

2018—Subsec. (d)(2)(D). Pub. L. 115-278 substituted “The Assistant Director for Emergency Communications” for “The Director of the Office of Emergency Communications of the Department of Homeland Security”.

2016—Subsecs. (d), (e). Pub. L. 114-321 added subsec. (d) and redesignated former subsec. (d) as (e).

2007—Subsec. (b). Pub. L. 110-53 designated existing provisions as par. (1), inserted heading, and added par. (2).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Reference to the Assistant Director for Emergency Communications deemed to be a reference to the Executive Assistant Director for Emergency Communications, see section 571(g) of this title, enacted Jan. 1, 2021.

EFFECTIVE DATE

Section effective Mar. 31, 2007, see section 614(b)(3) of Pub. L. 109-295, set out as a note under section 701 of this title.

§ 319. National Integration Center

(a) In general

There is established in the Agency a National Integration Center.

(b) Responsibilities

(1) In general

The Administrator, through the National Integration Center, and in consultation with other Federal departments and agencies and the National Advisory Council, shall ensure ongoing management and maintenance of the National Incident Management System, the National Response Plan, and any successor to such system or plan.

(2) Specific responsibilities

The National Integration Center shall periodically review, and revise as appropriate, the National Incident Management System and the National Response Plan, including—

(A) establishing, in consultation with the Director of the Corporation for National and Community Service, a process to better use volunteers and donations;

(B) improving the use of Federal, State, local, and tribal resources and ensuring the effective use of emergency response providers at emergency scenes; and

(C) revising the Catastrophic Incident Annex, finalizing and releasing the Catastrophic Incident Supplement to the National Response Plan, and ensuring that both effectively address response requirements in the event of a catastrophic incident.

(c) Incident management

(1) In general

(A) National Response Plan

The Secretary, acting through the Administrator, shall ensure that the National Response Plan provides for a clear chain of command to lead and coordinate the Federal response to any natural disaster, act of terrorism, or other man-made disaster.

(B) Administrator

The chain of the command specified in the National Response Plan shall—

(i) provide for a role for the Administrator consistent with the role of the Administrator as the principal emergency management advisor to the President, the Homeland Security Council, and the Secretary under section 313(c)(4) of this title and the responsibility of the Administrator under the Post-Katrina Emergency Management Reform Act of 2006, and the amendments made by that Act, relating to natural disasters, acts of terrorism, and other man-made disasters; and

(ii) provide for a role for the Federal Coordinating Officer consistent with the responsibilities under section 5143(b) of title 42.

(2) Principal Federal Official; Joint Task Force

The Principal Federal Official (or the successor thereto) or Director of a Joint Task Force established under section 348 of this title shall not—

(A) direct or replace the incident command structure established at the incident; or

(B) have directive authority over the Senior Federal Law Enforcement Official, Federal Coordinating Officer, or other Federal and State officials.

(Pub. L. 107-296, title V, § 509, as added Pub. L. 109-295, title VI, § 611(13), Oct. 4, 2006, 120 Stat. 1405; amended Pub. L. 114-328, div. A, title XIX, § 1901(d)(2), Dec. 23, 2016, 130 Stat. 2670.)

Editorial Notes

REFERENCES IN TEXT

The Post-Katrina Emergency Management Reform Act of 2006, referred to in subsec. (c)(1)(B)(i), is title VI of Pub. L. 109-295, Oct. 4, 2006, 120 Stat. 1394. For complete classification of this Act to the Code, see Short Title note set out under section 701 of this title and Tables.

PRIOR PROVISIONS

A prior section 509 of Pub. L. 107-296 was renumbered section 520 and is classified to section 321i of this title.

AMENDMENTS

2016—Subsec. (c)(2). Pub. L. 114-328 inserted “; Joint Task Force” after “Official” in heading and “or Director of a Joint Task Force established under section 348 of this title” before “shall” in introductory provisions.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Any reference to the Administrator of the Federal Emergency Management Agency in title VI of Pub. L. 109-295 or an amendment by title VI to be considered to refer and apply to the Director of the Federal Emergency Management Agency until Mar. 31, 2007, see section 612(f)(2) of Pub. L. 109-295, set out as a note under section 313 of this title.

§ 320. Credentialing and typing

(a) In general

The Administrator shall enter into a memorandum of understanding with the administrators of the Emergency Management Assistance Compact, State, local, and tribal governments, and organizations that represent emergency response providers, to collaborate on developing

standards for deployment capabilities, including for credentialing and typing of incident management personnel, emergency response providers, and other personnel (including temporary personnel) and resources likely needed to respond to natural disasters, acts of terrorism, and other man-made disasters.

(b) Distribution

(1) In general

Not later than 1 year after August 3, 2007, the Administrator shall provide the standards developed under subsection (a), including detailed written guidance, to—

(A) each Federal agency that has responsibilities under the National Response Plan to aid that agency with credentialing and typing incident management personnel, emergency response providers, and other personnel (including temporary personnel) and resources likely needed to respond to a natural disaster, act of terrorism, or other man-made disaster; and

(B) State, local, and tribal governments, to aid such governments with credentialing and typing of State, local, and tribal incident management personnel, emergency response providers, and other personnel (including temporary personnel) and resources likely needed to respond to a natural disaster, act of terrorism, or other man-made disaster.

(2) Assistance

The Administrator shall provide expertise and technical assistance to aid Federal, State, local, and tribal government agencies with credentialing and typing incident management personnel, emergency response providers, and other personnel (including temporary personnel) and resources likely needed to respond to a natural disaster, act of terrorism, or other man-made disaster.

(c) Credentialing and typing of personnel

Not later than 6 months after receiving the standards provided under subsection (b), each Federal agency with responsibilities under the National Response Plan shall ensure that incident management personnel, emergency response providers, and other personnel (including temporary personnel) and resources likely needed to respond to a natural disaster, act of terrorism, or other manmade disaster are credentialed and typed in accordance with this section.

(d) Consultation on health care standards

In developing standards for credentialing health care professionals under this section, the Administrator shall consult with the Secretary of Health and Human Services.

(Pub. L. 107–296, title V, § 510, as added Pub. L. 109–295, title VI, § 611(13), Oct. 4, 2006, 120 Stat. 1406; amended Pub. L. 110–53, title IV, § 408, Aug. 3, 2007, 121 Stat. 304.)

Editorial Notes

PRIOR PROVISIONS

A prior section 510 of Pub. L. 107–296 was renumbered section 521 and is classified to section 321j of this title.

Another prior section 510 of Pub. L. 107–296 was classified to section 321 of this title, prior to repeal by Pub. L. 109–295.

AMENDMENTS

2007—Pub. L. 110–53 designated existing provisions as subsec. (a), inserted heading, substituted “for credentialing and typing of incident management personnel, emergency response providers, and other personnel (including temporary personnel) and” for “credentialing of personnel and typing of”, and added subsecs. (b) to (d).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Any reference to the Administrator of the Federal Emergency Management Agency in title VI of Pub. L. 109–295 or an amendment by title VI to be considered to refer and apply to the Director of the Federal Emergency Management Agency until Mar. 31, 2007, see section 612(f)(2) of Pub. L. 109–295, set out as a note under section 313 of this title.

SCOPE OF PRACTICE IN PUBLIC HEALTH EMERGENCY

Pub. L. 117–328, div. F, title V, § 543, Dec. 29, 2022, 136 Stat. 4757, provided that: “Subsection (c) of section 16005 of title VI of division B of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136) [set out below] shall be applied as if the language read as follows: ‘Subsection (a) shall apply until September 30, 2023.’”

Similar provisions were contained in the following prior appropriation act:

Pub. L. 117–103, div. F, title V, § 541, Mar. 15, 2022, 136 Stat. 344.

Pub. L. 116–136, div. B, title VI, § 16005, Mar. 27, 2020, 134 Stat. 545, provided that:

“(a) Notwithstanding any other provision of law regarding the licensure of health-care providers, a health-care professional described in subsection (b) may practice the health profession or professions of the health-care professional at any location in any State, the District of Columbia, or Commonwealth, territory, or possession of the United States, or any location designated by the Secretary, regardless of where such health-care professional or the patient is located, so long as the practice is within the scope of the authorized Federal duties of such health-care professional.

“(b) DEFINITION.—As used in this section, the term ‘health-care professional’ means an individual (other than a member of the Coast Guard, a civilian employee of the Coast Guard, member of the Public Health Service who is assigned to the Coast Guard, or an individual with whom the Secretary, pursuant to 10 U.S.C. 1091, has entered into a personal services contract to carry out health care responsibilities of the Secretary at a medical treatment facility of the Coast Guard) who—

“(1) is—

“(A) an employee of the Department of Homeland Security,

“(B) a detailee to the Department from another Federal agency,

“(C) a personal services contractor of the Department, or

“(D) hired under a Contract for Services;

“(2) performs health care services as part of duties of the individual in that capacity;

“(3) has a current, valid, and unrestricted equivalent license certification that is—

“(A) issued by a State, the District of Columbia, or a Commonwealth, territory, or possession of the United States; and

“(B) for the practice of medicine, osteopathic medicine, dentistry, nursing, emergency medical services, or another health profession; and

“(4) is not affirmatively excluded from practice in the licensing or certifying jurisdiction or in any other jurisdiction.

“(c) Subsection (a) shall apply during the incident period of the emergency declared by the President on March 13, 2020, pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act [Pub. L. 93-288] (42 U.S.C. 5121(b) [5191(b)]), and to any subsequent major declaration under section 401 of such Act [42 U.S.C. 5170] that supersedes such emergency declaration.”

§ 321. The National Infrastructure Simulation and Analysis Center

(a) Definition

In this section, the term “National Infrastructure Simulation and Analysis Center” means the National Infrastructure Simulation and Analysis Center established under section 5195c(d) of title 42.

(b) Authority

(1) In general

There is in the Department the National Infrastructure Simulation and Analysis Center which shall serve as a source of national expertise to address critical infrastructure protection and continuity through support for activities related to—

- (A) counterterrorism, threat assessment, and risk mitigation; and
- (B) a natural disaster, act of terrorism, or other man-made disaster.

(2) Infrastructure modeling

(A) Particular support

The support provided under paragraph (1) shall include modeling, simulation, and analysis of the systems and assets comprising critical infrastructure, in order to enhance preparedness, protection, response, recovery, and mitigation activities.

(B) Relationship with other agencies

Each Federal agency and department with critical infrastructure responsibilities under Homeland Security Presidential Directive 7, or any successor to such directive, shall establish a formal relationship, including an agreement regarding information sharing, between the elements of such agency or department and the National Infrastructure Simulation and Analysis Center, through the Department.

(C) Purpose

(i) In general

The purpose of the relationship under subparagraph (B) shall be to permit each Federal agency and department described in subparagraph (B) to take full advantage of the capabilities of the National Infrastructure Simulation and Analysis Center (particularly vulnerability and consequence analysis), consistent with its work load capacity and priorities, for real-time response to reported and projected natural disasters, acts of terrorism, and other man-made disasters.

(ii) Recipient of certain support

Modeling, simulation, and analysis provided under this subsection shall be provided to relevant Federal agencies and departments, including Federal agencies and

departments with critical infrastructure responsibilities under Homeland Security Presidential Directive 7, or any successor to such directive.

(Pub. L. 107-296, title V, §511, as added Pub. L. 109-295, title VI, §611(13), Oct. 4, 2006, 120 Stat. 1406.)

Editorial Notes

PRIOR PROVISIONS

A prior section 321, Pub. L. 107-296, title V, §510, as added Pub. L. 108-458, title VII, §7303(d), Dec. 17, 2004, 118 Stat. 3844, related to urban and other high risk area communications capabilities, prior to repeal by Pub. L. 109-295, title VI, §611(5), Oct. 4, 2006, 120 Stat. 1395.

§ 321a. Evacuation plans and exercises

(a) In general

Notwithstanding any other provision of law, and subject to subsection (d), grants made to States or local or tribal governments by the Department through the State Homeland Security Grant Program or the Urban Area Security Initiative may be used to—

- (1) establish programs for the development and maintenance of mass evacuation plans under subsection (b) in the event of a natural disaster, act of terrorism, or other man-made disaster;
- (2) prepare for the execution of such plans, including the development of evacuation routes and the purchase and stockpiling of necessary supplies and shelters; and
- (3) conduct exercises of such plans.

(b) Plan development

In developing the mass evacuation plans authorized under subsection (a), each State, local, or tribal government shall, to the maximum extent practicable—

- (1) establish incident command and decision making processes;
- (2) ensure that State, local, and tribal government plans, including evacuation routes, are coordinated and integrated;
- (3) identify primary and alternative evacuation routes and methods to increase evacuation capabilities along such routes such as conversion of two-way traffic to one-way evacuation routes;
- (4) identify evacuation transportation modes and capabilities, including the use of mass and public transit capabilities, and coordinating and integrating evacuation plans for all populations including for those individuals located in hospitals, nursing homes, and other institutional living facilities;
- (5) develop procedures for informing the public of evacuation plans before and during an evacuation, including individuals—
 - (A) with disabilities or other special needs, including the elderly;
 - (B) with limited English proficiency; or
 - (C) who might otherwise have difficulty in obtaining such information; and
- (6) identify shelter locations and capabilities.

(c) Assistance

(1) In general

The Administrator may establish any guidelines, standards, or requirements determined