

gency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### **§ 5165d. Designation of Small State and Rural Advocate**

##### **(a) In general**

The President shall designate in the Federal Emergency Management Agency a Small State and Rural Advocate.

##### **(b) Responsibilities**

The Small State and Rural Advocate shall be an advocate for the fair treatment of small States and rural communities in the provision of assistance under this chapter.

##### **(c) Duties**

The Small State and Rural Advocate shall—

(1) participate in the disaster declaration process under section 5170 of this title and the emergency declaration process under section 5191 of this title, to ensure that the needs of rural communities are being addressed;

(2) assist small population States in the preparation of requests for major disaster or emergency declarations;

(3) assist States in the collection and presentation of material in the disaster or emergency declaration request relevant to demonstrate severe localized impacts within the State for a specific incident, including—

(A) the per capita personal income by local area, as calculated by the Bureau of Economic Analysis;

(B) the disaster impacted population profile, as reported by the Bureau of the Census, including—

(i) the percentage of the population for whom poverty status is determined;

(ii) the percentage of the population already receiving Government assistance such as Supplemental Security Income and Supplemental Nutrition Assistance Program benefits;

(iii) the pre-disaster unemployment rate;

(iv) the percentage of the population that is 65 years old and older;

(v) the percentage of the population 18 years old and younger;

(vi) the percentage of the population with a disability;

(vii) the percentage of the population who speak a language other than English and speak English less than “very well”; and

(viii) any unique considerations regarding American Indian and Alaskan Native Tribal populations raised in the State’s request for a major disaster declaration that may not be reflected in the data points referenced in this subparagraph;

(C) the impact to community infrastructure, including—

(i) disruptions to community life-saving and life-sustaining services;

(ii) disruptions or increased demand for essential community services; and

(iii) disruptions to transportation, infrastructure, and utilities; and

(D) any other information relevant to demonstrate severe local impacts; and

(4) conduct such other activities as the Administrator of the Federal Emergency Management Agency considers appropriate.

(Pub. L. 93-288, title III, § 326, as added Pub. L. 109-295, title VI, § 689g(a), Oct. 4, 2006, 120 Stat. 1453; amended Pub. L. 111-351, § 3(c)(2), Jan. 4, 2011, 124 Stat. 3864; Pub. L. 117-263, div. E, title LVI, § 5601(a), Dec. 23, 2022, 136 Stat. 3402.)

#### **Editorial Notes**

##### REFERENCES IN TEXT

This chapter, referred to in subsec. (b), 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.

##### AMENDMENTS

2022—Subsec. (c)(3), (4). Pub. L. 117-263 added par. (3) and redesignated former par. (3) as (4).

2011—Subsec. (c)(3). Pub. L. 111-351 substituted “Administrator” for “Director”.

#### **Statutory Notes and Related Subsidiaries**

##### CONSTRUCTION

Pub. L. 109-295, title VI, § 689g(c), Oct. 4, 2006, 120 Stat. 1453, provided that: “Nothing in this section [enacting this section] or the amendments made by this section shall be construed to authorize major disaster or emergency assistance that is not authorized as of the date of enactment of this Act [Oct. 4, 2006].”

#### **§ 5165e. Integrated plan for administrative cost reduction**

##### **(a) In general**

Not later than 365 days after February 29, 2016, the Administrator shall—

(1) develop and implement an integrated plan to control and reduce administrative costs for major disasters, which shall include—

(A) steps the Agency will take to reduce administrative costs;

(B) milestones needed for accomplishing the reduction of administrative costs;

(C) strategic goals for the average annual percentage of administrative costs of major disasters for each fiscal year;

(D) the assignment of clear roles and responsibilities, including the designation of officials responsible for monitoring and measuring performance; and

(E) a timetable for implementation;

(2) compare the costs and benefits of tracking the administrative cost data for major disasters by the public assistance, individual assistance, hazard mitigation, and mission assignment programs, and if feasible, track this information; and

(3) clarify Agency guidance and minimum documentation requirements for a direct administrative cost claimed by a grantee or subgrantee of a public assistance grant program.

**(b) Congressional update**

Not later than 90 days after February 29, 2016, the Administrator shall brief the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the plan required to be developed under subsection (a)(1).

**(c) Updates**

If the Administrator modifies the plan or the timetable under subsection (a), the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report notifying Congress of the modification, which shall include the details of the modification.

(Pub. L. 114–132, § 3, Feb. 29, 2016, 130 Stat. 294.)

**Editorial Notes**

**CODIFICATION**

Section was enacted as part of the Directing Dollars to Disaster Relief Act of 2015, and not as part of the Robert T. Stafford Disaster Relief and Emergency Assistance Act which comprises this chapter.

**Statutory Notes and Related Subsidiaries**

**REPORTING REQUIREMENT**

Pub. L. 114–132, § 4, Feb. 29, 2016, 130 Stat. 294, provided that:

“(a) ANNUAL REPORT.—Not later than November 30 of each year for 7 years beginning on the date of enactment of this Act [Feb. 29, 2016], the Administrator shall submit to Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the development and implementation of the integrated plan required under section 3 [42 U.S.C. 5165e] for the previous fiscal year.

“(b) REPORT UPDATES.—

“(1) THREE YEAR UPDATE.—Not later than 3 years after the date on which the Administrator submits a report under subsection (a), the Administrator shall submit an updated report for the previous 3-fiscal-year period.

“(2) FIVE YEAR UPDATE.—Not later than 5 years after the date on which the Administrator submits a report under subsection (a), the Administrator shall submit an updated report for the previous 5-fiscal-year period.

“(c) CONTENTS OF REPORTS.—Each report required under subsections (a) and (b) shall contain, at a minimum—

“(1) the total amount spent on administrative costs for the fiscal year period for which the report is being submitted;

“(2) the average annual percentage of administrative costs for the fiscal year period for which the report is being submitted;

“(3) an assessment of the effectiveness of the plan developed under section 3(a)(1) [42 U.S.C. 5165e(a)(1)];

“(4) an analysis of—

“(A) whether the Agency is achieving the strategic goals established under section 3(a)(1)(C) [42 U.S.C. 5165e(a)(1)(C)]; and

“(B) in the case of the Agency not achieving such strategic goals, what is preventing the Agency from doing so;

“(5) any actions the Agency has identified as useful in improving upon and reaching the goals for administrative costs established under section 3(a)(1)(C); and

“(6) any data described in section 3(a)(2) [42 U.S.C. 5165e(a)(2)], if the Agency determines it is feasible to track such data.

“(d) PUBLIC AVAILABILITY.—Not later than 30 days after the date on which the Administrator submits a report to Congress under this section, the Administrator shall make the report publicly available on the website of the Agency.”

**DEFINITIONS**

Pub. L. 114–132, § 2, Feb. 29, 2016, 130 Stat. 293, provided that: “In this Act [see Short Title of 2016 Amendment note set out under section 5121 of this title]—

“(1) the term ‘administrative cost’—

“(A) means a cost incurred by the Agency in support of the delivery of disaster assistance for a major disaster; and

“(B) does not include a cost incurred by a grantee or subgrantee;

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

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

“(4) the term ‘direct administrative cost’ means a cost incurred by a grantee or subgrantee of a program authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) that can be identified separately and assigned to a specific project;

“(5) the term ‘hazard mitigation program’ means the hazard mitigation grant program authorized under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c);

“(6) the term ‘individual assistance program’ means the individual assistance grant program authorized under sections 408, 410, 415, 416, 426, and 502(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174, 5177, 5182, 5183, 5189d, and 5192(a));

“(7) 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);

“(8) the term ‘mission assignment’ has the meaning given the term in section 641 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 741); and

“(9) the term ‘public assistance program’ means the public assistance grant program authorized under sections 403(a)(3), 406, 418, 419, 428, and 502(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b(a)(3), 5172, 5185, 5186, 5189f, and 5192(a)).”

**§ 5165f. National Urban Search and Rescue Response System**

**(a) Definitions**

In this section, the following definitions shall apply:

**(1) Administrator**

The term “Administrator” means the Administrator of the Federal Emergency Management Agency.

**(2) Agency**

The term “Agency” means the Federal Emergency Management Agency.

**(3) Hazard**

The term “hazard” has the meaning given the term in section 5195a of this title.