

ford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).”

§ 5123. References

Except as otherwise specifically provided, any reference in this chapter to “State and local”, “State or local”, “State, and local”, “State, or local”, or “State, local” (including plurals) with respect to governments or officials and any reference to a “local government” in sections 5172(d)(3) and 5184 of this title is deemed to refer also to Indian tribal governments and officials, as appropriate.

(Pub. L. 93-288, title I, §103, as added Pub. L. 113-2, div. B, §1110(d), Jan. 29, 2013, 127 Stat. 49.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 93-288, May 22, 1974, 88 Stat. 143. For complete classification of this Act to the Code, see Short Title note set out under section 5121 of this title and Tables.

SUBCHAPTER II—DISASTER PREPAREDNESS AND MITIGATION ASSISTANCE

§ 5131. Federal and State disaster preparedness programs

(a) Utilization of services of other agencies

The President is authorized to establish a program of disaster preparedness that utilizes services of all appropriate agencies and includes—

- (1) preparation of disaster preparedness plans for mitigation, warning, emergency operations, rehabilitation, and recovery;
- (2) training and exercises;
- (3) postdisaster critiques and evaluations;
- (4) annual review of programs;
- (5) coordination of Federal, State, and local preparedness programs;
- (6) application of science and technology;
- (7) research.

(b) Technical assistance for the development of plans and programs

The President shall provide technical assistance to the States in developing comprehensive plans and practicable programs for preparation against disasters, including hazard reduction, avoidance, and mitigation; for assistance to individuals, businesses, and State and local governments following such disasters; and for recovery of damaged or destroyed public and private facilities.

(c) Grants to States for development of plans and programs

Upon application by a State, the President is authorized to make grants, not to exceed in the aggregate to such State \$250,000, for the development of plans, programs, and capabilities for disaster preparedness and prevention. Such grants shall be applied for within one year from May 22, 1974. Any State desiring financial assistance under this section shall designate or create an agency to plan and administer such a disaster preparedness program, and shall, through such agency, submit a State plan to the President, which shall—

(1) set forth a comprehensive and detailed State program for preparation against and assistance following, emergencies and major disasters, including provisions for assistance to individuals, businesses, and local governments; and

(2) include provisions for appointment and training of appropriate staffs, formulation of necessary regulations and procedures and conduct of required exercises.

(d) Grants for improvement, maintenance, and updating of State plans

The President is authorized to make grants not to exceed 50 per centum of the cost of improving, maintaining and updating State disaster assistance plans, including evaluations of natural hazards and development of the programs and actions required to mitigate such hazards; except that no such grant shall exceed \$50,000 per annum to any State.

(Pub. L. 93-288, title II, §201, May 22, 1974, 88 Stat. 145; Pub. L. 100-707, title I, §104, Nov. 23, 1988, 102 Stat. 4690.)

Editorial Notes

AMENDMENTS

1988—Subsec. (a). Pub. L. 100-707, §104(b)(1), struck out “(including the Defense Civil Preparedness Agency)” after “agencies”.

Subsec. (d). Pub. L. 100-707, §104(a), (b)(2), inserted “including evaluations of natural hazards and development of the programs and actions required to mitigate such hazards;” after “plans,” and substituted “\$50,000” for “\$25,000”.

Statutory Notes and Related Subsidiaries

RED FLAG WARNINGS AND PREDISASTER ACTIONS; DEFINITIONS

Pub. L. 117-251, §§2, 4, Dec. 20, 2022, 136 Stat. 2354, 2356, provided that:

“SEC. 2. DEFINITIONS.

“In this Act [see Short Title of 2022 Amendment note set out under section 5121 of this title]—

“(1) the term ‘Administrator’ means the Administrator of the Agency;

“(2) the term ‘Agency’ means the Federal Emergency Management Agency;

“(3) the term ‘appropriate committees of Congress’ means—

“(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate; and

“(B) the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives;

“(4) the term ‘emergency’ means an emergency declared or determined to exist by the President under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191);

“(5) the terms ‘Indian tribal government’, ‘local government’, and ‘State’ have the meanings given such terms in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122); and

“(6) the term ‘major disaster’ means a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

“SEC. 4. RED FLAG WARNINGS AND PREDISASTER ACTIONS.

“Not later than 1 year after the date of enactment of this Act [Dec. 20, 2022], the Administrator, in coordina-