

111TH CONGRESS
1ST SESSION

S. 3476

To direct the Secretary of Homeland Security to establish national emergency centers on military installations.

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2010

Mr. CASEY (for himself and Mr. SPECTER) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To direct the Secretary of Homeland Security to establish national emergency centers on military installations.

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 “National Emergency
5 Centers Establishment Act”.

6 **SEC. 2. ESTABLISHMENT OF NATIONAL EMERGENCY CEN-**
7 **TERS.**

8 (a) IN GENERAL.—In accordance with the require-
9 ments of this Act, the Secretary of Homeland Security

1 shall establish not fewer than 6 national emergency cen-
2 ters on military installations.

3 (b) PURPOSE OF NATIONAL EMERGENCY CEN-
4 TERS.—The purpose of a national emergency center shall
5 be to use existing infrastructure—

6 (1) to provide temporary housing, medical, and
7 humanitarian assistance to individuals and families
8 dislocated due to an emergency or major disaster;

9 (2) to provide centralized locations for the pur-
10 poses of training and ensuring the coordination of
11 Federal, State, and local first responders; and

12 (3) to provide centralized locations to improve
13 the coordination of preparedness, response, and re-
14 covery efforts of government, private, and not-for-
15 profit entities and faith-based organizations.

16 **SEC. 3. DESIGNATION OF MILITARY INSTALLATIONS AS NA-**
17 **TIONAL EMERGENCY CENTERS.**

18 (a) DESIGNATIONS.—

19 (1) INITIAL DESIGNATIONS.—Not later than 60
20 days after the date of the enactment of this Act, the
21 Secretary of Homeland Security, in consultation
22 with the Secretary of Defense, shall designate 2 mili-
23 tary installations as sites for the establishment of
24 national emergency centers, of which—

1 (A) 1 shall be located in the area con-
2 sisting of Federal Emergency Management
3 Agency Regions I, II, III, IV and V; and

4 (B) 1 shall be located in the area con-
5 sisting of Federal Emergency Management
6 Agency Regions VI, VII, VIII, IX, and X.

7 (2) ADDITIONAL DESIGNATIONS.—Not later
8 than 18 months after the date of the enactment of
9 this Act, the Secretary of Homeland Security, in
10 consultation with the Secretary of Defense, shall
11 designate not fewer than 4 military installations as
12 sites for the establishment of national emergency
13 centers in addition to the military installations des-
14 ignated under paragraph (1).

15 (b) MINIMUM REQUIREMENTS.—A site designated as
16 a national emergency center shall be—

17 (1) capable of meeting for an extended period
18 of time the housing, health, transportation, edu-
19 cation, public works, humanitarian and other transi-
20 tion needs of a large number of individuals affected
21 by an emergency or major disaster;

22 (2) environmentally safe and shall not pose a
23 health risk to individuals who may use the center;

1 (3) capable of being scaled up or down to ac-
 2 commodate major disaster preparedness and re-
 3 sponse drills, operations, and procedures;

4 (4) capable of housing existing permanent
 5 structures necessary to meet training and first re-
 6 sponders coordination requirements during nondis-
 7 aster periods;

8 (5) capable of hosting the infrastructure nec-
 9 essary to rapidly adjust to temporary housing, med-
 10 ical, and humanitarian assistance needs;

11 (6) required to consist of a complete operations
 12 command center, including 2 state-of-the-art com-
 13 mand and control centers that will comprise a 24/7
 14 operations watch center as follows:

15 (A) one of the command and control cen-
 16 ters shall be in full ready mode; and

17 (B) the other shall be used daily for train-
 18 ing; and

19 (7) easily accessible at all times and be able to
 20 facilitate handicapped and medical facilities, includ-
 21 ing during an emergency or major disaster.

22 (c) LOCATION OF NATIONAL EMERGENCY CEN-
 23 TERS.—There shall be established not fewer than 1 na-
 24 tional emergency center in each of the following areas:

1 (1) The area consisting of Federal Emergency
2 Management Agency Regions I, II, and III.

3 (2) The area consisting of Federal Emergency
4 Management Agency Region IV.

5 (3) The area consisting of Federal Emergency
6 Management Agency Regions V and VII.

7 (4) The area consisting of Federal Emergency
8 Management Agency Region VI.

9 (5) The area consisting of Federal Emergency
10 Management Agency Regions VIII and X.

11 (6) The area consisting of Federal Emergency
12 Management Agency Region IX.

13 (d) PREFERENCE FOR MILITARY INSTALLATIONS
14 DESIGNATED AS REGIONAL JOINT READINESS CENTERS
15 AND CLOSED OR MATERIALLY AFFECTED MILITARY IN-
16 STALLATIONS.—

17 (1) IN GENERAL.—In making designations
18 under subsection (a), the Secretary of Homeland Se-
19 curity, in consultation with the Secretary of Defense,
20 shall—

21 (A) give preference to any military installa-
22 tion designated as a Regional Joint Readiness
23 Center under the Defense Base Closure and Re-
24 alignment Act of 1990 (part A of title XXIX of
25 Public Law 101–510; 10 U.S.C. 2687 note)

1 that meets the requirements of subsections (b)
2 and (c); and

3 (B) after the application of subparagraph
4 (A), give preference to any closed military in-
5 stallation or materially affected military instal-
6 lation that meets the requirements of sub-
7 sections (b) and (c).

8 (2) DESIGNATION OF PORTIONS OF MILITARY
9 INSTALLATIONS.—If the Secretary of Homeland Se-
10 curity and the Secretary of Defense jointly deter-
11 mine that there is not a sufficient number of closed
12 military installations that meet the requirements of
13 subsections (b) and (c), the Secretaries shall jointly
14 designate portions of military installations other
15 than closed military installations as National Emer-
16 gency Centers.

17 (e) TRANSFER OF CONTROL OF CLOSED MILITARY
18 INSTALLATIONS.—If a closed military installation is des-
19 ignated as a national emergency center, not later than 180
20 days after the date of designation, the Secretary of De-
21 fense shall transfer to the Secretary of Homeland Security
22 administrative jurisdiction over such closed military instal-
23 lation.

24 (f) COOPERATIVE AGREEMENT FOR JOINT USE OF
25 EXISTING MILITARY INSTALLATIONS.—If an existing

1 military installation other than a closed military installa-
2 tion is designated as a national emergency center, not
3 later than 180 days after the date of designation, the Sec-
4 retary of Homeland Security and the Secretary of Defense
5 shall enter into a cooperative agreement to provide for the
6 establishment of the national emergency center.

7 (g) REPORTS.—

8 (1) PRELIMINARY REPORT.—Not later than 90
9 days after the date of the enactment of this Act, the
10 Secretary of Homeland Security, acting jointly with
11 the Secretary of Defense, shall submit to Congress
12 a report that contains for each designated site—

13 (A) an outline of the reasons why the site
14 was selected;

15 (B) an outline of the need to construct, re-
16 pair, or update any existing infrastructure at
17 the site;

18 (C) an outline of the need to conduct any
19 necessary environmental clean-up at the site;

20 (D) an outline of preliminary plans for the
21 transfer of control of the site from the Sec-
22 retary of Defense to the Secretary of Homeland
23 Security, if necessary under subsection (e); and

24 (E) an outline of preliminary plans for en-
25 tering into a cooperative agreement for the es-

1 tablishment of a national emergency center at
2 the site, if necessary under subsection (f).

3 (2) UPDATE REPORT.—Not later than 120 days
4 after the date of the enactment of this Act, the Sec-
5 retary of Homeland Security, acting jointly with the
6 Secretary of Defense, shall submit to Congress a re-
7 port that contains for each designated site—

8 (A) an update on the information con-
9 tained in the report as required by paragraph
10 (1);

11 (B) an outline of the progress made to-
12 ward the transfer of control of the site, if nec-
13 essary under subsection (e);

14 (C) an outline of the progress made toward
15 entering a cooperative agreement for the estab-
16 lishment of a national emergency center at the
17 site, if necessary under subsection (f); and

18 (D) recommendations regarding any au-
19 thorizations and appropriations that may be
20 necessary to provide for the establishment of a
21 national emergency center at the site.

22 (3) FINAL REPORT.—Not later than 1 year
23 after the date of the enactment of this Act, the Sec-
24 retary of Homeland Security, acting jointly with the

1 Secretary of Defense, shall submit to Congress a re-
2 port that contains for each designated site—

3 (A) finalized information detailing the
4 transfer of control of the site, if necessary
5 under subsection (e);

6 (B) the finalized cooperative agreement for
7 the establishment of a national emergency cen-
8 ter at the site, if necessary under subsection (f);
9 and

10 (C) any additional information pertinent to
11 the establishment of a national emergency cen-
12 ter at the site.

13 (4) **ADDITIONAL REPORTS.**—The Secretary of
14 Homeland Security, acting jointly with the Secretary
15 of Defense, may submit to Congress additional re-
16 ports as necessary to provide updates on steps being
17 taken to meet the requirements of this Act.

18 **SEC. 4. LIMITATIONS ON STATUTORY CONSTRUCTION.**

19 This Act does not affect—

20 (1) the authority of the Federal Government to
21 provide emergency or major disaster assistance or to
22 implement any disaster mitigation and response pro-
23 gram, including any program authorized by the Rob-
24 ert T. Stafford Disaster Relief and Emergency As-
25 sistance Act (42 U.S.C. 5121 et seq.); or

1 (2) the authority of a State or local government
2 to respond to an emergency.

3 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated such sums
5 as necessary to carry out this Act.

6 **SEC. 6. DEFINITIONS.**

7 In this Act, the following definitions apply:

8 (1) **CLOSED MILITARY INSTALLATION.**—The
9 term “closed military installation” means a military
10 installation, or portion thereof, approved for closure
11 or realignment under the Defense Base Closure and
12 Realignment Act of 1990 (part A of title XXIX of
13 Public Law 101–510; 10 U.S.C. 2687 note) that
14 meet all, or 2 out of the 3 following requirements:

15 (A) Is located in close proximity to a
16 transportation corridor.

17 (B) Is located in a State with a high level
18 or threat of disaster related activities.

19 (C) Is located near a major metropolitan
20 center.

21 (2) **EMERGENCY.**—The term “emergency” has
22 the meaning given such term in section 102 of the
23 Robert T. Stafford Disaster Relief and Emergency
24 Assistance Act (42 U.S.C. 5122).

1 (3) MAJOR DISASTER.—The term “major dis-
2 aster” has the meaning given such term in section
3 102 of the Robert T. Stafford Disaster Relief and
4 Emergency Assistance Act (42 U.S.C. 5122).

5 (4) MILITARY INSTALLATION.—The term “mili-
6 tary installation” has the meaning given such term
7 in section 2910 of the Defense Base Closure and Re-
8 alignment Act of 1990 (part A of title XXIX of
9 Public Law 101–510; 10 U.S.C. 2687 note).

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