

113TH CONGRESS
1ST SESSION

H. R. 390

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2013

Mr. HASTINGS of Florida introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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) IN GENERAL.—Not later than 60 days after the
19 date of the enactment of this Act, the Secretary of Home-
20 land Security, in consultation with the Secretary of De-
21 fense, shall designate not fewer than 6 military installa-
22 tions as sites for the establishment of national emergency
23 centers.

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

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

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

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

11 (4) capable of housing existing permanent
12 structures necessary to meet training and first re-
13 sponders coordination requirements during nondis-
14 aster periods;

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

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

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

24 (B) the other shall be used daily for train-
25 ing; and

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

4 (c) LOCATION OF NATIONAL EMERGENCY CEN-
5 TERS.—There shall be established not fewer than one na-
6 tional emergency center in each of the following areas:

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

9 (2) The area consisting of Federal Emergency
10 Management Agency Region IV.

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

13 (4) The area consisting of Federal Emergency
14 Management Agency Region VI.

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

17 (6) The area consisting of Federal Emergency
18 Management Agency Region IX.

19 (d) PREFERENCE FOR DESIGNATION OF CLOSED
20 MILITARY INSTALLATIONS.—Wherever possible, the Sec-
21 retary of Homeland Security, in consultation with the Sec-
22 retary of Defense, shall designate a closed military instal-
23 lation as a site for a national emergency center. If the
24 Secretaries of Homeland Security and Defense jointly de-
25 termine that there is not a sufficient number of closed

1 military installations that meet the requirements of sub-
2 sections (b) and (c), the Secretaries shall jointly designate
3 portions of existing military installations other than closed
4 military installations as national emergency centers.

5 (e) TRANSFER OF CONTROL OF CLOSED MILITARY
6 INSTALLATIONS.—If a closed military installation is des-
7 ignated as a national emergency center, not later than 180
8 days after the date of designation, the Secretary of De-
9 fense shall transfer to the Secretary of Homeland Security
10 administrative jurisdiction over such closed military instal-
11 lation.

12 (f) COOPERATIVE AGREEMENT FOR JOINT USE OF
13 EXISTING MILITARY INSTALLATIONS.—If an existing
14 military installation other than a closed military installa-
15 tion is designated as a national emergency center, not
16 later than 180 days after the date of designation, the Sec-
17 retary of Homeland Security and the Secretary of Defense
18 shall enter into a cooperative agreement to provide for the
19 establishment of the national emergency center.

20 (g) REPORTS.—

21 (1) PRELIMINARY REPORT.—Not later than 90
22 days after the date of the enactment of this Act, the
23 Secretary of Homeland Security, acting jointly with
24 the Secretary of Defense, shall submit to Congress
25 a report that contains for each designated site—

1 (A) an outline of the reasons why the site
2 was selected;

3 (B) an outline of the need to construct, re-
4 pair, or update any existing infrastructure at
5 the site;

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

8 (D) an outline of preliminary plans for the
9 transfer of control of the site from the Sec-
10 retary of Defense to the Secretary of Homeland
11 Security, if necessary under subsection (e); and

12 (E) an outline of preliminary plans for en-
13 tering into a cooperative agreement for the es-
14 tablishment of a national emergency center at
15 the site, if necessary under subsection (f).

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

21 (A) an update on the information con-
22 tained in the report as required by paragraph
23 (1);

1 (B) an outline of the progress made to-
2 ward the transfer of control of the site, if nec-
3 essary under subsection (e);

4 (C) an outline of the progress made toward
5 entering a cooperative agreement for the estab-
6 lishment of a national emergency center at the
7 site, if necessary under subsection (f); and

8 (D) recommendations regarding any au-
9 thorizations and appropriations that may be
10 necessary to provide for the establishment of a
11 national emergency center at the site.

12 (3) FINAL REPORT.—Not later than 1 year
13 after the date of the enactment of this Act, the Sec-
14 retary of Homeland Security, acting jointly with the
15 Secretary of Defense, shall submit to Congress a re-
16 port that contains for each designated site—

17 (A) finalized information detailing the
18 transfer of control of the site, if necessary
19 under subsection (e);

20 (B) the finalized cooperative agreement for
21 the establishment of a national emergency cen-
22 ter at the site, if necessary under subsection (f);
23 and

1 (C) any additional information pertinent to
2 the establishment of a national emergency cen-
3 ter at the site.

4 (4) ADDITIONAL REPORTS.—The Secretary of
5 Homeland Security, acting jointly with the Secretary
6 of Defense, may submit to Congress additional re-
7 ports as necessary to provide updates on steps being
8 taken to meet the requirements of this Act.

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

10 This Act does not—

11 (1) affect the authority of the Federal Govern-
12 ment to provide emergency or major disaster assist-
13 ance or to implement any disaster mitigation and re-
14 sponse program, including any program authorized
15 by the Robert T. Stafford Disaster Relief and Emer-
16 gency Assistance Act (42 U.S.C. 5121 et seq.);

17 (2) affect the authority of a State or local gov-
18 ernment to respond to an emergency; or

19 (3) authorize any Federal officer or employee
20 to—

21 (A) force an individual to enter a national
22 emergency center; or

23 (B) prevent an individual from leaving a
24 national emergency center.

1 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

2 There is authorized to be appropriated \$180,000,000
3 for each of fiscal years 2014 and 2015 to carry out this
4 Act. Such funds shall remain available until expended.

5 **SEC. 6. DEFINITIONS.**

6 In this Act, the following definitions apply:

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

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

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

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

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

24 (3) **MAJOR DISASTER.**—The term “major dis-
25 aster” has the meaning given such term in section

1 102 of the Robert T. Stafford Disaster Relief and
2 Emergency Assistance Act (42 U.S.C. 5122).

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

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