

113TH CONGRESS
1ST SESSION

H. R. 3552

To improve emergency response activities in the United States, and for
other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 2013

Mr. ANDREWS introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To improve emergency response activities in the United
States, 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 “Emergency Response
5 Improvement Act”.

6 **SEC. 2. STATE OFFICES OF EMERGENCY MANAGEMENT.**

7 (a) IN GENERAL.—To be eligible for assistance under
8 the Robert T. Stafford Disaster Relief and Emergency As-
9 sistance Act (42 U.S.C. 5121 et seq.) on or after October
10 1, 2014, the chief executive officer of a State shall be re-

1 quired to maintain a State Office of Emergency Manage-
2 ment.

3 (b) DUTIES.—The State Office of Emergency Man-
4 agement referred to in subsection (a)—

5 (1) shall coordinate the State response to an
6 emergency; and

7 (2) may request Federal assistance with respect
8 to an emergency.

9 **SEC. 3. EMERGENCY RESPONSE.**

10 (a) FEDERAL INCIDENT COMMANDER.—If one or
11 more Federal departments or agencies provides assistance
12 to a State in response to an emergency, the President shall
13 designate an individual from one such department or
14 agency to serve as the Federal incident commander for
15 that emergency.

16 (b) FUNCTIONS.—As soon as practicable after des-
17 ignation under subsection (a), a Federal incident com-
18 mander shall—

19 (1) meet with representatives of Federal, State,
20 and local entities involved in the response to the
21 emergency; and

22 (2) assist such representatives in—

23 (A) creating a plan to respond to the emer-
24 gency that specifies the responsibilities of each
25 entity involved in the response;

1 (B) designating an individual to lead the
2 response; and

3 (C) drafting and executing a memorandum
4 of understanding with respect to the plan de-
5 scribed in subparagraph (A) that describes the
6 responsibilities of each entity involved in the re-
7 sponse.

8 (c) FAILURE TO AGREE.—In the absence of a memo-
9 randum of understanding described in subsection
10 (b)(2)(C), the Federal incident commander shall report to
11 the President or the President’s designee and recommend
12 if, and to what extent, the relevant Federal departments
13 or agencies should be involved in the response to the emer-
14 gency.

15 **SEC. 4. EFFECT.**

16 Nothing in this Act shall be construed to limit, ex-
17 pand, or change any authority granted to a Federal, State,
18 or local entity to respond to an emergency under Federal,
19 State, or local law.

20 **SEC. 5. DEFINITIONS.**

21 (a) IN GENERAL.—In this Act, the terms “emer-
22 gency”, “Indian tribal government”, and “State” have the
23 meanings given such terms in section 102 of the Robert
24 T. Stafford Disaster Relief and Emergency Assistance Act
25 (42 U.S.C. 5122).

1 (b) TREATMENT OF INDIAN TRIBAL GOVERN-
2 MENTS.—For the purposes of this Act, any reference to
3 “State” shall be treated as a reference also to “Indian
4 tribal government”.

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