sub-
2 paragraphs (A) and (B).

3 “(3) PLAN CONTENTS.—State, county, and mu-
4 nicipal mass evacuation plans shall, to the maximum
5 extent practicable—

6 “(A) establish incident command and deci-
7 sionmaking processes;

8 “(B) identify primary and alternate escape
9 routes;

10 “(C) establish procedures for converting 2-
11 way traffic to 1-way evacuation routes, remov-
12 ing tollgates, ensuring the free movement of
13 emergency vehicles, and deploying traffic man-
14 agement personnel and appropriate traffic
15 signs;

16 “(D) maintain detailed inventories of driv-
17 ers and public and private vehicles, including
18 buses, vans, and handicap-accessible vehicles,
19 that may be pressed into service;

20 “(E) maintain detailed inventories of emer-
21 gency shelter locations and develop the nec-
22 essary agreements with neighboring jurisdic-
23 tions to operate or use the shelters in the event
24 of a mass evacuation;

1 “(F) establish procedures for informing
2 the public of evacuation procedures before and
3 during an evacuation and return procedures
4 after an evacuation, including using television,
5 radio, print, and online media, land-based and
6 mobile phone technology, and vehicles equipped
7 with public address systems;

8 “(G) identify primary and alternate stag-
9 ing locations for emergency responders;

10 “(H) identify gaps in the ability to respond
11 to different types of disasters, including the ca-
12 pacity to handle surges in demand for hospital,
13 emergency medical, coroner, morgue, and mor-
14 tuary services, quarantines, decontaminations,
15 and criminal investigations;

16 “(I) establish procedures to evacuate indi-
17 viduals with special needs, including individuals
18 who are low-income, disabled, homeless, or el-
19 derly or who do not speak English;

20 “(J) establish procedures for evacuating
21 animals that assist the disabled;

22 “(K) establish procedures for protecting
23 property, preventing looting, and accounting for
24 pets; and

1 “(L) ensure the participation of the private
2 and nonprofit sectors.

3 “(4) UPDATING OF PLANS.—State, county, mu-
4 nicipal, and private plans under this subsection shall
5 be updated on a regular basis.

6 “(g) ADDITIONAL ASSISTANCE TO STATES.—The
7 Secretary of Homeland Security shall assist States and
8 local governments in developing and maintaining the plans
9 described in subsection (f) by—

10 “(1) establishing and maintaining comprehen-
11 sive best practices for evacuation planning, training,
12 and execution;

13 “(2) developing assistance teams to travel to
14 States and assist local governments in planning,
15 training, and execution;

16 “(3) developing a training curriculum based on
17 the best practices established under paragraph (1);

18 “(4) providing the training curriculum devel-
19 oped under paragraph (3) to State and local offi-
20 cials;

21 “(5) maintaining a list of qualified government
22 agencies, private sector consultants, and nonprofit
23 organizations that can assist local governments in
24 setting up evacuation plans; and

1 “(6) establishing and maintaining a comprehen-
 2 sive guide for State and local governments regard-
 3 ing—

4 “(A) the types of Federal assistance that
 5 are available to respond to emergencies; and

6 “(B) the steps necessary to apply for that
 7 assistance.

8 “(h) REPORT TO CONGRESS.—Not later than 1 year
 9 after the date of enactment of this subsection, the Comp-
 10 troller General of the United States shall conduct a study
 11 detailing—

12 “(1) any Federal laws that pose an obstacle to
 13 effective evacuation planning;

14 “(2) any State or local laws that pose an obsta-
 15 cle to effective evacuation planning; and

16 “(3) the political and economic pressures that
 17 discourage governors, county executives, mayors, and
 18 other officials from—

19 “(A) ordering an evacuation; or

20 “(B) conducting exercises for the mass
 21 evacuation of people.”.

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