Calendar No. 582

109TH CONGRESS 2D SESSION

S. 3721

To amend the Homeland Security Act of 2002 to establish the United States Emergency Management Authority, and for other purposes.

IN THE SENATE OF THE UNITED STATES

July 25, 2006

Ms. Collins (for herself, Mr. Lieberman, and Mr. Salazar) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

August 3, 2006

Reported by Ms. Collins, with an amendment and an amendment to the title [Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To amend the Homeland Security Act of 2002 to establish the United States Emergency Management Authority, 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 "Post Katrina Emer-
- 5 gency Management Reform Act of 2006".

1 SEC. 2. TABLE OF CONTENTS.

2 The table of contents for this Act is as follows:

- Sec. 1. Short title
- Sec. 2. Table of contents
- Sec. 3. Definitions

TITLE I—NATIONAL PREPAREDNESS AND RESPONSE

- Sec. 101. United States Emergency Management Authority
- Sec. 102. Conforming amendments relating to intelligence reform
- Sec. 103. Communication system grants
- Sec. 104. Technical and conforming amendments

TITLE II—STAFFORD ACT AMENDMENTS

- Sec. 201. General Federal assistance
- Sec. 202. National Disaster Recovery Strategy
- Sec. 203. Environmental mitigation
- Sec. 204. Disaster housing strategy
- Sec. 205. Essential services
- Sec. 206. Hazard mitigation grant program formula
- Sec. 207. Housing assistance
- See. 208. Maximum amount under individual assistance programs
- Sec. 209. Coordinating officers
- Sec. 210. Definitions
- See. 211. Catastrophie damage assistance
- Sec. 212. Individuals with disabilities
- Sec. 213. Disability coordinator
- Sec. 214. Temporary housing
- Sec. 215. GAO Study on accessibility of emergency shelters
- Sec. 216. Reunification
- Sec. 217. National Emergency Family Registry and Locator System
- See. 218. Federal assistance to individuals and households
- Sec. 219. Mental health services
- Sec. 220. Language services
- Sec. 221. Standards for state and local emergency preparedness operational
- See. 222. Transportation assistance and ease management services to individuals and households
- See. 223. Non-federal assistance
- Sec. 224. Disaster coordination

TITLE III—STAFFING IMPROVEMENTS

- See. 301. Strategie human capital plan
- Sec. 302. Career paths
- Sec. 303. National Homeland Security Academy
- Sec. 304. Surge capacity force
- Sec. 305. Establishment of Homeland Security rotation program at the Department of Homeland Security
- Sec. 306. Quarterly report on vacancy rate in employee positions

TITLE IV—PLANNING, PREPAREDNESS, AND TRAINING

- Sec. 401. Definition
- Sec. 402. Emergency response framework

- See. 403. Review of the National Response Plan
- Sec. 404. Planning and preparedness
- Sec. 405. Training and exercises
- Sec. 406. Emergency support function assurance programs

TITLE V—PREVENTION OF FRAUD, WASTE, AND ABUSE DURING EMERGENCIES

- Sec. 501. Prohibition on excessive pass-through charges
- Sec. 502. Fraud prevention programs
- Sec. 503. Contingency Contracting Corps
- Sec. 504. Verification measures for Individuals and Households Program
- Sec. 505. Information Technology Systems
- Sec. 506. Registry of Debris Contractors
- Sec. 507. Use of certain supply schedules
- Sec. 508. Use of local firms and individuals
- Sec. 509. Advance contracting

TITLE VI—MISCELLANEOUS PROVISIONS

- Sec. 601. Authorization of appropriations
- Sec. 602. Effective date

SEC. 3. DEFINITIONS.

- 2 In this Act—
- 3 (1) the term "Authority" means the United
- 4 States Emergency Management Authority estab-
- 5 lished under section 512 of the Homeland Security
- 6 Act of 2002, as amended by this Act;
- 7 (2) the term "Administrator" means the Ad-
- 8 ministrator of the Authority;
- 9 (3) the term "catastrophic incident" means any
- 10 natural or manmade incident, including an act of
- 11 terrorism, that results in extraordinary levels of eas-
- 12 ualties or damage, mass evacuations, or disruption
- severely affecting the population, infrastructure, en-
- vironment, economy, national morale, or government
- 15 functions in an area and may include an incident

- with a sustained national impact over a prolonged period of time, that may rapidly exceed resources available to State and local government and private-sector authorities in the impacted area, or may significantly interrupt governmental operations and emergency services to such an extent that national security could be threatened;
 - (4) the term "Department" means the Department of Homeland Security;
 - (5) the term "emergency response provider" has the same meaning given under section 2(6) of the Homeland Security Act of 2002;
 - (6) the term "Federal coordinating officer" means a Federal coordinating officer as described in section 302 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5143);
 - (7) the term "individual with a disability" means an individual with a disability as defined in section 3(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(2));
 - (8) the term "National Advisory Council" means the National Advisory Council on Preparedness and Response established under section 518 of the Homeland Security Act of 2002, as amended by this Act;

1	(9) the term "National Incident Management
2	System" means the National Incident Management
3	System as described in the National Response Plan
4	(10) the term "National Response Plan" means
5	the National Response Plan prepared under Home-
6	land Security Presidential Directive 5 or any presi-
7	dential directive meant to replace or augment that
8	directive;
9	(11) the term "Regional Office" means a Re-
10	gional Office established under section 517 of the
11	Homeland Security Act of 2002, as amended by this
12	Act;
13	(12) the term "Regional Office strike team"
14	means a Regional Office strike team established
15	under section 517 of the Homeland Security Act of
16	2002, as amended by this Act;
17	(13) the term "Secretary" means the Secretary
18	of Homeland Security; and
19	(14) the term "surge capacity" means the abil-
20	ity to rapidly and substantially increase the provi-
21	sion of search and rescue capabilities, food, water
22	medicine, shelter and housing, medical care, evacu-
23	ation canacity staffing including disaster assistance

employees, and other resources necessary to save

1	lives and protect property during a catastrophic inci-
2	dent.
3	TITLE I—NATIONAL
4	PREPAREDNESS AND RESPONSE
5	SEC. 101. UNITED STATES EMERGENCY MANAGEMENT AU-
6	THORITY.
7	Title V of the Homeland Security Act of 2002 (6
8	U.S.C. 311 et seq.) is amended—
9	(1) by striking the title heading and inserting
10	the following:
11	"TITLE V—NATIONAL PRE-
12	PAREDNESS AND RESPONSE";
13	(2) by striking sections 501 through 503;
14	(3) by striking sections 506 and 507;
15	(4) by redesignating sections 504, 505, 508,
16	and 509 as sections 536, 537, 538, and 539, respec-
17	tively;
18	(5) by redesignating section 510 (relating to
19	procurement of security countermeasures for the
20	strategic national stockpile) as section 540;
21	(6) by redesignating section 510 (relating to
22	urban and other high risk area communications ca-
23	pabilities) as section 541;
24	(7) by inserting before section 536, as so redes-
25	ignated by this section, the following:

"SEC. 501. DEFINITIONS.

`	44 T	. 1	1 * 1 1
,		thia	+1+ 10
/,	-	111113	title—

"(1) the term 'all-hazards-plus' means an approach to preparedness, response, recovery, and mitigation that emphasizes the development of capabilities that are common to natural and man-made disasters, while also including the development of capabilities that are uniquely relevant to specific types of disasters;

"(2) the term 'Authority' means the United States Emergency Management Authority established under section 512;

"(3) the term 'Administrator' means the Administrator of the Authority;

"(4) the term 'catastrophic incident' means any natural or manmade incident, including an act of terrorism, that results in extraordinary levels of easualties or damage, mass evacuations, or disruption severely affecting the population, infrastructure, environment, economy, national morale, or government functions in an area and may include an incident with a sustained national impact over a prolonged period of time, that may rapidly exceed resources available to State and local government and private-sector authorities in the impacted area, or may significantly interrupt governmental operations and

emergency services to such an extent that national security could be threatened;

bilities' means the ability to provide and maintain, throughout an emergency response operation, a continuous flow of information among emergency responders, agencies, and government officials from multiple disciplines and jurisdictions and at all levels of government, in the event of a natural disaster, terrorist attack, or other large-scale or catastrophic emergency, including where there has been significant damage to, or destruction of, critical infrastructure, including substantial loss of ordinary telecommunications infrastructure and sustained loss of electricity;

"(6) the term 'Federal coordinating officer' means a Federal coordinating officer as described in section 302 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5143);

"(7) the terms 'interoperable emergency communications system' and 'communications interoperability' mean the ability of emergency response providers and relevant Federal, State, and local government agencies to—

1	"(A) communicate with each other as nec-
2	essary, using information technology systems
3	and radio communications systems; and
4	"(B) exchange voice, data, or video with
5	each other on demand, in real time, as nee-
6	essary;
7	"(8) the term 'National Advisory Council'
8	means the National Advisory Council on Prepared-
9	ness and Response established under section 518;
10	"(9) the term 'National Incident Management
11	System' means the National Incident Management
12	System as described in the National Response Plan;
13	"(10) the term 'National Response Plan' means
14	the National Response Plan prepared under Home-
15	land Security Presidential Directive 5 or any presi-
16	dential directive meant to replace or augment that
17	directive; and
18	"(11) the term 'surge capacity' means the abil-
19	ity to rapidly and substantially increase the provi-
20	sion of search and rescue capabilities, food, water,
21	medicine, shelter and housing, medical care, evacu-
22	ation capacity, staffing, including disaster assistance
23	employees, and other resources necessary to save
24	lives and protect property during a catastrophic inci-
25	dent or other natural or man-made disaster

"Subtitle A—Preparedness and Response

2	Response
3	"SEC. 511. DEFINITIONS.
4	"In this subtitle—
5	"(1) the term 'Nuclear Incident Response
6	Team' means a resource that includes—
7	"(A) those entities of the Department of
8	Energy that perform nuclear or radiological
9	emergency support functions (including accident
10	response, search response, advisory, and tech-
11	nical operations functions), radiation exposure
12	functions at the medical assistance facility
13	known as the Radiation Emergency Assistance
14	Center/Training Site (REAC/TS), radiological
15	assistance functions, and related functions; and
16	"(B) those entities of the Environmental
17	Protection Agency that perform such support
18	functions (including radiological emergency re-
19	sponse functions) and related functions;
20	"(2) the term 'Regional Advisory Council'
21	means a Regional Advisory Council on Preparedness
22	and Response established under section 513;
23	"(3) the term 'Regional Administrator' means a
24	Regional Administrator for Preparedness and Re-
25	sponse appointed under section 517; and

1	"(4) the term 'Regional Office' means a Re-
2	gional Office established under section 517.
3	"SEC. 512. UNITED STATES EMERGENCY MANAGEMENT AU-
4	THORITY.
5	"(a) In General.—There is established in the De-
6	partment the United States Emergency Management Au-
7	thority, headed by an Administrator.
8	"(b) Mission.—The mission of the Authority is to—
9	"(1) lead the Nation's efforts to prepare for, re-
10	spond to, recover from, and mitigate the risks of
11	natural and man-made disasters, including cata-
12	strophie incidents;
13	"(2) partner with State and local governments
14	and emergency response providers, with other Fed-
15	eral agencies, with the private sector, and with non-
16	governmental organizations to build a national sys-
17	tem of emergency management that can effectively
18	and efficiently utilize the full measure of the Na-
19	tion's resources to respond to a catastrophic incident
20	or other natural or man-made disaster;
21	"(3) develop a Federal response capability that,
22	when necessary and appropriate, can act effectively,
23	rapidly, and proactively to deliver assistance essen-
24	tial to saving lives or protecting or preserving prop-

erty or public health and safety in a natural or man-
made disaster;
"(4) fuse the Department's emergency re-
sponse, preparedness, recovery, mitigation, and crit-
ical infrastructure assets into a new, integrated or
ganization that can effectively confront the chal-
lenges of a natural or man-made disaster;
"(5) develop and maintain robust Regional Of
fices that will work with State and local governments
and emergency response providers to identify and
address regional priorities;
"(6) under the leadership of the Secretary, co-
ordinate with the Commandant of the Coast Guard
the Director of Customs and Border Protection, the
Director of Immigration and Customs Enforcement
the National Operations Center, and other agencies
and offices in the Department to take full advantage
of the substantial range of resources in the Depart
ment that can be brought to bear in preparing for
and responding to a natural or man-made disaster
"(7) earry out the provisions of the Robert T
Stafford Disaster Relief and Emergency Assistance
Act (42 U.S.C. 5121 et seq.);
"(8) provide funding, training, exercises, tech-

nical assistance, planning, and other assistance, to

build local, State, regional, and national capabilities, including communications capabilities, necessary to respond to a potential natural or man-made disaster;

"(9) implement an all-hazards-plus strategy for preparedness that places priority on building those common capabilities necessary to respond to both terrorist attacks and natural disasters while also building the unique capabilities necessary to respond to specific types of incidents that pose the greatest risk to our Nation; and

"(10) promote, plan for, and facilitate the security and resiliency of critical infrastructure and key resources, including cyber infrastructure, against a natural or man-made disaster, and the post-disaster restoration of such critical infrastructure and key resources.

"(c) Administrator.—

"(1) IN GENERAL.—The Administrator shall be appointed by the President, by and with the advice and consent of the Senate.

"(2) QUALIFICATIONS.—The Administrator shall have not less than 5 years of executive leadership and management experience in the public or private sector, significant experience in crisis management or another relevant field, and a dem-

1	onstrated ability to manage a substantial staff and
2	budget.
3	"(3) REPORTING.—The Administrator shall re-
4	port to the Secretary, without being required to re-
5	port through any other official of the Department.
6	"(4) Principal advisor on emergency pre-
7	PAREDNESS AND RESPONSE.—
8	"(A) In General.—The Administrator is
9	the principal emergency preparedness and re-
10	sponse advisor to the President, the Homeland
11	Security Council, and the Secretary.
12	"(B) Advice and recommendations.—
13	"(i) In General.—In presenting ad-
14	vice with respect to any matter to the
15	President, the Homeland Security Council,
16	or the Secretary, the Administrator shall,
17	as the Administrator considers appro-
18	priate, inform the President, the Homeland
19	Security Council, or the Secretary, as the
20	ease may be, of the range of emergency
21	mitigation, preparedness, response, and re-
22	covery options with respect to that matter.
23	"(ii) ADVICE ON REQUEST.—The Ad-
24	ministrator, as an emergency preparedness
25	and response advisor, shall provide advice

1	to the President, the Homeland Security
2	Council, or the Secretary on a particular
3	matter when the President, the Homeland
4	Security Council, or the Secretary requests
5	such advice.
6	"(iii) Recommendations to con-
7	GRESS.—After informing the Secretary,
8	the Administrator may make such rec-
9	ommendations to Congress relating to
10	emergency preparedness and response as
11	the Administrator considers appropriate.
12	"(C) RETENTION OF AUTHORITY. Noth-
13	ing in this paragraph shall be construed as af-
14	feeting the authority of the Secretary under this
15	Act.
16	"SEC. 513. AUTHORITIES AND RESPONSIBILITIES.
17	"(a) In General.—The Administrator shall provide
18	Federal leadership necessary to prepare for and respond
19	to a natural or man-made disaster, including—
20	"(1) earrying out the mission to reduce the loss
21	of life and property and protect the Nation from all
22	hazards by leading and supporting the Nation in a
23	comprehensive, risk-based emergency preparedness
24	and response program of—

	± 0
1	"(A) mitigation, by taking sustained ac-
2	tions to reduce or eliminate long-term risk to
3	people and property from hazards and their ef-
4	fects;
5	"(B) preparedness, by planning, training,
6	and building the emergency preparedness and
7	response workforce to prepare effectively for,
8	mitigate against, respond to, and recover from
9	any hazard;
10	"(C) response, by conducting emergency
11	operations to save lives and property through
12	positioning emergency equipment, personnel,
13	and supplies, through evacuating potential vic-
14	tims, through providing food, water, shelter,
15	and medical care to those in need, and through
16	restoring critical public services;
17	"(D) recovery, by rebuilding communities
18	so individuals, businesses, and governments can
19	function on their own, return to normal life,
20	and protect against future hazards; and
21	"(E) critical infrastructure protection, by
22	establishing an inventory of, and protections
23	for, public and private sector critical infrastruc-
24	ture, including eyber and communications as-

sets;

1	"(2) increasing efficiencies, by coordinating ef-
2	forts relating to mitigation, preparedness, response,
3	recovery, and infrastructure protection;
4	"(3) helping to ensure the effectiveness of emer-
5	gency response providers in responding to a natural
6	or man-made disaster;
7	"(4) providing the Federal Government's re-
8	sponse to a natural or man-made disaster, includ-
9	ing-
10	"(A) managing such response;
11	"(B) directing the Domestic Emergency
12	Support Team, the National Disaster Medical
13	System, and (when operating as an organiza-
14	tional unit of the Department under this title)
15	the Nuclear Incident Response Team;
16	"(C) overseeing the Metropolitan Medical
17	Response System; and
18	"(D) coordinating other Federal response
19	resources, including requiring deployment of the
20	Strategic National Stockpile, in the event of a
21	natural or man-made disaster;
22	"(5) working with Federal, State, and local gov-
23	ernment personnel, agencies, and authorities to build
24	a comprehensive national incident management sys-
25	tem to respond to a natural or man-made disaster;

1	"(6) with respect to the Nuclear Incident Re-
2	sponse Team (regardless of whether it is operating
3	as an organizational unit of the Department under
4	this title)—
5	"(A) establishing standards and certifying
6	when those standards have been met;
7	"(B) conducting joint and other exercises
8	and training and evaluating performance; and
9	"(C) providing funds to the Department of
10	Energy and the Environmental Protection
11	Agency, as appropriate, for homeland security
12	planning, exercises and training, and equip-
13	ment;
14	"(7) helping to ensure that emergency response
15	providers acquire interoperable and sustainable tech-
16	nology;
17	"(8) assisting the President in carrying out the
18	functions under the Robert T. Stafford Disaster Re-
19	lief and Emergency Assistance Act (42 U.S.C. 5121
20	et seq.);
21	"(9) administering homeland security emer-
22	gency management, first responder, and other pre-
23	paredness grants;
24	"(10) administering and implementing the Na-
25	tional Response Plan, including monitoring, evalu-

1	ating, and ensuring the readiness of each emergency
2	support function under the National Response Plan;
3	"(11) coordinating with the National Advisory
4	Council;
5	"(12) ensuring the protection of critical infra-
6	structure by—
7	"(A) carrying out the responsibilities under
8	paragraphs (2) through (6) of section 201(d);
9	"(B) helping ensure the protection and re-
10	siliency of key resources and critical infrastruc-
11	ture, including cyber infrastructure, against a
12	natural or man-made disaster; and
13	"(C) planning for, assisting with, and fa-
14	cilitating, the restoration of key resources and
15	eritical infrastructure, including eyber infra-
16	structure, in the event of a natural or man-
17	made disaster;
18	"(13) establishing in each Regional Office a Re-
19	gional Advisory Council on Preparedness and Re-
20	sponse, to advise the Regional Administrator of that
21	Regional Office on emergency preparedness and re-
22	sponse issues specific to the region; and
23	"(14) otherwise earrying out the mission of the
24	Authority as described in section 512(h)

1	"(b) Additional Responsibilities Related to
2	CATASTROPHIC INCIDENTS.—
3	"(1) In General.—The Administrator, in con-
4	sultation with the Secretary and other senior De-
5	partment officials, shall develop a national emer-
6	gency management system that is capable of re-
7	sponding to catastrophic incidents.
8	"(2) Identification of resources.—
9	"(A) IN GENERAL.—The Administrator
10	shall develop and submit to Congress annually
11	an estimate of the resources of the Authority
12	and other Federal agencies needed for and de-
13	voted specifically to developing local, State, and
14	national capabilities necessary to respond to a
15	catastrophic incident.
16	"(B) Contents.—Each estimate under
17	subparagraph (A) shall include the resources
18	both necessary for and devoted to—
19	"(i) planning;
20	"(ii) training and exercises;
21	"(iii) Regional Office enhancements;
22	"(iv) staffing, including for surge ca-
23	pacity during a catastrophic event;
24	"(v) additional logistics capabilities;

1	"(vi) other responsibilities under the
2	Catastrophic Incident Annex and the Cata-
3	strophic Incident Supplement of the Na-
4	tional Response Plan; and
5	"(vii) State and local catastrophic pre-
6	paredness.
7	"(c) All-Hazards-Plus Approach.—In carrying
8	out the responsibilities of this section, the Administrator
9	shall implement an all-hazards-plus strategy that places
10	priority on building those common capabilities necessary
11	to prepare for, respond to, recover from, and mitigate the
12	risks of terrorist attacks and natural disasters, while also
13	building the unique capabilities necessary to prepare for,
14	respond to, recover from, and mitigate the risks of specific
15	types of incidents that pose the greatest risk to the Na-
16	tion.
17	"SEC. 514. AUTHORITY COMPONENTS.
18	"There are transferred to the Authority the following:
19	"(1) The Federal Emergency Management
20	Agency, as constituted on June 1, 2006, including
21	all of its functions, personnel, assets, components,
22	and liabilities, and including the functions of the
23	Under Secretary for Federal Emergency Manage-

ment relating thereto.

1	"(2) The Directorate of Preparedness, as con-
2	stituted on June 1, 2006, including all of its func-
3	tions, personnel assets, components, and liabilities,
4	and including the functions of the Under Secretary
5	for Preparedness relating thereto.
6	"SEC. 515. PRESERVING THE UNITED STATES EMERGENCY
7	MANAGEMENT AUTHORITY.
8	"(a) DISTINCT ENTITY.—The Authority shall be
9	maintained as a distinct entity within the Department.
10	"(b) Reorganization.—Section 872 shall not apply
11	to the Authority, including any function or organizational
12	unit of the Authority.
13	"(c) Prohibition on Changes to Missions.—
14	"(1) In General.—The Secretary may not
15	substantially or significantly reduce the authorities,
16	responsibilities, or functions of the Authority or the
17	capability of the Authority to perform those respon-
18	sibilities, except as otherwise specifically provided in
19	an Act enacted after the date of enactment of the
20	Post Katrina Emergency Management Reform Act
21	of 2006.
22	"(2) CERTAIN TRANSFERS PROHIBITED.—No
23	asset, function or mission of the Authority may be
24	diverted to the principal and continuing use of any
25	other organization, unit, or entity of the Depart-

1	ment, except for details or assignments that do not
2	reduce the capability of the Authority to perform its
3	missions.
4	"SEC. 516. DIRECTORS.
5	"(a) In General.—There shall be in the Authority
6	a Director for Preparedness and a Director for Response
7	and Recovery, each of whom shall be appointed by the
8	President, by and with the advice and consent of the Sen-
9	ate, and shall report to the Administrator.
10	"(b) QUALIFICATIONS.—
11	"(1) IN GENERAL.—A Director shall have—
12	"(A) not less than 5 years of—
13	"(i) executive leadership and manage-
14	ment experience in the public or private
15	sector; and
16	"(ii) significant experience in crisis
17	management or another relevant field; and
18	"(B) a demonstrated ability to manage a
19	substantial staff and budget.
20	"(2) Concurrent experience.—Service dur-
21	ing any period of time may be used in meeting the
22	requirements under both clause (i) and (ii) of para-
23	graph (1)(A).
24	"(c) Initial Directors.—

"(1) IN GENERAL.—Except as provided under paragraph (2), the individual serving as the Under Secretary for Preparedness and the individual serving as the Under Secretary for the Federal Emergency Management Agency on the effective date of the Post Katrina Emergency Management Reform Act of 2006, may serve as the Director for Preparedness and the Director of Response and Recovery, respectively, until a Director for Preparedness or a Director of Response and Recovery, as the case may be, is appointed under subsection (a).

"(2) PRIOR CONFIRMATION.—Paragraph (1) shall apply if the individual is serving as the Under Secretary for Preparedness or the Under Secretary for the Federal Emergency Management Agency, under an appointment by the President, by and with the advice and consent of the Senate.

18 "SEC. 517. REGIONAL OFFICES.

19 "(a) IN GENERAL.—

- 20 <u>"(1) REGIONAL OFFICES.—The Administrator</u> 21 <u>shall establish 10 Regional Offices of the Authority.</u>
- 22 <u>"(2) Additional Offices.—In addition to the</u> 23 Regional Offices established under paragraph (1), 24 the Administrator may designate the Office for Na-

tional Capital Region Coordination under section
 882 as a Regional Office.

"(b) Management of Regional Offices.—

"(1) REGIONAL ADMINISTRATOR.—Each Regional Office shall be headed by a Regional Administrator for Preparedness and Response, who shall be appointed by the Administrator. Each Regional Administrator for Emergency Preparedness and Response shall report directly to the Administrator.

"(2) QUALIFICATIONS.—Each Regional Office shall be headed by an individual in the Senior Exceutive Service qualified to act as a senior Federal coordinating officer to provide strategic oversight of incident management when needed.

"(c) RESPONSIBILITIES.—

"(1) IN GENERAL.—The Regional Administrator shall work in partnership with State and local governments, emergency managers, emergency response providers, medical providers, the private sector, nongovernmental organizations, multijuristicational councils of governments, and regional planning commissions and organizations in the geographical area served by the Regional Office to carry out the responsibilities of a Regional Administrator under this section.

1	"(2) RESPONSIBILITIES.—The responsibilities
2	of a Regional Administrator include—
3	"(A) ensuring effective, coordinated, and
4	integrated regional preparedness, mitigation, re-
5	sponse, and recovery activities and programs
6	for natural and man-made disasters (including
7	planning, training, exercises, and professional
8	development);
9	"(B) coordinating and integrating regional
10	preparedness, mitigation, response, and recov-
11	ery activities and programs for natural and
12	man-made disasters (including planning, train-
13	ing, exercises, and professional development),
14	which shall include—
15	"(i) providing regional and interstate
16	planning assistance;
17	"(ii) organizing, in consultation with
18	the Administrator, regional training and
19	exercise programs;
20	"(iii) providing support and coordina-
21	tion officers for State and local govern-
22	ment training and exercises;
23	"(iv) participating in emergency pre-
24	paredness and planning activities by State,
25	regional, and local governments;

1	"(v) assisting in the development of
2	regional capabilities needed for a national
3	eatastrophie response system;
4	"(vi) helping to coordinate and de-
5	velop interstate agreements; and
6	"(vii) coordinating the establishment
7	of effective regional interagency emergency
8	communications capabilities and commu-
9	nications interoperability, and reporting
10	annually to the Administrator, who shall
11	provide the information to the Director for
12	Emergency Communications, on regional
13	efforts to achieve these goals and on re-
14	gional progress in meeting the goals of the
15	National Emergency Communications
16	Strategy developed under section 535;
17	"(C) establishing and overseeing 1 or more
18	strike teams within the region under subsection
19	(e), which shall serve as the focal point of the
20	Federal Government's initial response efforts
21	for a natural or man-made disaster within that
22	region, and otherwise building Federal response
23	capabilities to respond to a natural or man-
24	made disaster within that region;

1	"(D) working with the private sector to as-
2	sess weaknesses in critical infrastructure pro-
3	tection in the region and to design and imple-
4	ment programs to address those weaknesses;
5	"(E) designating an individual responsible
6	for, in conjunction with other relevant Federal,
7	State, and local officials, the development of
8	strategic and operational regional plans to re-
9	spond effectively to natural or manmade disas-
10	ters in the region in support of the National
11	Response Plan;
12	"(F) coordinating all activities conducted
13	under this section with other Federal depart-
14	ments and agencies; and
15	"(G) performing such other duties relating
16	to such responsibilities as the Administrator
17	may require.
18	"(d) Area Offices.—The Administrator shall estab-
19	lish an Area Office for the Pacific and an Area Office for
20	the Caribbean, as components in the appropriate Regional
21	Offices.
22	"(e) REGIONAL OFFICE STRIKE TEAMS.—
23	"(1) ESTABLISHMENT.—In coordination with
24	other relevant Federal agencies, each Regional Ad-

1	ministrator shall establish multi-agency strike teams
2	that shall consist of—
3	"(A) a designated Federal coordinating of
4	ficer;
5	"(B) personnel trained in incident manage-
6	ment;
7	"(C) public affairs, response and recovery,
8	and communications support personnel;
9	"(D) a defense coordinating officer;
10	"(E) liaisons to other Federal agencies;
11	"(F) such other personnel as the Adminis-
12	trator or Regional Administrator determines
13	appropriate; and
14	"(G) individuals from the agencies with
15	primary responsibility for each of the emer-
16	gency support functions in the National Re-
17	sponse Plan, including the following:
18	"(i) Transportation.
19	"(ii) Communications.
20	"(iii) Public works and engineering.
21	"(iv) Emergency management.
22	"(v) Mass care.
23	"(vi) Housing and human services.
24	"(vii) Public health and medical serv-
25	ices.

1	"(viii) Urban search and rescue.
2	"(ix) Public safety and security.
3	"(x) External affairs.
4	"(2) Location of Members.—The members
5	of each Regional Office strike team, including rep-
6	resentatives from agencies other than the Depart-
7	ment, shall be based primarily at the Regional Office
8	that corresponds to that strike team.
9	"(3) Coordination.—Each Regional Office
10	strike team shall coordinate the training and exer-
11	eises of that strike team with the State and local
12	governments and private sector and nongovern-
13	mental entities which the strike team shall support
14	when a natural or man-made disaster occurs.
15	"(4) Preparedness.—Each Regional Office
16	strike team shall be trained, equipped, and staffed to
17	be well prepared to respond to natural and man-
18	made disasters, including catastrophic incidents.
19	"SEC. 518. NATIONAL ADVISORY COUNCIL ON PREPARED-
20	NESS AND RESPONSE.
21	"(a) Establishment.—Not later than 60 days after
22	the date of enactment of the Post Katrina Emergency
23	Management Reform Act of 2006, the Secretary shall es-
24	tablish an advisory body under section 871(a), to be

known as the National Advisory Council on Preparedness 2 and Response. 3 "(b) RESPONSIBILITIES.—The National Advisory Council shall advise the Administrator on all aspects of 5 emergency preparedness and response. "(c) MEMBERSHIP. 6 7 "(1) IN GENERAL.—The members of the Na-8 tional Advisory Council shall be appointed by the 9 Administrator, and shall, to the extent practicable, 10 represent a geographic (including urban and rural) 11 and substantive cross section of State and local gov-12 ernment officials and emergency managers, and 13 emergency response providers, from State and local 14 governments, the private sector, and nongovern-15 mental organizations, including as appropriate— "(A) members selected from the emergency 16 17 preparedness and response fields, including fire 18 service, law enforcement, hazardous materials 19 response, emergency medical services, 20 emergency preparedness and response 21 sonnel, or organizations representing such 22 members; 23 "(B) health scientists, emergency and in-24 patient medical providers, and public health

professionals;

1	"(C) experts representing standards set-
2	ting organizations;
3	"(D) State and local government officials
4	with expertise in terrorism preparedness and
5	emergency preparedness and response;
6	"(E) elected State and local government
7	executives;
8	"(F) experts in public and private sector
9	infrastructure protection, cybersecurity, and
10	communications;
11	"(G) representatives of the disabled and
12	other special needs populations; and
13	"(H) such other individuals as the Admin-
14	istrator determines to be appropriate.
15	"(d) Applicability of Federal Advisory Com-
16	MITTEE ACT.
17	"(1) In General.—Notwithstanding section
18	871(a) and subject to paragraph (2), the Federal
19	Advisory Committee Act (5 U.S.C. App.), including
20	subsections (a), (b), and (d) of section 10 of such
21	Act, and section 552b(e) of title 5, United States
22	Code, shall apply to the Advisory Council.
23	"(2) Termination.—Section 14(a)(2)(B) of
24	the Federal Advisory Committee Act (5 U.S.C.
25	App.) shall not apply to the Advisory Council.

1	"SEC. 519. NATIONAL INCIDENT MANAGEMENT SYSTEM IN-
2	TEGRATION CENTER.
3	"(a) In General.—There is in the Authority a Na-
4	tional Incident Management System Integration Center.
5	"(b) Responsibilities.—
6	"(1) In GENERAL.—The Administrator,
7	through the National Incident Management System
8	Integration Center, and in consultation with other
9	Federal departments and agencies and the National
10	Advisory Council, shall ensure ongoing management
11	and maintenance of the National Incident Manage-
12	ment System, the National Response Plan, any other
13	document or tool in support of Homeland Security
14	Presidential Directive 5, or any other Homeland Se-
15	curity Presidential Directive relating to incident
16	management and response.
17	"(2) Specific responsibilities.—The Na-
18	tional Incident Management System Integration
19	Center shall—
20	"(A) periodically review, and revise, as ap-
21	propriate, the National Incident Management
22	System and the National Response Plan;
23	"(B) review other matters relating to the
24	National Incident Management System and the
25	National Response Plan, as the Administrator
26	may require

1	"(C) develop and implement a national
2	program for National Incident Management
3	System and National Response Plan education
4	and awareness;
5	"(D) oversee all aspects of the National
6	Incident Management System, including the de-
7	velopment of compliance criteria and implemen-
8	tation activities at Federal, State, and local
9	government levels;
10	"(E) provide guidance and assistance to
11	States and local governments and emergency
12	response providers, in adopting the National In-
13	cident Management System; and
14	"(F) perform such other duties relating to
15	such responsibilities as the Administrator may
16	require.
17	"SEC. 520. NATIONAL OPERATIONS CENTER.
18	"(a) Definition.—In this section, the term 'situa-
19	tional awareness' means information gathered from a vari-
20	ety of sources that, when communicated to emergency pre-
21	paredness and response managers and decision makers
22	ean form the basis for incident management decision-
23	making.
24	"(b) ESTABLISHMENT.—There is established in the
25	Department a National Operations Center

1	"(e) Purpose.—The purposes of the National Oper-
2	ations Center are to—
3	"(1) coordinate the national response to any
4	natural or man-made disaster, as determined by the
5	Secretary;
6	"(2) provide situational awareness and a com-
7	mon operating picture for the entire Federal Govern-
8	ment, and for State and local governments as appro-
9	priate, for an event described in paragraph (1);
10	"(3) collect and analyze information to help
11	deter, detect, and prevent terrorist acts;
12	"(4) disseminate terrorism and disaster-related
13	information to Federal, State, and local govern-
14	ments;
15	"(5) ensure that critical terrorism and disaster-
16	related information reaches government decision-
17	makers; and
18	"(6) perform such other duties as the Secretary
19	may require.
20	"(d) Responsibilities.—The National Operations
21	Center shall earry out the responsibilities of the Homeland
22	Security Operations Center, the National Response Co-
23	ordination Center, and the Interagency Incident Manage-
24	ment Group, as constituted on September 1, 2005.

"(a) In General.—There is in the Authority a Chief

"SEC. 521. CHIEF MEDICAL OFFICER.

3	Medical Officer, who shall be appointed by the President,
4	by and with the advice and consent of the Senate. The
5	Chief Medical Officer shall report directly to the Adminis-
6	trator.
7	"(b) QUALIFICATIONS.—The individual appointed as
8	Chief Medical Officer shall possess a demonstrated ability
9	in and knowledge of medicine and public health.
10	"(e) RESPONSIBILITIES.—The Chief Medical Officer
11	shall have the primary responsibility within the Depart-
12	ment for medical issues related to natural and man-made
13	disasters, including—
14	"(1) serving as the principal advisor to the Sec-
15	retary and the Administrator on medical and public
16	health issues;
17	"(2) coordinating the biosurveillance and detec-
18	tion activities of the Department;
19	"(3) ensuring internal and external coordina-
20	tion of all medical preparedness and response activi-
21	ties of the Department, including training, exercises,
22	and equipment support;
23	"(4) serving as the Department's primary point
24	of contact with the Department of Agriculture, the
25	Department of Defense, the Department of Health
26	and Human Services, the Department of Transpor-

1	tation, the Department of Veterans Affairs, and
2	other Federal departments or agencies, on medical
3	and public health issues;
4	"(5) serving as the Department's primary point
5	of contact for State and local government, the med-
6	ical community, and others within and outside the
7	Department, with respect to medical and public
8	health matters;
9	"(6) discharging, in coordination with the
10	Under Secretary for Science and Technology, the re-
11	sponsibilities of the Department related to Project
12	Bioshield;
13	"(7) establishing doctrine and priorities for the
14	National Disaster Medical System, consistent with
15	the National Response Plan and the National Inci-
16	dent Management System, supervising its medical
17	components, and exercising predeployment oper-
18	ational control, including—
19	"(A) determining composition of the
20	teams;
21	"(B) overseeing eredentialing of the teams;
22	and
23	"(C) training personnel of the teams;
24	"(8) managing the Metropolitan Medical Re-
25	sponse System, including establishing doctrine and

priorities for the Metropolitan Medical Response
System, consistent with the National Response Plan
and the National Incident Management System, and
developing and overseeing standards, plans, training,
and exercises and coordinating with the Office of
Grants and Training on the use and distribution of
Metropolitan Medical Response grants;

"(9) assessing and monitoring long-term health issues of emergency managers and emergency response providers;

"(10) developing and updating, in consultation with the Secretary of Health and Human Services, guidelines for State and local governments for medical response plans for chemical, biological, radio-logical, nuclear, or explosive weapon attacks;

"(11) developing, in consultation with the Secretary of Health and Human Services, appropriate patient tracking capabilities to execute domestic patient movement and evacuations, including a system that has the capacity of electronically maintaining and transmitting the health information of hospital patients;

"(12) establishing and providing oversight for the Department's occupational health and safety program, including workforce health; and

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

1	"(13) performing such other duties relating to
2	such responsibilities as the Secretary or the Admin-
3	istrator may require.
4	"(d) Long-Term Health Assessment Pro-
5	GRAM.—
6	"(1) IN GENERAL.—The Chief Medical Officer,
7	in consultation with the Director of the National In-
8	stitute for Occupational Safety and Health, shall es-
9	tablish a program to assess, monitor, and study the
10	health and safety of emergency managers and emer-
11	gency response providers, following Incidents of Na-
12	tional Significance declared by the Secretary under
13	the National Response Plan.
14	"(2) Cooperative agreements.—In carrying
15	out the program under this subsection, the Chief
16	Medical Officer shall enter into cooperative agree-
17	ments, as necessary, with medical institutions in the
18	areas affected by an Incident of National Signifi-
19	cance.
20	"SEC. 522. PUBLIC AND COMMUNITY PREPAREDNESS.
21	"The Administrator shall promote public and commu-
22	nity preparedness.
23	"SEC. 523. BASIC LIFE SUPPORTING FIRST AID EDUCATION
24	FOR CHILDREN.
25	"(a) Definitions.—In this section—

1	"(1) the term 'age-appropriate' means informa-
2	tion, education, and skills suitable for the individual
3	to understand and perform;
4	"(2) the term 'appropriate municipal entity'
5	means an agency of a unit of local government that
6	is an emergency response provider or provides other
7	similar medical services or training, including a fire
8	department, law enforcement agency, hospital, school
9	nurse, or emergency medical services provider;
10	"(3) the term 'children' means individuals
11	under the age of 18 years enrolled in grades kinder-
12	garten through 12;
13	"(4) the term 'emergency medical professional'
14	means an individual certified by a State in emer-
15	gency medical services;
16	"(5) the term 'life supporting first aid' includes
17	cardiopulmonary resuscitation, the use of an auto-
18	matic external defibrillator, the Heimlich maneuver,
19	blood-borne and biohazardous precautions, bleed
20	control, and other life-sustaining procedures in the
21	event of an emergency; and
22	"(6) the term 'selected organization' means the
23	organization contracting with the Secretary of

Homeland Security under subsection (b).

1	"(b) AUTHORITY.—The Secretary of Homeland Secu-
2	rity, acting through the Chief Medical Officer, and in con-
3	sultation with the Secretary of Education, shall enter into
4	an agreement with an organization, under which such or-
5	ganization shall provide funds to appropriate municipal
6	entities to provide education and training in life sup-
7	porting first aid to children, including scene safety proce-
8	dures.
9	"(e) Eligibility.—In selecting an organization, the
10	Secretary shall consider and give priority to an organiza-
11	tion that—
12	"(1) has experience in training individuals (es-
13	pecially children) to be active bystanders, equipped
14	with life supporting first aid skills to assist during
15	emergencies;
16	"(2) recognizes that life supporting first aid
17	techniques are essential to maintaining life before
18	the arrival of emergency response providers;
19	"(3) uses emergency medical professionals as
20	instructors to teach life supporting first aid tech-
21	niques to children and adults;
22	"(4) works with Federal, State, and local gov-
23	ernment entities and the private sector to highlight
24	the importance of public emergency preparedness
25	and effective emergency response:

1	"(5) has developed and implemented, before the
2	date of entering a contract under subsection (b), a
3	testing component for evaluation, accountability, and
4	data collection; and
5	"(6) is an affiliate of the Citizens Corps of the
6	Department of Homeland Security.
7	"(d) USE OF FUNDS.—
8	"(1) In General.—Funds provided under this
9	section by the selected organization to an appro-
10	priate municipal entity shall be used—
11	"(A) to create age-appropriate educational
12	materials regarding life supporting first aid to
13	be distributed to children;
14	"(B) to conduct training and clinical in-
15	struction of children in life supporting first aid;
16	and
17	"(C) for data collection and statistical
18	analysis.
19	"(2) Priority.—In providing funds to appro-
20	priate municipal entities under this section, the se-
21	leeted organization shall give priority to emergency
22	medical services, fire departments, law enforcement
23	agencies, hospitals, and school nurses.

1 "SEC. 524. SAVER PROGRAM.

2	"(a) In General.—In the Department there is a
3	System Assessment and Validation for Emergency Re-
4	sponders Program to provide impartial evaluations of
5	emergency response equipment and systems.
6	"(b) REQUIREMENTS.—The program established
7	under subsection (a) shall—
8	"(1) provide impartial, practitioner relevant,
9	and operationally oriented assessments and valida-
10	tions of emergency response provider equipment and
11	systems that have not already been third-party cer-
12	tified to a standard adopted by the Department, in-
13	cluding—
14	"(A) commercial, off-the-shelf emergency
15	response provider equipment and systems in all
16	equipment list categories of the Standardized
17	Equipment List published by the Interagency
18	Board for Equipment Standardization and
19	Interoperability; and
20	"(B) such other equipment or systems as
21	the Secretary determines are appropriate;
22	"(2) provide information that enables decision-
23	makers and emergency response providers to better
24	select, procure, use, and maintain emergency re-
25	sponse provider equipment or systems;

1	"(3) assess and validate the performance of
2	products within a system and subsystems; and
3	"(4) provide information and feedback to emer-
4	gency response providers through the Responder
5	Knowledge Base of the National Memorial Institute
6	for the Prevention of Terrorism, or other appro-
7	priate forum.
8	"(e) Assessment and Validation Process.—The
9	assessment and validation of emergency response provider
10	equipment and systems shall use multiple evaluation tech-
11	niques, including—
12	"(1) operational assessments of equipment per-
13	formance on vehicle platforms;
14	"(2) technical assessments on a comparative
15	basis of system component performance across
16	makes and models under controlled conditions; and
17	"(3) integrative assessments on an individual
18	basis of system component interoperability and com-
19	patibility with other system components.
20	"(d) Personal Protective Equipment.—To the
21	extent practical, the assessment and validation of personal
22	protective equipment under this section shall be conducted
23	by the National Personal Protective Technology Labora-
24	tory of the National Institute for Occupational Safety and
25	Health.

1 "SEC. 525. NATIONAL SEARCH AND RESCUE RESPONSE SYS-

	SEC. 020. IMITOTAL SERRICH AND RESCUE RESTORSE STS-
2	TEM.
3	"(a) National Search and Rescue Response
4	System.—There is established in the Authority an emer-
5	gency response system known as the National Search and
6	Rescue Response System that provides a national network
7	of standardized search and rescue resources to assist State
8	and local governments in responding to any natural or
9	man-made disaster.
10	"(b) Administration of the System.—
11	"(1) Task force participation.—The Ad-
12	ministrator shall select eligible search and rescue
13	teams that are sponsored by State and local govern-
14	ment entities to participate as task forces in the Na-
15	tional Search and Rescue Response System. The Ad-
16	ministrator shall determine the criteria for such par-
17	ticipation.
18	"(2) Agreements with sponsoring agen-
19	CIES.—The Administrator shall enter into an agree-
20	ment with the State or local government entity that
21	sponsors each search and rescue team selected under
22	paragraph (1) with respect the team's participation
23	as a task force in the National Search and Rescue
24	Response System.
25	"(3) Management and technical teams.—
26	The Administrator shall maintain such management

1	and other technical teams as are necessary to ad-
2	minister the National Search and Rescue Response
3	System.
4	"SEC. 526. METROPOLITAN MEDICAL RESPONSE SYSTEM.
5	"(a) In General.—There is in the Authority a Met
6	ropolitan Medical Response System. Under the Metropoli
7	tan Medical Response System, the Assistant Secretary for
8	Grants and Planning, in coordination with the Chief Med
9	ical Officer, shall administer grants to develop, maintain
10	and enhance medical preparedness systems that are capa
11	ble of responding effectively to a public health crisis or
12	mass-casualty event eaused by a natural or man-made dis
13	aster.
14	"(b) USE OF FUNDS.—The Metropolitan Medical Re
15	sponse System shall make grants to local governments to
16	enhance any of the following activities:
17	"(1) Medical surge capacity.
18	"(2) Mass prophylaxis.
19	"(3) Chemical, biological, radiological, nuclear
20	and explosive detection, response, and decontamina
21	tion capabilities.
22	"(4) Emergency communications capabilities.
23	"(5) Information sharing and collaboration ca
24	pabilities.
25	"(6) Regional collaboration.

1	"(7) Triage and pre-hospital treatment.
2	"(8) Medical supply management and distribu-
3	tion.
4	"(9) Fatality management.
5	"(10) Such other activities as the Secretary
6	may provide.
7	"SEC. 527. THE NATIONAL INFRASTRUCTURE SIMULATION
8	AND ANALYSIS CENTER.
9	"(a) DEFINITION.—In this section, the term 'Na-
10	tional Infrastructure Simulation and Analysis Center
11	means the National Infrastructure Simulation and Anal-
12	ysis Center established under section 1016(d) of the USA
13	PATRIOT Act (42 U.S.C. 5195c(d)).
14	"(b) AUTHORITY.—
15	"(1) In General.—There is in the Authority
16	the National Infrastructure Simulation and Analysis
17	Center which shall serve as a source of national
18	competence to address critical infrastructure protec-
19	tion and continuity through support for activities re-
20	lated to—
21	"(A) counterterrorism, threat assessment,
22	and risk mitigation; and
23	"(B) a natural or man-made disaster.
24	"(2) Infrastructure modeling.—

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

"(B) RELATIONSHIP WITH OTHER AGEN-CIES.—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.

"(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

1	its work load capacity and priorities, for
2	real-time response to reported and pro-
3	jeeted emergencies, natural disasters, ter-
4	rorist attacks, or other catastrophic inci-
5	dents.
6	"(ii) Recipient of Certain sup-
7	PORT.—Modeling, simulation, and analysis
8	provided under this subsection shall be
9	provided to relevant Federal agencies and
10	departments, including Federal agencies
11	and departments with critical infrastruc-
12	ture responsibilities under Homeland Secu-
13	rity Presidential Directive 7, or any suc-
14	eessor to such directive.
15	"SEC. 528. EMERGENCY MANAGEMENT ASSISTANCE COM-
16	PACT.
17	"(a) IN GENERAL.—The Secretary, acting through
18	the Administrator, may make grants for the purposes of
19	administering and improving the Emergency Management
20	Assistance Compact consented to by the Joint Resolution
21	entitled 'Joint Resolution granting the consent of Con-
22	gress to the Emergency Management Assistance Compact
23	(Public Law 104–321; 110 Stat. 3877).
24	"(b) Uses.—A grant under this section shall be used
25	4.0

1	"(1) earry out recommendations identified in
2	after-action reports for the 2004 and 2005 hurricane
3	season issued under the Emergency Management
4	Assistance Compact;
5	"(2) coordinate with the Department and other
6	Federal Government agencies;
7	"(3) coordinate with State and local govern-
8	ment entities and their respective national associa-
9	tions;
10	"(4) assist State and local governments, emer-
11	gency response providers, and organizations rep-
12	resenting such members with credentialing emer-
13	gency response providers and the typing of emer-
14	gency response resources; or
15	"(5) administer the operations of the Emer-
16	gency Management Assistance Compact.
17	"SEC. 529. OFFICE FOR THE PREVENTION OF TERRORISM.
18	"(a) ESTABLISHMENT.—There is established in the
19	Department an Office for the Prevention of Terrorism
20	which shall be headed by a Director.
21	"(b) DIRECTOR.
22	"(1) REPORTING.—The Director of the Office
23	for the Prevention of Terrorism shall report directly
24	to the Secretary.

1	"(2) QUALIFICATIONS.—The Director of the
2	Office for the Prevention of Terrorism shall have an
3	appropriate background with experience in law en-
4	forcement, intelligence, or other anti-terrorist func-
5	tions.
6	"(c) Assignment of Personnel.—
7	"(1) In General.—The Secretary shall assign
8	to the Office for the Prevention of Terrorism perma-
9	nent staff and other appropriate personnel detailed
10	from other components of the Department to carry
11	out the responsibilities under this section.
12	"(2) Liaisons.—The Secretary shall designate
13	senior employees from each component of the De-
14	partment that has significant antiterrorism respon-
15	sibilities to act a liaison between that component
16	and the Office for the Prevention of Terrorism.
17	"(d) RESPONSIBILITIES.—The Director of the Office
18	for the Prevention of Terrorism shall—
19	"(1) coordinate policy and operations between
20	the Department and State and local government
21	agencies relating to preventing acts of terrorism
22	within the United States;
23	"(2) serve as a liaison between State and local
24	law enforcement according and the Department.

"(3) in coordination with the Office of Intelligence, develop better methods for the sharing of intelligence with State and local law enforcement agencies;

"(4) work with the Assistant Secretary of the Office of Grants and Training to ensure that homeland security grants to State and local agencies, including the Law Enforcement Terrorism Prevention Program, Commercial Equipment Direct Assistance Program, grants to support fusion centers and other law enforcement-oriented programs are adequately focused on terrorism prevention activities; and

"(5) coordinate with the Authority, the Department of Justice, the National Institute of Justice, law enforcement organizations, and other appropriate entities to develop national voluntary consensus standards for training and personal protective equipment to be used in a tactical environment by law enforcement officers.

"(e) PILOT PROJECT.—

"(1) IN GENERAL.—The Director of the Office for the Prevention of Terrorism, in coordination with the Director for Response, shall establish a pilot project to determine the efficacy and feasibility of establishing law enforcement deployment teams.

1	"(2) Function.—The law enforcement deploy-
2	ment teams participating in the pilot program under
3	this subsection shall form the basis of a national
4	network of standardized law enforcement resources
5	to assist State and local governments in responding
6	to a natural or man-made disaster.
7	"(f) Construction.—Nothing in this section may be
8	construed to affect the roles or responsibilities of the De-
9	partment of Justice.
10	"SEC. 530. DEPARTMENT OFFICIALS.
11	"(a) Cybersecurity and Telecommuni-
12	CATIONS.—There is in the Department an Assistant Sec-
13	retary for Cybersecurity and Telecommunications.
14	"(b) United States Fire Administration.—The
15	Administrator of the United States Fire Administration
16	shall have a rank equivalent to an assistant secretary of
17	the Department.
18	"SEC. 531. CREDENTIALING.
19	"(a) Definitions.—In this section—
20	"(1) the term 'eredential' means to provide doc-
21	umentation that can authenticate and verify the
22	qualifications and identity of managers of incidents,
23	emergency response providers, and other appropriate
24	personnel, including by ensuring that such personnel
25	possess a minimum common level of training, experi-

1	ence, physical and medical fitness, and capability ap-
2	propriate for their position;
3	"(2) the term 'eredentialing' means evaluating
4	an individual's qualifications for a specific position
5	under guidelines created in this section and assign-
6	ing such individual a qualification under the stand-
7	ards developed in this section; and
8	"(3) the term 'eredentialed' means an indi-
9	vidual has been evaluated for a specific position
10	under the guidelines created under this section.
11	"(b) Requirements.—
12	"(1) In GENERAL.—The Administrator shall
13	enter into a memorandum of understanding to col-
14	laborate with State and local governments, emer-
15	gency response providers, and the organizations that
16	represent them, to establish in consultation with the
17	Authority nationwide standards for credentialing all
18	personnel who are likely to respond to an emergency
19	or major disaster.
20	"(2) Contents.—The standards developed
21	under paragraph (1) shall—
22	"(A) include the minimum professional
23	qualifications, certifications, training, and edu-
24	eation requirements for specific emergency re-

1	sponse functional positions that are applicable
2	to Federal, State and local government;
3	"(B) be compatible with the National Inci-
4	dent Management System; and
5	"(C) be consistent with standards for ad-
6	vance registration for health professions volun-
7	teers under section 319I of the Public Health
8	Services Act (42 U.S.C. 247d-7b).
9	"(3) TIMEFRAME.—The Administrator shall de-
10	velop standards under paragraph (1) not later than
11	6 months after the date of enactment of the Post
12	Katrina Emergency Management Reform Act of
13	2006.
14	"(c) Credentialing of Department Per-
15	SONNEL.—
16	"(1) In GENERAL.—Not later than 1 year after
17	the date of enactment of the Post Katrina Emer-
18	gency Management Reform Act of 2006, the Sec-
19	retary and the Administrator shall ensure that all
20	personnel of the Department (including temporary
21	personnel and individuals in the surge capacity force
22	established under section 304 of the Post Katrina
23	Emergency Management Reform Act of 2006) who
24	are likely to respond to an emergency or major dis-
25	acter are credentialed

1	"(2) STRATEGIC HUMAN CAPITAL PLAN.—Not
2	later than 90 days after completion of the
3	credentialing under paragraph (1), the Adminis-
4	trator shall evaluate whether the workforce of the
5	Authority complies with the Strategic Human Cap-
6	ital Plan of the Authority developed under section
7	301 of the Post Katrina Emergency Management
8	Reform Act of 2006 and is sufficient to respond to
9	a catastrophic incident.
10	"(d) Integration With National Response
11	Plan.—
12	"(1) Distribution of standards.—Not later
13	than 6 months after the date of enactment of the
14	Post Katrina Emergency Management Reform Act
15	of 2006, the Administrator shall provide the stand-
16	ards developed under subsection (b) to all Federa
17	agencies that have responsibilities under the Na-
18	tional Response Plan.
19	"(2) Credentialing of Agencies.—Not later
20	than 180 days after the date on which the standards
21	are provided under paragraph (1), each agency de-
22	scribed in paragraph (1) shall—
23	"(A) ensure that all employees or volun-
24	teers of that agency who are likely to respond

1	to an emergency or major disaster are
2	eredentialed; and
3	"(B) submit to the Secretary the name of
4	each credentialed employee or volunteer of such
5	agency.
6	"(3) Leadership.—The Administrator shall
7	provide leadership, guidance, and technical assist-
8	ance to an agency described in paragraph (1) to fa-
9	cilitate the credentialing process of that agency.
10	"(e) Documentation and Database System.—
11	"(1) IN GENERAL.—Not later than 1 year after
12	the date of enactment of the Post Katrina Emer-
13	gency Management Reform Act of 2006, the Admin-
14	istrator shall establish and maintain a documenta-
15	tion and database system of Federal emergency re-
16	sponse providers and all other Federal personnel
17	credentialed to respond to an emergency or major
18	disaster.
19	"(2) Accessibility.—The documentation and
20	database system established under paragraph (1)
21	shall be accessible to the Federal coordinating officer
22	and other appropriate officials preparing for or re-
23	sponding to an emergency or major disaster.
24	"(3) Considerations.—The Administrator
25	shall consider whether the credentialing system car

- 1 be used to regulate access to areas affected by a
- 2 major disaster.
- 3 "(f) Guidance to State and Local Govern-
- 4 MENTS.—Not later than 6 months after the date of enact-
- 5 ment of the Post Katrina Emergency Management Re-
- 6 form Act of 2006, the Administrator shall—
- 7 "(1) in collaboration with the Emergency Man-
- 8 agement Assistance Compact provide detailed writ-
- 9 ten guidance, assistance, and expertise to State and
- 10 local governments to facilitate the eredentialing of
- 11 State and local emergency response providers com-
- monly or likely to be used in responding to an emer-
- 13 gency or major disaster; and
- 14 "(2) in coordination with the Emergency Man-
- 15 agement Assistance Compact and appropriate na-
- 16 tional professional organizations, assist State and
- 17 local governments with eredentialing the personnel
- of the State or local government under the guidance
- 19 provided under paragraph (1).
- 20 "(g) Grants.—The Secretary may make grants to
- 21 State and local governments, emergency response pro-
- 22 viders, and organizations that represent them.
- 23 "(h) REPORT.—Not later than 6 months after the
- 24 date of enactment of the Post Katrina Emergency Man-
- 25 agement Reform Act of 2006 and annually thereafter, the

- 1 Administrator shall submit to the Committee on Home-
- 2 land Security and Governmental Affairs of the Senate and
- 3 the Committee on Homeland Security of the House of
- 4 Representatives a report describing the implementation of
- 5 this section, including the number and level of qualifica-
- 6 tion of Federal personnel trained and ready to respond
- 7 to an emergency or major disaster.
- 8 "SEC. 532. TYPING OF RESOURCES.
- 9 "(a) DEFINITIONS.—In this section—
- 10 "(1) the term 'typed' means an asset or re-
- source that has been evaluated for a specific func-
- 12 tion under the guidelines created under this section;
- 13 and
- 14 "(2) the term 'typing' means to define in detail
- the minimum capabilities of an asset or resource.
- 16 "(b) Requirements.—
- 17 "(1) IN GENERAL.—The Administrator, shall
- 18 enter into a memorandum of understanding to col-
- 19 laborate with the State and local governments, emer-
- 20 gency response providers, and organizations that
- 21 represent them, to establish in consultation with the
- 22 Administration, nationwide standards for typing of
- 23 resources commonly or likely to be used in respond-
- 24 ing to an emergency or major disaster.

1	"(2) Contents.—The standards developed
2	under paragraph (1) shall—
3	"(A) be applicable to Federal, State, and
4	local government; and
5	"(B) be compatible with the National Inci-
6	dent Management System.
7	"(c) Typing of Department Resources and As-
8	SETS.—Not later than 1 year after the date of enactment
9	of the Post Katrina Emergency Management Reform Act
10	of 2006, the Secretary shall ensure that all resources and
11	assets of the Department that are commonly or likely to
12	be used to respond to an emergency or major disaster are
13	typed.
14	"(d) Integration With National Response
15	Plan.
16	"(1) DISTRIBUTION OF STANDARDS.—Not later
17	than 6 months after the date of enactment of the
18	Post Katrina Emergency Management Reform Act
19	of 2006, the Administrator shall provide the stand-
20	ards developed under subsection (b) to all Federal
21	agencies that have responsibilities under the Na-
22	tional Response Plan.
23	"(2) Typing of agencies, assets and re-
24	sources.—Not later than 180 days after the date
25	on which the standards are provided under para-

1	graph (1), each agency described in paragraph (1)
2	shall—
3	"(A) ensure that all resources and assets
4	(including teams, equipment, and other assets)
5	of that agency that are commonly or likely to
6	be used to respond to an emergency or major
7	disaster are typed; and
8	"(B) submit to the Secretary a list of all
9	types resources and assets.
10	"(3) Leadership.—The Administrator shall
11	provide leadership, guidance, and technical assist-
12	ance to an agency described in paragraph (1) to fa-
13	cilitate the typing process of that agency.
14	"(e) Documentation and Database System.—
15	"(1) In General.—Not later than 1 year after
16	the date of enactment of the Post Katrina Emer-
17	gency Management Reform Act of 2006, the Admin-
18	istrator shall establish and maintain a documenta-
19	tion and database system of Federal resources and
20	assets commonly or likely to be used to respond to
21	an emergency or major disaster.
22	"(2) Accessibility.—The documentation and
23	database system established under paragraph (1)
24	shall be accessible to the Federal coordinating officer

- 1 and other appropriate officials preparing for or re-
- 2 sponding to an emergency or major disaster.
- 3 "(f) Guidance to State and Local Govern-
- 4 MENTS.—Not later than 6 months after the date of enact-
- 5 ment of the Post Katrina Emergency Management Re-
- 6 form Act of 2006, the Administrator in collaboration with
- 7 State and local governments, emergency response pro-
- 8 viders, and the organizations that represent them, shall—
- 9 "(1) provide detailed written guidance, assist-
- 10 ance, and expertise to State and local governments
- to facilitate the typing of the resources and assets
- of State and local governments likely to be used in
- 13 responding to an emergency or major disaster; and
- 14 "(2) assist State and local governments with
- typing resources and assets of State or local govern-
- 16 ments under the guidance provided under paragraph
- 17 (1).
- 18 "(g) Grants.—The Secretary may make grants to
- 19 State and local governments, emergency response pro-
- 20 viders, and the organizations that represent them, to de-
- 21 velop and maintain a database of typed resources of State
- 22 and local governments.
- 23 "(h) REPORT.—Not later than 6 months after the
- 24 date of enactment of the Post Katrina Emergency Man-
- 25 agement Reform Act of 2006 and annually thereafter, the

- 1 Administrator shall submit to the Committee on Home-
- 2 land Security and Governmental Affairs of the Senate and
- 3 the Committee on Homeland Security of the House of
- 4 Representatives a report describing the implementation of
- 5 this section, including the number and type of Federal re-
- 6 sources and assets ready to respond to an emergency or
- 7 major disaster.
- 8 "SEC. 533. PROVIDING SECURE ACCESS TO CRITICAL IN-
- 9 FRASTRUCTURE.
- 10 "Not later than 6 months after the date of enactment
- 11 of the Post Katrina Emergency Management Reform Act
- 12 of 2006, and in coordination with appropriate national
- 13 professional organizations, Federal, State, and local gov-
- 14 ernment agencies, and private-sector and nongovern-
- 15 mental entities, the Administrator shall create model
- 16 standards or guidelines that States may adopt in conjunc-
- 17 tion with critical infrastructure owners and operators and
- 18 their employees to permit access to restricted areas in the
- 19 event of an emergency or major disaster.
- 20 "SEC. 534. IMPROVEMENTS TO INFORMATION TECH-
- 21 **NOLOGY SYSTEMS.**
- 22 "(a) Measures to Improve Information Tech-
- 23 Nology Systems.—The Administrator shall take appro-
- 24 priate measures to update and improve the information

1	technology systems of the Authority, including measures
2	to
3	"(1) ensure that the multiple information tech-
4	nology systems of the Authority (including the Na-
5	tional Emergency Management Information System,
6	the Logistics Information Management System III,
7	and the Automated Deployment Database) are fully
8	compatible and can share and access information
9	from each other;
10	"(2) ensure technology enhancements reach the
11	headquarters and regional offices of the Authority in
12	a timely fashion, to allow seamless integration;
13	"(3) develop and maintain a testing environ-
14	ment that ensures that all system components are
15	properly and thoroughly tested before their release;
16	"(4) ensure that the information technology
17	systems of the Authority have the capacity to track
18	disaster response personnel, mission assignments
19	task orders, commodities, and supplies used in re-
20	sponse to an emergency or major disaster;
21	"(5) make appropriate improvements to the Na-
22	tional Emergency Management Information System
23	to address current shortcomings; and
24	"(6) provide training, manuals, and guidance
25	on information technology systems to personnel, in-

- 1 cluding disaster response personnel, to help ensure
- 2 employees can properly use information technology
- 3 systems.
- 4 "(b) REPORT.—Not later than 270 days after the
- 5 date of enactment of the Post Katrina Emergency Man-
- 6 agement Reform Act of 2006, the Administrator shall sub-
- 7 mit to the Committee on Homeland Security and Govern-
- 8 mental Affairs of the Senate and the Committee on Home-
- 9 land Security of the House of Representatives a report de-
- 10 scribing the implementation of this section, including any
- 11 actions taken, improvements made, any remaining prob-
- 12 lems and describing any additional funding needed to
- 13 make necessary and appropriate improvements to the in-
- 14 formation technology systems of the Authority.
- 15 "SEC. 535. HURRICANE AND TSUNAMI EVACUATION TECH-
- 16 NICAL ASSISTANCE.
- 17 "(a) IN GENERAL.—The Administrator shall provide
- 18 technical assistance to States and local governments that
- 19 experience hurricanes, tsunamis or other severe weather
- 20 events, including the preparation of hurricane evacuation
- 21 studies and evacuation plans assessing current storm
- 22 surge estimates, evacuation zones, evacuation elearance
- 23 times, transportation capacity, and shelter capacity.
- 24 "(b) Plan and Schedule.—

1 "(1) IN GENERAL.—Not later than 180 days 2 after the date of enactment of the Post Katrina 3 Emergency Management Reform Act of 2006, the 4 Administrator shall— "(A) establish a plan and schedule for completing, maintaining, and periodically up-6 7 dating evacuation studies carried out by the Ad-8 ministrator to ensure that States and local gov-9 ernments that experience hurricanes, tsunamis, 10 or other severe weather events have current and 11 complete information available to them for the 12 preparation of their own evacuation plans; and 13 "(B) include in the plan and schedule an-14 nual maintenance and updates of existing hurri-15 cane evacuation studies following each hurri-16 cane season for those basins impacted by a hur-17 ricane. 18 "(2) Previously initiated studies.—Any 19 evacuation study initiated prior to the promulgation 20 of a plan and schedule established under subsection 21 (a) shall be completed not later than January 1,

23 "(c) Assistance and Guidelines.—The Adminis-24 trator shall develop guidelines for the preparation of, and 25 assist each State that is eligible for assistance under this

2008.

- 1 section in producing a State pre-storm evacuation and
 2 shelter plan which shall address the following:
- 3 "(1) Information, guidance, and data contained
 4 in current hurricane evacuation studies and other
 5 models or projections of current storm surge estimates, evacuation zones, evacuation clearance times,
 7 transportation capacity, and shelter capacity.
 - "(2) Guidance regarding storm surge and evacuation-related estimates projections provided by the National Weather Service or the National Oceanic and Atmospheric Administration.
 - "(3) State planning assumptions, procedures and guidelines for pre-storm evacuation-decision making and sheltering based on current hurricane evacuation studies and published guidance by the Authority.
 - "(4) Transportation and shelter capabilities or resources that will be available and used by the State and by each county, parish or municipality to implement the State pre-storm evacuation and shelter plan.
 - "(5) Estimated costs for the State and for each county or parish to provide pre-storm evacuation and sheltering based on historical data, current cost

- 1 estimates developed by the State Comptroller that
 2 are updated after each hurricane season.
- 3 "(6) Document limitations on State, county,
 4 parish, or city resources or capability to provide for
 5 pre-storm evacuation and shelter and the planning
 6 assumptions of the State regarding the need for
 7 Federal assistance to compensate for such limitations.
- "(d) REPORT TO CONGRESS.—Not later than 1 year 9 after the date of enactment of the Post Katrina Emergency Management Reform Act of 2006, and annually thereafter, the Administrator shall report to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives on the actions taken by the Administrator to earry out the provisions of this section, including the status of evacuation studies, State evacuation and shelter plans, and the incor-19 poration of lessons learned from post-storm assessments."; 21 and
- 22 (8) by inserting after section 541 (as redesignated by paragraph (6) of this subsection) the following:

1 "Subtitle B—Emergency 2 Communications 3 "SEC. 551. DEFINITIONS.

3	"SEC. 551. DEFINITIONS.
4	"In this subtitle—
5	"(1) the term 'eligible region' means—
6	"(A) 2 or more contiguous incorporated
7	municipalities, counties, parishes, Indian tribes
8	or other general purpose jurisdictions that—
9	"(i) have joined together to enhance
10	emergency communications capabilities or
11	communications interoperability between
12	emergency response providers in those ju-
13	risdictions and with State and Federal offi-
14	cials; and
15	"(ii) includes the largest city in any
16	metropolitan statistical area, as defined by
17	the Office of Management and Budget; or
18	"(B) any other area the Secretary deter-
19	mines to be consistent with the definition of a
20	region in the national preparedness guidance
21	issued under Homeland Security Presidential
22	Directive 8;
23	"(2) the term 'National Emergency Commu-
24	nications Strategy' means the strategy established
25	under section 553; and

1	"(3) the term 'Office of Emergency Commu-
2	nications' means the office established under section
3	552.
4	"SEC. 552. OFFICE OF EMERGENCY COMMUNICATIONS.
5	"(a) In General.—There is established in the Au-
6	thority an Office of Emergency Communications.
7	"(b) DIRECTOR.—The head of the Office of Emer-
8	gency Communications shall be the Director for Emer-
9	gency Communications. The Director shall report to the
10	Assistant Secretary for Cybersecurity and Telecommuni-
11	cations.
12	"(e) RESPONSIBILITIES.—The Director for Emer-
13	gency Communications shall—
14	"(1) assist the Secretary in developing and im-
15	plementing the program described in section
16	7303(a)(1) of the Intelligence Reform and Terrorism
17	Prevention Act of 2004 (6 U.S.C. 194(a)(1));
18	"(2) carry out the responsibilities and authori-
19	ties of the Department relating to the development
20	and implementation of a strategy to achieve commu-
21	nications interoperability and emergency communica-
22	tions capabilities and promulgating grant guidance
23	for that purpose;
24	"(3) earry out the responsibilities under section
25	541.

1	"(4) conduct extensive, nationwide outreach and
2	foster the development of emergency communica-
3	tions capabilities and interoperable communications
4	systems by State and local governments and public
5	safety agencies, and by regional consortia thereof,
6	by —
7	"(A) developing, updating, and imple-
8	menting a national strategy to achieve emer-
9	gency communications capabilities, with goals
10	and timetables;
11	"(B) developing, updating, and imple-
12	menting a national strategy to achieve commu-
13	nications interoperability, with goals and time-
14	tables;
15	"(C) developing a national architecture,
16	which defines the components of an interoper-
17	able system and how the components are con-
18	structed;
19	"(D) establishing and maintaining a task
20	force that represents the broad customer base
21	of public safety agencies of State and local gov-
22	ernments, and Federal agencies, involved in
23	public safety disciplines such as law enforce-
24	ment, firefighting, emergency medical services,

public health, and disaster recovery, in order to

1	receive input and coordinate efforts to achieve
2	emergency communications capabilities and
3	communications interoperability;
4	"(E) working with the Office of Grants
5	and Training Interoperable Communications
6	Technical Assistance Program to provide tech-
7	nical assistance to State and local government
8	officials and the Regional Advisory Councils es-
9	tablished under section 513;
10	"(F) promoting a greater understanding of
11	the importance of emergency communications
12	capabilities, communications interoperability,
13	and the benefits of sharing resources among all
14	levels of Federal, State, and local government;
15	"(G) promoting development of standard
16	operating procedures for incident response and
17	facilitating the sharing of information on best
18	practices (including from governments abroad)
19	for achieving emergency communications capa-
20	bilities and communications interoperability;
21	"(H) making recommendations to Con-
22	gress about any changes in Federal law nec-
23	essary to remove barriers to achieving emer-
24	gency communications capabilities and commu-

nications interoperability;

1	"(I) funding and conducting pilot pro-
2	grams, as necessary, in order to—
3	"(i) evaluate and validate technology
4	concepts in real-world environments to
5	achieve emergency communications capa-
6	bilities and communications interoper-
7	ability;
8	"(ii) encourage more efficient use of
9	resources, including equipment and spec-
10	trum; and
11	"(iii) test and deploy public safety
12	communications systems that are less
13	prone to failure, support nonvoice services,
14	consume less spectrum, and cost less;
15	"(J) liaisoning with the private sector to
16	develop solutions to improve emergency commu-
17	nications capabilities and achieve communica-
18	tions interoperability;
19	"(K) using modeling and simulation for
20	training exercises and command and control
21	functions at the operational level; and
22	"(L) performing other functions necessary
23	to improve emergency communications capabili-
24	ties and achieve communications interoper-
25	ability;

1	"(5) administer the responsibilities and authori-
2	ties of the Department relating to the Integrated
3	Wireless Network Program;
4	"(6) administer the National Communications
5	System of the Department under the Preparedness
6	Directorate;
7	"(7) administer responsibilities and authorities
8	of the Department related to the Emergency Alert
9	System and the Integrated Public Alert and Warn-
10	ing System of the Federal Emergency Management
11	Agency;
12	"(8) administer the responsibilities and authori-
13	ties of the Office of Interoperability and Compat-
14	ibility;
15	"(9) coordinate the establishment of a national
16	response capability with initial and ongoing plan-
17	ning, implementation, and training for the deploy-
18	ment of backup communications services in the
19	event of a catastrophic loss of local and regional
20	emergency communications services;
21	"(10) assist the President, the National Secu-
22	rity Council, the Homeland Security Council, the Di-
23	rector of the Office of Science and Technology Pol-
24	icy, and the Director of the Office of Management

and Budget in ensuring the operability of the tele-

1	communications functions and responsibilities of the
2	Federal Government;
3	"(11) review, in consultation with the Assistant
4	Secretary for Grants and Training, all interoperable
5	emergency communications plans of Federal, State
6	and local governments, including Statewide and tac-
7	tical interoperability plans; and
8	"(12) through the National Communications
9	System, create an interactive database that contains
10	an inventory of emergency communications assets
11	maintained by the Federal Government and where
12	appropriate, State and local governments and the
13	private sector, that—
14	"(A) can be deployed rapidly following a
15	natural or man-made disaster to assist emer-
16	gency response providers and State and local
17	governments; and
18	"(B) includes land mobile radio systems
19	satellite phones, portable infrastructure equip-
20	ment, backup power system equipment, and
21	other appropriate equipment and systems.
22	"SEC. 553. NATIONAL EMERGENCY COMMUNICATIONS
23	STRATEGY.
24	"(a) In General.—Not later than 180 days after
25	the completion of the baseline assessment under section

554, and in cooperation with State and local governments, Federal departments and agencies, emergency response providers, and the private sector, the Secretary, acting 4 through the Director for Emergency Communications, shall develop a National Emergency Communications Strategy to achieve emergency communications capabilities and interoperable emergency communications. 8 "(b) CONTENTS.—The National Emergency Communication Strategy shall— 10 "(1) include, in consultation with the National 11 Institute of Standards and Technology, a process for 12 expediting national voluntary consensus-based emer-13 gency communications equipment standards for the 14 purchase and use by public safety agencies of inter-15 operable emergency communications equipment and 16 technologies; 17 "(2) identify the appropriate emergency com-18 munications capabilities and communications inter-19 operability necessary for Federal, State, and local 20 governments to operate during natural and man-21 made disasters. 22 "(3) address both short-term and long-term so-23 lutions to achieving Federal, State, and local emer-

gency communications capabilities and interoperable

emergency communications systems, including provi-

24

1	sion of commercially available equipment that facili-
2	tates operability, interoperability, coordination, and
3	integration among emergency communications sys-
4	tems;
5	"(4) identify how Federal Government depart-
6	ments and agencies that respond to natural or man-
7	made disasters can work effectively with State and
8	local governments, in all States, and with such other
9	entities as are necessary to implement the strategy;
10	"(5) include measures to identify and overcome
11	all obstacles to achieving interoperable emergency
12	communications;
13	"(6) set goals and establish timetables for the
14	development of an emergency, command-level com-
15	munication system based on equipment available
16	across the United States and a nationwide interoper-
17	able emergency communications system;
18	"(7) identify appropriate and reasonable meas-
19	ures public safety agencies should employ to ensure
20	that their network infrastructure maintains oper-
21	ability during a natural or man-made disaster;
22	"(8) include education of State and local emer-
23	gency response personnel about the availability of

backup emergency communications assets and their

1	importance in planning for natural and man-made
2	disasters; and
3	"(9) identify, in consultation with the Federal
4	Communications Commission, measures States and
5	localities should employ to ensure operability of 911
6	E911 and public safety answering points during nat-
7	ural and man-made disasters.
8	"SEC. 554. ASSESSMENTS AND REPORTS.
9	"(a) Baseline Operability and Interoper
10	ABILITY ASSESSMENT.—Not later than June 1, 2000, and
11	periodically thereafter, but not less frequently than every
12	5 years, the Secretary, acting through the Director for
13	Emergency Communications, shall conduct an assessment
14	of Federal, State, and local governments to—
15	"(1) define the range of emergency communica-
16	tions capabilities and communications interoper-
17	ability needed for specific events;
18	"(2) assess the capabilities to meet such com-
19	munications needs;
20	"(3) determine the degree to which necessary
21	emergency communications capabilities and commu-
22	nications interoperability have been achieved;
23	"(4) ascertain the needs that remain for com-
24	munications interoperability to be achieved;

1	"(5) assess the ability of communities to pro-
2	vide and maintain emergency communications capa-
3	bilities and communications interoperability among
4	emergency response providers, and government offi-
5	cials in the event of a natural or man-made disaster,
6	including when there is substantial damage to ordi-
7	nary communications infrastructure or a sustained
8	loss of electricity;
9	"(6) include a national interoperable emergency
10	communication inventory that—
11	"(A) identifies for each Federal depart-
12	ment and agency—
13	"(i) the channels and frequencies
14	used;
15	"(ii) the nomenclature used to refer to
16	each channel or frequency used; and
17	"(iii) the types of communications
18	system and equipment used;
19	"(B) identifies the interoperable emergency
20	communication systems in use for public safety
21	systems in the United States; and
22	"(C) provides a listing of public safety mu-
23	tual aid channels in operation and their ability
24	to connect to an interoperable emergency com-
25	munications system;

1

2

3

4

5

6

7

8

9

10

11

12

"(7) compile a list of best practices among communities for providing and maintaining emergency communications capabilities and communications interoperability in the event of a natural or manmade disaster; and

"(8) evaluate the feasibility and desirability of the Department developing, on its own or in conjunction with the Department of Defense, a mobile communications capability, modeled on the Army Signal Corps, that could be deployed to support emergency communications at the site of acts of terrorism, natural disasters, or other emergencies.

13 "(b) ANNUAL REPORT.—Not later than 1 year after the date of enactment of the Post Katrina Emergency 14 Management Reform Act of 2006, and annually thereafter 15 until the date that is 10 years after such date, the Secretary, acting through the Director for Emergency Communications, shall submit to the Committee on Homeland 18 Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report on the progress of the Department in implementing and achieving the goals of this subtitle, including a description of the findings of the most recent nationwide assessment conducted under subsection (a).

1	"SEC. 555. COORDINATION OF FEDERAL EMERGENCY COM-
2	MUNICATIONS GRANT PROGRAMS.
3	"(a) Assessment of Grants and Standards Pro-
4	GRAMS.—The Secretary, acting through the Director for
5	Emergency Communications, in coordination with other
6	Federal departments and agencies, shall review Federal
7	emergency communications grants and standards pro-
8	grams across the Federal government to—
9	"(1) integrate and coordinate Federal grant
10	guidelines for the use of Federal assistance relating
11	to interoperable emergency communications and
12	emergency communications capabilities;
13	"(2) assess and make recommendations to en-
14	sure that such guidelines are consistent across the
15	Federal Government; and
16	"(3) assess and make recommendations to en-
17	sure conformity with the goals and objectives identi-
18	fied in the National Emergency Communications
19	Strategy.
20	"(b) Denial of Eligibility for Grants.—
21	"(1) In General.—The Secretary may prohibit
22	any State or local government from using Federal
23	homeland security assistance administered by the
24	Department to achieve, maintain, or enhance inter-
25	operable emergency communications capabilities if—

1	"(A) such government has not complied
2	with the requirement to submit a Statewide
3	Interoperable Communications Plan under sec-
4	tion 7303(f) of the Intelligence Reform and
5	Terrorism Prevention Act of 2004 (6 U.S.C.
6	194(f));
7	"(B) the State or local government has not
8	taken adequate steps to maintain operability of
9	network infrastructure during a natural or
10	man-made disaster; or
11	"(C) a grant request does not comply with
12	interoperable communications equipment stand-
13	ards after those standards have been developed
14	through a voluntary consensus-based process or
15	are promulgated pursuant to the authority
16	under paragraph (2).
17	"(2) STANDARDS.—If the Secretary determines
18	that inadequate progress is being made on the com-
19	pletion of voluntary consensus-based interoperable
20	communications equipment standards, the Secretary
21	may promulgate such standards and include them in

interoperable communications grant guidance.

1	"SEC. 556. EMERGENCY COMMUNICATIONS INTEROPER-
2	ABILITY RESEARCH AND DEVELOPMENT.
3	"(a) In General.—The Secretary shall establish a
4	comprehensive research and development program to pro-
5	mote emergency communications capabilities and commu-
6	nications interoperability among emergency response pro-
7	viders, including by—
8	"(1) promoting research on a competitive basis
9	through the Directorate of Science and Technology
10	Homeland Security Advanced Research Projects
11	Agency; and
12	"(2) establishing a Center of Excellence under
13	the Department of Homeland Security Centers of
14	Excellence Program, using a competitive process, fo-
15	cused on enhancing information and communications
16	systems for emergency response providers.
17	"(b) Purposes.—The purposes of the program es-
18	tablished under subsection (a) include—
19	"(1) understanding the strengths and weak-
20	nesses of the diverse public safety communications
21	systems currently in use;
22	"(2) examining how current and emerging tech-
23	nology can make public safety organizations more ef-
24	fective, and how Federal, State, and local govern-
25	ment agencies can use this technology in a coherent
26	and cost-effective manner;

1	"(3) exploring Federal, State, and local govern-
2	ment policies that shall move systematically towards
3	long-term solutions;
4	"(4) evaluating and validating technology con-
5	cepts, and promoting the deployment of advanced
6	public safety information technologies for emergency
7	communications capabilities and communications
8	interoperability; and
9	"(5) advancing the creation of a national strat-
10	egy to enhance emergency communications capabili-
11	ties, promote interoperability and efficient use of
12	spectrum in communications systems, improve infor-
13	mation sharing across organizations, and use ad-
14	vanced information technology to increase the effec-
15	tiveness of first responders in valuable new ways.
16	"SEC. 557. EMERGENCY COMMUNICATIONS PILOT
17	PROJECTS.
18	"(a) Establishment.—
19	"(1) In General.—Not later than 1 year after
20	the date of enactment of the Post Katrina Emer-
21	gency Management Reform Act of 2006, the Sec-
22	retary shall establish not fewer than 2 pilot projects
23	to develop and evaluate strategies and technologies
24	for providing and maintaining emergency commu-

nications capabilities communications interoper-

- ability among emergency response providers and government officials in the event of a natural or man-made disaster in which there is significant damage to, or destruction of, critical infrastructure, including substantial loss of ordinary telecommunications infrastructure and sustained loss of electricity.
- "(2) 8 INTEROPERABLE **DATA** COMMUNICA-9 TIONS.—At least 1 pilot project under this section 10 shall involve the development of interoperable data 11 communications, including medical and victim infor-12 mation, so that this information can be shared 13 among responders, as needed, at all levels of govern-14 ment.
- 15 "(b) SELECTION CRITERIA.—In selecting areas for 16 the location of the pilot projects under this section, the 17 Secretary shall consider—
- 18 <u>"(1) the risk to the area from a large-scale ter-</u>
 19 rorist attack or natural disaster;
- 20 <u>"(2) the number of potential victims from a</u>
 21 <u>large-scale terrorist attack or natural disaster in the</u>
 22 <u>area;</u>
- 23 "(3) the capabilities of the emergency commu-24 nications systems of the area and capabilities for the

1	development of modeling and simulation training
2	and command and control functions; and
3	"(4) such other criteria as the Secretary may
4	determine appropriate.
5	"SEC. 558. EMERGENCY COMMUNICATIONS AND INTER-
6	OPERABILITY GRANTS.
7	"(a) In General.—The Secretary, through the Of-
8	fice of the Grants and Training, shall make grants to
9	States and eligible regions for initiatives necessary to im-
10	prove emergency communications capabilities and to
11	achieve short-term or long-term solutions to statewide, re-
12	gional, national, and, where appropriate, international
13	interoperability.
14	"(b) USE OF GRANT FUNDS.—Grants awarded under
15	subsection (a) may be used for initiatives to achieve short-
16	term or long-term solutions for emergency communica-
17	tions capabilities and communications interoperability
18	within the State or region and to assist with any aspect
19	of the communication life cycle, including—
20	"(1) statewide or regional communications
21	planning;
22	"(2) system design and engineering;
23	"(3) procurement and installation of equipment;
24	"(4) exercises;

1	"(5) modeling and simulation exercises for
2	operational command and control functions;
3	"(6) other activities determined by the Sec-
4	retary to be integral to the achievement of emer-
5	gency communications capabilities and communica-
6	tions interoperability; and
7	"(7) technical assistance and training.
8	"(e) Coordination.—The Secretary shall ensure
9	that the Office of Grants and Training coordinates its ac-
10	tivities with the Office of Emergency Communications, the
11	Directorate of Science and Technology and other Federal
12	entities so that grants awarded under this section, and
13	other grant programs related to homeland security, fulfill
14	the purposes of this section and facilitate the achievement
15	of emergency communications capabilities and commu-
16	nications interoperability consistent with the national
17	strategy.
18	"(d) APPLICATION.
19	"(1) In General.—A State or eligible region
20	desiring a grant under this section shall submit an
21	application at such time, in such manner, and ac-
22	companied by such information as the Secretary may
23	reasonably require.

1	"(2) MINIMUM CONTENTS.—At a minimum,
2	each application submitted under paragraph (1)
3	shall
4	"(A) identify the critical aspects of the
5	communications life cycle, including planning,
6	system design and engineering, procurement
7	and installation, and training for which funding
8	is requested;
9	"(B) describe how—
10	"(i) the proposed use of funds would
11	be consistent with and address the goals in
12	any applicable State homeland security
13	plan, and, unless the Secretary determines
14	otherwise, are consistent with the national
15	strategy and architecture; and
16	"(ii) the applicant intends to spend
17	funds under the grant, to administer such
18	funds, and to allocate such funds among
19	any participating local governments; and
20	"(C) be consistent with the Interoperable
21	Communications Plan required by section
22	7303(f) of the Intelligence Reform and Ter-
23	rorism Prevention Act of 2004 (6 U.S.C.
24	194(f)).
25	"(e) STATE REVIEW AND SUBMISSION.—

1	"(1) In General.—To ensure consistency with
2	State homeland security plans, an eligible region ap-
3	plying for a grant under this section shall submit its
4	application to each State within which any part of
5	the eligible region is located for review before sub-
6	mission of such application to the Secretary.
7	"(2) DEADLINE.—Not later than 30 days after
8	receiving an application from an eligible region
9	under paragraph (1), each such State shall transmit
10	the application to the Secretary.
11	"(3) STATE DISAGREEMENT.—If the Governor
12	of any such State determines that a regional appli-
13	eation is inconsistent with the State homeland secu-
14	rity plan of that State, or otherwise does not sup-
15	port the application, the Governor shall—
16	"(A) notify the Secretary in writing of that
17	fact; and
18	"(B) provide an explanation of the reasons
19	for not supporting the application at the time
20	of transmission of the application.
21	"(f) Award of Grants.—
22	"(1) Considerations.—In approving applica-
23	tions and awarding grants under this section, the
24	Secretary shall consider—

1	"(A) the nature of the threat to the State
2	or eligible region from natural or man-made
3	disasters;
4	"(B) the location, risk, or vulnerability of
5	critical infrastructure and key national assets,
6	including the consequences from damage to
7	critical infrastructure in nearby jurisdictions as
8	a result of a natural or man-made disaster;
9	"(C) the size of the population, and the
10	population density of the area, that will be
11	served by the interoperable emergency commu-
12	nications systems, except that the Secretary
13	shall not establish a minimum population re-
14	quirement that would disqualify from consider-
15	ation an area that otherwise faces significant
16	threats, vulnerabilities, or consequences from a
17	natural or man-made disaster;
18	"(D) the extent to which grants will be
19	used to implement emergency communications
20	and interoperability solutions—
21	"(i) consistent with the national strat-
22	egy and compatible with national infra-
23	structure and equipment standards; and
24	"(ii) more efficient and cost effective
25	than current approaches;

1	"(E) the number of jurisdictions within re
2	gions participating in the development of emer
3	gency communications capabilities and inter
4	operable emergency communications systems
5	including the extent to which the application in
6	eludes all incorporated municipalities, counties
7	parishes, and tribal governments within the
8	State or eligible region, and their coordination
9	with Federal and State agencies;
10	"(F) the extent to which a grant would ex
11	pedite the achievement of emergency commu
12	nications capabilities and communications inter
13	operability in the State or eligible region with
14	Federal, State, and local government agencies
15	"(G) the extent to which a State or eligible
16	region, given its financial capability, dem
17	onstrates its commitment to expeditiously
18	achieving emergency communications capabili
19	ties and communications interoperability by
20	supplementing Federal funds with non-Federa
21	funds;
22	"(H) whether the State or eligible region is
23	on or near an international border;

1	"(I) whether the State or eligible region
2	encompasses an economically significant border
3	crossing;
4	"(J) whether the State or eligible region
5	has a coastline bordering an ocean or inter-
6	national waters;
7	"(K) the extent to which geographic bar-
8	riers pose unusual obstacles to achieving emer-
9	gency communications capabilities or commu-
10	nications interoperability;
11	"(L) the threats, vulnerabilities, and con-
12	sequences faced by the State or eligible region
13	related to at-risk site or activities in nearby ju-
14	risdictions, including the need to respond to
15	natural or man-made disasters arising in those
16	jurisdictions;
17	"(M) the need to achieve nationwide emer-
18	gency communications capabilities and commu-
19	nications interoperability, consistent with the
20	national strategies;
21	"(N) the extent to which the State has for-
22	mulated a State executive interoperability com-
23	mittee or conducted similar statewide planning
24	efforts; and

	00
1	"(O) such other factors as are specified by
2	the Secretary in writing.
3	"(2) REVIEW PANEL.—
4	"(A) IN GENERAL.—The Secretary shall
5	establish a review panel under section 871(a) to
6	assist in reviewing grant applications under this
7	section.
8	"(B) RECOMMENDATIONS.—The review
9	panel established under subparagraph (A) shall
10	make recommendations to the Secretary regard-
11	ing applications for grants under this section.
12	"(C) Membership.—The review panel es-
13	tablished under subparagraph (A) shall include
14	individuals with technical expertise in emer-
15	gency communications and communications
16	interoperability and emergency response pro-
17	viders and other relevant State and local offi-
18	cials.
19	"(3) AVAILABILITY OF FUNDS.—Any grant
20	funds awarded that may be used to support emer-
21	gency communications capabilities or communica-
22	tions interoperability shall, as the Secretary may de-
23	termine, remain available for up to 3 years, con-

sistent with section 7303(e) of the Intelligence Re-

1	form and Terrorism Prevention Act of 2004 (6
2	U.S.C. 194(e)).".
3	SEC. 102. CONFORMING AMENDMENTS RELATING TO IN-
4	TELLIGENCE REFORM.
5	Section 7303(g) of the Intelligence Reform and Ter-
6	rorism Prevention Act of 2004 (6 U.S.C. 194(g)) is
7	amended—
8	(1) by striking paragraph (1) and inserting the
9	following:
10	"(1) Interoperable emergency commu-
11	NICATIONS SYSTEM AND COMMUNICATIONS INTER-
12	OPERABILITY.—The terms 'interoperable emergency
13	communications system' and 'communications inter-
14	operability' mean the ability of emergency response
15	providers and relevant Federal, State, and local gov-
16	ernment agencies to—
17	"(A) communicate with each other as nec-
18	essary, using information technology systems
19	and radio communications systems; and
20	"(B) exchange voice, data, or video with
21	each other on demand, in real time, as nec-
22	essary."; and
23	(2) by adding at the end the following:
24	"(3) Emergency communications capabili-
25	TIES.—The term 'emergency communications capa-

1 bilities' means the ability to provide and maintain, throughout an emergency response operation, a con-2 3 tinuous flow of information among emergency re-4 sponders, agencies, and government officials from 5 multiple disciplines and jurisdictions and at all levels 6 of government in the event of a natural disaster, ter-7 rorist attack, or other large-scale or eatastrophic 8 emergency, including where there has been signifi-9 eant damage to, or destruction of, critical infrastruc-10 ture, substantial loss of ordinary telecommunications 11 infrastructure, and sustained loss of electricity.".

12 SEC. 103. COMMUNICATION SYSTEM GRANTS.

- (a) DEFINITIONS.—In this section—
- 14 (1) the term "demonstration project" means a
 15 demonstration project established under subsection
 16 (b)(1);
- 17 (2) the term "emergency response provider"
 18 has the meaning given that term in section 2(7) of
 19 the Homeland Security Act of 2002 (6 U.S.C.
 20 101(6)), as redesignated by this Act; and
- 21 (3) the term "interoperable emergency commu-22 nications system" has the meaning given that term 23 in paragraph (10) of section 2 of the Homeland Se-24 curity Act of 2002 (6 U.S.C. 101), as amended by 25 this Act.

1	(b) In General.—
2	(1) Establishment.—There is established in
3	the Department an "International Border Commu-
4	nity Interoperable Communications Demonstration
5	Project''.
6	(2) Minimum number of communities.—The
7	Secretary shall select not fewer than 6 communities
8	to participate in a demonstration project.
9	(3) Location of communities.—Not fewer
10	than 3 of the communities selected under paragraph
11	(2) shall be located on the northern border of the
12	United States and not fewer than 3 of the commu-
13	nities selected under paragraph (2) shall be located
14	on the southern border of the United States.
15	(c) Project Requirements. A demonstration
16	project shall—
17	(1) address the interoperable emergency com-
18	munications system needs of police officers, fire-
19	fighters, emergency medical technicians, National
20	Guard, and other emergency response providers;
21	(2) foster interoperable emergency communica-
22	tions systems—
23	(A) among Federal, State, local, and tribal
24	government agencies in the United States in-

1	volved in preventing or responding to terrorist
2	attacks or other catastrophic events; and
3	(B) with similar agencies in Canada or
4	Mexico;
5	(3) identify common international cross-border
6	frequencies for communications equipment, including
7	radio or computer messaging equipment;
8	(4) foster the standardization of equipment for
9	interoperable emergency communications systems;
10	(5) identify solutions that will facilitate commu-
11	nications interoperability across national borders ex-
12	peditiously;
13	(6) ensure that emergency response providers
14	ean communicate with each other and the public at
15	disaster sites or in the event of a terrorist attack or
16	other eatastrophic event;
17	(7) provide training and equipment to enable
18	emergency response providers to deal with threats
19	and contingencies in a variety of environments; and
20	(8) identify and secure appropriate joint-use
21	equipment to ensure communications access.
22	(d) DISTRIBUTION OF FUNDS.—
23	(1) In GENERAL.—The Secretary shall dis-
24	tribute funds under this section to each community
25	participating in a demonstration project through the

1	State, or States, in which each community is lo-
2	eated.
3	(2) OTHER PARTICIPANTS.—Not later than 60
4	days after receiving funds under paragraph (1), a
5	State receiving funds under this section shall make
6	the funds available to the local governments and
7	emergency response providers selected by the Sec-
8	retary to participate in a demonstration project.
9	(e) REPORTING.—Not later than December 31, 2007,
10	and each year thereafter in which funds are appropriated
11	for a demonstration project, the Secretary shall submit to
12	the Committee on Homeland Security and Governmental
13	Affairs of the Senate and the Committee on Homeland
14	Security of the House of Representatives a report on the
15	demonstration projects.
16	SEC. 104. TECHNICAL AND CONFORMING AMENDMENTS.
17	(a) Executive Schedule.—
18	(1) Administrator.—Section 5313 of title 5,
19	United States Code, is amended by adding at the
20	end the following:
21	"Administrator of the United States Emergency
22	Management Authority.".
23	(2) Directors.—Section 5314 of title 5,
24	United States Code, is amended by adding at the
25	end the following:

1	"Directors, United States Emergency Manage
2	ment Authority.".
3	(3) FEMA OFFICERS.—
4	(A) FEDERAL INSURANCE ADMINIS
5	TRATOR.—Section 5315 of title 5, United
6	States Code, is amended by striking "Federa
7	Insurance Administrator, Federal Emergency
8	Management Agency." and inserting "Insur-
9	ance Administrator, United States Emergency
10	Management Agency.''.
11	(B) Inspector General.—Section 5315
12	of title 5, United States Code, is amended by
13	striking "Inspector General, Federal Emer
14	gency Management Agency." and inserting "In
15	spector General, United States Emergency
16	Management Agency.".
17	(C) CHIEF INFORMATION OFFICER.—See
18	tion 5315 of title 5, United States Code, is
19	amended by striking "Chief Information Offi
20	eer, Federal Emergency Management Agency.
21	and inserting "Chief Information Officer
22	United States Emergency Management Agen
23	ey.''.

- 1 (b) OFFICERS OF THE DEPARTMENT.—Section
- 2 103(a) of the Homeland Security Act of 2002 (6 U.S.C.
- 3 113(a)) is amended—
- 4 (1) by striking paragraph (5) and inserting the
- 5 following:
- 6 "(5) An Administrator of the United States
- 7 Emergency Management Authority.";
- 8 (2) by striking paragraph (2); and
- 9 (3) by redesignating paragraphs (3) through
- 10 (10) (as amended by this subsection) as paragraphs
- 11 (2) through (9), respectively.
- 12 (c) References.—Any reference to the Federal
- 13 Emergency Management Agency, or the Director thereof,
- 14 in any law, rule, regulation, certificate, directive, instruc-
- 15 tion, or other official paper in force on the effective date
- 16 of this title shall be considered to refer and apply to the
- 17 United States Emergency Management Authority and the
- 18 Administrator thereof, respectively.
- 19 (d) Table of Contents in
- 20 section 1(b) of the Homeland Security Act of 2002 (6)
- 21 U.S.C. 101 et seq.) is amended by striking the items relat-
- 22 ing to title V and sections 501 through 509 and inserting
- 23 the following:

"TITLE V—NATIONAL PREPAREDNESS AND RESPONSE

"Sec. 501. Definitions

"Subtitle A—Preparedness and Response

- "Sec. 511. Definitions "Sec. 512. United States Emergency Management Authority "Sec. 513. Authorities and responsibilities "Sec. 514. Authority components "Sec. 515. Preserving the United States Emergency Management Authority "Sec. 516. Directors "Sec. 517. Regional Offices "See. 518. National Advisory Council on Preparedness and Response "Sec. 519. National Incident Management System Integration Center "Sec. 520. National Operations Center "See. 521. Chief Medical Officer "Sec. 522. Public and community preparedness "Sec. 523. Basic life supporting first aid education for children "Sec. 524. SAVER Program "Sec. 525. National Search and Rescue Response System "See. 526. Metropolitan Medical Response System "Sec. 527. National Infrastructure Simulation and Analysis Center "Sec. 528. Emergency Management Assistance Compact authorization "See. 529. Office for the Prevention of Terrorism "Sec. 530. Department officials "Sec. 531. Credentialing "Sec. 532. Typing of resources "Sec. 533. Providing secure access to critical infrastructure "Sec. 534. Improvements to information technology systems "Sec. 535. Hurricane and tsunami evacuation technical assistance "Sec. 536. Nuclear incident response "Sec. 537. Conduct of certain public health-related activities "See. 538. Use of national private sector networks in emergency response "Sec. 539. Use of commercially available technology, goods, and services "Sec. 540. Procurement of security countermeasures for strategic national "See. 541. Urban and other high risk area communications capabilities "Subtitle B—Emergency Communications "Sec. 551. Definitions "Sec. 552. Office of Emergency Communications "Sec. 553. National Emergency Communications Strategy "Sec. 554. Assessments and reports "Sec. 555. Coordination of Federal emergency communications grant programs "Sec. 556. Emergency communications interoperability research and develop-
- mont
- "See. 557. Emergency communications pilot projects "See. 558. Emergency communications and interoperability grants".

TITLE II—STAFFORD ACT 1 **AMENDMENTS** 2 3 SEC. 201. GENERAL FEDERAL ASSISTANCE. Section 402 of the Robert T. Stafford Disaster Relief 4 and Emergency Assistance Act (42 U.S.C. 5170a) is 5 6 amended— 7 (1) by striking "In any major disaster, the 8 President" and inserting the following: "(a) IN GENERAL.—In any major disaster, the Presi-9 10 dent"; 11 (2) in subsection (a)(1), as so designated by 12 this section, by striking "efforts" and inserting "re-13 sponse or recovery efforts, including precautionary 14 evacuations"; 15 (3) in subsection (a)(2), as so designated by 16 this section, by striking the semicolon and inserting 17 ", including precautionary evacuations;"; and 18 (4) by adding at the end the following: 19 "(5) provide accelerated Federal assistance and 20 Federal support where necessary to save lives, pre-21 vent human suffering, or mitigate severe damage, 22 which may be provided in the absence of a specific 23 request and in which ease the President—

1	"(A) shall, to the extent practicable, notify
2	and coordinate with a State in which such as-
3	sistance or support is provided; and
4	"(B) shall not, in notifying and coordi-
5	nating with a State under subparagraph (A),
6	delay or impede the rapid deployment, use, and
7	distribution of critical resources to victims of a
8	major disaster.
9	"(b) Recovery Efforts.—In any major disaster,
10	the President may assist State and local governments in
11	short-term and long-term recovery from the consequences
12	of a major disaster and coordinate any such federal assist-
13	ance provided by—
14	"(1) identifying federal programs and agencies
15	to support the implementation of short-term and
16	long-term recovery efforts of State, regional, local,
17	tribal governments;
18	"(2) directing any Federal agency, with or
19	without reimbursement to utilize its authorities and
20	resources to—
21	"(A) support State, and local governments,
22	nongovernmental organizations, and the private
23	sector by conducting a postdisaster assessment
24	of social, economic, and environmental impacts;
25	and

1	"(B) provide technical assistance, guid-
2	ance, and resources to State and local govern-
3	ments to undertake long-term recovery activi-
4	ties;
5	"(3) ereating a plan that clearly outlines the
6	roles, responsibilities, and shared activities of each
7	Federal department and agency involved in long-
8	term recovery activities;
9	"(4) coordinating long-term recovery activities
10	and mitigation provided by all Federal agencies,
11	nongovernmental organizations, the private sector,
12	and State and local governments; and
13	"(5) providing technical assistance and other
14	advice to State and local governments affected by
15	the major disaster to—
16	"(A) assess social, economic, and environ-
17	mental impacts (including impacts to living re-
18	sources) of the major disaster on the affected
19	geographic region;
20	"(B) support coordinated, multi-scale plan-
21	ning that takes postdisaster assessments and
22	hazard and risk modeling into account;
23	"(C) coordinate data sharing and informa-
24	tion management between Federal agencies

1	State and local governments, nongovernmental
2	organizations, and the private sector;
3	"(D) coordinate implementation of plans
4	for long-term recovery activities; and
5	"(E) manage, control, and mitigate hazard
6	risk in a way that reduces injuries, loss of life,
7	damage to the natural environment, and dam-
8	age and destruction of property, including dam-
9	age to living resources and facilities.
10	"(e) Long-Term Recovery Offices.—The Presi-
11	dent may establish and operate long-term recovery offices
12	in any area in which the President has declared a major
13	disaster.
14	"(d) Guidelines.—The President shall promulgate
15	and maintain guidelines to assist Governors in making re-
16	quests under this section by defining the types of assist-
17	ance available to affected States and the circumstances
18	under which such requests are likely to be approved.".
19	SEC. 202. NATIONAL DISASTER RECOVERY STRATEGY.
20	(a) In General.—The Administrator, in coordina-
21	tion with the Secretary of Housing and Urban Develop-
22	ment, the Administrator of the Environmental Protection
23	Agency, the Secretary of Agriculture, the Secretary of
24	Commerce, the Secretary of the Treasury, the Adminis-
25	trator of the Small Business Administration, and State

1	and local government officials, shall develop, coordinate,
2	and maintain a National Disaster Recovery Strategy.
3	(b) Contents.—The National Disaster Recovery
4	Strategy shall—
5	(1) outline the most efficient and cost effective
6	Federal programs that will meet the short-term and
7	long-term recovery needs of States, local govern-
8	ments, and individuals affected by a major disaster;
9	(2) clearly define the role, programs, authori-
10	ties, and responsibilities of each Federal department
11	or agency that may be of assistance in providing as-
12	sistance in the recovery from a major disaster;
13	(3) describe in detail the programs that will be
14	offered by the departments and agencies described in
15	paragraph (2), including—
16	(A) discussing funding issues;
17	(B) detailing how responsibilities under the
18	National Disaster Recovery Strategy will be
19	shared; and
20	(C) addressing other matters concerning
21	the cooperative effort to provide recovery assist-
22	ance.
23	(e) Report.—Not later than 270 days after the date
24	of enactment of this Act, and on May 1 of every year
25	thereafter, the Administrator shall submit to the Com-

- 1 mittee on Homeland Security and Governmental Affairs
- 2 of the Senate and the Committee on Homeland Security
- 3 of the House of Representatives a report describing in de-
- 4 tail the National Disaster Recovery Strategy and any ad-
- 5 ditional authorities necessary to implement any portions
- 6 of the National Disaster Recovery Strategy.

7 SEC. 203. ENVIRONMENTAL MITIGATION.

- 8 (a) In General.—Section 322(e)(1) of the Robert
- 9 T. Stafford Disaster Relief and Emergency Assistance Act
- 10 (42 U.S.C. 5165(c)(1)) is amended by inserting "or man-
- 11 made" after "natural".
- 12 (b) HAZARD MITIGATION.—The second sentence of
- 13 section 404(a) of the Robert T. Stafford Disaster Relief
- 14 and Emergency Assistance Act (42 U.S.C. 5170c(a)) is
- 15 amended by inserting "or man-made" after "natural".
- 16 SEC. 204. DISASTER HOUSING STRATEGY.
- 17 (a) In General.—The Administrator, in coordina-
- 18 tion with the Secretary of Housing and Urban Develop-
- 19 ment and State and local government officials, shall de-
- 20 velop, coordinate, and maintain a National Disaster Hous-
- 21 ing Strategy.
- 22 (b) Contents.—The National Disaster Housing
- 23 Strategy shall—
- 24 (1) outline the most efficient and cost effective
- 25 Federal programs that will best meet the short-term

1	and long-term housing needs of individuals and
2	households affected by major disasters;
3	(2) clearly define the role, programs, authori-
4	ties, and responsibilities of each entity in providing
5	housing assistance in the event of a major disaster,
6	including—
7	(A) the Authority;
8	(B) the Department of Housing and
9	Urban Development;
10	(C) the Department of Agriculture;
11	(D) the Department of Veterans Affairs;
12	(E) the Department of Health and Human
13	Services;
14	(F) any other Federal agency that may
15	provide housing assistance in the event of a
16	major disaster;
17	(G) the American Red Cross; and
18	(H) State and local governments;
19	(3) describe in detail the programs that will be
20	offered by the entities described in paragraph (2),
21	including—
22	(A) outlining any funding issues;
23	(B) detailing how responsibilities under the
24	National Disaster Housing Strategy will be
25	shared: and

1	(C) addressing other matters concerning
2	the cooperative effort to provide housing assist-
3	ance during a major disaster;
4	(4) consider methods through which housing as-
5	sistance can be provided to individuals and house-
6	holds where employment and other resources for liv-
7	ing are available;
8	(5) describe programs directed to meet the
9	needs of special needs and low income populations;
10	(6) describe plans for the operation of clusters
11	of housing provided to individuals and households,
12	including but not limited to access to public services,
13	site management, security, and site density; and
14	(7) describe any additional authorities nee-
15	essary to earry out any portion of the strategy.
16	(e) Report.—Not later than 270 days after the date
17	of enactment of this Act, and on May 1 of every year
18	thereafter, the Administrator shall submit to the Com-
19	mittee on Homeland Security and Governmental Affairs
20	and the Committee on Banking, Housing, and Urban Af-
21	fairs of the Senate and the Committee on Homeland Secu-
22	rity and the Committee on Transportation and Infrastruc-
23	ture of the House of Representatives a report describing
24	in detail the National Disaster Housing Strategy, includ-

1	ing programs directed to meeting the needs of special
2	needs populations.
3	SEC. 205. ESSENTIAL SERVICES.
4	Title IV of the Robert T. Stafford Disaster Relief and
5	Emergency Assistance Act (42 U.S.C. 5170 et seq.) is
6	amended by adding at the end the following:
7	"SEC. 425. ESSENTIAL SERVICE PROVIDERS.
8	"(a) DEFINITION.—In this section, the term 'essen-
9	tial service provider' means an entity that—
10	"(1) provides—
11	"(A) telecommunications service;
12	"(B) electrical power;
13	"(C) natural gas;
14	"(D) water and sewer services; or
15	"(E) any other essential service, as deter-
16	mined by the President;
17	$\frac{\text{``(2)}}{\text{is}}$
18	"(A) a municipal entity;
19	"(B) a nonprofit entity; or
20	"(C) a private, for-profit entity; and
21	"(3) is contributing to efforts to respond to an
22	emergency or major disaster.
23	"(b) AUTHORIZATION.—In an emergency or major
24	disaster, the President may use Federal equipment, sup-
2.5	plies facilities personnel and other non-monetary re-

1	sources to assist an essential service provider, in exchange
2	for reasonable compensation.
3	"(c) Compensation.—
4	"(1) In General.—The President shall, by
5	regulation, establish a mechanism to set reasonable
6	compensation to the Federal Government for the
7	provision of assistance under subsection (b).
8	"(2) Criteria.—The mechanism established
9	under paragraph (1)
10	"(A) shall reflect the cost to the govern-
11	ment (or if this is not readily obtainable, the
12	full market value under the applicable cir-
13	cumstances) for assistance provided under sub-
14	section (b) in setting compensation;
15	"(B) shall have, to the maximum degree
16	feasible, streamlined procedures for determining
17	compensation; and
18	"(C) may, at the President's discretion, be
19	based on a good faith estimate of cost to the
20	government rather than an actual accounting of
21	costs.
22	"(3) Periodic Review.—The President shall
23	periodically review, and if necessary revise, the regu-
24	lations established under paragraphs (1) and (2) to
25	ensure that these regulations result in full com-

1	pensation to the government for transferred re-
2	sources. Such reviews shall occur no less frequently
3	than once every 2 years, and the results of such re-
4	views shall be reported to the Committee on Trans-
5	portation and Infrastructure and the Committee on
6	Homeland Security of the House of Representatives
7	and the Committee on Homeland Security and Gov-
8	ernmental Affairs of the Senate.".
9	SEC. 206. HAZARD MITIGATION GRANT PROGRAM FOR-
10	MULA.
11	The third sentence of section 404(a) of the Robert
12	T. Stafford Disaster Relief and Emergency Assistance Act
13	(42 U.S.C. 5170c(a)) is amended by striking "7.5 per-
14	cent" and inserting "15 percent for the amount spent up
15	to \$2,000,000,000, 10 percent for amounts between
16	\$2,000,000,000 and $$10,000,000,000$, and 7.5 percent on
17	amounts spent between \$10,000,000,000 and
18	\$35,333,000,000".
19	SEC. 207. HOUSING ASSISTANCE.
20	Section 408 of the Robert T. Stafford Disaster Relief
21	and Emergency Assistance Act (42 U.S.C. 5174) is
22	amended—
23	(1) in subsection (b), by adding at the end the

(1) in subsection (b), by adding at the end the

following:

24

1	"(3) Consent of individual or house-
2	HOLD.—
3	"(A) In General.—Notwithstanding para-
4	graph (2), the President shall seek the consent
5	of each individual or household before providing
6	such individual or household with a direct hous-
7	ing assistance option.
8	"(B) REJECTION OF DIRECT HOUSING AS-
9	SISTANCE.—If an individual or household does
10	not provide consent under subparagraph (A),
11	such individual or household shall remain eligi-
12	ble for any other assistance available under this
13	section."; and
14	(2) in subsection $(e)(1)$ —
15	(A) by striking "Temporary" in the para-
16	graph heading;
17	(B) in paragraph (1)(B)—
18	(i) in clause (i), by striking "housing
19	units" and inserting "semi-permanent, or
20	permanent housing"; and
21	(ii) in clause (iii), by striking "hous-
22	ing units" and inserting "semi-permanent,
23	or permanent housing";
24	(C) in paragraph (4)—

1	(i) by inserting "or semi-permanent"
2	after "permanent"; and
3	(ii) by striking "insular" and "re-
4	mote''.
5	SEC. 208. MAXIMUM AMOUNT UNDER INDIVIDUAL ASSIST-
6	ANCE PROGRAMS.
7	Section 408(e) of the Robert T. Stafford Disaster Re-
8	lief and Emergency Assistance Act (42 U.S.C. 5174(e))
9	is amended—
10	(1) by striking paragraph (2)(C); and
11	(2) in paragraph (3)—
12	(A) by striking subparagraph (B); and
13	(B) by redesignating subparagraph (C) as
14	subparagraph (B).
15	SEC. 209. COORDINATING OFFICERS.
16	Section 302(b) of the Robert T. Stafford Disaster Re-
17	lief and Emergency Assistance Act (42 U.S.C. 5143(b))
18	is amended—
19	(1) in paragraph (3), by striking "and" at the
20	end;
21	(2) in paragraph (4), by striking the period and
22	inserting "; and"; and
23	(3) by adding at the end the following:

1	"(5) serve as a primary point of contact for,
2	and provide situational awareness to, the Secretary
3	of Homeland Security.".
4	SEC. 210. DEFINITIONS.
5	Section 102 of the Robert T. Stafford Disaster Relief
6	and Emergency Assistance Act (42 U.S.C. 5122) is
7	amended—
8	(1) in paragraph (2), by striking "or, regardless
9	of cause, any fire, flood, or explosion" and inserting
10	"any fire, flood, or explosion (regardless of cause),
11	any act of domestic terrorism or international ter-
12	rorism (as those terms are defined in section 2331
13	of title 18, United States Code), any outbreak of in-
14	feetious disease, any chemical release, or any other
15	incident";
16	(2) in paragraph (9), by inserting "(including
17	museums, zoos, performing arts organizations, com-
18	munity centers, libraries, homeless shelters, senior
19	citizen centers, rehabilitation facilities, and shelter
20	workshops)" after "general public"; and
21	(3) by redesignating paragraphs (6) through
22	(9) as paragraphs (7) through (10), respectively,
23	and inserting after paragraph (5) the following:
24	"(6) Individual with a disability.—The
25	term 'individual with a disability' means an indi-

1	vidual with a disability as defined in section 3(2) of
2	the Americans with Disabilities Act of 1990 (42)
3	U.S.C. 12102(2)).".
4	SEC. 211. CATASTROPHIC DAMAGE ASSISTANCE.
5	The Robert T. Stafford Disaster Relief and Emer-
6	gency Assistance Act (42 U.S.C. 5121 et seq.) is amend-
7	ed—
8	(1) by redesignating title VII as title VIII;
9	(2) by redesignating sections 701 through 705
10	as subsections 801 through 805, respectively; and
11	(3) by inserting after title VI, the following:
12	"TITLE VII—CATASTROPHIC
13	DAMAGE ASSISTANCE
14	"SEC. 701. ADDITIONAL ASSISTANCE.
15	"(a) In General. Following a declaration of a
16	
	major disaster, if a damage assessment indicates that
17	major disaster, if a damage assessment indicates that damages qualify as catastrophic, the President may pro-
18	damages qualify as catastrophic, the President may pro-
18 19	damages qualify as catastrophic, the President may provide, in addition to other relief available under section
18 19 20	damages qualify as catastrophic, the President may provide, in addition to other relief available under section 408, the assistance provided for in this title or alter the
18 19 20	damages qualify as catastrophic, the President may provide, in addition to other relief available under section 408, the assistance provided for in this title or alter the assistance available under section 408 as described in this
18 19 20 21 22	damages qualify as catastrophic, the President may provide, in addition to other relief available under section 408, the assistance provided for in this title or alter the assistance available under section 408 as described in this title.
118 119 220 221 222 233	damages qualify as catastrophic, the President may provide, in addition to other relief available under section 408, the assistance provided for in this title or alter the assistance available under section 408 as described in this title. "(b) Regulations.—The President shall promul-

1	"(1) The dollar amount per capita of damage to
2	the State, its political subdivisions, or a region.
3	"(2) The impact on the ability of the State, its
4	political subdivisions, or regions to perform response
5	and recovery activities, as well as capacity to provide
6	basic services to citizenry.
7	"(3) The estimated impact of revenue loss to
8	the State, its political subdivisions, or a region.
9	"(4) The number of individuals and households
10	displaced from their predisaster residences by the
11	event.
12	"(5) The severity of loss of housing stock, util-
13	ity services, and alternative living accommodations.
14	"(6) The severity of the impact on employment
15	rates in the State, its political subdivisions, or a re-
16	gion.
17	"(7) The anticipated length and difficulty of the
18	recovery process.
19	"(8) Other factors that the President deems
20	relevant.
21	"SEC. 702. CATASTROPHIC DAMAGE.
22	"(a) In General.—
23	"(1) Types of assistance.—In the event of a
24	catastrophic damages determination under section
25	701 the President may provide to an individual or

1	household any type of assistance authorized under
2	section 408 in the event of a major disaster.
3	"(2) Terms.—Except as provided in subsection
4	(b), assistance under paragraph (1) shall be pro-
5	vided on the same terms and conditions as under
6	section 408.
7	"(b) MAXIMUM AMOUNT; FEDERAL SHARE.—
8	"(1) MAXIMUM AMOUNT.—The President may
9	increase the maximum amount of assistance under
10	subsection (a)(1), which may not exceed twice the
11	maximum amount authorized under section 408(h).
12	"(2) Federal Share.—The President may in-
13	crease the Federal share of the costs eligible to be
14	paid using assistance provided under subsection
15	(a)(1) to not more than—
16	"(A) 100 percent for assistance provided
17	under section 408(g)(2) during the 3-month pe-
18	riod beginning on the date on which the Presi-
19	dent declared the major disaster; and
20	"(B) 90 percent for assistance provided
21	under section 408(g)(2) during the period be-
22	ginning on the day after the date described in
23	subparagraph (A) and ending on the date that
24	is 9 months after the date on which the Presi-
25	dent declared the major disaster.

1 "SEC. 703. MORTGAGE AND RENTAL ASSISTANCE.

2	"(a) ELIGIBLE PERSON.—In this section, the term
3	'eligible person' means an individual or household who-
4	"(1) resides in his or her predisaster primary
5	residence;
6	"(2) has experienced a loss of at least 20 per-
7	cent of his or her predisaster income as a result of
8	a major disaster;
9	"(3) has a rent or mortgage payment that con-
10	stitutes at least 25 percent of his or her post-dis-
11	aster income; and
12	"(4) as a result of financial hardship caused by
13	the incident determined to have eaused catastrophic
14	damage, is subject to—
15	"(A) dispossession or eviction from the res-
16	idence of the individual or household; or
17	"(B) forcelosure of a mortgage or lien or
18	termination of a lease entered into before the
19	date on which the catastrophic incident was de-
20	clared.
21	"(b) Assistance.—The President may provide as-
22	sistance to eligible persons to make mortgage or rental
23	payments.
24	"(e) Limitations.—Assistance under subsection (b)
25	shall be included against the assistance limitation under
26	section 702(b)(1). Such assistance shall be provided as an

- 1 alternative to other housing assistance described in sec-
- $2 \frac{\text{tions } 408(b)}{\text{and } 702(a)}$.
- 3 "(d) Promulgation of Rules and Verification
- 4 REQUIREMENTS.—Not later than 120 days after the date
- 5 of enactment of the Post Katrina Emergency Management
- 6 Reform Act of 2006, the President shall promulgate rules
- 7 and issue verification requirements, documents, and proce-
- 8 dures to administer the program authorized under this
- 9 section.
- 10 "(e) Period of Assistance.—The President may
- 11 not provide assistance to an individual or household under
- 12 subsection (b) for more than 12 months during the 18-
- 13 month period beginning on the date of the declaration of
- 14 a major disaster by the President.
- 15 "SEC. 704. DISASTER UNEMPLOYMENT ASSISTANCE.
- 16 "(a) IN GENERAL.—The President may provide to an
- 17 individual unemployed as a result of a major disaster caus-
- 18 ing catastrophic damage as determined under section
- 19 701(a) any assistance authorized under section 410 in the
- 20 event of a major disaster for the period authorized under
- 21 subsection (b).
- 22 "(b) DURATION OF ASSISTANCE.—The President
- 23 may provide assistance to an individual under subsection
- 24 (a) for not more than 52 weeks after the date on which

- 1 the President declared the major disaster that resulted in
- 2 the unemployment of that individual.
- 3 "SEC. 705. COMMUNITY DISASTER LOAN PROGRAM.
- 4 "(a) In General.—Except as provided in subsection
- 5 (b), the President may provide to a local government lo-
- 6 cated in an area for which the President has determined
- 7 has suffered catastrophic damage from a major disaster
- 8 any assistance authorized under section 417 in the event
- 9 of a major disaster.
- 10 "(b) MAXIMUM AMOUNT AND USE OF FUNDS.—
- 11 "(1) MAXIMUM AMOUNT.—In providing assist-
- 12 ance under subsection (a), the President may waive
- the limitations under section 417(b) on the max-
- imum amount of a loan under section 417. The
- 15 President may establish additional criteria for eligi-
- 16 bility for assistance provided in excess of the limita-
- 17 tion under Sec. 417(b) in order to ensure that the
- 18 additional assistance is awarded to those jurisdic-
- tions most impacted by the major disaster.
- 20 "(2) Use of funds.—The President may au-
- 21 thorize a local government receiving assistance under
- 22 subsection (a) to use that assistance for salaries, in-
- 23 eluding overtime, of employees of that local govern-
- 24 ment.

1 "SEC. 706. REIMBURSEMENT FOR PURCHASES.

2	"(a) DEFINITIONS.—In this section:
3	"(1) Disaster Period.—The term 'disaster
4	period' means, with respect to any State that in-
5	eludes an area for which a major disaster has been
6	declared in accordance with section 401, the period
7	beginning on the earliest date on which any area of
8	the State was so declared and ending on the latest
9	date for which any such declaration of an area of
10	the State terminates.
11	"(2) Survivor.—The term 'survivor' means an
12	individual who—
13	"(A) resides in an area for which a major
14	disaster has been declared in accordance with
15	section 401; or
16	"(B) resided in an area described in sub-
17	paragraph (A) during the 7 days immediately
18	preceding the date of declaration of a major
19	disaster described in subparagraph (A).
20	"(b) REIMBURSEMENT.
21	"(1) In General.—Notwithstanding any other
22	provision of law, the President may reimburse a
23	community for each purchase of supplies (such as
24	food, personal hygiene products, linens, and cloth-
25	ing) distributed to survivors. The Federal share of
26	such assistance shall be 90 percent.

1	"(2) Eligible purchases.—Reimbursement
2	under paragraph (1) shall be available only with re-
3	spect to supplies that—
4	"(A) are purchased with taxpayer dollars;
5	and
6	"(B) would otherwise be eligible for reim-
7	bursement if purchased by a survivor.
8	"(e) Period of Applicability.—This section and
9	the authority provided by this section apply only to a com-
10	munity assisting survivors from a State during the dis-
11	aster period of the State.".
12	SEC. 212. INDIVIDUALS WITH DISABILITIES.
13	(a) STANDARDS.—Not later than 90 days after the
14	date of enactment of this Act, the Administrator shall de-
15	velop standards to accommodate individuals with disabil-
16	ities, which shall include standards for—
17	(1) the accessibility of, and communications and
18	programs in, shelters, recovery centers, and other fa-
19	cilities; and
20	(2) devices used in connection with disaster op-
21	erations, including first aid stations, mass feeding
22	areas, portable payphone stations, portable toilets,
23	and temporary housing.
24	(b) Nondiscrimination in Disaster Assist-
25	ANCE.—Section 308(a) of the Robert T. Stafford Disaster

```
Relief and Emergency Assistance Act (42 U.S.C. 5151(a))
   is amended by inserting "disability," after "age,".
 3
        (c) Essential Assistance.—Section 403(a) of the
   Robert T. Stafford Disaster Relief and Emergency Assist-
 4
 5
   ance Act (42 U.S.C. 5170b(a)) is amended—
 6
             (1) in paragraph (2), by inserting "durable
 7
        medical equipment," after "medicine"; and
 8
             (2) in paragraph (3)(B), by inserting "durable
 9
        medical equipment," after "medicine".
10
        (d) REPAIR, RESTORATION, AND REPLACEMENT OF
   DAMAGED FACILITIES.—Section 406(e)(1)(A)(ii) of the
   Robert T. Stafford Disaster Relief and Emergency Assist-
   ance Act (42 U.S.C. 5172(e)(1)(A)(ii)) is amended by in-
   serting "disability accessibility requirements," after "spec-
15
   ifications".
16
        (e) FEDERAL ASSISTANCE TO INDIVIDUALS AND
   Households.—Section 408 of the Robert T. Stafford
   Disaster Relief and Emergency Assistance Act (42 U.S.C.
18
   5174) is amended—
19
             (1) in subsection (b)(1), by inserting ", or with
20
21
        respect to individuals with disabilities, rendered in-
22
        accessible or uninhabitable," after "uninhabitable";
23
        and
24
             (2) in subsection (d)(1)(A)—
```

1	(A) in clause (i), by striking "and" after
2	the semicolon;
3	(B) by redesignating clause (ii) as clause
4	(iii); and
5	(C) by inserting after clause (i) the fol-
6	lowing:
7	"(ii) meets the physical accessibility
8	requirements for individuals with disabil-
9	ities; and".
10	(f) Emergency Public Transportation.—Section
11	419 of the Robert T. Stafford Disaster Relief and Emer-
12	gency Assistance Act (42 U.S.C. 5186) is amended by in-
13	serting "The President shall ensure to the maximum ex-
14	tent practicable that temporary public transportation serv-
15	ices under this section are planned, designed, and earried
16	out to meet the needs of individuals with disabilities and
17	others with special needs." at the end.
18	(g) Exercises.—The Administrator shall include in-
19	dividuals with disabilities in preparedness and planning
20	activities.
21	SEC. 213. DISABILITY COORDINATOR.
22	The Robert T. Stafford Disaster Relief and Emer-
23	gency Assistance Act is amended by inserting after section
24	302 the following:

1 "SEC. 302A. DISABILITY COORDINATOR.

2	"(a) In General.—After consultation with organi-
3	zations representing individuals with disabilities and the
4	Interagency Coordinating Council on Preparedness and
5	Individuals with Disabilities established under Executive
6	Order 13347 (6 U.S.C. 312 note), the Administrator of
7	the United States Emergency Management Agency shall
8	appoint a Disability Coordinator. The Disability Coordi-
9	nator shall report directly to the Administrator, in order
10	to ensure that the needs of individuals with disabilities are
11	being properly addressed in emergency preparedness and
12	disaster relief.
13	"(b) Responsibilities.—The Disability Coordinator
14	shall be responsible for—
15	"(1) providing guidance and coordination on
16	matters related to individuals with disabilities in
17	emergency planning requirements and relief efforts
18	in the event of a major disaster;
19	"(2) interacting directly with Administration
20	staff, the Interagency Coordinating Council on Pre-
21	paredness and Individuals with Disabilities estab-
22	lished under Executive Order No. 13347 (6 U.S.C.
23	312 note), other agencies of the Federal Govern-
24	ment, and State and local government authorities re-
25	garding the needs of individuals with disabilities in

1	emergency planning requirements and relief efforts
2	in the event of a major disaster;
3	"(3) consulting with organizations that rep-
4	resent the interests and rights of individuals with
5	disabilities about the needs of individuals with dis-
6	abilities in emergency planning requirements and re-
7	lief efforts in the event of a major disaster;
8	"(4) coordinating and disseminating best prac-
9	tices and model evacuation plans for individuals with
10	disabilities;
11	"(5) developing a curriculum for first responder
12	training on the needs of individuals with disabilities,
13	including the needs of individuals with physical dis-
14	abilities and the needs of individuals with psychiatric
15	disabilities;
16	"(6) developing training materials for State and
17	local governmental officials, first responders, and
18	others about the importance of allowing individuals
19	with disabilities to retain their durable medical
20	equipment, wheelchairs, service animals, and other
21	assistive devices, to the maximum extent possible, in
22	the aftermath of a major disaster;
23	"(7) working with the Director of the Centers
24	for Medicare and Medicaid Services, durable medical

equipment regional carriers, manufacturers and sup-

25

1	pliers of durable medical equipment, and medical
2	professionals to draft an emergency response plan
3	for the temporary loan or replacement of durable
4	medical equipment in the event of a major disaster;
5	"(8) ensuring the accessibility of telephone hot-
6	lines and websites regarding emergency prepared-
7	ness, evacuations, and disaster relief;
8	"(9) working with the Chairman of the Federal
9	Communications Commission to ensure that video
10	programming distributors, including broadcasters,
11	eable operators, and satellite television services,
12	make emergency information accessible to individ-
13	uals with hearing and vision disabilities;
14	"(10) coordinating the availability of accessible
15	transportation options for individuals with disabil-
16	ities in the event of an evacuation;
17	"(11) providing guidance and implementing
18	policies to ensure that the rights and wishes of indi-
19	viduals with disabilities regarding post-evacuation
20	residency and relocation are respected;
21	"(12) ensuring that meeting the needs of indi-
22	viduals with disabilities are included in any Federal
23	emergency response plans; and

1	"(13) any other duties relevant to emergency
2	preparedness an response for individuals with dis-
3	abilities.".
4	SEC. 214. TEMPORARY HOUSING.
5	Section 408(c)(1)(B) of the Robert T. Stafford Dis-
6	aster Relief and Emergency Assistance Act (42 U.S.C.
7	5174(e)(1)(B)) is amended by adding at the end the fol-
8	lowing
9	"(iv) Accessibility.—
10	"(I) In General.—Not less than
11	5 percent of the total housing units
12	provided under this subparagraph for
13	a major disaster shall be made acces-
14	sible for persons with mobility impair-
15	ments. Not less than an additional 2
16	percent of such units shall be made
17	accessible for persons with hearing or
18	vision impairments.
19	"(II) INCREASES.—The Presi-
20	dent may increase a percentage under
21	subclause (I) for any area upon re-
22	quest by any State or local govern-
23	ment or agency, based upon dem-
24	onstration to the reasonable satisfac-
25	tion of the President of a need for a

1	higher percentage, based on census
2	data or other available data on the lo-
3	cation of people with disabilities, or in
4	response to evidence of a need for
5	higher percentage or number received
6	in any other manner. In reviewing a
7	request under this subclause, or other-
8	wise assessing the existence of such
9	needs, the President shall take into
10	account the expected needs of eligible
11	persons with an without disabilities".
12	SEC. 215. GAO STUDY ON ACCESSIBILITY OF EMERGENCY
13	SHELTERS.
14	(a) In General.—The Comptroller General of the
15	United States shall conduct a national study regarding
13	Officed States shall conduct a national study regarding
	whether, and, if so, to what extent, emergency shelters for
16	
16 17	whether, and, if so, to what extent, emergency shelters for
16 17	whether, and, if so, to what extent, emergency shelters for use in response to a major disaster, as that term is defined
16171819	whether, and, if so, to what extent, emergency shelters for use in response to a major disaster, as that term is defined in section 102(2) of the Robert T. Stafford Disaster Relief
16171819	whether, and, if so, to what extent, emergency shelters for use in response to a major disaster, as that term is defined in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) are
16 17 18 19 20 21	whether, and, if so, to what extent, emergency shelters for use in response to a major disaster, as that term is defined in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) are accessible to, and usable by, individuals with disabilities.
16 17 18 19 20 21 22	whether, and, if so, to what extent, emergency shelters for use in response to a major disaster, as that term is defined in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) are accessible to, and usable by, individuals with disabilities. (b) Report.—Not later than 12 months after the
16 17 18 19 20 21 22 23	whether, and, if so, to what extent, emergency shelters for use in response to a major disaster, as that term is defined in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) are accessible to, and usable by, individuals with disabilities. (b) Report.—Not later than 12 months after the date of enactment of this Act, the Comptroller General

1	Health, Education, Labor, and Pensions of the Senate and
2	the Committee on Homeland Security and the Committee
3	on Education and the Workforce of the House of Rep-
4	resentatives.
5	SEC. 216. REUNIFICATION.
6	(a) Definitions.—In this section:
7	(1) CHILD LOCATOR CENTER.—The term
8	"Child Locator Center" means the National Emer-
9	gency Child Locator Center established under sub-
10	section (e).
11	(2) DECLARED EVENT.—The term "declared
12	event" means major disaster or emergency declared
13	under the short title.
14	(3) DISPLACED ADULT.—The term "displaced
15	adult" means an individual 21 years of age or older
16	who is displaced from the habitual residence of that
17	individual as a result of a declared event.
18	(4) DISPLACED CHILD.—The term "displaced
19	child" means an individual under 21 years of age
20	who is displaced from the habitual residence of that
21	individual as a result of a declared event.
22	(b) NATIONAL EMERGENCY CHILD LOCATOR CEN-
23	TER.—
24	(1) In General.—Not later than 180 days

after the date of enactment of this Act, the Attorney

25

1	General of the United States, in coordination with
2	the Authority, shall establish within the National
3	Center for Missing and Exploited Children the Na-
4	tional Emergency Child Locator Center.
5	(2) Purposes.—The purposes of the Child Lo-
6	eator Center are to—
7	(A) enable individuals to provide to the
8	Child Locator Center the name of and other
9	identifying information about a displaced child
10	or a displaced adult who may have information
11	about the location of a displaced child;
12	(B) enable individuals to receive informa-
13	tion about other sources of information about
14	displaced children and displaced adults; and
15	(C) assist law enforcement in locating dis-
16	placed children.
17	(3) RESPONSIBILITIES AND DUTIES.—The re-
18	sponsibilities and duties of the Child Locator Center
19	are to—
20	(A) establish a toll-free telephone number
21	to receive reports of displaced children and in-
22	formation about displaced adults that may as-
23	sist in locating displaced children;
24	(B) create a website to provide information
25	about displaced children;

1	(C) deploy its staff to the location of a de-
2	clared event to gather information about dis-
3	placed children;
4	(D) assist in the reunification of displaced
5	children with their families;
6	(E) provide information to the public about
7	additional resources for disaster assistance;
8	(F) work in partnership with Federal,
9	State, and local law enforcement agencies;
10	(G) provide technical assistance in locating
11	displaced children;
12	(H) share information on displaced chil-
13	dren and displaced adults with governmental
14	agencies and nongovernmental organizations
15	providing disaster assistance;
16	(I) use its resources to gather information
17	about displaced children;
18	(J) refer reports of displaced adults to an
19	entity designated by the Attorney General to
20	provide technical assistance in locating dis-
21	placed adults;
22	(K) enter into cooperative agreements with
23	Federal and State agencies as necessary to im-
24	plement the mission of the Child Locator Cen-
25	ter; and

1	(L) develop an emergency response plan to
2	prepare for the activation of the Child Locator
3	Center.
4	(c) Conforming Amendments.—Section 403(1) of
5	the Missing Children's Assistance Act (42 U.S.C.
6	5772(1)) is amended—
7	(1) in subparagraph (A), by striking "or" at
8	the end;
9	(2) in subparagraph (B), by adding "or" after
10	the semicolon; and
11	(3) by inserting after subparagraph (B) the fol-
12	lowing:
13	"(C) the individual is an individual under
14	21 years of age who is displaced from the habit-
15	ual residence of that individual as a result of an
16	emergency or major disaster (as those terms
17	are defined in section 102 of the Robert T.
18	Stafford Disaster Relief and Emergency Assist-
19	ance Act (42 U.S.C. 5122)).".
20	SEC. 217. NATIONAL EMERGENCY FAMILY REGISTRY AND
21	LOCATOR SYSTEM.
22	(a) Definitions.—In this section—
23	(1) the term "displaced individual" means an
24	individual displaced by an emergency or major dis-
25	aster: and

1	(2) the term "National Emergency Family Reg-
2	istry and Locator System" means the National
3	Emergency Family Registry and Locator System es-
4	tablished under subsection (b).
5	(b) Establishment.—Not later than 180 days after
6	the date of enactment of this Act, the Administrator shall
7	establish a National Emergency Family Registry and Lo-
8	eator System to help reunify families separated after ar
9	emergency or major disaster.
10	(c) OPERATION OF SYSTEM.—The National Emer-
11	gency Family Registry and Locator System shall—
12	(1) allow a displaced individual to voluntarily
13	register, by submitting personal information to be
14	entered into a database (such as the name, current
15	location of residence, and any other relevant infor-
16	mation that could be used by others seeking to lo-
17	eate that individual);
18	(2) include a means of providing information
19	submitted under paragraph (1) to a family member
20	of a displaced individual and to law enforcement of
21	ficials; and
22	(3) be accessible through the Internet and
23	through a toll-free number, to receive reports of dis-
24	placed individuals.

1	(d) Publication of Information.—Not later than
2	210 days after the date of enactment of this Act, the Ad-
3	ministrator shall establish a mechanism to inform the pub-
4	lie about the National Emergency Family Registry and
5	Locator System and its potential usefulness for assisting
6	to reunite displaced individuals with their families.
7	(e) Coordination.—Not later than 90 days after
8	the date of enactment of this Act, the Administrator shall
9	enter a memorandum of understanding with the Depart-
10	ment of Justice, the National Center for Missing and Ex-
11	ploited Children, the Department of Health and Human
12	Services, and the American Red Cross and other relevant
13	private organizations that will enhance the sharing of in-
14	formation to facilitate reuniting displaced individuals with
15	their families.
16	SEC. 218. FEDERAL ASSISTANCE TO INDIVIDUALS AND
17	HOUSEHOLDS.
18	(a) Shared Households.—
19	(1) In General.—Section 408(b)(1) of the
20	Robert T. Stafford Disaster Relief and Emergency
21	Assistance Act (42 U.S.C. 5174(b)(1)) is amended—
22	(A) by striking "The President may" and
23	inserting the following:
24	"(A) In General.—The President may";
25	and

1	(B) by adding at the end the following:
2	"(B) Shared Households.—
3	"(i) Definition.—In this subpara-
4	graph, the term 'member of the predisaster
5	household' means an individual who was a
6	member of the predisaster household of the
7	individual or a member of the predisaster
8	household seeking assistance, as the ease
9	may be.
10	"(ii) Eligibility for shared
11	HOUSEHOLDS.—The President may not
12	deny assistance to an individual or house-
13	hold under this section because a member
14	of the predisaster household has already
15	received assistance under this section, if
16	the individual or household seeking assist-
17	ance
18	"(I) has evacuated the
19	predisaster residence of that indi-
20	vidual or household and who for good
21	cause, as determined by the President,
22	resides in a different location than a
23	member of the predisaster household
24	who has already received assistance
25	under this section:

1	"(II) is a victim of domestic vio-
2	lence, dating violence, sexual assault
3	or stalking and, in order to protect his
4	or her safety or because of family or
5	household break-up or divorce, resides
6	in a different residence than the mem-
7	ber of the predisaster household who
8	has already received assistance under
9	this section; or
10	"(III) has other good cause, as
11	determined by the President, for
12	maintaining a separate household
13	from the member of the predisaster
14	household who has already received
15	assistance under this section.".
16	(2) REGULATIONS.—Not later than 180 days
17	after the date of enactment of this Act, the Presi-
18	dent shall issue regulations to earry out the amend-
19	ments made by this subsection.
20	(b) UTILITY COSTS AND FAIR MARKET RENT.—
21	(1) In General.—Section 408(e)(1)(A) of the
22	Robert T. Stafford Disaster Relief and Emergency
23	Assistance Act (42 U.S.C. 5174(e)(1)(A)) is amend-
24	ed

1	(A) in clause (ii) by inserting "(as deter-
2	mined by the Department of Housing and
3	Urban Development)" after "rent";
4	(B) in clause (ii) by inserting "security de-
5	posits" after "hookups";
6	(C) in clause (ii) by adding "The assist-
7	ance provided under clause (i) may be used for
8	tenant-paid utilities, except telephones." at the
9	end; and
10	(D) by adding at the end the following:
11	"(iii) Adjustments to amount.—
12	"(I) IN GENERAL.—The Presi-
13	dent shall provide assistance under
14	elause (i) in an amount up to 120
15	percent of fair market rent plus the
16	costs described in clause (ii) if the
17	President determines that, as a result
18	of rental market changes caused by
19	the major disaster and its con-
20	sequences, the fair market rent does
21	not accurately reflect the reasonable
22	cost of rental units available to indi-
23	viduals and households receiving as-
24	sistance under clause (i). The Presi-
25	dent may provide assistance over 120

1	percent of fair market rent if the
2	President determines that due to ex-
3	traordinary circumstances a higher
4	percentage is necessary. The Presi-
5	dent shall publicly announce any ad-
6	justment to the fair market rent in
7	accordance with this subsection.
8	"(II) Persons with disabil-
9	ITIES.—The President shall adjust the
10	amount of assistance under clause (i)
11	if the President deems such adjust-
12	ment necessary to accommodate the
13	special housing needs of an individual
14	with disabilities as defined in section
15	3(2) of the Americans with Disabil-
16	ities Act of 1990 (42 U.S.C.
17	12102(2)).''.
18	(2) Emergency.—Section 408(c) of the Robert
19	T. Stafford Disaster Relief and Emergency Assist-
20	ance Act (42 U.S.C. 5174(e)) is amended—
21	(A) In paragraph 6, by striking "and"
22	after the semicolon;
23	(B) in paragraph 7, by striking the period
24	and inserting "; and"; and
25	(C) by adding at the end the following:

1	"(8) provide excellerated Federal assistance in
2	Federal support where necessary to save lives, pre-
3	vent human suffering, or mitigate severe damage,
4	which may be provided in the absence of a specific
5	request in which the President—
6	"(A) shall, to the extent practicable, notify
7	and coordinate with a State in which such as-
8	sistance or support is provided; and
9	"(B) shall not, in notifying and coordi-
10	nating with a State under subparagraph (A),
11	delay or impede the rapid deployment, use, and
12	distribution of critical resources to victims of an
13	emergency.".
14	(e) Guidance on Housing Assistance.—Section
15	408(e) of the Robert T. Stafford Disaster Relief and
16	Emergency Assistance Act (42 U.S.C. 5174(c)) is amend-
17	ed by adding at the end the following:
18	"(5) Public guidance on housing assist-
19	ANCE.
20	"(A) In General.—The President shall
21	issue public guidance in simple terms explain-
22	ing-
23	"(i) all types of housing assistance
24	available under this Act to individuals and
25	households affected by a major disaster;

1	"(ii) the specific requirements that in-
2	dividuals and households shall meet to be
3	eligible for different types of housing as-
4	sistance under this Act, including require-
5	ments for continuation of housing assist-
6	ance provided;
7	"(iii) procedures for applying for such
8	assistance;
9	"(iv) any relevant local condition; and
10	"(v) any modifications of previously
11	announced policies or procedures.
12	"(B) FORM OF ISSUING GUIDANCE.—The
13	President shall—
14	"(i) post the guidance described in
15	subparagraph (A) on the website of the
16	Authority;
17	"(ii) provide a copy of the guidance
18	described in subparagraph (A) to any indi-
19	vidual or household who requests housing
20	assistance; and
21	"(iii) take other reasonable steps to
22	ensure that the guidance described in sub-
23	paragraph (A) is freely accessible to the
24	publie.

1	"(C) Accessibility.—The guidance under
2	subparagraph (A) shall be issued in formats
3	that may be understood by individuals with—
4	"(i) vison impairments;
5	"(ii) limited English proficiency; and
6	"(iii) other special needs.
7	"(D) REVISIONS.—Any revisions to the
8	guidance described in subparagraph (A) shall
9	be publicized as described in subparagraph (B).
10	"(E) DEADLINE.—Not later than 5 days
11	after declaring a major disaster, the President
12	shall publicize the guidance described in this
13	section and any local modifications. The Presi-
14	dent shall also publicize any subsequent modi-
15	fications to the policy guidance described in this
16	section within not later than 2 days of the date
17	of any such modification.".
18	SEC. 219. MENTAL HEALTH SERVICES.
19	(a) In General.—The Robert T. Stafford Disaster
20	Relief and Emergency Assistance Act (42 U.S.C. 5121 et
21	seq.) is amended by striking section 416 and inserting the
22	following:
23	"SEC. 416. MENTAL HEALTH SERVICES.
24	"(a) In General.—The President is authorized to
25	provide mental health and substance abuse services to in-

- 1 dividuals affected by a major disaster (including children
- 2 and other vulnerable populations, and emergency response
- 3 providers responding to a major disaster) to relieve or pre-
- 4 vent mental health or substance abuse problems caused
- 5 or aggravated by such major disaster or its aftermath.
- 6 "(b) Types of Assistance pro-
- 7 vided under subsection (a) may include providing financial
- 8 assistance to Federal, State, or local government agencies
- 9 or private mental health or substance abuse organizations
- 10 to provide mental health or substance abuse services or
- 11 train individuals to provide such services.
- 12 "(c) Duration of Assistance.—The President
- 13 may provide an award of financial assistance described in
- 14 this section for a period of no more than 9 months after
- 15 the date of notice of the grant award. The President may
- 16 extend the period of such an award for 90 days because
- 17 of documented extraordinary circumstances. In limited cir-
- 18 cumstances, such as disasters of a catastrophic nature, the
- 19 President may extend the period of such an award beyond
- 20 90 days if the President determines it is in the public in-
- 21 terest.".
- 22 (b) RESPONSE PLAN.—Not later than 180 days after
- 23 the date of enactment of this Act, the Substance Abuse
- 24 and Mental Health Services Administration and other
- 25 Federal agencies providing mental health or substance

1	abuse services, in coordination with the Administrator and
2	State and local government officials with responsibilities
3	for providing mental health or substance abuse prevention
4	and services, shall—
5	(1) conduct a survey of mental health or sub-
6	stance abuse services and any applicable support
7	services available to individuals affected by major
8	disasters and to emergency response providers re-
9	sponding to major disasters; and
10	(2) develop a strategy for the adequate provi-
11	sion of mental health and substance abuse services
12	to individuals affected by major disasters and to
13	emergency response providers responding to major
14	disasters.
15	SEC. 220. LANGUAGE SERVICES.
16	(a) Definition.—For purposes of this section—
17	(1) the term "documents" includes—
18	(A) emergency notifications, public broad
19	casts, flyers, brochures, applications, and letters
20	containing important information regarding as-
21	sistance authorized to be provided by the Presi-
22	dent under this Act;
23	(B) notices pertaining to the reduction, de-
24	nial or termination of sorriess or banefits

1	under this Act, including the right to appeal
2	such actions; and
3	(C) notices of the availability of free lan-
4	guage services and other outreach materials;
5	and
6	(2) the term "appropriate population segments"
7	includes groups comprising a substantial portion of
8	limited English proficient individuals in the area for
9	which the President declares a major disaster.
10	(b) Purpose.—The purpose of this section is to as-
11	sist providers of disaster relief related services
12	(1) to improve, through effective communica-
13	tion, the quality of disaster relief related information
14	and services for individuals with limited English pro-
15	ficiency or individuals with disabilities or individuals
16	with other special needs; and
17	(2) to meet their obligation and responsibility to
18	ensure equal access to such services for such individ-
19	uals.
20	(e) Reasonable Steps To Ensure Effective
21	Communication With People With Limited English
22	Proficiency or Individuals With Disabilities.—In
23	earrying out the Robert T. Stafford Disaster Relief and
24	Emergency Assistance Act, the President shall—

1	(1) ensure that all Federal entities that provide
2	assistance under this Act maintain, on a continuing
3	and updated basis, the capability to administer com-
4	petent interpretation and translation services;
5	(2) consult available census data and commu-
6	nicate with State and local governments and relevant
7	non-governmental organizations for the purposes
8	of
9	(A) identifying individuals with limited
10	English proficiency; and
11	(B) including such individuals in disaster
12	preparedness planning;
13	(3) direct all Federal agencies to implement dis-
14	aster relief assistance under the Robert T. Stafford
15	Disaster Relief and Emergency Assistance Act by
16	providing to appropriate population segments, in a
17	timely manner, competent interpretation services
18	and translated documents;
19	(4) provide documents to individuals with dis-
20	abilities or other special needs in formats they can
21	understand;
22	(5) ensure that translated documents are pro-
23	vided to organizations that could assist with their
24	distribution to affected population segments;

1	(6) have available for activation disaster assist-
2	ance employees sufficient to comply with (1), (2),
3	(3), and (4); and
4	(7) develop and maintain an informational
5	elearinghouse of model language assistance pro-
6	grams and best practices for State and local govern-
7	ments in providing disaster and emergency related
8	services.
9	(d) Technical Assistance for Development of
10	PLANS AND PROGRAMS.—Section 201(b) of the Robert T.
11	Stafford Disaster Relief and Emergency Assistance Act
12	(42 U.S.C. 5131(b)) is amended by inserting "with and
13	without English proficiency, disabilities, or other special
14	needs," after "to individuals".
15	SEC. 221. STANDARDS FOR STATE AND LOCAL EMERGENCY
16	PREPAREDNESS OPERATIONAL PLANS.
17	(a) Standards.—Section 613 of the Robert T. Staf-
18	ford Disaster Relief and Emergency Assistance Act (42
19	U.S.C. 5196b) is amended by redesignating subsection (g)
20	as subsection (h) and inserting the following:
21	"(g) STANDARDS FOR STATE AND LOCAL EMER-
22	GENCY PREPAREDNESS PLANS.—In approving standards
23	for State and local emergency preparedness plans under
24	subsection (b)(3), the Administrator shall ensure that
25	such plans take into account the needs of individuals with

- 1 special needs and requirements as described in Section
- 2 611(f) and individuals with pets as described in Section
- 3 611(g).".
- 4 (b) Planning for Special Needs.—Section 611 of
- 5 the Robert T. Stafford Disaster Relief and Emergency As-
- 6 sistance Act (42 U.S.C. 5196) is amended by redesig-
- 7 nating subsections (f) through (k) as subsections (h)
- 8 through (m) and inserting the following:
- 9 "(f) The Administrator of the United States Emer-
- 10 gency Management Authority, shall take appropriate ac-
- 11 tions to ensure that each State, in its Homeland Security
- 12 Strategy or other homeland security plan, provides de-
- 13 tailed and comprehensive pre-disaster and post-disaster
- 14 plans for individuals with special needs and their care
- 15 givers, including but not limited to individuals with dis-
- 16 abilities and individuals with chronic diseases, including
- 17 those with service animals, individuals with limited
- 18 English proficiency, children, and the elderly in emer-
- 19 gencies, including but not limited to plans for medical
- 20 care, evacuations and sheltering. Further, in the case of
- 21 evacuation planning, the Administrator shall also ensure
- 22 that such plans address the needs of those unable to evac-
- 23 uate themselves, including those individuals with low-in-
- 24 come or without access to private transportation and those

- 1 requiring specialized transportation because of medical
- 2 conditions.".
- 3 (e) Planning for Individuals With Pets.—See-
- 4 tion 611 of the Robert T. Stafford Disaster Relief and
- 5 Emergency Assistance Act (42 U.S.C. 5196) is amended
- 6 by inserting after subsection (f), as added by subpara-
- 7 graph (b), the following:
- 8 "(g) The Administrator of the United States Emer-
- 9 gency Management Authority shall take appropriate ac-
- 10 tions to ensure that State and local emergency prepared-
- 11 ness, evacuation, and sheltering plans take into account
- 12 the needs of individuals with household pets prior to, dur-
- 13 ing, and following a major disaster.".
- 14 (d) Assistance to States and Local Authori-
- 15 THES.—Section 611(1)(1) of the Robert T. Stafford Dis-
- 16 aster Relief and Emergency Assistance Act, as redesig-
- 17 nated by subsection (b) of this section is amended by strik-
- 18 ing the period at the end of the first sentence and adding
- 19 the following: "in addition, the Administrator may provide
- 20 financial and technical support including the services of
- 21 subject matter experts, such as pediatricians and geriatri-
- 22 cians, on the basis of programs or projects approved by
- 23 the Administrator, to States and local authorities for the
- 24 purpose of developing and implementing plans for individ-
- 25 uals with special needs and requirements as identified in

1	subsection 611(f), including procurement of facilities and
2	medical equipment and supplies for the care of such indi-
3	viduals, and individuals with pets as identified in sub-
4	section 611 (g), including the procurement, construction
5	leasing, or renovating of emergency shelter facilities and
6	materials that will accommodate individuals with disabil-
7	ities, individuals with special needs, and individuals with
8	pets or service animals.".
9	(e) REPORT TO CONGRESS.—Not later than one year
10	after the date of enactment of this Act, the Administrator
11	shall—
12	(1) submit to Congress a report evaluating the
13	adequacy of the plans of the States to evacuate indi-
14	viduals with special needs and requirements, as de-
15	fined in subsection (b) of this section in emergencies
16	or major disasters that would warrant their evacu-
17	ation; and
18	(2) include in the report a discussion of—
19	(A) whether or not the States have the re-
20	sources necessary to implement fully their evac-
21	uation and sheltering plans; and
22	(B) the manner in which the plans of the
23	States are integrated with the response plans of
24	the Federal Government for emergencies that

1	would require the evacuation and sheltering of
2	individuals with special needs.
3	(f) Training Programs.—
4	(1) In GENERAL.—Section 611(h)(1) of the
5	Robert T. Stafford Disaster Relief and Emergency
6	Assistance Act, as redesignated by subsection (b) of
7	this section is amended by striking subparagraph
8	(A) and insert the following:
9	"(A) conduct or arrange by contract or
10	otherwise, the training programs for the in-
11	struction of emergency preparedness and re-
12	sponse officials and other persons in the organi-
13	zation, operation and techniques of emergency
14	preparedness and response, including but not
15	limited to planning for and responding to indi-
16	viduals with special needs".
17	(2) Emergency assistance.—Section 502 of
18	the Robert T. Stafford Disaster Relief and Emer-
19	gency Assistance Act (42 U.S.C. 5192) is amend-
20	ed—
21	(A) in subsection $(a)(1)$, by striking the
22	semicolon and inserting ", including pre-
23	cautionary evacuations."

1	(B) in subsection (b), by striking the pe-
2	riod and inserting ", including precautionary
3	evacuations."; and
4	(C) adding at the end the following:
5	"(c) Guidelines.—The President shall promulgate
6	and maintain guidelines to assist Governors in making re-
7	quests under this section by defining the types of assist-
8	ance available to affected States and the circumstances
9	under which such requests are likely to be approved.".
10	SEC. 222. TRANSPORTATION ASSISTANCE AND CASE MAN-
11	AGEMENT SERVICES TO INDIVIDUALS AND
12	HOUSEHOLDS.
13	Title IV of the Robert T. Stafford Disaster Relief and
14	Emergency Assistance Act (42 U.S.C. 5170 et seq.) is
15	amended by adding at the end the following:
16	"SEC. 425. TRANSPORTATION ASSISTANCE TO INDIVIDUALS
17	AND HOUSEHOLDS.
18	"The President may provide transportation assist-
19	ance to relocate individuals displaced from their
20	predisaster primary residences as a result of an incident
21	declared under this Act or otherwise transported from
22	their predisaster primary residences under section
23	403(a)(3) or 502, to and from alternative locations for
24	short or long-term accommodation or to return an indi-
	short or long-term accommodation or to return an mar-

- 1 or alternative location as deemed necessary by the Presi-
- 2 dent.
- 3 "SEC. 426. CASE MANAGEMENT SERVICES.
- 4 "The President may provide case management serv-
- 5 ices, including financial assistance to state or local agen-
- 6 cies or qualified private organizations to provide such serv-
- 7 ices, to victims of major disasters to identify and address
- 8 unmet needs.".
- 9 SEC. 223. NON-FEDERAL ASSISTANCE.
- 10 Section 801 (b) of the Robert T. Stafford Disaster
- 11 Relief and Emergency Assistance Act (42 U.S.C. 5201),
- 12 as redesignated by this Act, is amended—
- 13 (1) in subsection (b), by striking the period at
- the end of the first sentence and adding the fol-
- 15 lowing: "including from foreign organizations and
- 16 governments."; and
- 17 (2) by adding at the end the following:
- 18 "(e) Receipt and Coordination of Gifts From
- 19 Foreign Sources.—Notwithstanding the provisions of
- 20 section 612, the President or his delegate shall coordinate
- 21 receipt of gifts or assistance from foreign sources with the
- 22 Secretary of Defense and the Secretary of State with re-
- 23 gard to—

1	"(1) the identification of emergency require-
2	ments for which such gifts or assistance is required
3	and appropriate, and
4	"(2) procedures for receipt, distribution, and
5	monitoring of the use of such gifts or assistance.".
6	SEC. 224. DISASTER COORDINATION.
7	Not later than 180 days after the date of enactment
8	of this Act, the Administrator shall, in consultation with
9	the Secretary of Defense and the Secretary of State, de-
10	velop policies and procedures relating to the effective co-
11	ordination of disaster assistance from non-Federal enti-
12	ties, including private and foreign entities and govern-
13	ments, as provided under section 801 of the Robert T.
14	Stafford Disaster Relief and Emergency Assistance Act,
15	as redesignated by this Act, including—
16	(1) coordination with other disaster assistance
17	from the Federal Government, and State and local
18	governments and other sources;
19	(2) identification of requirements for utilization
20	that are necessary and appropriate for such assist-
21	ance;
22	(3) receipt and distribution; and
23	(4) monitoring to ensure of its appropriate final
24	use.

1	TITLE III—STAFFING
2	IMPROVEMENTS
3	SEC. 301. STRATEGIC HUMAN CAPITAL PLAN.
4	(a) DEFINITIONS.—In this section—
5	(1) the term "appropriate committees of Con-
6	gress'' means—
7	(A) the Committee on Homeland Security
8	and Governmental Affairs of the Senate; and
9	(B) the Committee on Homeland Security
10	and the Committee on Government Reform of
11	the House of Representatives; and
12	(2) the term "strategic human capital plan"
13	means the plan developed under subsection (b).
14	(b) PLAN DEVELOPMENT.—Not later than 6 months
15	after the date of enactment of this Act, the Administrator
16	shall develop and submit to the appropriate committees
17	of Congress a strategic plan to shape and improve the
18	workforce of the Authority.
19	(e) Contents.—The strategic human capital plan
20	shall include—
21	(1) a workforce gap analysis, including an as-
22	sessment of—
23	(A) the critical skills and competencies
24	that will be needed in the workforce of the Au-
25	thority to support the mission and responsibil-

1	ities of, and effectively manage, the Authority
2	during the 10-year period beginning on the date
3	of enactment of this Act;
4	(B) the skills and competencies of the
5	workforce of the Federal Emergency Manage-
6	ment Agency on the day before the date of en-
7	actment of this Act and projected trends in that
8	workforce, based on expected losses due to re-
9	tirement and other attrition; and
10	(C) the staffing levels of each category of
11	employee, including gaps in the workforce of
12	the Federal Emergency Management Agency on
13	the day before the date of enactment of this Act
14	and the projected workforce of the Authority
15	that should be addressed to ensure that the Au-
16	thority has continued access to the critical skills
17	and competencies described in subparagraph
18	(A);
19	(2) a plan of action for developing and reshap-
20	ing the workforce of the Authority to address the
21	gaps in critical skills and competencies identified
22	under paragraph (1)(C), including—
23	(A) specific recruiting and retention goals,
24	including the use of bonus authority under sec-
25	tions 5753 and 5754 of title 5, United States

1	Code, (including the program objectives of the
2	Authority to be achieved through such goals);
3	(B) specific strategies for developing;
4	training, deploying, compensating, and moti-
5	vating and retaining the Authority workforce
6	and its ability to fulfill the Authority's mission
7	and responsibilities (including the program ob-
8	jectives of the Department and the Authority to
9	be achieved through such strategies);
10	(C) specific strategies for recruiting indi-
11	viduals who have served in multiple State agen-
12	cies with emergency management responsibil-
13	ities; and
14	(D) specific strategies for the development,
15	training, and coordinated and rapid deployment
16	of the Surge Capacity Force established by sec-
17	tion 304; and
18	(3) a discussion that—
19	(A) details the number of employees of the
20	Department not employed by the Authority
21	serving in the Surge Capacity Force and the
22	qualifications or credentials of such individuals;
23	(B) details the number of individuals not
24	employed by the Department serving in the

1	Surge Capacity Force and the qualifications or
2	eredentials of such individuals;
3	(C) describes the training given to the
4	Surge Capacity Force during the last year;
5	(D) states whether the Surge Capacity
6	Force is able to adequately prepare for, respond
7	to, and recover from a natural or man-made
8	disaster, including eatastrophic incident; and
9	(E) describes any additional authorities or
10	resources necessary to address any deficiencies
11	in the Surge Capacity Force.
12	(d) Annual Updates.—Not later than May 1,
13	2007, and May 1 of each year thereafter until 2012, the
14	Administrator shall submit to the appropriate committees
15	of Congress an update of the strategic human capital plan,
16	including an assessment by the Administrator, using re-
17	sults-oriented performance measures, of the progress of
18	the Department and the Authority in implementing the
19	strategic human capital plan.
20	(e) Comptroller General Review.—
21	(1) In General.—Not later than 90 days after
22	the Administrator submits the strategic human cap-
23	ital plan under subsection (b), the Comptroller Gen-
24	eral of the United States shall submit to the appro-

1	priate committees of Congress a report evaluating
2	the plan.
3	(2) Updates.—Not later than 90 days after
4	the Administrator submits an update of the strategic
5	human capital plan under subsection (d), the Comp-
6	troller General shall submit to the appropriate com-
7	mittees of Congress a report evaluating the updated
8	plan.
9	SEC. 302. CAREER PATHS.
10	(a) In General.—The Administrator shall—
11	(1) ensure that appropriate career paths for
12	personnel are identified, including the education,
13	training, experience, and assignments necessary for
14	career progression within the Authority; and
15	(2) publish information on the career paths de-
16	scribed in paragraph (1).
17	(b) Education, Training, and Experience.—The
18	Administrator shall ensure that all personnel of the Au-

19 thority are provided the opportunity to acquire the edu-

20 eation, training, and experience necessary to qualify for

promotion within the Authority, including the opportunity

to participate in the Rotation Program established under

23 section 305.

1	(e) Policy.—The Administrator shall establish a pol-
2	icy for assigning Authority personnel to positions that pro-
3	vide for a balance between—
4	(1) the need for such personnel to serve in ea-
5	reer enhancing positions; and
6	(2) the need to require service in a position for
7	sufficient period of time to provide the stability nec-
8	essary—
9	(A) to carry out the duties of that position;
10	and
11	(B) for responsibility and accountability
12	for actions taken in that position.
13	SEC. 303. NATIONAL HOMELAND SECURITY ACADEMY.
14	(a) Establishment of National Homeland Se-
15	CURITY ACADEMY.—
16	(1) In GENERAL.—Title VIII of the Homeland
17	Security Act of 2002 (6 U.S.C. 361 et seq.) is
18	amended by adding after section 801 the following:
19	"SEC. 802. NATIONAL HOMELAND SECURITY ACADEMY.
20	"(a) Establishment.—
21	"(1) In General.—The Secretary—
22	"(A) shall establish the National Home-
23	land Security Academy (referred to in this sec-
24	tion as the 'Academy') within the Authority;
25	and

1	"(B) may enter into cooperative agree-
2	ments with other agencies or entities to utilize
3	space and provide for the lease of real property
4	for the Academy or any component of the Acad-
5	emy.
6	"(2) Composition.—The Academy shall con-
7	sist of—
8	"(A) the National Homeland Security
9	Education and Strategy Center (referred to in
10	this section as the 'Strategy Center') to provide
11	fundamental instruction and develop a home-
12	land security curriculum focusing primarily on
13	the Federal Government's overall strategy,
14	goals, methods, and techniques;
15	"(B) a communications network capable of
16	delivering distance learning opportunities, at
17	the direction of the Strategy Center;
18	"(C) the programs of the Center for
19	Homeland Defense and Security located at the
20	Naval Postgraduate School, and such programs
21	shall be incorporated into the Academy in a
22	manner to be determined by the Secretary; and
23	"(D) the National Homeland Security
24	Education Network, which—

1	"(i) shall be composed of representa-
2	tives from all of the academies and train-
3	ing centers within the jurisdiction of the
4	Department;
5	"(ii) shall work with the Academy to
6	develop a standardized homeland security
7	curriculum to be incorporated, as appro-
8	priate, at each academy and training cen-
9	ter to ensure that the focus of the indi-
10	vidual centers is coordinated with the cen-
11	tralized educational strategies and goals of
12	the Academy; and
13	"(iii) shall not affect the respective
14	missions and goals of the participating
15	academies and training centers.
16	"(3) Mission.—The mission of the Academy
17	shall be to—
18	"(A) establish an educational system to—
19	"(i) cultivate leaders in homeland se-
20	eurity; and
21	"(ii) ensure that Federal, State, local,
22	tribal, and private sector officials get the
23	full range of skills needed to provide robust
24	homeland security;

1	"(B) provide strategic education and train-
2	ing to carry out the missions of the Department
3	of Homeland Security;
4	"(C) provide cross-disciplinary and joint
5	education and training to Federal, State, and
6	local government officials responsible for the di-
7	rect application and execution of vital homeland
8	security missions; and
9	"(D) focus primarily on shorter-term class-
10	es and exercises to maximize participation by
11	the homeland security community.
12	"(4) Enrollment target.—
13	"(A) IN GENERAL.—The Strategy Center
14	shall have an initial annual enrollment target of
15	1,000 resident students, as described in sub-
16	section $(b)(3)(A)$.
17	"(B) Non-resident students.—The en-
18	rollment target under subparagraph (A) does
19	not include non-resident students, including
20	students who participate in electronic learning
21	systems.
22	"(5) Responsibilities.—
23	"(A) In General.—In addition to pro-
24	viding traditional course work and hands-on
25	training exercises, the Academy shall encourage

1	the development and use of modern technology
2	to ensure that the training offered at the Acad-
3	emy, and to organizations and individuals re-
4	ceiving instruction over electronic learning sys-
5	tems
6	"(i) is tailored to the unique needs of
7	the individuals and groups that need train-
8	ing;
9	"(ii) efficiently uses such technology;
10	and
11	"(iii) translates directly into practical
12	skills.
13	"(B) Instructional materials.—The
14	Academy shall develop instructional require-
15	ments for courses related to its mission that are
16	supported with materials that are adequately
17	reviewed and continuously updated.
18	"(C) CERTIFICATION.
19	"(i) IN GENERAL.—The Academy may
20	establish certification criteria for students
21	in areas related to its mission, in consulta-
22	tion with the Network established under
23	subsection (e).
24	"(ii) Recentification.—The criteria
25	established under clause (i) shall include

1	requirements for recertification and ensure
2	the availability of needed assessment tools.
3	"(D) Information repository.—The
4	Academy shall provide a repository of approved
5	instructional materials, instructional software,
6	and other materials that are easily accessible by
7	participants.
8	"(E) Communication networks.—The
9	Academy shall certify, and operate, if necessary,
10	a secure, reliable communication system capable
11	of delivering instructional materials to partici-
12	pants at any time and place.
13	"(F) Instruction and expertise.—The
14	Academy shall certify instructors, experts, coun-
15	selors, and other individuals who can provide
16	answers and advice to students over commu-
17	nication systems.
18	"(6) STRATEGY CENTER.—
19	"(A) RESPONSIBILITIES.—The Strategy
20	Center shall—
21	"(i) provide curriculum development
22	and classroom instruction for resident stu-
23	dents that focus on the strategic goals,
24	methods, and techniques for homeland se-
25	eurity;

1	"(ii) provide instruction—
2	"(I) primarily to Federal employ-
3	ees described under subsection
4	(b)(3)(A) with homeland security re-
5	sponsibilities; and
6	"(II) to small numbers of State
7	and local government officials and pri-
8	vate individuals; and
9	"(iii) direct the operation of the Acad-
10	emy's electronic learning systems.
11	"(B) CURRICULUM.—The curriculum
12	taught at the Strategy Center shall—
13	"(i) include basic education about
14	homeland security, the Department, and
15	the relationship of the directorates within
16	the Department;
17	"(ii) include the relationship between
18	the Department and other Federal, State,
19	and local agencies with homeland security
20	responsibilities; and
21	"(iii) be developed with assistance
22	from the National Homeland Security
23	Education Network.
24	"(b) Administration.—

1	"(1) EXECUTIVE DIRECTOR.—The Secretary
2	shall appoint an Executive Director for the Acad-
3	emy, who shall—
4	"(A) administer the operations of the
5	Academy;
6	"(B) establish an Academic Board, to be
7	headed by the Dean of the Academic Board, ap-
8	pointed under paragraph (2) ;
9	"(C) hire initial staff and faculty, as ap-
10	propriate and necessary;
11	"(D) contract with practitioners and ex-
12	perts, as appropriate, to supplement academic
13	instruction; and
14	"(E) make recommendations to the Sec-
15	retary regarding long-term staffing and funding
16	levels for the Academy.
17	"(2) DEAN OF THE ACADEMIC BOARD.—The
18	Executive Director shall appoint, with the approval
19	of the Secretary, a permanent professor to serve as
20	Dean of the Academic Board and perform such du-
21	ties as the Executive Director may prescribe.
22	"(3) Director of Admissions.—The Execu-
23	tive Director shall appoint, with the approval of the
24	Secretary, a Director of Admissions, who shall—

1	"(A) grant admission to the Strategy Cen-
2	ter to—
3	"(i) new employees of the Depart-
4	ment, who have clear homeland security re-
5	sponsibilities;
6	"(ii) mid-level executive employees of
7	the Department, including employees that
8	receive academy or other training, who
9	demonstrate a need for cross-disciplinary
10	or advanced education and training and
11	have been endorsed by the appropriate
12	Under Secretary;
13	"(iii) other Federal employees with
14	homeland security responsibilities who have
15	been endorsed by the head of their agency;
16	"(iv) State and local employees who—
17	"(I) demonstrate a clear respon-
18	sibility for providing homeland secu-
19	rity; and
20	"(II) possess the nomination of
21	the Governor of their State, or Head
22	of applicable jurisdiction; and
23	"(v) private sector applicants who
24	demonstrate a clear responsibility for pro-
25	viding homeland security;

1	"(B) ensure that students from each level
2	of government and the private sector are in-
3	cluded in all programs and classes, whenever
4	appropriate; and
5	"(C) perform such duties as the Executive
6	Director may prescribe.
7	"(c) Board of Visitors.—
8	"(1) Establishment.—Before the Academy
9	admits any students, the Secretary shall establish a
10	Board of Visitors (in this section referred to as the
11	'Board') to—
12	"(A) assist in the development of cur-
13	riculum and programs at the Academy; and
14	"(B) recommend the site for the location
15	of the Strategy Center.
16	"(2) Membership.—
17	"(A) Composition.—The Board will be
18	composed of—
19	"(i) the Secretary, or designee, who
20	shall serve as chair;
21	"(ii) the Executive Director of the
22	Academy, or designee, who shall be a non-
23	voting member;

1	"(iii) the Chairman of the Committee
2	on Homeland Security and Governmental
3	Affairs of the Senate, or designee;
4	"(iv) the Ranking Member of the
5	Committee on Homeland Security and
6	Governmental Affairs of the Senate, or
7	designee;
8	"(v) the Chairman of the Committee
9	on Homeland Security of the House of
10	Representatives, or designee;
11	"(vi) the Ranking Member of the
12	Committee on Homeland Security of the
13	House of Representatives, or designee;
14	"(vii) the Secretary of Health and
15	Human Services, or designee;
16	"(viii) the Secretary of Defense, or
17	designee;
18	"(ix) the Secretary of Education, or
19	designee;
20	"(x) the Secretary of Transportation,
21	or designee;
22	"(xi) the Director of the Federal Bu-
23	reau of Investigation, or designee;
24	"(xii) 4 persons, who shall be ap-
25	pointed by the Secretary for 2-year terms

1	to represent State and local governments;
2	and
3	"(xiii) 4 persons, who shall be ap-
4	pointed by the Secretary for 2-year terms
5	to represent first responders.
6	"(B) Prohibition.—Any person described
7	under subparagraph (A), whose membership on
8	the Board would create a conflict of interest,
9	shall not serve as a member of the Board.
10	"(C) VACANCIES.—If a member of the
11	Board dies or resigns from office, the official
12	who designated the member shall designate a
13	successor for the unexpired portion of the term.
14	"(3) Duties.—
15	"(A) ACADEMY VISITS.—The Board shall
16	visit the Academy not less than annually, and
17	may, with the approval of the Secretary, make
18	other visits to the Academy in connection with
19	the duties of the Board or to consult with the
20	Executive Director of the Academy.
21	"(B) INQUIRIES.—The Board shall inquire
22	into the curriculum, instruction, physical equip-
23	ment, fiscal affairs, academic methods, student
24	body composition, and other matters relating to

1	the Academy that the Board decides to con-
2	sider.
3	"(C) Reports.—
4	"(i) Annual Report.—Not later
5	than 60 days after each annual visit, the
6	Board shall submit a written report to the
7	Secretary, which describes its action, and
8	of its views and recommendations per-
9	taining to the Academy.
10	"(ii) Additional reports.—Any re-
11	port of a visit, other than the annual visit,
12	shall, if approved by a majority of the
13	members of the Board, be submitted to the
14	Secretary not later than 60 days after the
15	approval.
16	"(4) Travel expenses.—The members of the
17	Board shall be allowed travel expenses, including per
18	diem in lieu of subsistence, at rates authorized for
19	employees of agencies under subchapter I of chapter
20	57 of title 5, United States Code, while away from
21	their homes or regular places of business in the per-
22	formance of services for the Board.
23	"(d) Reports to Congress.—
24	"(1) CURRICULUM AND ATTENDANCE.—The
25	Secretary shall submit an annual report that de-

1	scribes the curriculum of, and enrollment at, the
2	Academy to—
3	"(A) the Committee on Homeland Security
4	and Governmental Affairs of the Senate; and
5	"(B) the Committee on Homeland Security
6	of the House of Representatives.
7	"(2) Feasibility report.—Not later than 1
8	year after the establishment of the Academy, the
9	Secretary shall submit a report to the Committee on
10	Homeland Security and Governmental Affairs of the
11	Senate and the Committee on Homeland Security of
12	the House of Representatives that—
13	"(A) recommends an appropriate combina-
14	tion of students from Federal, State, and local
15	government and the private sector, and the per-
16	centage of costs related to the education of each
17	of these student groups that should be reim-
18	bursable;
19	"(B) describes the feasibility of expanding
20	the Academy in regional offices of the Authority
21	or other government or university programs to
22	provide ongoing education and training for Fed-
23	eral employees with homeland security respon-
24	sibilities: and

1	"(C) describes the feasibility of providing
2	education for the general public through elec-
3	tronic learning systems.
4	"(e) NATIONAL HOMELAND SECURITY EDUCATION
5	NETWORK.—
6	"(1) ESTABLISHMENT.—The Executive Direc-
7	tor of the Academy shall establish a National Home-
8	land Security Education Network (referred to in this
9	section as the 'Network'), as described under sub-
10	section $(a)(2)(B)$.
11	"(2) Membership.—The Network shall be
12	comprised of representatives from Federal training
13	and certification organizations, including—
14	"(A) the National Homeland Security
15	Academy;
16	"(B) the Office of Domestic Preparedness;
17	"(C) the National Domestic Preparedness
18	Consortium;
19	"(D) the Center for Homeland Defense
20	and Security at the Naval Postgraduate School;
21	"(E) the Federal Law Enforcement Train-
22	ing Center, including all schools or training and
23	education programs managed or co-located with
24	the Center;

1	"(F) the Customs and Border Protection
2	Academy;
3	"(G) the Border Patrol Academy;
4	"(H) the Bureau of Immigration and Cus-
5	toms Enforcement Academy;
6	"(I) the Secret Service Academy;
7	"(J) the United States Coast Guard Acad-
8	emy, including all schools within the jurisdiction
9	of the Coast Guard Academy;
10	"(K) the Emergency Management Insti-
11	tute;
12	"(L) the Animal and Plant Health Inspec-
13	tion Service Training Program;
14	"(M) the Federal Air Marshal Training
15	Center;
16	"(N) the National Fire Academy; and
17	"(O) other relevant training facilities with-
18	in the Department.
19	"(3) Curriculum requirements.—The cur-
20	riculum and course work developed as part of the
21	Network shall be incorporated into the curriculum of
22	the institutions listed under paragraph (2), as ap-
23	propriate, to ensure that students at these institu-
24	tions understand how their homeland security re-
25	sponsibilities relate to other homeland security re-

1	sponsibilities in the Department and other Federal,
2	State, and local agencies. The training centers and
3	academies listed under paragraph (2) shall retain
4	their respective missions and goals.
5	"(4) SEMI-ANNUAL MEETINGS.—The Executive
6	Director and the Dean of the Academic Board shall
7	meet with the Network not less than once every 6
8	months to—
9	"(A) discuss curriculum requirements; and
10	"(B) coordinate training activities within
11	the Network.
12	"(5) REPORTS.—Not later than 2 years after
13	the date of enactment of this section, and every 2
14	years thereafter, the Network shall submit a report
15	to the Committee on Homeland Security and Gov-
16	ernmental Affairs of the Senate and the Committee
17	on Homeland Security of the House of Representa-
18	tives, which describes the Network's—
19	"(A) strategy for using advanced instruc-
20	tional technologies;
21	"(B) plans for future improvement; and
22	"(C) success in working with other organi-
23	zations in achieving the goals described under
24	subparagraphs (A) and (B).".

1	(2) TECHNICAL AMENDMENT.—Section 1(b) of
2	the Homeland Security Act of 2002 (Public Law
3	107–296) is amended by inserting after the item re-
4	lating to section 801 the following:
	"Sec. 802. National Homeland Security Academy".
5	(b) STATE AND LOCAL EDUCATION AND TRAINING
6	COORDINATOR.—The Secretary, through the Adminis
7	trator, shall appoint a State and Local Education and
8	Training Coordinator, who shall—
9	(1) serve as the primary point of contact be-
10	tween Federal, State, and local training facilities
11	the National Homeland Security Academy, and the
12	Authority, in order to—
13	(A) maximize the ability of the Academy to
14	identify non-Academy programs that meet spe-
15	cific training goals and are crucial to the Na-
16	tion's homeland security mission; and
17	(B) assist the Academy and the Authority
18	in determining where to direct Federal training
19	funds; and
20	(2) at least semiannually, conduct meetings
21	with a coalition of State and local education and
22	training facilities to—
23	(A) allow State and local fire, rescue, and
24	law enforcement training facilities to provide

1	input on decisions made concerning the training
2	of first responders; and
3	(B) increase curriculum coordination be-
4	tween the Academy and Federal, State, and
5	local facilities.
6	SEC. 304. SURGE CAPACITY FORCE.
7	(a) DEFINITION.—In this section, the term "Surge
8	Capacity Force' means the Surge Capacity Force estab-
9	lished under subsection (b).
10	(b) Establishment.—
11	(1) In General.—The Administrator shall es-
12	tablish a Surge Capacity Force for deployment of in-
13	dividuals for natural or man-made disasters, includ-
14	ing catastrophic incidents, as determined by the Ad-
15	ministrator.
16	(2) Employees designated to serve.—The
17	Secretary shall designate employees of the Depart-
18	ment who are not employees of the Authority to
19	serve on the Surge Capacity Force.
20	(e) Capabilities.—The Administrator shall—
21	(1) include a sufficient number of individuals
22	eredentialed in accordance with section 205 that are
23	capable of deploying rapidly and efficiently after ac-
24	tivation to prepare for respond to and recover from

1	a	natural	Ol'	man-made	disaster,	including	a	cata -
•								

- 2 strophic incident; and
- 3 (2) include a sufficient number of full-time,
- 4 highly-trained individuals credentialed in accordance
- 5 with section 205 to lead and manage the Surge Ca-
- 6 pacity Force.
- 7 (d) Training.—The Administrator shall provide ap-
- 8 propriate and continuous training to individuals serving
- 9 in the Surge Capacity Force to ensure such personnel are
- 10 adequately trained on the Authority's programs and poli-
- 11 cies relevant to assistance provided by the Authority as
- 12 a result of an emergency or major disaster.
- 13 (e) Database.—The Administrator shall establish
- 14 and maintain a database regarding the members of the
- 15 Surge Capacity Force that includes the skills, qualifica-
- 16 tions, and disaster management experience of such mem-
- 17 bers.
- 18 (f) Annuitants.—If an individual receiving an an-
- 19 nuity from the Civil Service Retirement and Disability
- 20 Fund becomes temporarily reemployed under this section,
- 21 such annuity shall not be discontinued on that basis. An
- 22 individual so reemployed as a Surge Capacity Force em-
- 23 ployee shall not be considered an employee for the pur-
- 24 poses of chapter 83 or 84 of title 5, United States Code.

1	(g) No Impact on Authority Personnel Cell-
2	ING.—Surge Capacity Force members under this section
3	shall not be counted against any personnel ceiling applica-
4	ble to the Authority.
5	(h) Expenses.—The Administrator may provide
6	members of the Surge Capacity Force with travel ex-
7	penses, including per diem in lieu of subsistence, at rates
8	authorized for employees of agencies under subchapter I
9	of chapter 57 of title 5, United States Code, for the pur-
10	pose of participating in any training that relates to service
11	as a member of the Surge Capacity Force.
12	SEC. 305. ESTABLISHMENT OF HOMELAND SECURITY ROTA-
10	MIONI DDOCDANI AM MHE DEDADMINENTO OF
13	TION PROGRAM AT THE DEPARTMENT OF
13 14	HOMELAND SECURITY.
14	HOMELAND SECURITY.
14 15	HOMELAND SECURITY. (a) Establishment.—
14 15 16	HOMELAND SECURITY. (a) ESTABLISHMENT.— (1) IN GENERAL.—Title VIII of the Homeland
14 15 16 17 18	HOMELAND SECURITY. (a) ESTABLISHMENT. (1) IN GENERAL.—Title VIII of the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) is
14 15 16 17	HOMELAND SECURITY. (a) ESTABLISHMENT. (1) IN GENERAL.—Title VIII of the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) is amended by inserting after section 843 the fol-
14 15 16 17 18	HOMELAND SECURITY. (a) ESTABLISHMENT.— (1) IN GENERAL.—Title VIII of the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) is amended by inserting after section 843 the following:
14 15 16 17 18 19 20	HOMELAND SECURITY. (a) ESTABLISHMENT. (1) IN GENERAL.—Title VIII of the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) is amended by inserting after section 843 the following: "SEC. 844. HOMELAND SECURITY ROTATION PROGRAM.
14 15 16 17 18 19 20 21	HOMELAND SECURITY. (a) ESTABLISHMENT. (1) IN GENERAL.—Title VIII of the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) is amended by inserting after section 843 the following: "SEC. 844. HOMELAND SECURITY ROTATION PROGRAM. "(a) ESTABLISHMENT.—
14 15 16 17 18 19 20 21	HOMELAND SECURITY. (a) ESTABLISHMENT. (1) IN GENERAL.—Title VIII of the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) is amended by inserting after section 843 the following: "SEC. 844. HOMELAND SECURITY ROTATION PROGRAM. "(a) ESTABLISHMENT.— "(1) IN GENERAL.—Not later than 180 days

1	tation Program') for employees of the Department.
2	The Rotation Program shall use applicable best
3	practices, including those from the Chief Human
4	Capital Officers Council.
5	"(2) Goals.—The Rotation Program estab-
6	lished by the Secretary shall—
7	"(A) be established in accordance with the
8	Human Capital Strategie Plan of the Depart-
9	ment;
10	"(B) provide middle and senior level em-
11	ployees in the Department the opportunity to
12	broaden their knowledge through exposure to
13	other components of the Department;
14	"(C) expand the knowledge base of the De-
15	partment by providing for rotational assign-
16	ments of employees to other components;
17	"(D) build professional relationships and
18	contacts among the employees in the Depart-
19	ment;
20	"(E) invigorate the workforce with exciting
21	and professionally rewarding opportunities;
22	"(F) incorporate Department human cap-
23	ital strategic plans and activities, and address
24	eritical human capital deficiencies, recruitment
25	and retention efforts, and succession planning

1	within the Federal workforce of the Depart-
2	ment; and
3	"(G) complement and incorporate (but not
4	replace) rotational programs within the Depart-
5	ment in effect on the date of enactment of this
6	section.
7	"(3) Administration.—
8	"(A) In GENERAL.—The Chief Human
9	Capital Officer shall administer the Rotation
10	Program.
11	"(B) RESPONSIBILITIES.—The Chief
12	Human Capital Officer shall—
13	"(i) provide oversight of the establish-
14	ment and implementation of the Rotation
15	Program;
16	"(ii) establish a framework that sup-
17	ports the goals of the Rotation Program
18	and promotes cross-disciplinary rotational
19	opportunities;
20	"(iii) establish eligibility for employees
21	to participate in the Rotation Program and
22	select participants from employees who
23	apply;
24	"(iv) establish incentives for employ-
25	ees to participate in the Rotation Program.

1	including promotions and employment
2	preferences;
3	"(v) ensure that the Rotation Pro-
4	gram provides professional education and
5	training;
6	"(vi) ensure that the Rotation Pro-
7	gram develops qualified employees and fu-
8	ture leaders with broad-based experience
9	throughout the Department;
10	"(vii) provide for greater interaction
11	among employees in components of the De-
12	partment; and
13	"(viii) coordinate with rotational pro-
14	grams within the Department in effect on
15	the date of enactment of this section.
16	"(4) Allowances, privileges, and bene-
17	FITS.—All allowances, privileges, rights, seniority,
18	and other benefits of employees participating in the
19	Rotation Program shall be preserved.
20	"(5) REPORTING.—Not later than 180 days
21	after the date of the establishment of the Rotation
22	Program, the Secretary shall submit a report on the
23	status of the Rotation Program, including a descrip-
24	tion of the Rotation Program, the number of em-
25	ployees participating, and how the Rotation Program

1	is used in succession planning and leadership devel-
2	opment to—
3	"(A) the Committee on Homeland Security
4	and Governmental Affairs of the Senate;
5	"(B) the Committee on Homeland Security
6	of the House of Representatives; and
7	"(C) the Committee on Government Re-
8	form of the House of Representatives.".
9	(2) Technical and conforming amend-
10	MENT.—Section 1(b) of the Homeland Security Act
11	of 2002 (6 U.S.C. 101) is amended by inserting
12	after the item relating to section 843 the following:
	"Sec. 844. Homeland Security Rotation Program".
13	SEC. 306. QUARTERLY REPORT ON VACANCY RATE IN EM-
13 14	SEC. 306. QUARTERLY REPORT ON VACANCY RATE IN EMPLOYEE POSITIONS.
14 15	PLOYEE POSITIONS.
14 15	PLOYEE POSITIONS. (a) DEFINITION.—In this section the term "appro-
14 15 16	PLOYEE POSITIONS. (a) DEFINITION.—In this section the term "appropriate committees of Congress" means—
14 15 16 17	PLOYEE POSITIONS. (a) DEFINITION.—In this section the term "appropriate committees of Congress" means— (1) the Committee on Homeland Security and
14 15 16 17	PLOYEE POSITIONS. (a) DEFINITION.—In this section the term "appropriate committees of Congress" means— (1) the Committee on Homeland Security and Governmental Affairs of the Senate; and
14 15 16 17 18	PLOYEE POSITIONS. (a) DEFINITION.—In this section the term "appropriate committees of Congress" means— (1) the Committee on Homeland Security and Governmental Affairs of the Senate; and (2) the Committee on Homeland Security and
14 15 16 17 18 19	PLOYEE POSITIONS. (a) DEFINITION.—In this section the term "appropriate committees of Congress" means— (1) the Committee on Homeland Security and Governmental Affairs of the Senate; and (2) the Committee on Homeland Security and the Committee on Government Reform of the House
14 15 16 17 18 19 20	PLOYEE POSITIONS. (a) DEFINITION.—In this section the term "appropriate committees of Congress" means— (1) the Committee on Homeland Security and Governmental Affairs of the Senate; and (2) the Committee on Homeland Security and the Committee on Government Reform of the House of Representatives.
14 15 16 17 18 19 20 21	PLOYEE POSITIONS. (a) DEFINITION.—In this section the term "appropriate committees of Congress" means— (1) the Committee on Homeland Security and Governmental Affairs of the Senate; and (2) the Committee on Homeland Security and the Committee on Government Reform of the House of Representatives. (b) Initial Report.—

1	committees of Congress a report on the vacancies in
2	employee positions of the Federal Emergency Man-
3	agement Agency on the day before the date of enact-
4	ment of this Act and the vacancies in employee posi-
5	tions the Authority established under this Act.
6	(2) Contents.—The report under this sub-
7	section shall include—
8	(A) vacancies of each category of employee
9	position;
10	(B) the number of applicants for each va-
11	cancy for which public notice has been given;
12	(C) the length of time that each vacancy
13	has been pending;
14	(D) hiring-eyele time for each vacancy that
15	has been filled; and
16	(E) a plan for reducing the hiring-cycle
17	time and reducing the current and anticipated
18	vacancies with highly-qualified personnel.
19	(e) QUARTERLY UPDATES.—Not later than 3 months
20	after submission of the initial report, and every 3 months
21	thereafter until 5 years after the date of enactment of this
22	Act, the Administrator shall submit to the appropriate
23	committees of Congress an update of the report under
24	subsection (b), including an assessment by the Adminis-
25	trator of the progress of the Authority in filling vacant

1	employee positions of the Federal Emergency Manage-
2	ment Agency on the day before the date of enactment to
3	this Act, and vacant employee positions of the Authority
4	established under this Act.
5	TITLE IV—PLANNING,
6	PREPAREDNESS, AND TRAINING
7	SEC. 401. DEFINITION.
8	In this title, the term "Emergency Support Function
9	Annex" means an Emergency Support Function Annex to
10	the National Response Plan.
11	SEC. 402. EMERGENCY RESPONSE FRAMEWORK.
12	(a) In General.—The Secretary, acting through the
13	Administrator, shall employ the National Incident Man-
14	agement System and the National Response Plan as the
15	framework for emergency response and domestic incident
16	management.
17	(b) Use by Federal Agencies.—
18	(1) NATIONAL RESPONSE PLAN.—The National
19	Response Plan shall be the governing plan for any
20	Federal involvement or assistance in a natural or
21	man-made disaster or other incident of national sig-
22	nificance.
23	(2) National incident management sys-
24	TEM.—The National Incident Management System
25	shall be the incident management system for any

1	Federal involvement or assistance in a natural or
2	manmade disaster or other incident of national sig-
3	nificance.
4	SEC. 403. REVIEW OF THE NATIONAL RESPONSE PLAN.
5	(a) REVIEW AND REVISION OF PLAN.—
6	(1) In General.—Not later than May 1, 2007,
7	the Secretary, acting through the Administrator, and
8	in conjunction with the Federal agencies and non-
9	governmental organizations that are signatories to
10	the National Response Plan and with the National
11	Advisory Council, shall—
12	(A) conduct a comprehensive review of the
13	adequacy of the National Response Plan, in-
14	cluding incorporating lessons learned from Hur-
15	ricane Katrina of 2005; and
16	(B) revise and update the National Re-
17	sponse Plan, as appropriate, to incorporate the
18	findings of the review under subparagraph (A)
19	and the changes to the National Response Plan
20	required under paragraph (2).
21	(2) Changes required.—The comprehensive
22	review and update required under paragraph (1)
23	shall ensure the following:
24	(A) Principal federal official.

	(i) In General.—That the position
2	of Principal Federal Official under the Na-
3	tional Response Plan is eliminated.

(ii) CHAIN OF COMMAND.—That the National Response Plan provides for a clear chain of command to lead and coordinate the Federal response to any natural or man-made disaster. The chain of the command specified in the National Response Plan shall provide for a role for the Administrator consistent with the Administrator's role as the principal emergency preparedness and response advisor to the President, the Homeland Security Council, and the Secretary under section 512(c)(4) of the Homeland Security Act of 2002 and the Administrator's responsibility to manage the response of the Federal Government to a natural or man-made disaster under section 513(a)(4) of that Act and shall provide for a role for the Federal Coordinating Officer consistent with the responsibilities under section 302(b) of the Robert T. Stafford Disaster Relief and

4

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

1	Emergency Assistance Act (42 U.S.C.
2	5143(b).
3	(iii) Incidents of national sig-
4	NIFICANCE THAT ARE NOT STAFFORD ACT
5	DECLARATIONS.—The President or the
6	Secretary may designate a Federal coordi-
7	nating officer for Incidents of National
8	Significance or other domestic incidents
9	not considered an emergency or major dis-
10	aster under the Robert T. Stafford Dis-
11	aster Relief and Emergency Assistance
12	Act. In such eases, the Federal coordi-
13	nating officer shall have all the authorities
14	and responsibilities the Federal coordi-
15	nating officer would have under section
16	302 (b) of the Robert T. Stafford Disaster
17	Relief and Emergency Assistance Act (42
18	U.S.C. 5143(b)), in addition to any others
19	the President, the Secretary, or the Ad-
20	ministrator may assign.
21	(B) Mass care, housing, and human
22	SERVICES EMERGENCY SUPPORT FUNCTION.
23	That, in consultation with the Department of
24	Justice and the Department of Health and
25	Human Services, the National Response Plan

1	includes measures to reunify families separated
2	after a major disaster or catastrophic event, in-
3	eluding the location of missing children, and
4	that the appropriate agency or quasi-govern-
5	mental organization is assigned timely responsi-
6	bility for that task.
7	(C) Public Health and Medical Emer-
8	GENCY SUPPORT FUNCTION.—That, in con-
9	sultation with the Secretary of Health and
10	Human Services and other relevant Federal
11	agencies, the National Response Plan, including
12	any Emergency Support Function Annex relat-
13	ing to public health and medical services—
14	(i) addresses the public health and
15	medical needs of evacuees, special-needs
16	populations, and the general population
17	that is affected by a natural or man-made
18	disaster; and
19	(ii) assigns and clarifies the responsi-
20	bility for mortuary activities.
21	(D) SEARCH AND RESCUE.—That, in con-
22	sultation with the member agencies or depart-
23	ments of the National Search and Rescue Com-
24	mittee the National Response Plan including

1	Emergency Support Function Annex 9 (relating
2	to urban search and rescue)—
3	(i) addresses the full range of search
4	and rescue requirements and environments
5	for natural and man-made disasters; and
6	(ii) designates coordinating, primary,
7	and supporting agencies appropriate to a
8	range of environments of natural or man-
9	made disasters.
10	(E) SENIOR FEDERAL LAW ENFORCEMENT
11	OFFICER.—That, in consultation with the At-
12	torney General, the National Response Plan
13	clearly describes —
14	(i) the roles and responsibilities of the
15	Senior Federal Law Enforcement Officer;
16	(ii) how the roles and responsibilities
17	of the Senior Federal Law Enforcement
18	Officer relate to the roles and responsibil-
19	ities of other law enforcement entities; and
20	(iii) how the roles and responsibilities
21	of the Senior Federal Law Enforcement
22	Officer relate to the roles and responsibil-
23	ities of Federal agencies provided for
24	under Emergency Support Function Annex

1	13 of the National Response Plan (relating
2	to public safety and security).
3	(F) Infrastructure protection emer-
4	GENCY SUPPORT FUNCTION.—That, in con-
5	sultation with other Federal departments and
6	agencies responsible for infrastructure restora-
7	tion, the need for an additional emergency sup-
8	port function annex within the National Re-
9	sponse Plan focused on the identification, pro-
10	tection, resiliency, and restoration of critical in-
11	frastructure and key resources is considered.
12	(G) MARITIME SALVAGE.—That, in con-
13	sultation with the Commandant of the Coast
14	Guard, the Secretary of the Navy, and the
15	Chief Engineer of the United States Army
16	Corps of Engineers, the National Response
17	Plan—
18	(i) assigns a single Federal agency to
19	coordinate maritime-salvage needs during a
20	natural or man-made disaster;
21	(ii) clarifies the responsibilities of the
22	coordinating agency assigned under clause
23	(i) and other Federal agencies relating to
24	maritime salvage; and

1	(iii) considers the need for an addi-
2	tional Emergency Support Function Annex
3	within the National Response Plan focused
4	on maritime salvage and wreck removal.

- (H) CATASTROPHIC INCIDENTS.—The timely completion of the Catastrophic Incident Supplement to the National Response Plan, and that the Catastrophic Incident Supplement effectively addresses response requirements in the event of a catastrophic incident.
- (3) Consultation with State and Local Governments. In reviewing and revising the National Response Plan under paragraph (1), and in making any subsequent significant revision of the National Response Plan, the Secretary and the Administrator shall, to the fullest extent possible, consult with State and local government officials, including through the National Advisory Council.
- (4) Accessibility.—In revising or updating the National Response Plan under paragraph (1)(B), and in any subsequent revision of the National Response Plan, the Secretary, acting through the Administrator, shall ensure that the National Response Plan is written in a manner that provides clear, unambiguous, and accessible guidance and in-

1	formation, and whenever possible, uses plain
2	English.
3	(b) REPORTING.—
4	(1) In General.—The Secretary, acting
5	through the Administrator, shall submit to the Com-
6	mittee on Homeland Security and Governmental Af-
7	fairs of the Senate and the Committee on Homeland
8	Security of the House of Representatives—
9	(A) not later than May 1, 2007, a report
10	on the results of its review under subsection
11	(a), including a detailed discussion of how the
12	changes to the National Response Plan de-
13	scribed in subsection $(a)(2)$ have been imple-
14	mented; and
15	(B) after May 1, 2007, a copy of any pro-
16	posed change, not later than 30 days before the
17	date of implementing that proposed change to
18	the National Response Plan.
19	SEC. 404. PLANNING AND PREPAREDNESS.
20	(a) In General.—The Secretary, acting through the
21	Administrator, in conjunction with other Federal depart-
22	ments and agencies with coordinating, primary, and sup-
23	porting roles under the National Response Plan and its
24	annexes, and in consultation with State and local govern-
25	ment officials, including through the National Advisory

1	Council, shall develop a unified system of strategic and
2	operational plans to respond effectively to natural or man
3	made disasters, in support of the National Response Plan
4	These plans shall include plans for specific geographic re-
5	gions and for specific types of high-risk events, and shall
6	include, at a minimum, the following elements:
7	(1) Concepts of operation for appropriate dis-
8	aster and catastrophic incidents.
9	(2) Critical tasks and Department and Agency
10	responsibilities, consistent with the National Re-
11	sponse Plan and all Emergency Support Functions
12	(3) Detailed resource and personnel require
13	ments and sourcing for the accomplishment of crit
14	ical tasks and capabilities.
15	(4) Creation and maintenance of asset inven-
16	tories by departments and agencies with Emergency
17	Support Function responsibilities.
18	(5) Incorporation of deployable interagency
19	headquarters units, including crisis planning teams
20	to manage the response and to ensure unity of effort
21	by all response organizations.
22	(6) Provision for special needs populations in
23	all planning.
24	(b) Catastrophic Planning.—

1	(1) In General.—In carrying out the require-
2	ments of subsection (a), the Administrator shall de-
3	velop comprehensive operational plans to respond to
4	eatastrophic incidents.
5	(2) Contents.—The plans developed under
6	paragraph (1)—
7	(A) shall include the elements under sub-
8	section (a); and
9	(B) shall—
10	(i) be based on specific identified na-
11	tional and regional risks;
12	(ii) be developed in conjunction with
13	State and local government officials and
14	other relevant Federal departments and
15	agencies;
16	(iii) provide for the surge capacity
17	necessary to respond proportionately to the
18	seale of the event;
19	(iv) provide, where necessary and ap-
20	propriate for the proactive, rapid, and self-
21	sustaining deployment and integration of
22	Federal resources and personnel essential
23	to save lives, prevent suffering, and pre-
24	serve property or public health and safety;

1	(v) address the implementation of the
2	appropriate means of ensuring continuity
3	of government and command structures in
4	the affected area;
5	(vi) include planning for the emer-
6	gency sheltering, accommodation (includ-
7	ing details on feeding, protecting, and
8	managing), relocation, transportation,
9	placement, and long-term housing of large
10	populations of displaced victims in the
11	event of a catastrophic incident, that in-
12	cludes identifying housing options in dif-
13	ferent regions of the country, site options
14	for temporary, semi-permanent, and per-
15	manent housing, and available land and
16	property that could serve to shelter mass
17	populations during catastrophic events;
18	and
19	(vii) address the recovery of areas af-
20	feeted by the catastrophe.
21	(c) STANDARDS AND GUIDANCE.—The Secretary,
22	acting through the Administrator, shall—
23	(1) provide clear standardization, guidance, and
24	assistance with planning at the Federal, State, and
25	local levels; and

1	(2) ensure—
2	(A) a common terminology, approach and
3	framework for all strategic and operational
4	planning; and
5	(B) that planning considers current
6	threats, both natural and man-made.
7	(d) Planning.—
8	(1) In General.—Planning under subsections
9	(a) and (b) shall, at a minimum, address the fol-
10	lowing matters:
11	(A) HEALTH AND MEDICAL.—
12	(i) In General.—Preparedness and
13	deployment of health and medical re-
14	sources, including clearly defining the re-
15	sponsibility for logistics, security, and
16	other support assets, and the ability to
17	track these resources.
18	(ii) National disaster medical
19	SYSTEM.—With respect to the National
20	Disaster Medical System, the provision of
21	resources to equip, staff and train National
22	Disaster Medical System teams, transpor-
23	tation, logistics and communications capa-
24	bilities and training and outroach are

1	grams and patient triage and tracking ea-
2	pabilities.
3	(B) Human services.—Operational plans
4	for the expeditious location of missing children
5	and the reunification of families, to include—
6	(i) elarification of the role of the Na-
7	tional Center for Missing and Exploited
8	Children;
9	(ii) appropriate coordination and in-
10	formation-sharing between the Authority,
11	the Department of Justice, the National
12	Center for Missing and Exploited Children,
13	the Department of Health and Human
14	Services, the Red Cross, other relevant
15	nongovernmental organizations, and Fed-
16	eral, State, and local emergency manage-
17	ment and law enforcement agencies, in-
18	eluding the development of advance cooper-
19	ative agreements as necessary to facilitate
20	implementation during response; and
21	(iii) appropriate public information
22	gathering and dissemination mechanisms.
23	(C) SEARCH AND RESCUE.—In consulta-
24	tion with the National Search and Rescue Com-
25	mittee, development of a National Search and

1	Rescue Plan that includes the search and res-
2	cue requirements of a multi-environment (air,
3	water, or land) disaster including, providing for
4	a unified coordination structure, asset deploy-
5	ment, a communications network, and sharing
6	of information with state and local search and
7	rescue units.
8	(D) EVACUATION.—In coordination with
9	State and local governments, plans to support
10	mass evacuations in advance of, or following, a
11	natural or manmade disaster, that address—
12	(i) keeping families together through-
13	out evacuation and sheltering;
14	(ii) populations lacking the means to
15	evacuate themselves and individuals with
16	special needs;
17	(iii) policies and provisions for evacu-
18	ating pets;
19	(iv) the deployment and employment
20	of various transportation modes necessary
21	to expedite mass evacuations, together with
22	appropriate security escorts;
23	(v) information and guidance to the
24	nublic: and

1	(vi) short-term and long-term shel-
2	tering following evacuation.
3	(E) COORDINATION WITH DEPARTMENT OF
4	DEFENSE.—In conjunction with the Depart-
5	ment of Defense, including the United States
6	Northern Command, the United States Pacific
7	Command, the National Guard Bureau, and the
8	National Advisory Council, develop plans for
9	military support of civilian authorities under
10	the National Response Plan, including—
11	(i) the coordinated deployment, and
12	the reception, staging, onward movement,
13	and integration of appropriate units and
14	personnel of the regular components and
15	reserve components of the Armed Forces
16	in response to natural and man-made dis-
17	asters under the National Response Plan;
18	(ii) the coordination, command, and
19	control of units and personnel in order to
20	facilitate and ensure integrated military
21	support for the response to natural and
22	man-made disasters under the National
23	Response Plan;
24	(iii) the identification of response as-
25	sets (including belicopters, boats, medical

1	supplies and personnel, food and water,
2	communications equipment, and other as-
3	sets) required for military support for the
4	response to natural and man-made disas-
5	ters under the National Response Plan,
6	and the development of procedures and
7	guidelines for the pre-positioning or pre-as-
8	sembly of such assets;
9	(iv) procedures for expedited requests
10	and approvals of Federal payment for, or
11	Federal reimbursement of, the costs of the
12	States in deploying members of the Na-
13	tional Guard in State status under the Na-
14	tional Response Plan;
15	(v) procedures for coordination be-
16	tween the Department of Defense and the
17	State governments to ensure that the mili-
18	tary support provided under the National
19	Response Plan meets applicable State re-
20	quirements;
21	(vi) procedures for identifying units
22	and personnel of the regular components of
23	the Armed Forces that have capabilities
24	suitable for purposes of providing military

1	support to natural and man-made disasters
2	under the National Response Plan;
3	(vii) military support for the distribu-
4	tion by the Department and the Authority
5	of basic commodities in response to a cata-
6	strophic event; and
7	(viii) plans for the timely and appro-
8	priate employment of reconnaissance assets
9	to ensure situational awareness throughout
10	the Federal Government in the wake of a
11	natural or man-made disaster or eata-
12	strophie incident.
13	(F) PRIVATE SECTOR AND NONGOVERN-
14	MENTAL ORGANIZATIONS.—To the extent pos-
15	sible, and appropriate, incorporate coordination
16	with and integration of support from the pri-
17	vate sector and nongovernmental organizations
18	whether in accordance with, or in the absence
19	of, prior agreements. Planning shall also incor-
20	porate the means to communicate and coordi-
21	nate with such entities during response efforts.
22	(G) MARITIME SALVAGE.—In coordination
23	with Federal, State, or local government agen-
24	cies that have or may have maritime salvage re-
25	sponsibilities, including the United States Coast

1 Guard, the United States Navy, the Authority, 2 and the United States Army Corps of Engi-3 neers, plans to allow salvage to proceed in a 4 timely manner during a natural or man-made 5 disaster and, where appropriate, provide for a 6 national emergency salvage contract to one or 7 more qualified national salvors that would allow 8 immediate access to commercial salvage assets. (e) National and Inter-Agency Prepared-NESS.—The Secretary, acting through the Administrator,

- 9 10 11 shall ensure the following:
 - (1) Asset inventory.—In conjunction with the appropriate Federal agencies and departments with coordinating, primary, and supporting responsibilities under the National Response Plan, the development of an inventory of Federal resources, ineluding assets and personnel with particular skills that are available for deployment and employment in response to natural and man-made disasters.
 - (2) Prescripted mission assignments.—To the extent practicable and where appropriate, the development of prescripted mission assignments in conjunction with the appropriate Federal agencies and departments with coordinating, primary and

12

13

14

15

16

17

18

19

20

21

22

23

1	supporting responsibilities under the National Re-
2	sponse Plan.
3	(3) Representation at military com-
4	MANDS.—In consultation with the Department of
5	Defense —
6	(A) the determination of appropriate rep-
7	resentatives of the Department to the United
8	States Northern Command and, as appropriate,
9	the United States Pacific Command; and
10	(B) the integration of such representatives
11	into national planning, training, exercising, and
12	responses to a natural or man-made disaster to
13	promote better coordination.
14	(4) Coordination with department of
15	HEALTH AND HUMAN SERVICES. Not later than
16	March 1, 2007, the Secretary of Homeland Security
17	and the Secretary of Health and Human Services
18	shall—
19	(A) establish a memorandum of under-
20	standing defining the respective roles and re-
21	sponsibilities of their respective departments in
22	providing for public health and medical care
23	under the National Response Plan or in the
24	event that the Secretary of Health and Human
25	Services declares a public health emergency

under section 319 of the Public Health Service
Act (42 U.S.C. 300hh et. seq.) and for coordinating their respective activities in such an event, including but not limited to deployment, operational control and re-supply of National Disaster Medical System and Metropolitan Medical Response System assets; and

(B) create a pilot project for establishing "special needs registries" in which individuals could voluntarily enroll. The registries would include an individual's location, medical needs, transportation needs, mobility, emergency contact information, etc., and which emergency and evacuation personnel and transportation providers would be used in the event of an emergency to best meet the needs of special needs individuals and seniors in the community.

(f) Reports.—

(1) IN GENERAL.—Not later than May 1, 2007, and annually thereafter until May 1, 2017, the Secretary of Homeland Security, acting through the Administrator, shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives describing all

1	Federal planning and preparedness efforts relating
2	to the National Response Plan, including an evalua-
3	tion of the status of national disaster planning, par-
4	ticularly for catastrophic incidents.

(2) INITIAL REPORT.—The initial report submitted under paragraph (1) shall include findings on the status and progress in completing the national operational plans described in subsections (a) through (d) and the preparedness efforts described in subsection (e).

11 SEC. 405. TRAINING AND EXERCISES.

- 12 (a) In General.—The Administrator, in conjunction
- 13 with other Federal departments and agencies with coordi-
- 14 nating, primary, or support functions under the National
- 15 Response Plan and in consultation with the National Advi-
- 16 sory Committee, shall develop and implement a national
- 17 training and exercise program to prepare for a fully co-
- 18 ordinated and effective national response to natural and
- 19 man-made disasters.
- 20 (b) REQUIREMENTS.—The training and exercise pro-
- 21 gram under subsection (a) shall at a minimum include the
- 22 following:

6

7

8

9

- 23 (1) State and emergency management or-
- 24 GANIZATIONS.—With respect to State and emer-
- 25 gency organizations—

(A) incorporate input from States and
emergency management organizations in devel-
oping the national exercise and training pro-
grams under subsection (a); and

- (B) develop exercise and training programs for States and emergency management organizations relating to conducting disaster and eat-astrophic response training and exercises on the National Response Plan, State disaster plans, the Catastrophic Incident Annex to the National Response Plan, and operational plans developed under section 404.
- (2) Incorporation of disaster response Entities.—Incorporate all Federal departments and agencies with any responsibilities under the National Response Plan, emergency agencies of State and local governments, and first responder groups outside of government, including exercises relating to large-scale natural and man-made disasters, including eatastrophic incidents, that simulate the partial or complete incapacitation of emergency response providers from State and local government.
- (3) Scope. Programs to address the unique requirements of the various special needs populations.

- 1 (4) SURGE CAPACITY.—A training program on
 2 disaster response and recovery for employees of the
 3 Federal government designated as part of the surge
 4 capacity of the Federal Government, including dis5 aster assistance employees.
 - that ensures that senior level officials from Federal agencies and departments with responsibilities under the National Response Plan, including senior military officers and officials with responsibilities related to mitigation, preparedness, response, and recovery from a natural or man-made disaster on a national level are trained in the National Response Plan, National Incident Management System, and, as appropriate, the Defense Support to Civil Authorities mission of the Department of Defense.
 - (6) ELECTED OFFICIALS.—A training program for Federal, State, and local government elected officials regarding the National Response Plan, National Incident Management System, and, as appropriate, the Defense Support to Civil Authorities mission of the Department of Defense.
 - (7) PROCEDURES.—Procedures for implementing lessons learned from exercises into disaster response plans and programs.

1 .	(a)	REDODES
1	$\pi \sigma$	TIEFUNIS.

(1) In General.—Not later than May 1, 2007, and annually thereafter until May 1, 2017, the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report regarding the development and implementation of national exercise and training programs under subsection (a) by the Administrator.

(2) INITIAL REPORT.—The initial report submitted under paragraph (1) shall describe the status and progress of the national exercise and training programs under subsection (b).

15 SEC. 406. EMERGENCY SUPPORT FUNCTION ASSURANCE

PROGRAMS.

18 later than February 1, 2007, and annually thereafter,
19 each agency or entity designated as a primary or support
20 organization for any emergency support function under
21 the National Response Plan and annexes thereof shall pro22 vide the coordinating organization for that emergency sup23 port function with a detailed description of its plan to ful24 fill its responsibilities under such Plan and annexes, in25 cluding identification of key personnel and organizations

- 1 or offices responsible for such functions, and the staffing
- 2 and budget allocated for these purposes for the current
- 3 year and staffing and budget needs for the succeeding
- 4 year. Each such agency or entity shall include in each such
- 5 report a certification that the agency or entity is capable
- 6 and prepared to fulfill its responsibilities under such Plan
- 7 and annexes. If such agency or entity concludes that the
- 8 agency or entity is not capable and prepared, the agency
- 9 or entity should submit a remedial plan to the Adminis-
- 10 trator and the coordinating organization for the relevant
- 11 emergency support function.
- 12 (b) Coordinating Organization Reports and
- 13 CERTIFICATION.—Each agency or entity designated as the
- 14 coordinating organizations under the National Response
- 15 Plan and annexes thereof shall evaluate plans submitted
- 16 by the primary and support agencies or entities in sub-
- 17 section (a). Not later than March 1, 2007, and annually
- 18 thereafter, each coordinating organization for an emer-
- 19 gency support function under the Plan and its annexes
- 20 thereof shall provide the Administrator with a detailed de-
- 21 scription of its coordinated plan with primary and support
- 22 entities or agencies for the relevant emergency support
- 23 function to fulfill its responsibilities under the Plan and
- 24 its annexes thereof, including identification of key per-
- 25 sonnel and organizations or offices responsible for such

1	functions, and the staffing and budget allocated for these
2	purposes for the current year and staffing and budget
3	needs for the succeeding year. Each such agency or entity
4	shall include in each such report a certification that the
5	coordinating, primary, and support agencies or entities are
6	capable and prepared to fulfill their responsibilities under
7	such Plan and annexes. If such agency or entity concludes
8	that the coordinating, primary, or support agency or entity
9	is not capable and prepared, the agency or entity should
10	submit a remedial plan to the Administrator and the co-
11	ordinating organization for the relevant emergency sup-
12	port function.
13	(e) Evaluation and Report to Congress by the
14	Administrator.—
15	(1) In General.—The Administrator shall en-

- (1) In GENERAL.—The Administrator shall ensure that each agency or entity designated as a coordinating, primary, or support organization under the National Response Plan and annexes thereof is capable and prepared to carry out its responsibilities including appropriate operational plans, staffing, resources, and training.
- (2) REPORTS.—Not later than June 1, 2007, and annually thereafter, the Administrator shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the

1	Homeland Security Committee of the House of Rep-
2	resentatives that—
3	(A) evaluates and verifies the readiness of
4	such agencies or entities for the purposes under
5	paragraph (1);
6	(B) includes an appendix that identifies
7	the level of funding and staffing each agency or
8	entity has designated to meet its responsibilities
9	under the National Response Plan; and
10	(C) in those cases where the Administrator
11	determines that an agency or entity is not capa-
12	ble or prepared to fulfill its responsibilities,
13	identifies the deficiencies and develops an alter-
14	native mechanism to ensure that the necessary
15	capabilities are in place to meet the require-
16	ments of the plan.
17	TITLE V—PREVENTION OF
18	FRAUD, WASTE, AND ABUSE
19	DURING EMERGENCIES
20	SEC. 501. PROHIBITION ON EXCESSIVE PASS-THROUGH
21	CHARGES.
22	(a) REGULATIONS REQUIRED.—Not later than 120
23	days after the date of the enactment of this Act, the Ad-
24	ministrator for Federal Procurement Policy shall prescribe
25	regulations prohibiting excessive pass-through charges on

1	contracts or subcontracts (or task or delivery orders) that
2	are entered into for or on behalf of an executive agency
3	that are in excess of the simplified acquisition threshold,
4	as specified in section 4(11) of the Office of Federal Pro-
5	eurement Policy Act (41 U.S.C. 403(11)).
6	(b) Scope of Regulations.—The regulations pre-
7	seribed under this section shall not apply to any firm,
8	fixed-price contract or subcontract (or task or delivery
9	order) that is—
10	(1) awarded on the basis of adequate price com-
11	petition; or
12	(2) for the acquisition of a commercial item, as
13	defined in section 4(12) of the Office of Federal
14	Procurement Policy Act (41 U.S.C. 403(12)).
15	(e) Definitions.—In this section:
16	(1) The term "excessive pass-through charge"
17	means a charge by a covered contractor or subcon-
18	tractor for overhead or profit on work performed by
19	a covered lower-tier contractor (other than charges
20	for the direct costs of managing lower-tier contracts
21	and overhead and profit based on such direct costs).
22	(2) The term "covered contractor" means the
23	following:
24	(A) A contractor that assigns work ac-
25	counting for more than 90 percent of the cost

1	of contract performance (not including overhead
2	or profit) to subcontractors.
3	(B) In the case of a contract providing for
4	the development or production of a system of
5	systems, a contractor that assigns work ac-
6	counting for more than 90 percent of the cost
7	of contract performance (not including overhead
8	or profit) for any particular system under such
9	contract to subcontractors.
10	(3) The term "covered lower-tier contractor"
11	means the following:
12	(A) With respect to a covered contractor
13	described by paragraph (2)(A) in a contract,
14	any lower-tier subcontractor under such con-
15	tract.
16	(B) With respect to a covered contractor
17	described by paragraph (2)(B) in a contract,
18	any lower-tier subcontractor on a system under
19	such contract for which such covered contractor
20	has assigned work accounting for more than 90
21	percent of the cost of contract performance (not
22	including overhead or profit).
23	(4) The term "executive agency" has the mean-
24	ing given such term in section 4 of the Office of
25	Federal Procurement Policy Act (41 U.S.C. 403).

1	(d) EFFECTIVE DATE.—The regulations prescribed
2	under this section shall apply to contracts awarded on or
3	after the date that is 120 days after the date of the enact-
4	ment of this Act.
5	(e) GAO REPORT.—Not later than 180 days after the
6	date of enactment of this Act, the Comptroller General
7	shall submit a report to Congress that—
8	(1) determines the total number all contracts
9	and subcontracts described under subsection (a) en-
10	tered into during the 2-year period preceding the
11	date of enactment of this Act to carry out the Rob-
12	ert T. Stafford Disaster Relief and Emergency As-
13	sistance Act or relating to Hurricane Katrina;
14	(2) determines the number of the contracts and
15	subcontracts described under paragraph (1) of this
16	subsection to which the prohibition under subsection
17	(a) would have applied if this section had been in ef-
18	feet during that 2-year period; and
19	(3) determines the number of the contracts and
20	subcontracts described under paragraph (1) of this
21	subsection to which the prohibition under subsection
22	(a) would have applied if—
23	(A) this section had been in effect during
24	that 2-year period: and

1	(B) the term "80 percent" is substituted
2	for the term "90 percent" each place it appears
3	in subsection (e).
4	SEC. 502. FRAUD PREVENTION PROGRAMS.
5	(a) Report.—
6	(1) Analysis.—The Secretary shall submit to
7	the Committee on Homeland Security and Govern-
8	mental Affairs of the Senate and the Committee on
9	Homeland Security of the House of Representatives
10	a report containing an analysis of fraud prevention
11	programs used by the Department in connection
12	with assistance programs. The analysis should as-
13	sess, among other relevant issues, the effectiveness
14	of, and adherence to, the fraud prevention controls
15	used in such programs for registration and payment
16	processes.
17	(2) RECOMMENDATIONS.—The report required
18	under this subsection shall include recommendations
19	for additional fraud prevention controls, including
20	requiring that data provided by registrants be vali-
21	dated against other Federal Government or third-
22	party sources to determine the accuracy of identi-
23	fication and residence information.
24	(b) Training.—The Secretary shall conduct training
25	on fraud awareness for key Department personnel, includ-

- 1 ing contracting officers and the Surge Capacity Force es-
- 2 tablished under section 304(b), for the purpose of pre-
- 3 venting fraud in the assistance programs of the Depart-
- 4 ment.

5 SEC. 503. CONTINGENCY CONTRACTING CORPS.

- 6 (a) Establishment and Purpose.—The Director
- 7 of the Office of Management and Budget, in consultation
- 8 with the heads of other relevant executive agencies, is au-
- 9 thorized to establish and maintain a Contingency Con-
- 10 tracting Corps (hereafter in this section referred to as the
- 11 "Corps"). The Corps shall be composed of contracting of-
- 12 ficers of executive agencies who are trained and available
- 13 to perform on a temporary and volunteer basis services
- 14 necessary to assist agencies with contracting activities
- 15 during emergencies.
- 16 (b) Service.—An employee of an executive agency
- 17 shall receive the approval of such agency prior to per-
- 18 forming services for the Corps under subsection (a) that
- 19 reduce substantially the amount of time such employee is
- 20 able to perform his or her normal job functions, and may
- 21 perform such services for not more than one year. An em-
- 22 ployee performing services for the Corps in accordance
- 23 with this subsection shall not be removed from his or her
- 24 job as a result of performing such services.

1	(c) Training.—Members of the Corps shall receive
2	training on contingency contracting from the Defense Ac-
3	quisition University or the Federal Acquisition Institute.
4	The training shall be provided using available funds in the
5	Acquisition Workforce Training Fund established under
6	section 37(h)(3)(A) of the Office of Federal Procurement
7	Policy Act (41 U.S.C. 433(h)(3)(A)).
8	(d) Contingency Contracting Regulations.—
9	Not later than 180 days after the date of enactment of
10	this Act, the Administrator of the Office of Federal Pro-
11	curement Policy shall revise the Federal Acquisition Regu-
12	lation to compile the relevant sections relating to contin-
13	gency contracting into a single chapter or annex.
14	SEC. 504. VERIFICATION MEASURES FOR INDIVIDUALS AND
15	HOUSEHOLDS PROGRAM.
16	Not later than 180 days after the date of the enact-
17	ment of this Act, the Administrator shall prescribe regula-
18	tions
19	(1) establishing an identity verification process
20	for Individuals and Households Program (IHP) reg-
21	istrants applying via the Internet or by telephone to
22	provide reasonable assurance that disaster assistance
23	payments are made only to qualified individuals;
2324	payments are made only to qualified individuals; (2) developing procedures to improve the exist-

taining the exact same social security numbers and
to identify the reasons why registrations flagged as
invalid or as potential duplicates have been over-
ridden and approved for payment;

- (3) establishing an address verification process for HIP registrants applying via the Internet or by telephone to provide reasonable assurance that disaster assistance payments are made only to qualified individuals;
- (4) establishing procedures for entering into agreements with other agencies, such as the Social Security Administration, to periodically authenticate information contained in the IHP registrations;
- (5) establishing procedures to collect duplicate expedited assistance payments or to offset these amounts against future payments;
- (6) ensuring that future distributions of IHP debit eards include instructions on the proper use of IHP funds, similar to those instructions provided to recipients of IHP checks and electronic fund transfers, to prevent improper usage;
- (7) ensuring that any systems or processes established pursuant to paragraphs (1) through (6) are fully tested before implementation for quality assurance; and

1	(8) providing an expedited and simplified review
2	and appeal process for HHP registrants whose dis-
3	aster assistance applications are denied.
4	SEC. 505. INFORMATION TECHNOLOGY SYSTEMS.
5	The Secretary shall ensure that information tech-
6	nology systems have functions to help ensure the validity
7	of claims for assistance under the Robert T. Stafford Dis-
8	aster Relief and Emergency Assistance Act (42 U.S.C.
9	5121 et seq.), to deter waste, fraud, and abuse.
10	SEC. 506. REGISTRY OF DEBRIS CONTRACTORS.
11	(a) Definitions.—In this section—
12	(1) the term "registry" means the registry ere-
13	ated under subsection (b); and
14	(2) the terms "small business concern", "small
15	business concern owned and controlled by socially
16	and economically disadvantaged individuals", "small
17	business concern owned and controlled by women",
18	and "small business concern owned and controlled
19	by service-disabled veterans" have the meanings
20	given those terms under the Small Business Act (15
21	U.S.C. 631 et seq.).
22	(b) Registry.—
23	(1) In General.—The Administrator shall ere-
24	ate a registry of contractors who are capable of per-
25	forming debris removal, distribution of supplies, re-

1	construction, and other disaster or emergency relief
2	activities.
3	(2) Contents.—The registry shall include, for
4	each business concern—
5	(A) the name of the business concern;
6	(B) the location of the business concern;
7	(C) the area served by the business con-
8	cern;
9	(D) the type of good or service provided by
10	the business concern; and
11	(E) whether the business concern is—
12	(i) a small business concern;
13	(ii) a small business concern owned
14	and controlled by socially and economically
15	disadvantaged individuals;
16	(iii) a small business concern owned
17	and controlled by women; or
18	(iv) a small business concern owned
19	and controlled by service-disabled veterans.
20	(3) Source of information.—
21	(A) Submission.—Information maintained
22	in the registry shall be submitted on a vol-
23	untary basis by business concerns.

1	(B) ATTESTATION.—Each business con-
2	cern submitting information to the registry
3	shall submit—
4	(i) an attestation that the information
5	is true; and
6	(ii) documentation supporting such at-
7	testation.
8	(C) Verification.—The Administrator of
9	the United States Emergency Management Au-
10	thority shall verify that the documentation sub-
11	mitted by each business concern supports the
12	information submitted by that business concern.
13	(D) Enforcement penalties for mis-
14	REPRESENTATION. Any business concern that
15	misrepresents the status of that business con-
16	eern as a small business concern, a small busi-
17	ness concern owned and controlled by socially
18	and economically disadvantaged individuals, a
19	small business concern owned and controlled by
20	women, or a small business concern owned and
21	controlled by service-disabled veterans shall be
22	subject to the criminal and civil provisions of
23	section 1001 of title 18, United States Code,
24	and sections 3729 through 3733 of title 31,
25	United States Code.

1	(4) AVAILABILITY OF REGISTRY.—The registry
2	shall be made generally available on the Internet site
3	of the United States Emergency Management Au-
4	thority.
5	(5) Consultation of registry.—As part of
6	the acquisition planning for contracting for debris
7	removal, distribution of supplies in a disaster, recon-
8	struction, and other disaster or emergency relief ac-
9	tivities, a Federal agency shall consult the registry.
10	SEC. 507. USE OF CERTAIN SUPPLY SCHEDULES.
11	Section 502(e) of title 40, United States Code, is
12	amended by striking paragraph (1) and inserting the fol-
13	lowing:
14	"(1) In General.—The Administrator may
15	provide for the use by State or local governments of
16	Federal supply schedules of the General Services Ad-
17	ministration for—
18	"(A) automated data processing equipment
19	(including firmware), software, supplies, sup-
20	port equipment, and services (as contained in
21	Federal supply classification code group 70);
22	and
23	"(B) procurement of supplies or services to
24	be used to prepare for or respond to a emer-
25	gency or major disaster declared by the Presi-

1	dent under the Robert T. Stafford Disaster Re-
2	lief and Emergency Assistance Act (42 U.S.C.
3	5121 et seq).".
4	SEC. 508. USE OF LOCAL FIRMS AND INDIVIDUALS.
5	The Robert T. Stafford Disaster Relief and Emer-
6	gency Assistance Act (42 U.S.C. 5121 et seq.) is amended
7	by striking section 307 and inserting the following:
8	"SEC. 307. USE OF LOCAL FIRMS AND INDIVIDUALS.
9	"(a) Contracts or Agreements With Private
10	Entities.—
11	"(1) In General.—In the expenditure of Fed-
12	eral funds for debris elearance, distribution of sup-
13	plies, reconstruction, and other major disaster or
14	emergency assistance activities which may be carried
15	out by contract or agreement with private organiza-
16	tions, firms, or individuals, preference shall be given,
17	to the maximum extent practicable, to those organi-
18	zations, firms, and individuals residing or doing
19	business primarily in the area affected by such
20	major disaster or emergency.
21	"(2) Construction.—This subsection shall
22	not be considered to restrict the use of Department
23	of Defense resources under this Act in the provision
24	of assistance in a major disaster.
25	"(b) Implementation.—

Any expenditure of Federal funds for debris clearance, distribution of supplies, reconstruction, and other major disaster or emergency assistance activities which may be carried out by contract or agreement with private organizations, firms, or individuals, not awarded to an organization, firm, or individual residing or doing business primarily in the area affected by such major disaster shall be justified in writing in the contract file.

"(2) Transition.—To the maximum extent feasible and practicable, following the declaration of an emergency or major disaster, an agency performing response, relief, and reconstruction activities shall transition work performed under contracts in effect on the date on which the President declares the emergency or major disaster to organizations, firms, and individuals residing or doing business primarily in any area affected by the major disaster or emergency.".

21 SEC. 509. ADVANCE CONTRACTING.

- 22 (a) Initial Report.—
- 23 (1) IN GENERAL.—Not later than 180 days
 24 after the date of enactment of this Act, the Adminis-

1	trator shall submit a report under paragraph (2)
2	identifying—
3	(A) recurring disaster response require-
4	ments, including specific goods and services, for
5	which the Authority is capable of contracting
6	for in advance of natural or man-made disasters
7	in a cost effective manner;
8	(B) recurring disaster response require-
9	ments, including specific goods and services, for
10	which the Authority can not contract in ad-
11	vance of a natural or manmade disaster in a
12	cost-effective manner; and
13	(C) a contracting strategy that maximizes
14	the use of advance contracts to the extent prac-
15	tical and cost effective.
16	(2) Submission.—The report under paragraph
17	(1) shall be submitted to—
18	(A) the Committee on Homeland Security
19	and Governmental Affairs the Senate; and
20	(B) the Committee on Homeland Security
21	of the House of Representatives.
22	(b) Entering Into Contracts.—Not later than 1
23	year after the date of enactment of this Act, the Adminis-
24	trator shall enter into 1 or more contracts through the
25	use of competitive procedures for each type of goods or

1 services identific	d under	subsection	$\frac{(a)(1)(A)}{(a)}$	and	m	ae-
----------------------	--------------------	------------	-------------------------	----------------	---	-----

- 2 cordance with the contracting strategy identified in sub-
- 3 section (a)(1)(C). Any contract for goods or services iden-
- 4 tified in subsection (a)(1)(A) previously awarded under
- 5 competitive procedures may be maintained in fulfilling this
- 6 requirement.
- 7 (e) Maintenance of Contracts.—After the date
- 8 described under subsection (b), the Administrator shall
- 9 have the responsibility to maintain contracts for appro-
- 10 priate levels of goods and services in accordance with sub-
- 11 section (a)(1)(C).
- 12 (d) Report on Contracts Not Using Competi-
- 13 TIVE PROCEDURES.—At the end of each fiscal quarter, be-
- 14 ginning with the first fiscal quarter occurring at least 90
- 15 days after the date of enactment of this Act, the Adminis-
- 16 trator shall submit a report on each disaster assistance
- 17 contract entered into by the Authority by other than com-
- 18 petitive procedures to—
- 19 (1) the Committee on Homeland Security and
- 20 Governmental Affairs the Senate; and
- 21 (2) the Committee on Homeland Security of the
- 22 House of Representatives.

TITLE VI—MISCELLANEOUS 1 **PROVISIONS** 2 SEC. 601. AUTHORIZATION OF APPROPRIATIONS. (a) In General.—There are authorized to be appro-4 5 priated— 6 (1) for fiscal year 2007— 7 (A) \$249,000,000 for "Administrative and 8 Regional Operations"; and 9 (B) \$240,000,000 for "Readiness, Mitiga-10 tion, Response, and Recovery"; 11 (2) for fiscal year 2008— 12 (A) \$273,900,000 for "Administrative and 13 Regional Operations"; and 14 (B) \$264,000,000 for "Readiness, Mitigation, Response, and Recovery"; and 15 16 (3) for fiscal year 2009— (A) \$301,290,000 for "Administrative and 17 18 Regional Operations"; and 19 (B) \$290,400,000 for "Readiness, Mitigation, Response, and Recovery". 20 21 (b) Communications.—There are authorized to be 22 appropriated— 23 (1) to carry out section 528 of the Homeland 24 Security Act of 2002 (as amended by this Act), 25 \$4,000,000 for each of fiscal years 2007 through

1	2010, and such amounts appropriated under this
2	section shall remain available for 3 fiscal years after
3	the date on which such funds are appropriated; and
4	(2) to earry out section 558 of the Homeland
5	Security Act of 2002 (as added by this Act)—
6	(A) \$400,000,000 for fiscal year 2007;
7	(B) \$500,000,000 for fiscal year 2008;
8	(C) \$600,000,000 for fiscal year 2009;
9	(D) \$800,000,000 for fiscal year 2010;
10	(E) \$1,000,000,000 for fiscal year 2011;
11	and
12	(F) such sums as are necessary for each
13	fiscal year thereafter; and
14	(3) for the operations of the Office for Emer-
15	gency Communications and to carry out subtitle B
16	of title V of the Homeland Security Act of 2002 ex-
17	cept for section 558 (as added by this Act)—
18	(A) \$127,232,000 for fiscal year 2007;
19	(B) \$126,549,000 for fiscal year 2008;
20	(C) \$125,845,000 for fiscal year 2009;
21	(D) \$125,121,000 for fiscal year 2010;
22	and
23	(E) such sums as are necessary for each
24	fiscal vear thereafter.

- 1 (e) Other Authorizations.—Except as provided
- 2 in subsections (b) and (c), there are authorized to be ap-
- 3 propriated such sums as are necessary to carry out this
- 4 Act, and the amendments made by this Act.
- 5 SEC. 602. EFFECTIVE DATE.
- 6 This Act and the amendments made by this Act shall
- 7 take affect on January 1, 2007.
- 8 SECTION 1. SHORT TITLE.
- 9 This Act may be cited as the "Post-Katrina Emergency
- 10 Management Reform Act of 2006".
- 11 SEC. 2. TABLE OF CONTENTS.
- 12 The table of contents for this Act is as follows:
 - Sec. 1. Short title.
 - Sec. 2. Table of contents.
 - Sec. 3. Definitions.

TITLE I—NATIONAL PREPAREDNESS AND RESPONSE

- Sec. 101. Federal Emergency Management Agency.
- Sec. 102. Conforming amendments relating to intelligence reform.
- Sec. 103. Border interoperability demonstration projects.
- Sec. 104. Technical and conforming amendments.

TITLE II—STAFFORD ACT AMENDMENTS

- Sec. 201. General Federal assistance.
- Sec. 202. National Disaster Recovery Strategy.
- Sec. 203. Mitigation.
- Sec. 204. Disaster housing strategy.
- Sec. 205. Essential services.
- Sec. 206. Hazard mitigation grant program formula.
- Sec. 207. Housing assistance.
- Sec. 208. Maximum amount under individual assistance programs.
- Sec. 209. Coordinating officers.
- Sec. 210. Definitions.
- Sec. 211. Catastrophic damage assistance.
- Sec. 212. Individuals with disabilities.
- Sec. 213. Disability coordinator.
- Sec. 214. Accessible housing.
- Sec. 215. GAO study on accessibility of emergency shelters.
- Sec. 216. Reunification.
- Sec. 217. National Emergency Family Registry and Locator System.

- Sec. 218. Federal assistance to individuals and households.
- Sec. 219. Mental health services.
- Sec. 220. Disaster related information services.
- Sec. 221. Guidelines for State and local emergency preparedness operational plans.
- Sec. 222. Transportation assistance and case management services to individuals and households.
- Sec. 223. Non-Federal assistance.
- Sec. 224. Disaster coordination.
- Sec. 225. Public facilities.
- Sec. 226. Volunteer housing.
- Sec. 227. Housing rehabilitation.
- Sec. 228. Debris removal contracting.
- Sec. 229. Emergency housing for victims.

TITLE III—STAFFING IMPROVEMENTS

- Sec. 301. Strategic human capital plan.
- Sec. 302. Career paths.
- Sec. 303. National Homeland Security Academy.
- Sec. 304. Surge Capacity Force.
- Sec. 305. Establishment of Homeland Security Rotation Program at the Department of Homeland Security.
- Sec. 306. Quarterly report on vacancy rate in employee positions.
- Sec. 307. Report by the Inspector General.

TITLE IV—PLANNING, PREPAREDNESS, AND TRAINING

- Sec. 401. Definition.
- Sec. 402. Emergency response framework.
- Sec. 403. Review of the National Response Plan.
- Sec. 404. Planning and preparedness.
- Sec. 405. Training and exercises.
- Sec. 406. Emergency support function assurance programs.

TITLE V—PREVENTION OF FRAUD, WASTE, AND ABUSE

- Sec. 501. Prohibition on excessive pass-through charges.
- Sec. 502. Fraud prevention programs.
- Sec. 503. Contingency Contracting Corps and regulations.
- Sec. 504. Verification measures for Individuals and Households Program.
- Sec. 505. Information technology systems.
- Sec. 506. Registry of disaster response contractors.
- Sec. 507. Use of certain supply schedules.
- Sec. 508. Use of local firms and individuals.
- Sec. 509. Advance contracting.
- Sec. 510. Purchase card waste elimination.
- Sec. 511. Management of purchase cards.
- Sec. 512. GAO report on compliance with the Single Audit Act of 1984.
- Sec. 513. GAO report on improper payments.
- Sec. 514. GAO report on contracts with certain small business concerns.
- Sec. 515. Chief Financial Officer for Catastrophic Incidents and Long-term Recovery Offices.

TITLE VI—MISCELLANEOUS PROVISIONS

Sec. 601. Authorization of appropriations. Sec. 602. Effective date.

1	SEC. 3. DEFINITIONS.
2	In this Act—
3	(1) the term "Administrator" means the Admin-
4	istrator of the Agency;
5	(2) the term "Agency" means the Federal Emer-
6	gency Management Agency;
7	(3) the term "catastrophic incident"—
8	(A) means any natural or man-made dis-
9	aster that results in extraordinary levels of cas-
10	ualties or damage, mass evacuations, or disrup-
11	tion severely affecting the population, infrastruc-
12	ture, environment, economy, national morale, or
13	government functions in an area; and
14	(B) may include an incident—
15	(i) with a sustained national impact
16	over a prolonged period of time;
17	(ii) that may rapidly exceed resources
18	available to State and local government and
19	private-sector authorities in the impacted
20	area; or
21	(iii) that may significantly interrupt
22	governmental operations and emergency

1	services to such an extent that national se-
2	curity could be threatened;
3	(4) the term "Department" means the Depart-
4	ment of Homeland Security;
5	(5) the terms "emergency" and "major disaster"
6	have the meanings given the terms in section 102 of
7	the Robert T. Stafford Disaster Relief and Emergency
8	Assistance Act (42 U.S.C. 5122);
9	(6) the term "emergency management" means
10	the governmental function that coordinates and inte-
11	grates all activities necessary to build, sustain, and
12	improve the capability to prepare for, respond to,
13	mitigate against, or recover from a threatened or ac-
14	tual act of terrorism, natural disaster, or other emer-
15	gency;
16	(7) the term "emergency manager" means an in-
17	dividual whose primary responsibility it is to per-
18	form the functions of emergency management;
19	(8) the term "emergency response provider" has
20	the meaning given the term in section 2 of the Home-
21	land Security Act of 2002 (6 U.S.C. 101);
22	(9) the term "Federal coordinating officer"
23	means a Federal coordinating officer as described in
24	section 302 of the Robert T. Stafford Disaster Relief
25	and Emergency Assistance Act (42 U.S.C. 5143);

1	(10) the term "individual with a disability" has
2	the meaning given the term in section 3 of the Ameri-
3	cans with Disabilities Act of 1990 (42 U.S.C. 12102);
4	(11) the term "National Advisory Council"
5	means the National Advisory Council on Prepared-
6	ness and Response established under section 518 of the
7	Homeland Security Act of 2002, as amended by this
8	Act;
9	(12) the term "National Incident Management
10	System" means the National Incident Management
11	System as described in the National Response Plan;
12	(13) the term "National Response Plan" means
13	the National Response Plan prepared under Home-
14	land Security Presidential Directive 5 or any presi-
15	dential directive meant to replace or augment that di-
16	rective;
17	(14) the term "Regional Office" means a Re-
18	gional Office established under section 517 of the
19	Homeland Security Act of 2002, as amended by this
20	Act;
21	(15) the term "Regional Office strike team"
22	means a Regional Office strike team established under
23	section 517 of the Homeland Security Act of 2002, as
24	amended by this Act;

1	(16) the term "Secretary" means the Secretary of
2	Homeland Security; and
3	(17) the term "surge capacity" means the ability
4	to rapidly and substantially increase the provision of
5	search and rescue capabilities, food, water, medicine,
6	shelter and housing, medical care, evacuation capac-
7	ity, staffing (including disaster assistance employees),
8	and other resources necessary to save lives and protect
9	property during a catastrophic incident.
10	TITLE I—NATIONAL
11	PREPAREDNESS AND RESPONSE
12	SEC. 101. FEDERAL EMERGENCY MANAGEMENT AGENCY.
13	Title V of the Homeland Security Act of 2002 (6
14	U.S.C. 311 et seq.) is amended—
15	(1) by striking the title heading and inserting
16	$the\ following:$
17	"TITLE V—NATIONAL
18	EMERGENCY MANAGEMENT";
19	(2) by striking sections 501 through 503;
20	(3) by striking sections 506 and 507;
21	(4) by redesignating sections 504, 505, 508, and
22	509 as sections 540, 541, 542, and 543, respectively;
23	(5) by redesignating section 510 (relating to pro-
24	curement of security countermeasures for the strategic
25	national stockpile) as section 544;

1	(6) by redesignating section 510 (relating to
2	urban and other high risk area communications capa-
3	bilities) as section 545;
4	(7) by inserting before section 540, as so redesig-
5	nated by this section, the following:
6	"SEC. 501. DEFINITIONS.
7	"In this title—
8	"(1) the term 'all-hazards-plus' means an ap-
9	proach to preparedness, response, recovery, and miti-
10	gation that emphasizes the development of capabilities
11	that are common to natural and man-made disasters,
12	while also including the development of capabilities
13	that are uniquely relevant to specific types of disas-
14	ters;
15	"(2) the term 'Administrator' means the Admin-
16	istrator of the Agency;
17	"(3) the term 'Agency' means the Federal Emer-
18	gency Management Agency;
19	"(4) the term 'catastrophic incident'—
20	"(A) means any natural or man-made dis-
21	aster that results in extraordinary levels of cas-
22	ualties or damage, mass evacuations, or disrup-
23	tion severely affecting the population, infrastruc-
24	ture, environment, economy, national morale, or
25	government functions in an area; and

1	"(B) may include an incident—
2	"(i) with a sustained national impact
3	over a prolonged period of time;
4	"(ii) that may rapidly exceed resources
5	available to State and local government and
6	private-sector authorities in the impacted
7	area; or
8	"(iii) that may significantly interrupt
9	governmental operations and emergency
10	services to such an extent that national se-
11	curity could be threatened;
12	"(5) the term 'emergency communications capa-
13	bilities' means the ability to provide and maintain,
14	throughout an emergency response operation, a con-
15	tinuous flow of information among emergency re-
16	sponse providers, emergency response agencies, and
17	government officials from multiple disciplines and ju-
18	risdictions and at all levels of government, in the
19	event of a natural or man-made disaster (including
20	where there has been significant damage to, or de-
21	struction of, critical infrastructure (including sub-
22	stantial loss of ordinary telecommunications infra-
23	structure and sustained loss of electricity));
24	"(6) the term 'Federal coordinating officer'
25	means a Federal coordinating officer as described in

1	section 302 of the Robert T. Stafford Disaster Relief
2	and Emergency Assistance Act (42 U.S.C. 5143);
3	"(7) the terms 'interoperable emergency commu-
4	nications system' and 'communications interoper-
5	ability' mean the ability of emergency response pro-
6	viders and relevant Federal, State, and local govern-
7	ment officials to—
8	"(A) communicate with each other as nec-
9	essary, using information technology systems
10	and radio communications systems; and
11	"(B) exchange voice, data, or video with
12	each other on demand, in real time, as necessary;
13	"(8) the term 'National Advisory Council' means
14	the National Advisory Council on Preparedness and
15	Response established under section 518;
16	"(9) the term 'National Incident Management
17	System' means the National Incident Management
18	System as described in the National Response Plan;
19	"(10) the term 'National Response Plan' means
20	the National Response Plan prepared under Home-
21	land Security Presidential Directive 5 or any presi-
22	dential directive meant to replace or augment that di-
23	rective; and
24	"(11) the term 'surge capacity' means the ability
25	to rapidly and substantially increase the provision of

1	search and rescue capabilities, food, water, medicine,
2	shelter and housing, medical care, evacuation capac-
3	ity, staffing (including disaster assistance employees),
4	and other resources necessary to save lives and protect
5	property during a catastrophic incident.
6	"Subtitle A $-$ Preparedness and
7	Response
8	"SEC. 511. DEFINITIONS.
9	"In this subtitle—
10	"(1) the term 'Nuclear Incident Response Team'
11	means a resource that includes—
12	"(A) those entities of the Department of En-
13	ergy that perform nuclear or radiological emer-
14	gency support functions (including accident re-
15	sponse, search response, advisory, and technical
16	operations functions), radiation exposure func-
17	tions at the medical assistance facility known as
18	the Radiation Emergency Assistance Center/
19	Training Site (REAC/TS), radiological assist-
20	ance functions, and related functions; and
21	"(B) those entities of the Environmental
22	Protection Agency that perform such support
23	functions (including radiological emergency re-
24	sponse functions) and related functions;

1	"(2) the term 'Regional Advisory Council' means
2	a Regional Advisory Council on Preparedness and
3	Response established under section 517;
4	"(3) the term 'Regional Administrator' means a
5	Regional Administrator for Preparedness and Re-
6	sponse appointed under section 517; and
7	"(4) the term 'Regional Office' means a Regional
8	Office established under section 517.
9	"SEC. 512. FEDERAL EMERGENCY MANAGEMENT AGENCY.
10	"(a) In General.—There is in the Department the
11	Federal Emergency Management Agency, headed by an Ad-
12	ministrator.
13	"(b) Mission.—The mission of the Agency is to—
14	"(1) lead the Nation's efforts to prepare for, re-
15	spond to, recover from, and mitigate the risks of nat-
16	ural and man-made disasters, including catastrophic
17	incidents;
18	"(2) partner with State and local governments
19	and emergency response providers, with other Federal
20	agencies, with the private sector, and with nongovern-
21	mental organizations to build a national system of
22	emergency management that can effectively and effi-
23	ciently utilize the full measure of the Nation's re-
24	sources to respond to a catastrophic incident or other
25	natural or man-made disaster:

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

- "(3) develop a Federal response capability that, when necessary and appropriate, can act effectively and rapidly to deliver assistance essential to saving lives or protecting or preserving property or public health and safety in a natural or man-made disaster;
- "(4) fuse the Department's emergency response, preparedness, recovery, mitigation, and critical infrastructure assets into an integrated organization that can effectively confront the challenges of a natural or man-made disaster;
- "(5) develop and maintain robust Regional Offices that will work with State and local governments and emergency response providers to identify and address regional priorities;
- "(6) under the leadership of the Secretary, coordinate with the Commandant of the Coast Guard, the Director of Customs and Border Protection, the Director of Immigration and Customs Enforcement, the National Operations Center, and other agencies and offices in the Department to take full advantage of the substantial range of resources in the Department that can be brought to bear in preparing for and responding to a natural or man-made disaster;

1	"(7) carry out the provisions of the Robert T.
2	Stafford Disaster Relief and Emergency Assistance
3	Act (42 U.S.C. 5121 et seq.);

- "(8) provide funding, training, exercises, technical assistance, planning, and other assistance to build local, State, regional, and national capabilities (including communications capabilities), necessary to respond to a potential natural or man-made disaster;
- "(9) implement a risk-based, all-hazards-plus strategy for preparedness that builds those common capabilities necessary to respond to both terrorist attacks and natural disasters while also building the unique capabilities necessary to respond to specific types of incidents that pose the greatest risk to our Nation; and
- "(10) promote and plan for the protection, security, resiliency, and postdisaster restoration of critical infrastructure and key resources of the United States, including cyber and communications assets, against or in the event of a natural or man-made disaster, in coordination with other agencies of the Federal Government and in cooperation with State and local government agencies and authorities, the private sector, and other entities.
- 25 "(c) Administrator.—

1	"(1) In general.—The Administrator shall be
2	appointed by the President, by and with the advice
3	and consent of the Senate.
4	"(2) Qualifications.—The Administrator shall
5	have not less than 5 years of executive leadership and
6	management experience in the public or private sec-
7	tor, significant experience in crisis management or
8	another relevant field, and a demonstrated ability to
9	manage a substantial staff and budget.
10	"(3) Reporting.—The Administrator shall re-
11	port to the Secretary, without being required to report
12	through any other official of the Department.
13	"(4) Principal advisor on emergency pre-
14	PAREDNESS AND RESPONSE.—
15	"(A) In General.—The Administrator is
16	the principal emergency preparedness and re-
17	sponse advisor to the President, the Homeland
18	Security Council, and the Secretary.
19	"(B) Advice and recommendations.—
20	"(i) In General.—In presenting ad-
21	vice with respect to any matter to the Presi-
22	dent, the Homeland Security Council, or the
23	Secretary, the Administrator shall, as the
24	Administrator considers appropriate, in-
25	form the President, the Homeland Security

1	Council, or the Secretary, as the case may
2	be, of the range of emergency mitigation,
3	preparedness, response, and recovery op-
4	tions with respect to that matter.
5	"(ii) Advice on request.—The Ad-
6	ministrator, as an emergency preparedness
7	and response advisor, shall provide advice
8	to the President, the Homeland Security
9	Council, or the Secretary on a particular
10	matter when the President, the Homeland
11	Security Council, or the Secretary requests
12	such advice.
13	"(iii) Recommendations to con-
14	GRESS.—After informing the Secretary, the
15	Administrator may make such recommenda-
16	tions to Congress relating to emergency pre-
17	paredness and response as the Adminis-
18	$trator\ considers\ appropriate.$
19	"(C) Retention of Authority.—Nothing
20	in this paragraph shall be construed as affecting
21	the authority of the Secretary under this Act.
22	"SEC. 513. AUTHORITIES AND RESPONSIBILITIES.
23	"(a) In General.—The Administrator shall provide
24	Federal leadership necessary to mitigate, prepare for, re-

1	spond to, and recover from a natural or man-made disaster,
2	including—
3	"(1) carrying out the mission to reduce the loss
4	of life and property and protect the Nation from all
5	hazards by leading and supporting the Nation in a
6	comprehensive, risk-based emergency preparedness
7	and response program of—
8	"(A) mitigation, by taking sustained ac-
9	tions to reduce or eliminate long-term risks to
10	people and property from hazards and their ef-
11	fects;
12	"(B) preparedness, by planning, training,
13	and building the emergency preparedness and re-
14	sponse workforce to prepare effectively for, miti-
15	gate against, respond to, and recover from any
16	hazard;
17	"(C) response, by conducting emergency op-
18	erations to save lives and property through posi-
19	tioning emergency equipment, personnel, and
20	supplies, through evacuating potential victims,
21	through providing food, water, shelter, and med-
22	ical care to those in need, and through restoring
23	critical public services;
24	"(D) recovery, by rebuilding communities so
25	individuals, businesses, and governments can

1	function on their own, return to normal life, and
2	protect against future hazards; and
3	"(E) critical infrastructure protection, in-
4	cluding by—
5	"(i) identifying and prioritizing the
6	critical infrastructure and key resources of
7	the United States;
8	"(ii) carrying out comprehensive as-
9	sessments of the vulnerability of the critical
10	infrastructure and key resources, including
11	cyber and communications assets;
12	"(iii) developing a comprehensive plan
13	for securing such critical infrastructure and
14	key resources;
15	"(iv) coordinating with other agencies
16	of the Federal Government; and
17	"(v) in cooperation with State and
18	local government agencies and authorities,
19	the private sector, and other entities, recom-
20	mending protective measures and identi-
21	fying priorities for the restoration of such
22	critical infrastructure and key resources;
23	"(2) increasing efficiencies, by coordinating ef-
24	forts relating to mitigation, preparedness, response,
25	recovery, and infrastructure protection;

1	"(3) helping to ensure the effectiveness of emer-
2	gency response providers in responding to a natural
3	or man-made disaster;
4	"(4) providing the Federal Government's re-
5	sponse to a natural or man-made disaster, includ-
6	ing—
7	"(A) managing such response;
8	"(B) directing the Domestic Emergency
9	Support Team, the National Disaster Medical
10	System, and (when operating as an organiza-
11	tional unit of the Department under this title)
12	the Nuclear Incident Response Team;
13	"(C) overseeing the Metropolitan Medical
14	Response System; and
15	"(D) coordinating other Federal response
16	resources, including requiring deployment of the
17	Strategic National Stockpile, in the event of a
18	natural or man-made disaster;
19	"(5) working with Federal, State, and local gov-
20	ernment personnel, agencies, and authorities to build
21	a comprehensive national incident management sys-
22	tem to respond to a natural or man-made disaster;
23	"(6) with respect to the Nuclear Incident Re-
24	sponse Team (regardless of whether it is operating as

1	an organizational unit of the Department under this
2	title)—
3	"(A) establishing standards and certifying
4	when those standards have been met;
5	"(B) conducting joint and other exercises
6	and training and evaluating performance; and
7	"(C) providing funds to the Department of
8	Energy and the Environmental Protection Agen-
9	cy, as appropriate, for homeland security plan-
10	ning, exercises and training, and equipment;
11	"(7) helping to ensure that emergency response
12	providers acquire interoperable and sustainable tech-
13	nology;
14	"(8) assisting the President in carrying out the
15	functions under the Robert T. Stafford Disaster Relief
16	and Emergency Assistance Act (42 U.S.C. 5121 et
17	seq.);
18	"(9) administering homeland security emergency
19	management, first responder, and other preparedness
20	grants;
21	"(10) administering and implementing the Na-
22	tional Response Plan, including monitoring, evalu-
23	ating, and ensuring the readiness of each emergency
24	support function under the National Response Plan;

1	"(11) coordinating with the National Advisory
2	Council;
3	"(12) ensuring the protection of critical infra-
4	structure by—
5	"(A) carrying out the responsibilities under
6	paragraphs (2) through (6) of section 201(d);
7	"(B) promoting, prioritizing, coordinating,
8	and planning for the—
9	"(i) protection, security, and resiliency
10	of key resources and critical infrastructure
11	of the United States, including cyber and
12	communications assets, against a natural or
13	man-made disaster; and
14	"(ii) postdisaster restoration of key re-
15	sources and critical infrastructure of the
16	United States, including cyber and commu-
17	nications assets, in the event of a natural or
18	man-made disaster; and
19	"(13) otherwise carrying out the mission of the
20	Agency as described in section 512(b).
21	"(b) Additional Responsibilities Related to
22	Catastrophic Incidents.—
23	"(1) In General.—The Administrator, in con-
24	sultation with the Secretary and other senior Depart-
25	ment officials, shall develop a national emergency

1	management system that is capable of responding to
2	catastrophic incidents.
3	"(2) Identification of resources.—
4	"(A) In General.—The Administrator
5	shall develop and submit to Congress annually
6	an estimate of the resources of the Agency and
7	other Federal agencies needed for and devoted
8	specifically to developing the capabilities of Fed-
9	eral, State, and local governments necessary to
10	respond to a catastrophic incident.
11	"(B) Contents.—Each estimate under sub-
12	paragraph (A) shall include the resources both
13	necessary for and devoted to—
14	"(i) planning;
15	"(ii) training and exercises;
16	"(iii) Regional Office enhancements;
17	"(iv) staffing, including for surge ca-
18	pacity during a catastrophic incident;
19	$``(v)\ additional\ logistics\ capabilities;$
20	"(vi) other responsibilities under the
21	Catastrophic Incident Annex and the Cata-
22	strophic Incident Supplement of the Na-
23	$tional\ Response\ Plan;$
24	"(vii) State and local government cata-
25	strophic incident preparedness; and

"(viii) covering increases in the fixed 1 2 costs or expenses of the Agency, including rent or property acquisition costs or ex-3 4 penses, taxes, contributions to the working 5 capital fund of the Department, and secu-6 rity costs for the year after the year in 7 which such estimate is submitted. "(c) All-Hazards-Plus Approach.—In carrying 8 out the responsibilities under this section, the Administrator shall implement a risk-based, all-hazards-plus strat-10 11 egy that builds those common capabilities necessary to prepare for, respond to, recover from, and mitigate the risks 12 of terrorist attacks and natural disasters, while also build-13 ing the unique capabilities necessary to prepare for, respond 14 15 to, recover from, and mitigate the risks of specific types of incidents that pose the greatest risk to the Nation. 16 17 "(d) GAO REPORT ON FIXED COSTS OR EXPENSES.— 18 "(1) In General.—Not later than 90 days after 19 the date of enactment of the Post-Katrina Emergency 20 Management Reform Act of 2006, the Comptroller General shall submit a report to Congress on the 21 22 amount of increase in the fixed costs or expenses of 23 the Federal Emergency Management Agency during 24 the period of January 1, 2000, through such date of

enactment.

1	"(2) Content.—The report under this sub-
2	section shall—
3	"(A) evaluate the increases in all of the
4	fixed costs or expenses of the Federal Emergency
5	Management Agency, including fixed costs or ex-
6	penses such as rent or property acquisition ex-
7	penses, taxes, contributions to the working cap-
8	ital fund of the Department or other contribu-
9	tions to accounts of the Department, and secu-
10	rity costs (including increases in the costs of se-
11	curity and the increased amounts of security ob-
12	tained); and
13	"(B) include an analysis of any additional
14	resources needed to accommodate for any in-
15	creases in fixed costs or expenses that have not
16	been addressed in previous increases in the budg-
17	et of the Department.
18	"SEC. 514. AGENCY COMPONENTS.
19	"There are transferred to the Agency the following:
20	"(1) All functions of the Federal Emergency
21	Management Agency, as constituted on June 1, 2006,
22	including all of its personnel, assets, components, and
23	liabilities, and including the functions of the Under
24	Secretary for Federal Emergency Management relat-
25	ing thereto.

1	"(2) The Directorate of Preparedness, as con-
2	stituted on June 1, 2006, including all of its func-
3	tions, personnel assets, components, and liabilities,
4	and including the functions of the Under Secretary
5	for Preparedness relating thereto.
6	"SEC. 515. PRESERVING THE FEDERAL EMERGENCY MAN-
7	AGEMENT AGENCY.
8	"(a) Distinct Entity.—The Agency shall be main-
9	tained as a distinct entity within the Department.
10	"(b) Reorganization.—Section 872 shall not apply
11	to the Agency, including any function or organizational
12	unit of the Agency.
13	"(c) Prohibition on Changes to Missions.—
14	"(1) In general.—The Secretary may not sub-
15	stantially or significantly reduce the authorities, re-
16	sponsibilities, or functions of the Agency or the capa-
17	bility of the Agency to perform those responsibilities,
18	except as otherwise specifically provided in an Act en-
19	acted after the date of enactment of the Post-Katrina
20	Emergency Management Reform Act of 2006.
21	"(2) Certain transfers prohibited.—No
22	asset, function, or mission of the Agency may be di-
23	verted to the principal and continuing use of any
24	other organization, unit, or entity of the Department,

1	except for details or assignments that do not reduce
2	the capability of the Agency to perform its missions.
3	"SEC. 516. DIRECTORS.
4	"(a) In General.—There shall be in the Agency a Di-
5	rector for Preparedness and a Director for Response and
6	Recovery, each of whom shall be appointed by the President,
7	by and with the advice and consent of the Senate, and shall
8	report to the Administrator.
9	"(b) Qualifications.—
10	"(1) In general.—A Director shall have—
11	"(A) not less than 5 years of—
12	"(i) executive leadership and manage-
13	ment experience in the public or private sec-
14	tor; and
15	"(ii) significant experience in crisis
16	management or another relevant field; and
17	"(B) a demonstrated ability to manage a
18	substantial staff and budget.
19	"(2) Concurrent experience.—Service during
20	any period of time may be used in meeting the re-
21	quirements under both clause (i) and (ii) of para-
22	$graph\ (1)(A).$
23	"(c) Initial Directors.—
24	"(1) In general.—Except as provided under
25	paragraph (2), the individual serving as the Under

1	Secretary for Preparedness and the individual serving
2	as the Under Secretary for Federal Emergency Man-
3	agement on the effective date of the Post-Katrina
4	Emergency Management Reform Act of 2006, may
5	serve as the Director for Preparedness and the Direc-
6	tor of Response and Recovery, respectively, until a
7	Director for Preparedness or a Director of Response
8	and Recovery, as the case may be, is appointed under
9	subsection (a).
10	"(2) Prior confirmation.—Paragraph (1)
11	shall apply if the individual is serving as the Under
12	Secretary for Preparedness or the Under Secretary for
13	Federal Emergency Management, under an appoint-
14	ment by the President, by and with the advice and
15	consent of the Senate.
16	"SEC. 517. REGIONAL OFFICES.
17	"(a) In General.—
18	"(1) Regional offices.—The Administrator
19	shall establish 10 Regional Offices of the Agency.
20	"(2) Additional office.—In addition to the
21	Regional Offices established under paragraph (1), the
22	Administrator may designate the Office of National
23	Capital Region Coordination under section 882 as a
24	Regional Office.
25	"(b) Management of Regional Offices.—

- "(1) REGIONAL ADMINISTRATOR.—Each Regional Office shall be headed by a Regional Administrator for Preparedness and Response, who shall be appointed by the Administrator. Each Regional Administrator for Preparedness and Response shall report directly to the Administrator.
 - "(2) QUALIFICATIONS.—Each Regional Office shall be headed by an individual in the Senior Executive Service qualified to act as a senior Federal coordinating officer to provide strategic oversight of incident management when needed.

"(c) Responsibilities.—

- "(1) In General.—The Regional Administrator shall work in partnership with State and local governments, emergency managers, emergency response providers, medical providers, the private sector, nongovernmental organizations, multijurisdictional councils of governments, and regional planning commissions and organizations in the geographical area served by the Regional Office to carry out the responsibilities of a Regional Administrator under this section.
- "(2) Responsibilities of a Regional Administrator include—

1	"(A) ensuring effective, coordinated, and in-
2	tegrated regional preparedness, mitigation, re-
3	sponse, and recovery activities and programs for
4	natural and man-made disasters (including
5	planning, training, exercises, and professional
6	development);
7	"(B) coordinating and integrating regional
8	preparedness, mitigation, response, and recovery
9	activities and programs for natural and man-
10	made disasters (including planning, training,
11	exercises, and professional development), which
12	shall include—
13	"(i) providing regional and interstate
14	planning assistance;
15	"(ii) organizing, in consultation with
16	the Administrator, regional training and
17	exercise programs;
18	"(iii) providing support and coordina-
19	tion officers for State and local government
20	training and exercises;
21	"(iv) participating in emergency pre-
22	paredness and planning activities by State,
23	regional, and local governments;

1	"(v) assisting in the development of re-
2	gional capabilities needed for a national
3	$cat a strophic\ response\ system;$
4	"(vi) helping to coordinate and develop
5	$interstate\ agreements;$
6	"(vii) coordinating the establishment of
7	effective regional interagency emergency
8	communications capabilities and commu-
9	nications interoperability, and reporting
10	annually to the Administrator, who shall
11	provide the information to the Director for
12	Emergency Communications, on regional ef-
13	forts to achieve these goals and on regional
14	progress in meeting the goals of the Na-
15	tional Emergency Communications Strat-
16	egy developed under section 553; and
17	"(viii) providing planning and tech-
18	nical assistance to State and local govern-
19	ments relating to hazard mitigation and
20	prevention measures, including encouraging
21	hazard-resistant building design and sus-
22	tainable land development policies to reduce
23	vulnerability to natural disasters;
24	"(C) establishing and overseeing 1 or more
25	strike teams within the region under subsection

	201
1	(e), which shall serve as the focal point of the
2	Federal Government's initial response efforts for
3	a natural or man-made disaster within that re-
4	gion, and otherwise building Federal response
5	capabilities to respond to a natural or man-
6	made disaster within that region;
7	"(D) carrying out comprehensive assess-
8	ments of the vulnerabilities of the key resources

- "(D) carrying out comprehensive assessments of the vulnerabilities of the key resources
 and critical infrastructure in the region, including carrying out risk assessments, and working
 with Federal departments and agencies, State
 and local government agencies, and the private
 sector to accomplish this objective and to design
 programs to address the identified
 vulnerabilities;
- "(E) designating an individual responsible for, in conjunction with other relevant Federal, State, and local government officials, the development of strategic and operational regional plans to respond effectively to natural or manmade disasters in the region in support of the National Response Plan;
- "(F) establishing in the Regional Office of such Regional Administrator a Regional Advisory Council on Preparedness and Response, to

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

1	advise the Regional Administrator on emergency
2	preparedness and response issues specific to the
3	region;
4	"(G) coordinating all activities conducted
5	under this section with other Federal depart-
6	ments and agencies; and
7	"(H) performing such other duties relating
8	to such responsibilities as the Administrator
9	may require.
10	$\lq\lq(d)$ Area Offices.—The Administrator shall estab-
11	lish—
12	"(1) an Area Office for the Pacific and an Area
13	Office for the Caribbean, as components in the appro-
14	priate Regional Offices; and
15	"(2) an Area Office in Alaska.
16	"(e) Regional Office Strike Teams.—
17	"(1) Establishment.—In coordination with
18	other relevant Federal agencies, each Regional Ad-
19	ministrator shall establish multi-agency strike teams
20	that shall consist of—
21	"(A) a designated Federal coordinating offi-
22	cer;
23	"(B) personnel trained in incident manage-
24	ment;

1	"(C) public affairs, response and recovery,
2	and communications support personnel;
3	"(D) a defense coordinating officer;
4	"(E) liaisons to other Federal agencies;
5	"(F) such other personnel as the Adminis-
6	trator or Regional Administrator determines ap-
7	propriate; and
8	"(G) individuals from the agencies with
9	primary responsibility for each of the emergency
10	support functions in the National Response
11	Plan, including the following:
12	$``(i)\ Transportation.$
13	"(ii) Communications.
14	"(iii) Public works and engineering.
15	"(iv) Emergency management.
16	"(v) Mass care.
17	"(vi) Housing and human services.
18	"(vii) Public health and medical serv-
19	ices.
20	"(viii) Urban search and rescue.
21	"(ix) Public safety and security.
22	"(x) External affairs.
23	"(2) Location of members.—The members of
24	each Regional Office strike team, including represent-
25	atives from agencies other than the Department, shall

1	be based primarily at the Regional Office that cor-
2	responds to that strike team.
3	"(3) Coordination.—Each Regional Office
4	strike team shall coordinate the training and exercises
5	of that strike team with the State and local govern-
6	ments and private sector and nongovernmental enti-
7	ties which the strike team shall support when a nat-
8	ural or man-made disaster occurs.
9	"(4) Preparedness.—Each Regional Office
10	strike team shall be trained, equipped, and staffed to
11	be well prepared to respond to natural and man-made
12	disasters, including catastrophic incidents.
13	"SEC. 518. NATIONAL ADVISORY COUNCIL ON PREPARED-
14	NESS AND RESPONSE.
15	"(a) Establishment.—Not later than 60 days after
16	the date of enactment of the Post-Katrina Emergency Man-
17	agement Reform Act of 2006, the Secretary shall establish
18	an advisory body under section 871(a), to be known as the
19	National Advisory Council on Preparedness and Response.
20	"(b) Responsibilities.—The National Advisory
21	Council shall advise the Administrator on all aspects of
22	emergency preparedness and response.
23	"(c) Membership.—
24	
<i>2</i> 4	"(1) In general.—The members of the National

1	trator, and shall, to the extent practicable, represent
2	a geographic (including urban and rural) and sub-
3	stantive cross section of officials, emergency man-
4	agers, and emergency response providers from State
5	and local governments, the private sector, and non-
6	governmental organizations, including as appro-
7	priate—
8	"(A) members selected from the emergency
9	preparedness and response fields, including fire
10	service, law enforcement, hazardous materials re-
11	sponse, emergency medical services, and emer-
12	gency preparedness and response personnel, or
13	organizations representing such individuals;
14	"(B) health scientists, emergency and inpa-
15	tient medical providers, and public health profes-
16	sionals;
17	"(C) experts representing standards setting
18	organizations;
19	"(D) State and local government officials
20	with expertise in terrorism preparedness and
21	emergency preparedness and response;
22	"(E) elected State and local government ex-
23	ecutives;

1	"(F) experts in public and private sector
2	infrastructure protection, cybersecurity, and
3	communications;
4	"(G) representatives of the disabled and
5	other special needs populations; and
6	"(H) such other individuals as the Admin-
7	istrator determines to be appropriate.
8	"(d) Applicability of Federal Advisory Com-
9	MITTEE ACT.—
10	"(1) In General.—Notwithstanding section
11	871(a) and subject to paragraph (2), the Federal Ad-
12	visory Committee Act (5 U.S.C. App.), including sub-
13	sections (a), (b), and (d) of section 10 of such Act,
14	and section 552b(c) of title 5, United States Code,
15	shall apply to the Advisory Council.
16	"(2) Termination.—Section 14(a)(2)(B) of the
17	Federal Advisory Committee Act (5 U.S.C. App.)
18	shall not apply to the Advisory Council.
19	"SEC. 519. NATIONAL INCIDENT MANAGEMENT SYSTEM IN-
20	TEGRATION CENTER.
21	"(a) In General.—There is in the Agency a National
22	Incident Management System Integration Center.
23	"(b) Responsibilities.—
24	"(1) In General.—The Administrator, through
25	the National Incident Management System Integra-

1	tion Center, and in consultation with other Federal
2	departments and agencies and the National Advisory
3	Council, shall ensure ongoing management and main-
4	tenance of the National Incident Management System,
5	the National Response Plan, any other document or
6	tool in support of Homeland Security Presidential
7	Directive 5, or any other Homeland Security Presi-
8	dential Directive relating to incident management
9	and response.
10	"(2) Specific responsibilities.—The Na-
11	tional Incident Management System Integration Cen-
12	ter shall—
13	"(A) periodically review, and revise as ap-
14	propriate, the National Incident Management
15	System and the National Response Plan;
16	"(B) review other matters relating to the
17	National Incident Management System and the
18	National Response Plan, as the Administrator
19	may require;
20	"(C) develop and implement a national pro-
21	gram for National Incident Management System
22	and National Response Plan education and
23	awareness;
24	"(D) oversee all aspects of the National In-
25	cident Management System, including the devel-

1	opment of compliance criteria and implementa-
2	tion activities at Federal, State, and local gov-
3	ernment levels;
4	"(E) provide guidance and assistance to
5	States and local governments and emergency re-
6	sponse providers, in adopting the National Inci-
7	dent Management System; and
8	"(F) perform such other duties relating to
9	such responsibilities as the Administrator may
10	require.
11	"SEC. 520. NATIONAL OPERATIONS CENTER.
12	"(a) Definition.—In this section, the term 'situa-
13	tional awareness' means information gathered from a vari-
14	ety of sources that, when communicated to emergency pre-
15	paredness and response managers and decision makers, can
16	form the basis for incident management decision making.
17	"(b) Establishment.—There is established in the De-
18	partment a National Operations Center.
19	"(c) Purpose.—The purposes of the National Oper-
20	ations Center are to—
21	"(1) coordinate the national response to any nat-
22	ural or man-made disaster, as determined by the Sec-
23	retary;
24	"(2) provide situational awareness and a com-
25	mon operating picture for the entire Federal Govern-

1	ment, and for State and local governments as appro-
2	priate, for an event described in paragraph (1);
3	"(3) collect and analyze information to help
4	deter, detect, and prevent terrorist acts;
5	"(4) disseminate terrorism and disaster-related
6	information to Federal, State, and local governments;
7	"(5) ensure that critical terrorism and disaster-
8	related information reaches government decision-mak-
9	ers; and
10	"(6) perform such other duties as the Secretary
11	may require.
12	"(d) Responsibilities.—The National Operations
13	Center shall carry out the responsibilities of the Homeland
14	Security Operations Center, the National Response Coordi-
15	nation Center, and the Interagency Incident Management
16	Group, as constituted on September 1, 2005.
17	"SEC. 521. CHIEF MEDICAL OFFICER.
18	"(a) In General.—There is in the Agency a Chief
19	Medical Officer, who shall be appointed by the President,
20	by and with the advice and consent of the Senate. The Chief
21	Medical Officer shall report directly to the Administrator.
22	"(b) Qualifications.—The individual appointed as
23	Chief Medical Officer shall possess a demonstrated ability
24	in and knowledge of medicine and public health.

1	"(c) Responsibilities.—The Chief Medical Officer
2	shall have the primary responsibility within the Depart-
3	ment for medical issues related to natural and man-made
4	disasters, including—
5	"(1) serving as the principal advisor to the Sec-
6	retary and the Administrator on medical and public
7	health issues;
8	"(2) coordinating the biosurveillance and detec-
9	tion activities of the Department;
10	"(3) ensuring internal and external coordination
11	of all medical preparedness and response activities of
12	the Department, including training, exercises, and
13	$equipment\ support;$
14	"(4) serving as the Department's primary point
15	of contact with the Department of Agriculture, the
16	Department of Defense, the Department of Health and
17	Human Services, the Department of Transportation,
18	the Department of Veterans Affairs, and other Federal
19	departments or agencies, on medical and public
20	health issues;
21	"(5) serving as the Department's primary point
22	of contact for State and local governments, the med-
23	ical community, and others within and outside the
24	Department, with respect to medical and public
25	health matters;

1	"(6) discharging, in coordination with the Under
2	Secretary for Science and Technology, the responsibil-
3	ities of the Department related to Project Bioshield;
4	"(7) establishing doctrine and priorities for the
5	National Disaster Medical System, consistent with the
6	National Response Plan and the National Incident
7	Management System, supervising its medical compo-
8	nents, and exercising predeployment operational con-
9	trol, including—
10	"(A) determining composition of the teams;
11	"(B) overseeing credentialing of the teams;
12	and
13	"(C) training personnel of the teams;
14	"(8) managing the Metropolitan Medical Re-
15	sponse System (including establishing doctrine and
16	priorities for the Metropolitan Medical Response Sys-
17	tem, consistent with the National Response Plan and
18	the National Incident Management System) and de-
19	veloping and overseeing standards, plans, training,
20	and exercises and coordinating with the Office of
21	Grants and Training on the use and distribution of
22	Metropolitan Medical Response grants;
23	"(9) assessing and monitoring long-term health
24	issues of emergency managers and emergency response
25	providers;

1	"(10) developing and updating, in consultation
2	with the Secretary of Health and Human Services,
3	guidelines for State and local governments for med-
4	ical response plans for chemical, biological, radio-
5	logical, nuclear, or explosive weapon attacks;
6	"(11) developing, in consultation with the Sec-
7	retary of Health and Human Services, appropriate
8	patient tracking capabilities to execute domestic pa-
9	tient movement and evacuations, including a system
10	that has the capacity of electronically maintaining
11	and transmitting the health information of hospital
12	patients;
13	"(12) establishing and providing oversight for
14	the Department's occupational health and safety pro-
15	gram, including workforce health; and
16	"(13) performing such other duties relating to
17	such responsibilities as the Secretary or the Adminis-
18	trator may require.
19	"(d) Long-Term Health Assessment Program.—
20	"(1) In General.—The Chief Medical Officer, in
21	consultation with the Director of the National Insti-

tute for Occupational Safety and Health, shall estab-

lish a program to assess, monitor, and study the

health and safety of emergency managers and emer-

gency response providers, following Incidents of Na-

22

23

24

1	tional Significance declared by the Secretary under
2	the National Response Plan.
3	"(2) Cooperative agreements.—In carrying
4	out the program under this subsection, the Chief Med-
5	ical Officer shall enter into cooperative agreements, as
6	necessary, with medical institutions in the areas af-
7	fected by an Incident of National Significance.
8	"SEC. 522. PUBLIC AND COMMUNITY PREPAREDNESS.
9	"The Administrator shall promote public and commu-
10	nity preparedness.
11	"SEC. 523. BASIC LIFE SUPPORTING FIRST AID EDUCATION
12	FOR CHILDREN.
13	"(a) Definitions.—In this section—
14	"(1) the term 'age-appropriate' means informa-
15	tion, education, and skills suitable for the individual
16	to understand and perform;
17	"(2) the term 'appropriate municipal entity'
18	means an agency of a unit of local government that
19	is an emergency response provider or provides other
20	similar medical services or training, including a fire
21	department, law enforcement agency, hospital, school
22	nurse, or emergency medical services provider;
23	"(3) the term 'children' means individuals under
24	the age of 18 years enrolled in grades kindergarten
25	through 12;

1	"(4) the term 'emergency medical professional'
2	means an individual certified by a State in emer-
3	gency medical services;
4	"(5) the term 'life supporting first aid' includes
5	cardiopulmonary resuscitation, the use of an auto-
6	matic external defibrillator, the Heimlich maneuver,
7	blood-borne and biohazardous precautions, bleed con-
8	trol, and other life-sustaining procedures in the event
9	of an emergency; and
10	"(6) the term 'selected organization' means the
11	organization contracting with the Secretary under
12	subsection (b).
13	"(b) AUTHORITY.—The Secretary, acting through the
14	Chief Medical Officer, and in consultation with the Sec-
15	retary of Education, shall enter into an agreement with an
16	organization, under which such organization shall provide
17	funds to appropriate municipal entities to provide edu-
18	cation and training in life supporting first aid to children,
19	including scene safety procedures.
20	"(c) Eligibility.—In selecting an organization, the
21	Secretary shall consider and give priority to an organiza-
22	tion that—
23	"(1) has experience in training individuals (es-
24	pecially children) to be active bustanders, equipped

1	with life supporting first aid skills to assist during
2	emergencies;
3	"(2) recognizes that life supporting first aid tech-
4	niques are essential to maintaining life before the ar-
5	rival of emergency response providers;
6	"(3) uses emergency medical professionals as in-
7	structors to teach life supporting first aid techniques
8	to children and adults;
9	"(4) works with Federal, State, and local govern-
10	ment entities and the private sector to highlight the
11	importance of public emergency preparedness and ef-
12	fective emergency response;
13	"(5) has developed and implemented, before the
14	date of entering a contract under subsection (b), a
15	testing component for evaluation, accountability, and
16	data collection; and
17	"(6) is an affiliate of the Citizens Corps of the
18	Department.
19	"(d) Use of Funds.—
20	"(1) In general.—Funds provided under this
21	section by the selected organization to an appropriate
22	municipal entity shall be used—
23	"(A) to create age-appropriate educational
24	materials regarding life supporting first aid to
25	be distributed to children;

1	"(B) to conduct training and clinical in-
2	struction of children in life supporting first aid;
3	and
4	"(C) for data collection and statistical anal-
5	ysis.
6	"(2) Priority.—In providing funds to appro-
7	priate municipal entities under this section, the se-
8	lected organization shall give priority to emergency
9	medical services, fire departments, law enforcement
10	agencies, hospitals, and school nurses.
11	"SEC. 524. SAVER PROGRAM.
12	"(a) In General.—In the Department there is a Sys-
13	tem Assessment and Validation for Emergency Responders
14	Program to provide impartial evaluations of emergency re-
15	sponse equipment and systems.
16	"(b) Requirements.—The program under subsection
17	(a) shall—
18	"(1) provide impartial, practitioner relevant,
19	and operationally oriented assessments and valida-
20	tions of emergency response provider equipment and
21	systems that have not already been third-party cer-
22	tified to a standard adopted by the Department, in-
23	cluding—
24	"(A) commercial, off-the-shelf emergency re-
25	sponse provider equipment and systems in all

1	equipment list categories of the Standardized
2	Equipment List published by the Interagency
3	Board for Equipment Standardization and
4	Interoperability; and
5	"(B) such other equipment or systems as the
6	Secretary determines are appropriate;
7	"(2) provide information that enables decision-
8	makers and emergency response providers to better se-
9	lect, procure, use, and maintain emergency response
10	provider equipment or systems;
11	"(3) assess and validate the performance of prod-
12	ucts within a system and subsystems; and
13	"(4) provide information and feedback to emer-
14	gency response providers through the Responder
15	Knowledge Base of the National Memorial Institute
16	for the Prevention of Terrorism, or other appropriate
17	forum.
18	"(c) Assessment and Validation Process.—The
19	assessment and validation of emergency response provider
20	equipment and systems shall use multiple evaluation tech-
21	niques, including—
22	"(1) operational assessments of equipment per-
23	formance on vehicle platforms;

1	"(2) technical assessments on a comparative
2	basis of system component performance across makes
3	and models under controlled conditions; and
4	"(3) integrative assessments on an individual
5	basis of system component interoperability and com-
6	patibility with other system components.
7	"(d) Personal Protective Equipment.—To the ex-
8	tent practical, the assessment and validation of personal
9	protective equipment under this section shall be conducted
10	by the National Personal Protective Technology Laboratory
11	of the National Institute for Occupational Safety and
12	Health.
13	"SEC. 525. NATIONAL SEARCH AND RESCUE RESPONSE SYS-
1314	"SEC. 525. NATIONAL SEARCH AND RESCUE RESPONSE SYSTEM.
14	TEM.
14 15 16	TEM. "(a) National Search and Rescue Response Sys-
14 15 16 17	TEM. "(a) National Search and Rescue Response System.—There is established in the Agency an emergency re-
14 15 16 17 18	TEM. "(a) National Search and Rescue Response System.—There is established in the Agency an emergency response system known as the National Search and Rescue
14 15 16 17 18	"(a) National Search and Rescue Response Sys- Tem.—There is established in the Agency an emergency re- sponse system known as the National Search and Rescue Response System that provides a national network of stand-
14 15 16 17 18	"(a) National Search and Rescue Response System.—There is established in the Agency an emergency response system known as the National Search and Rescue Response System that provides a national network of standardized search and rescue resources to assist State and local
14 15 16 17 18 19 20	"(a) National Search and Rescue Response System.—There is established in the Agency an emergency response system known as the National Search and Rescue Response System that provides a national network of standardized search and rescue resources to assist State and local governments in responding to any natural or man-made
14 15 16 17 18 19 20 21	"(a) National Search and Rescue Response System.—There is established in the Agency an emergency response system known as the National Search and Rescue Response System that provides a national network of standardized search and rescue resources to assist State and local governments in responding to any natural or man-made disaster.
14 15 16 17 18 19 20 21	"(a) National Search and Rescue Response System.—There is established in the Agency an emergency response system known as the National Search and Rescue Response System that provides a national network of standardized search and rescue resources to assist State and local governments in responding to any natural or man-made disaster. "(b) Administration of the System.—

- 1 tities to participate as task forces in the National
- 2 Search and Rescue Response System. The Adminis-
- 3 trator shall determine the criteria for such participa-
- 4 tion.

11

sponse System.

- 5 "(2) AGREEMENTS WITH SPONSORING AGEN6 CIES.—The Administrator shall enter into an agree7 ment with the State or local government entity that
 8 sponsors each search and rescue team selected under
 9 paragraph (1) with respect the team's participation
 10 as a task force in the National Search and Rescue Re-
- 12 "(3) Management and technical teams.—
 13 The Administrator shall maintain such management
 14 and other technical teams as are necessary to admin15 ister the National Search and Rescue Response Sys16 tem.

17 "SEC. 526. METROPOLITAN MEDICAL RESPONSE SYSTEM.

- 18 "(a) In General.—There is in the Agency a Metro-
- 19 politan Medical Response System. Under the Metropolitan
- 20 Medical Response System, the Assistant Secretary for
- 21 Grants and Planning, in coordination with the Chief Med-
- 22 ical Officer, shall administer grants to develop, maintain,
- 23 and enhance medical preparedness systems that are capable
- 24 of responding effectively to a public health crisis or mass-
- 25 casualty event caused by a natural or man-made disaster.

1	"(b) Use of Funds.—The Metropolitan Medical Re-
2	sponse System shall make grants to local governments to
3	enhance any of the following activities:
4	"(1) Medical surge capacity.
5	"(2) Mass prophylaxis.
6	"(3) Chemical, biological, radiological, nuclear,
7	and explosive detection, response, and decontamina-
8	tion capabilities.
9	"(4) Emergency communications capabilities.
10	"(5) Information sharing and collaboration ca-
11	pabilities.
12	"(6) Regional collaboration.
13	"(7) Triage and pre-hospital treatment.
14	"(8) Medical supply management and distribu-
15	tion.
16	"(9) Fatality management.
17	"(10) Such other activities as the Secretary may
18	provide.
19	"SEC. 527. THE NATIONAL INFRASTRUCTURE SIMULATION
20	AND ANALYSIS CENTER.
21	"(a) Definition.—In this section, the term 'National
22	Infrastructure Simulation and Analysis Center' means the
23	National Infrastructure Simulation and Analysis Center
24	$established\ under\ section\ 1016(d)\ of\ the\ USA\ PATRIOT\ Act$
25	$(42\ U.S.C.\ 5195c(d)).$

1	"(b) Authority.—
2	"(1) In General.—There is in the Agency the
3	National Infrastructure Simulation and Analysis
4	Center which shall serve as a source of national ex-
5	pertise to address critical infrastructure protection
6	and continuity through support for activities related
7	to—
8	"(A) counterterrorism, threat assessment,
9	and risk mitigation; and
10	"(B) a natural or man-made disaster.
11	"(2) Infrastructure modeling.—
12	"(A) Particular support.—The support
13	provided under paragraph (1) shall include mod-
14	eling, simulation, and analysis of the systems
15	and assets comprising critical infrastructure, in
16	order to enhance critical infrastructure pre-
17	paredness, protection, response, and recovery ac-
18	tivities.
19	"(B) Relationship with other agen-
20	cies.—Each Federal agency and department
21	with critical infrastructure responsibilities under
22	Homeland Security Presidential Directive 7, or
23	any successor to such directive, shall establish a
24	formal relationship, including an agreement re-
25	garding information sharing, between the ele-

ments 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 and man-made disasters.

"(ii) Recipient of Certain sup-Port.—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.

1	"SEC. 528. EMERGENCY MANAGEMENT ASSISTANCE COM-
2	PACT.
3	"(a) In General.—The Secretary, acting through the
4	Administrator, may make grants for the purposes of admin-
5	istering and improving the Emergency Management Assist-
6	ance Compact consented to by the Joint Resolution entitled
7	'Joint Resolution granting the consent of Congress to the
8	Emergency Management Assistance Compact' (Public Law
9	104–321; 110 Stat. 3877).
10	"(b) USES.—A grant under this section shall be used
11	to—
12	"(1) carry out recommendations identified in
13	after-action reports for the 2004 and 2005 hurricane
14	season issued under the Emergency Management As-
15	sistance Compact;
16	"(2) coordinate with the Department and other
17	Federal Government agencies;
18	"(3) coordinate with State and local government
19	entities and their respective national associations;
20	"(4) assist State and local governments, emer-
21	gency response providers, and organizations rep-
22	resenting such providers with credentialing emergency
23	response providers and the typing of emergency re-
24	sponse resources; or
25	"(5) administer the operations of the Emergency
26	Management Assistance Compact.

1	"SEC. 529. OFFICE FOR THE PREVENTION OF TERRORISM.
2	"(a) Establishment.—There is established in the De-
3	partment an Office for the Prevention of Terrorism, which
4	shall be headed by a Director.
5	"(b) Director.—
6	"(1) Reporting.—The Director of the Office for
7	the Prevention of Terrorism shall report directly to
8	the Secretary.
9	"(2) QUALIFICATIONS.—The Director of the Of-
10	fice for the Prevention of Terrorism shall have an ap-
11	propriate background with experience in law enforce-
12	ment, intelligence, or other anti-terrorist functions.
13	"(c) Assignment of Personnel.—
14	"(1) In general.—The Secretary shall assign to
15	the Office for the Prevention of Terrorism permanent
16	staff and other appropriate personnel detailed from
17	other components of the Department to carry out the
18	responsibilities under this section.
19	"(2) Liaisons.—The Secretary shall designate
20	senior employees from each component of the Depart-
21	ment that has significant antiterrorism responsibil-
22	ities to act a liaison between that component and the
23	Office for the Prevention of Terrorism.
24	"(d) Responsibilities.—The Director of the Office
25	for the Prevention of Terrorism shall—

1	"(1) coordinate policy and operations between
2	the Department and State and local government
3	agencies relating to preventing acts of terrorism with-
4	in the United States;
5	"(2) serve as a liaison between State and local
6	law enforcement agencies and the Department;
7	"(3) in coordination with the Office of Intel-
8	ligence, develop better methods for the sharing of intel-
9	ligence with State and local law enforcement agencies;
10	"(4) work with the Assistant Secretary of the Of-
11	fice of Grants and Training to ensure that homeland
12	security grants to State and local government agen-
13	cies, including the Law Enforcement Terrorism Pre-
14	vention Program, Commercial Equipment Direct As-
15	sistance Program, and grants to support fusion cen-
16	ters and other law enforcement-oriented programs are
17	adequately focused on terrorism prevention activities;
18	and
19	"(5) coordinate with the Agency, the Department
20	of Justice, the National Institute of Justice, law en-

"(5) coordinate with the Agency, the Department of Justice, the National Institute of Justice, law enforcement organizations, and other appropriate entities to develop national voluntary consensus standards for training and personal protective equipment to be used in a tactical environment by law enforcement officers.

1	"(e) Pilot Project.—
2	"(1) In general.—The Director of the Office for
3	the Prevention of Terrorism, in coordination with the
4	Director for Response and Recovery, shall establish a
5	pilot project to determine the efficacy and feasibility
6	of establishing law enforcement deployment teams.
7	"(2) Function.—The law enforcement deploy-
8	ment teams participating in the pilot program under
9	this subsection shall form the basis of a national net-
10	work of standardized law enforcement resources to as-
11	sist State and local governments in responding to a
12	natural or man-made disaster.
13	"(f) Construction.—Nothing in this section may be
14	construed to affect the roles or responsibilities of the Depart-
15	ment of Justice.
16	"SEC. 530. DEPARTMENT OFFICIALS.
17	"(a) Cybersecurity and Telecommunications.—
18	There is in the Department an Assistant Secretary for
19	Cybersecurity and Telecommunications.
20	"(b) United States Fire Administration.—The
21	Administrator of the United States Fire Administration
22	shall have a rank equivalent to an assistant secretary of
23	the Department.
24	"SEC. 531. CREDENTIALING.
25	"(a) DEFINITIONS —In this section—

- "(1) the term 'credential' means to provide docu-1 2 mentation that can authenticate and verify the quali-3 fications and identity of managers of incidents, emer-4 gency response providers, and other appropriate per-5 sonnel, including by ensuring that such personnel 6 possess a minimum common level of training, experi-7 ence, physical and medical fitness, and capability ap-8 propriate for their position;
 - "(2) the term 'credentialing' means evaluating an individual's qualifications for a specific position under guidelines created under this section and assigning such individual a qualification under the standards developed under this section; and
 - "(3) the term 'credentialed' means an individual has been evaluated for a specific position under the guidelines created under this section.

"(b) Requirements.—

"(1) In General.—The Administrator shall enter into a memorandum of understanding with the administrators of the Emergency Management Assistance Compact, State and local governments, emergency response providers, and the organizations that represent such providers, to collaborate on establishing nationwide standards for credentialing all personnel

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

1	who are likely to respond to a natural or man-made
2	disaster.
3	"(2) Contents.—The standards developed under
4	paragraph (1) shall—
5	"(A) include the minimum professional
6	qualifications, certifications, training, and edu-
7	cation requirements for specific emergency re-
8	sponse functional positions that are applicable to
9	Federal, State, and local government;
10	"(B) be compatible with the National Inci-
11	dent Management System; and
12	"(C) be consistent with standards for ad-
13	vance registration for health professions volun-
14	teers under section 319I of the Public Health
15	Services Act (42 U.S.C. 247d-7b).
16	"(3) Timeframe.—The Administrator shall de-
17	velop standards under paragraph (1) not later than
18	6 months after the date of enactment of the Post-
19	Katrina Emergency Management Reform Act of 2006.
20	"(c) Credentialing of Department Personnel.—
21	"(1) In general.—Not later than 1 year after
22	the date of enactment of the Post-Katrina Emergency
23	Management Reform Act of 2006, the Secretary and
24	the Administrator shall ensure that all personnel of
25	the Department (including temporary personnel and

- individuals in the Surge Capacity Force established under section 304 of the Post-Katrina Emergency Management Reform Act of 2006) who are likely to respond to a natural or man-made disaster are credentialed.
- 6 "(2) Strategic human capital plan.—Not 7 later than 90 days after completion 8 credentialing under paragraph (1), the Administrator 9 shall evaluate whether the workforce of the Agency 10 complies with the strategic human capital plan of the 11 Agency developed under section 301 of the Post-12 Katrina Emergency Management Reform Act of 2006 13 and is sufficient to respond to a catastrophic inci-14 dent.
- 15 "(d) Integration With National Response 16 Plan.—
- "(1) DISTRIBUTION OF STANDARDS.—Not later
 than 6 months after the date of enactment of the PostKatrina Emergency Management Reform Act of 2006,
 the Administrator shall provide the standards developed under subsection (b) to all Federal agencies that
 have responsibilities under the National Response
 Plan.
- "(2) CREDENTIALING OF AGENCIES.—Not later
 than 180 days after the date on which the standards

1	are provided under paragraph (1), each agency de-
2	scribed in paragraph (1) shall—
3	"(A) ensure that all employees or volunteers
4	of that agency who are likely to respond to a
5	natural or man-made disaster are credentialed;
6	and
7	"(B) submit to the Secretary the name of
8	each credentialed employee or volunteer of such
9	agency.
10	"(3) Leadership.—The Administrator shall
11	provide leadership, guidance, and technical assistance
12	to an agency described in paragraph (1) to facilitate
13	the credentialing process of that agency.
14	"(e) Documentation and Database System.—
15	"(1) In general.—Not later than 1 year after
16	the date of enactment of the Post-Katrina Emergency
17	Management Reform Act of 2006, the Administrator
18	shall establish and maintain a documentation and
19	database system of Federal emergency response pro-
20	viders and all other Federal personnel credentialed to
21	respond to a natural or man-made disaster.
22	"(2) Accessibility.—The documentation and
23	database system established under paragraph (1) shall
24	be accessible to the Federal coordinating officer and

1	other appropriate officials preparing for or respond-
2	ing to a natural or man-made disaster.
3	$\lq\lq(3)$ Considerations.—The Administrator shall
4	consider whether the credentialing system can be used
5	to regulate access to areas affected by a natural or
6	man-made disaster.
7	"(f) Guidance to State and Local Govern-
8	MENTS.—Not later than 6 months after the date of enact-
9	ment of the Post-Katrina Emergency Management Reform
10	Act of 2006, the Administrator shall—
11	"(1) in collaboration with the administrators of
12	the Emergency Management Assistance Compact,
13	State and local governments, emergency response pro-
14	viders, and the organizations that represent such pro-
15	viders, provide detailed written guidance, assistance,
16	and expertise to State and local governments to facili-
17	tate the credentialing of State and local emergency re-
18	sponse providers commonly or likely to be used in re-
19	sponding to a natural or man-made disaster; and
20	"(2) in coordination with the administrators of
21	the Emergency Management Assistance Compact,
22	State and local governments, emergency response pro-
23	viders (and the organizations that represent such pro-
24	viders), and appropriate national professional orga-
25	nizations, assist State and local governments with

1	credentialing the personnel of the State or local gov-
2	ernment under the guidance provided under para-
3	graph (1).
4	"(g) Report.—Not later than 6 months after the date
5	of enactment of the Post-Katrina Emergency Management
6	Reform Act of 2006, and annually thereafter, the Adminis-
7	trator shall submit to the Committee on Homeland Security
8	and Governmental Affairs of the Senate and the Committee
9	on Homeland Security of the House of Representatives a
10	report describing the implementation of this section, includ-
11	ing the number and level of qualification of Federal per-
12	sonnel trained and ready to respond to a natural or man-
13	made disaster.
14	"SEC. 532. TYPING OF RESOURCES.
15	"(a) Definitions.—In this section—
16	"(1) the term 'typed' means an asset or resource
17	that has been evaluated for a specific function under
18	the guidelines created under this section; and
19	"(2) the term 'typing' means to define in detail
20	the minimum capabilities of an asset or resource.
21	"(b) Requirements.—
22	"(1) In General.—The Administrator shall
23	enter into a memorandum of understanding with the
24	administrators of the Emergency Management Assist-
25	ance Compact, State and local governments, emer-

1	gency response providers, and organizations that rep-
2	resent such providers, to collaborate on establishing
3	nationwide standards for typing of resources com-
4	monly or likely to be used in responding to a natural
5	or man-made disaster.
6	"(2) Contents.—The standards developed under
7	paragraph (1) shall—
8	"(A) be applicable to Federal, State, and
9	local government; and
10	"(B) be compatible with the National Inci-
11	dent Management System.
12	"(c) Typing of Department Resources and As-
13	SETS.—Not later than 1 year after the date of enactment
14	of the Post-Katrina Emergency Management Reform Act of
15	2006, the Secretary shall ensure that all resources and assets
16	of the Department that are commonly or likely to be used
17	to respond to a natural or man-made disaster are typed.
18	"(d) Integration With National Response
19	PLAN.—
20	"(1) Distribution of Standards.—Not later
21	than 6 months after the date of enactment of the Post-
22	Katrina Emergency Management Reform Act of 2006,
23	the Administrator shall provide the standards devel-
24	oped under subsection (b) to all Federal agencies that

1	have responsibilities under the National Response
2	Plan.
3	"(2) Typing of agencies, assets and re-
4	SOURCES.—Not later than 180 days after the date on
5	which the standards are provided under paragraph
6	(1), each agency described in paragraph (1) shall—
7	"(A) ensure that all resources and assets
8	(including teams, equipment, and other assets) of
9	that agency that are commonly or likely to be
10	used to respond to a natural or man-made dis-
11	aster are typed; and
12	"(B) submit to the Secretary a list of all
13	types resources and assets.
14	"(3) Leadership.—The Administrator shall
15	provide leadership, guidance, and technical assistance
16	to an agency described in paragraph (1) to facilitate
17	the typing process of that agency.
18	"(e) Documentation and Database System.—
19	"(1) In general.—Not later than 1 year after
20	the date of enactment of the Post-Katrina Emergency
21	Management Reform Act of 2006, the Administrator
22	shall establish and maintain a documentation and
23	database system of Federal resources and assets com-
24	monly or likely to be used to respond to a natural or
25	man-made disaster.

1	"(2) Accessibility.—The documentation and
2	database system established under paragraph (1) shall
3	be accessible to the Federal coordinating officer and
4	other appropriate officials preparing for or respond-
5	ing to a natural or man-made disaster.
6	"(f) Guidance to State and Local Govern-
7	MENTS.—Not later than 6 months after the date of enact-
8	ment of the Post-Katrina Emergency Management Reform
9	Act of 2006, the Administrator, in collaboration with the
10	administrators of the Emergency Management Assistance
11	Compact, State and local governments, emergency response
12	providers, and the organizations that represent such pro-
13	viders, shall—
14	"(1) provide detailed written guidance, assist-
15	ance, and expertise to State and local governments to
16	facilitate the typing of the resources and assets of
17	State and local governments likely to be used in re-
18	sponding to a natural or man-made disaster; and
19	"(2) assist State and local governments with
20	typing resources and assets of State or local govern-
21	ments under the guidance provided under paragraph
22	(1).
23	"(g) Report.—Not later than 6 months after the date
24	of enactment of the Post-Katrina Emergency Management
25	Reform Act of 2006, and annually thereafter, the Adminis-

- 1 trator shall submit to the Committee on Homeland Security
- 2 and Governmental Affairs of the Senate and the Committee
- 3 on Homeland Security of the House of Representatives a
- 4 report describing the implementation of this section, includ-
- 5 ing the number and type of Federal resources and assets
- 6 ready to respond to a natural or man-made disaster.
- 7 "SEC. 533. PROVIDING SECURE ACCESS TO CRITICAL INFRA-
- 8 STRUCTURE.
- 9 "Not later than 6 months after the date of enactment
- 10 of the Post-Katrina Emergency Management Reform Act of
- 11 2006, and in coordination with appropriate national pro-
- 12 fessional organizations, Federal, State, and local govern-
- 13 ment agencies, and private-sector and nongovernmental en-
- 14 tities, the Administrator shall create model standards or
- 15 guidelines that States may adopt in conjunction with crit-
- 16 ical infrastructure owners and operators and their employ-
- 17 ees to permit access to restricted areas in the event of a
- 18 natural or man-made disaster.
- 19 "SEC. 534. IMPROVEMENTS TO INFORMATION TECHNOLOGY
- 20 **SYSTEMS.**
- 21 "(a) Measures to Improve Information Tech-
- 22 Nology Systems.—The Administrator shall take appro-
- 23 priate measures to update and improve the information
- 24 technology systems of the Agency, including measures to—

1	"(1) ensure that the multiple information tech-
2	nology systems of the Agency (including the National
3	Emergency Management Information System, the Lo-
4	gistics Information Management System III, and the
5	Automated Deployment Database) are fully compat-
6	ible and can share and access information from each
7	other;
8	"(2) ensure technology enhancements reach the
9	headquarters and regional offices of the Agency in a
10	timely fashion, to allow seamless integration;
11	"(3) develop and maintain a testing environ-
12	ment that ensures that all system components are
13	properly and thoroughly tested before their release;
14	"(4) ensure that the information technology sys-
15	tems of the Agency have the capacity to track disaster
16	response personnel, mission assignments task orders,
17	commodities, and supplies used in response to a nat-
18	ural or man-made disaster;
19	"(5) make appropriate improvements to the Na-
20	tional Emergency Management Information System
21	to address shortcomings in such system on the date of
22	enactment of the Post-Katrina Emergency Manage-
23	ment Reform Act of 2006; and
24	"(6) provide training, manuals, and guidance on

information technology systems to personnel, includ-

- 1 ing disaster response personnel, to help ensure em-
- 2 ployees can properly use information technology sys-
- 3 tems.
- 4 "(b) Report.—Not later than 270 days after the date
- 5 of enactment of the Post-Katrina Emergency Management
- 6 Reform Act of 2006, the Administrator shall submit to the
- 7 Committee on Homeland Security and Governmental Af-
- 8 fairs of the Senate and the Committee on Homeland Secu-
- 9 rity of the House of Representatives a report describing the
- 10 implementation of this section, including any actions taken,
- 11 improvements made, any remaining problems and describ-
- 12 ing any additional funding needed to make necessary and
- 13 appropriate improvements to the information technology
- 14 systems of the Agency.
- 15 "SEC. 535. EVACUATION TECHNICAL ASSISTANCE.
- 16 "(a) In General.—The Administrator shall provide
- 17 technical assistance to States and local governments that
- 18 experience hurricanes, tsunamis, or other severe weather
- 19 events, including the preparation of hurricane evacuation
- 20 studies and evacuation plans assessing storm surge esti-
- 21 mates, evacuation zones, evacuation clearance times, trans-
- 22 portation capacity, and shelter capacity.
- 23 "(b) Plan and Schedule.—
- 24 "(1) In General.—Not later than 180 days
- 25 after the date of enactment of the Post-Katrina Emer-

1	gency Management Reform Act of 2006, the Adminis-
2	trator shall—
3	"(A) establish a plan and schedule for com-
4	pleting, maintaining, and periodically updating
5	evacuation studies carried out by the Adminis-
6	trator to ensure that States and local govern-
7	ments that experience hurricanes, tsunamis, or
8	other severe weather events have current and
9	complete information available to them for the
10	preparation of their own evacuation plans; and
11	"(B) include in the plan and schedule estab-
12	lished under subparagraph (A) annual mainte-
13	nance and updates of existing hurricane evacu-
14	ation studies following each hurricane season for
15	those basins impacted by a hurricane.
16	"(2) Previously initiated studies.—Any
17	evacuation study initiated prior to the promulgation
18	of a plan and schedule established under paragraph
19	(1) shall be completed not later than January 1,
20	2008.
21	"(c) Assistance and Guidelines.—The Adminis-
22	trator shall develop guidelines for the preparation of, and
23	assist each State that is eligible for assistance under this
24	section in producing, a State pre-storm evacuation and
25	shelter plan which shall address the following:

- "(1) Information, guidance, and data contained
 in hurricane evacuation studies and other models or
 projections of storm surge estimates, evacuation zones,
 evacuation clearance times, transportation capacity,
 and shelter capacity.

 "(2) Guidance regarding storm surge and evacu-
 - "(2) Guidance regarding storm surge and evacuation-related estimates projections provided by the National Weather Service or the National Oceanic and Atmospheric Administration.
 - "(3) State planning assumptions, procedures, and guidelines for pre-storm evacuation-decision making and sheltering based on hurricane evacuation studies and published guidance by the Agency.
 - "(4) Transportation and shelter capabilities or resources that will be available and used by the State and by each county, parish or municipality to implement the State pre-storm evacuation and shelter plan.
 - "(5) Estimated costs for the State and for each county or parish to provide pre-storm evacuation and sheltering based on historical data, cost estimates developed by the State Comptroller that are updated after each hurricane season.
 - "(6) Any documented limitations on State, county, parish, or city resources or capability to provide for pre-storm evacuation and shelter and the plan-

1	ning assumptions of the State regarding the need for
2	Federal assistance to compensate for such limitations.
3	"(d) Report to Congress.—Not later than 1 year
4	after the date of enactment of the Post-Katrina Emergency
5	Management Reform Act of 2006, and annually thereafter,
6	the Administrator shall report to the Committee on Home-
7	land Security and Governmental Affairs and the Committee
8	on Appropriations of the Senate and the Committee on
9	Homeland Security and the Committee on Appropriations
10	of the House of Representatives on the actions taken by the
11	Administrator to carry out the provisions of this section,
12	including the status of evacuation studies, State evacuation
13	and shelter plans, and the incorporation of lessons learned
14	from post-storm assessments.
15	"SEC. 536. EVACUATION PLANS AND EXERCISES.
16	"(a) In General.—Notwithstanding any other provi-
17	sion of law, grants made to States or local governments by
18	the Department through the State Homeland Security
19	Grant Program or the Urban Area Security Initiative may
20	be used to—
21	"(1) establish programs for the development and
22	maintenance of mass evacuation plans under sub-

section (b) in the event of a natural or man-made dis-

aster;

23

1	"(2) prepare for the execution of such plans, in-
2	cluding the development of evacuation routes and the
3	purchase and stockpiling of necessary supplies and
4	shelters; and
5	"(3) conduct exercises of such plans.
6	"(b) Plan Development.—In developing the mass
7	evacuation plans authorized under subsection (a), each
8	State or local government shall, to the maximum extent
9	practicable—
10	"(1) establish incident command and decision
11	making processes;
12	"(2) ensure that State and local government
13	plans, including evacuation routes, are coordinated
14	$and\ integrated;$
15	"(3) identify primary and alternative evacu-
16	ation routes and methods to increase evacuation ca-
17	pabilities along such routes such as conversion of two-
18	way traffic to one-way evacuation routes;
19	"(4) identify evacuation transportation modes
20	and capabilities, including the use of mass and public
21	transit capabilities, and coordinating and integrating
22	evacuation plans for all populations including for
23	those individuals located in hospitals, nursing homes,
24	and other institutional living facilities for individ-
25	uals with special needs;

1	"(5) develop procedures for informing the public
2	of evacuation plans before and during an evacuation,
3	including individuals who—
4	"(A) have special needs;
5	"(B) do not speak English; or
6	"(C) might otherwise have difficulty in ob-
7	taining such information; and
8	"(6) identify shelter locations and capabilities.
9	"(c) Assistance.—
10	"(1) In general.—The Administrator may es-
11	tablish any guidelines, standards, or requirements de-
12	termined appropriate to administer this section and
13	to ensure effective mass evacuation planning for State
14	and local areas.
15	"(2) Requested Assistance.—The Adminis-
16	trator shall make assistance available upon request of
17	a State or local government to assist hospitals, nurs-
18	ing homes, and other institutions that house individ-
19	uals with special needs to establish, maintain, and ex-
20	ercise mass evacuation plans that are coordinated
21	and integrated into the plans developed by that State
22	or local government under this section.

1	"SEC. 537. MINIMUM PERFORMANCE MEASURE REQUIRE-
2	MENTS.
3	"(a) In General.—The Administrator shall ensure
4	State, regional, and local emergency preparedness by estab-
5	lishing minimum performance requirements for public and
6	community preparedness.
7	$``(b)\ Activities.$ —The Administrator shall—
8	"(1) establish minimum performance require-
9	ments for entities that receive homeland security pre-
10	paredness grants;
11	"(2) conduct, in coordination with Regional Of-
12	fices, simulations and exercises to test minimum per-
13	formance requirements for—
14	"(A) emergencies and major disasters not
15	less than 2 times each year; and
16	"(B) catastrophic incidents not less than
17	once each year; and
18	"(3) ensure that entities that the Administrator
19	determines are failing to demonstrate minimum per-
20	formance requirements under paragraph (1) shall
21	remedy the areas of failure not later than the end of
22	the second full fiscal year after the date of such deter-
23	mination by—
24	"(A) establishing a plan for the achievement
25	of the minimum performance requirements under
26	paragraph (1), including—

1	"(i) developing intermediate indicators
2	for the 2 fiscal years following the date of
3	such determination; and
4	"(ii) conducting additional simula-
5	tions and exercises; and
6	"(B) revising the State homeland security
7	plan.
8	"(c) Waiver.—At the discretion of the Administrator,
9	the occurrence of an emergency, major disaster, or cata-
10	strophic incident in an area may be deemed as a simulation
11	$under\ subsection\ (b)(2).$
12	"(d) Report to Congress.—Not later than the end
13	of the first full fiscal year after the date of enactment of
14	the Post-Katrina Emergency Management Reform Act of
15	2006, and each fiscal year thereafter, the Administrator
16	shall submit to the Committee on Homeland Security and
17	Governmental Affairs of the Senate and to the Committee
18	on Homeland Security of the House of Representatives a
19	report describing—
20	"(1) the performance of grantees under sub-
21	section (b)(1);
22	"(2) lessons learned through the simulations and
23	exercises under subsection (b)(2); and
24	"(3) efforts being made to remedy failed perform-
25	ance under subsection $(b)(3)$.

1	"SEC. 538. COORDINATION BETWEEN THE AGENCY AND THE
2	UNITED STATES ARMY CORPS OF ENGINEERS.
3	"(a) In General.—The Administrator shall coordi-
4	nate with the Commander and Chief of Engineers of the
5	United States Army Corps of Engineers on those issues per-
6	taining to natural and man-made disaster response, recov-
7	ery, and mitigation concerning the missions of the Agency
8	and the Corps to lessen the impact of natural and man-
9	made disasters.
10	"(b) Consultation under this section
11	shall include consideration of ways to establish better inter-
12	departmental communication and strategic planning re-
13	garding levees, levy repair, flood plain management, crit-
14	ical infrastructure, and other relevant matters pertaining
15	to vulnerable communities.
16	"SEC. 539. DISCLOSURE OF CERTAIN INFORMATION TO LAW
17	ENFORCEMENT AGENCIES.
18	"In the event of circumstances requiring an evacu-
19	ation, sheltering, or mass relocation, the Secretary may dis-
20	close information in any individual assistance database of
21	the Department in accordance with section 552a(b) of title
22	5, United States Code, (commonly referred to as the Pri-
23	vacy Act') to any law enforcement agency of the Federal
24	Government or a State or local government in order to iden-
25	tify illegal conduct or address public safety or security

1	issues, including compliance with sex offender notification
2	laws."; and
3	(8) by inserting after section 545 (as redesig-
4	nated by paragraph (6) of this subsection) the fol-
5	lowing:
6	"Subtitle B—Emergency
7	Communications
8	"SEC. 551. DEFINITIONS.
9	"In this subtitle—
10	"(1) the term 'eligible region' means—
11	"(A) 2 or more contiguous incorporated mu-
12	nicipalities, counties, parishes, Indian tribes, or
13	other general purpose jurisdictions that—
14	"(i) have joined together to enhance
15	emergency communications capabilities or
16	communications interoperability between
17	emergency response providers in those juris-
18	dictions and with State and Federal offi-
19	cials; and
20	"(ii) includes the largest city in any
21	metropolitan statistical area or metropoli-
22	tan division, as defined by the Office of
23	Management and Budget; or
24	"(B) any other area the Secretary deter-
25	mines to be consistent with the definition of a re-

1	gion in the national preparedness guidance
2	issued under Homeland Security Presidential
3	Directive 8;
4	"(2) the term 'National Emergency Communica-
5	tions Strategy' means the strategy established under
6	section 553; and
7	"(3) the term 'Office of Emergency Communica-
8	tions' means the office established under section 552.
9	"SEC. 552. OFFICE OF EMERGENCY COMMUNICATIONS.
10	"(a) In General.—There is established in the Agency
11	an Office of Emergency Communications.
12	"(b) DIRECTOR.—The head of the Office of Emergency
13	Communications shall be the Director for Emergency Com-
14	munications. The Director shall report to the Assistant Sec-
15	retary for Cybersecurity and Telecommunications.
16	"(c) Responsibilities.—The Director for Emergency
17	Communications shall—
18	"(1) assist the Secretary and the Administrator
19	in developing and implementing the program de-
20	scribed in section $7303(a)(1)$ of the Intelligence Re-
21	form and Terrorism Prevention Act of 2004 (6 U.S.C.
22	194(a)(1));
23	"(2) carry out the responsibilities and authori-
24	ties of the Department relating to the development
25	and implementation of a strategy to achieve national

1	communications interoperability and emergency com-
2	munications capabilities and promulgating grant
3	guidance for that purpose;
4	"(3) carry out the responsibilities under section
5	543;
6	"(4) conduct extensive, nationwide outreach and
7	foster the development of emergency communications
8	capabilities and interoperable communications sys-
9	tems by Federal, State, and local governments and
10	public safety agencies, and by regional consortia
11	thereof, by—
12	"(A) developing, updating, and imple-
13	menting a national strategy to achieve emer-
14	gency communications capabilities, with goals
15	and timetables;
16	"(B) developing, updating, and imple-
17	menting a national strategy to achieve commu-
18	nications interoperability, with goals and time-
19	tables;
20	"(C) developing a national architecture,
21	which defines the components of an interoperable
22	system and how the components are constructed;
23	"(D) in conjunction with the National Ad-
24	visory Council, establishing and maintaining a
25	task force that represents the broad customer base

of public safety agencies of State and local governments, and Federal agencies, involved in public safety disciplines such as law enforcement, firefighting, emergency medical services, public health, and disaster recovery, in order to receive input and coordinate efforts to achieve emergency communications capabilities and communications interoperability;

- "(E) working with the Interoperable Communications Technical Assistance Program to provide technical assistance to State and local government officials and the Regional Advisory Councils established under section 517;
- "(F) promoting a greater understanding of the importance of emergency communications capabilities, communications interoperability, and the benefits of sharing resources among all levels of Federal, State, and local government;
- "(G) promoting development of standard operating procedures for incident response and facilitating the sharing of information on best practices (including from governments abroad) for achieving emergency communications capabilities and communications interoperability;

1	"(H) making recommendations to Congress
2	about any changes in Federal law necessary to
3	remove barriers to achieving emergency commu-
4	nications capabilities and communications inter-
5	operability;
6	"(I) funding and conducting pilot pro-
7	grams, as necessary, in order to—
8	"(i) evaluate and validate technology
9	concepts in real-world environments to
10	achieve emergency communications capa-
11	bilities and communications interoper-
12	ability;
13	"(ii) encourage more efficient use of re-
14	sources, including equipment and spectrum;
15	and
16	"(iii) test and deploy public safety
17	communications systems that are less prone
18	to failure, support nonvoice services, con-
19	sume less spectrum, and cost less;
20	"(J) liaisoning with the private sector to
21	develop solutions to improve emergency commu-
22	nications capabilities and achieve communica-
23	$tions\ interoperability;$

1	"(K) using modeling and simulation for
2	training exercises and command and control
3	functions at the operational level; and
4	"(L) performing other functions necessary
5	to improve emergency communications capabili-
6	ties and achieve communications interoper-
7	ability;
8	"(5) administer the responsibilities and authori-
9	ties of the Department relating to the Integrated
10	Wireless Network Program;
11	"(6) administer the responsibilities and authori-
12	ties of the Department relating to the National Com-
13	munications System;
14	"(7) administer the responsibilities and authori-
15	ties of the Department related to the Emergency Alert
16	System and the Integrated Public Alert and Warning
17	System;
18	"(8) establish an effective, reliable, integrated,
19	flexible, and comprehensive system to alert and warn
20	the people of the United States in the event of a nat-
21	ural or man-made disaster;
22	"(9) administer the responsibilities and authori-
23	ties of the Department relating to Office of Interoper-
24	ability and Compatibility;

1	"(10) coordinate the establishment of a national
2	response capability with initial and ongoing plan-
3	ning, implementation, and training for the deploy-
4	ment of backup communications services in the event
5	of a catastrophic loss of local and regional emergency
6	$communications\ services;$
7	"(11) assist the President, the National Security
8	Council, the Homeland Security Council, the Director
9	of the Office of Science and Technology Policy, and
10	the Director of the Office of Management and Budget
11	in ensuring emergency communications capabilities;
12	"(12) review, in consultation with the Assistant
13	Secretary for Grants and Training, all interoperable
14	emergency communications plans of Federal, State,
15	and local governments, including Statewide and tac-
16	tical interoperability plans; and
17	"(13) create an interactive database that con-
18	tains an inventory of emergency communications as-
19	sets maintained by the Federal Government and,
20	where appropriate, State and local governments and
21	the private sector, that—
22	"(A) can be deployed rapidly following a
23	natural or man-made disaster to assist emer-
24	gency response providers and State and local
25	governments; and

1	"(B) includes land mobile radio systems,
2	satellite phones, portable infrastructure equip-
3	ment, backup power system equipment, and other
4	appropriate equipment and systems.
5	"SEC. 553. NATIONAL EMERGENCY COMMUNICATIONS
6	STRATEGY.
7	"(a) In General.—Not later than 180 days after the
8	completion of the baseline assessment under section 554,
9	and in cooperation with State and local governments, Fed-
10	eral departments and agencies, emergency response pro-
11	viders, and the private sector, the Administrator, acting
12	through the Director for Emergency Communications, shall
13	develop a National Emergency Communications Strategy
14	to achieve national emergency communications capabilities
15	and interoperable emergency communications.
16	"(b) Contents.—The National Emergency Commu-
17	nication Strategy shall—
18	"(1) include, in consultation with the National
19	Institute of Standards and Technology, a process for
20	expediting national voluntary consensus-based emer-
21	gency communications equipment standards for the
22	purchase and use by public safety agencies of inter-
23	operable emergency communications equipment and
24	technologies;

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

- "(2) identify the appropriate emergency communications capabilities and communications interoperability necessary for Federal, State, and local governments to operate during natural and man-made disasters;
 - "(3) address both short-term and long-term solutions to achieving Federal, State, and local government emergency communications capabilities and interoperable emergency communications systems, including provision of commercially available equipment that facilitates operability, interoperability, coordination, and integration among emergency communications systems;
 - "(4) identify how Federal departments and agencies that respond to natural or man-made disasters can work effectively with State and local governments, in all States, and with such other entities as are necessary to implement the strategy;
 - "(5) include measures to identify and overcome all obstacles to achieving interoperable emergency communications;
 - "(6) set goals and establish timetables for the development of an emergency, command-level communication system based on equipment available across

1	the United States and a nationwide interoperable
2	emergency communications system;
3	"(7) identify appropriate and reasonable meas-
4	ures public safety agencies should employ to ensure
5	that their network infrastructure remains operable
6	during a natural or man-made disaster;
7	"(8) include education of State and local govern-
8	ment emergency response providers about the avail-
9	ability of backup emergency communications assets
10	and their importance in planning for natural and
11	man-made disasters;
12	"(9) identify, in consultation with the Federal
13	Communications Commission, measures State and
14	local governments should employ to ensure operability
15	of 911, E911 and public safety answering points dur-
16	ing natural and man-made disasters; and
17	"(10) include building the capability to adapt
18	the distribution and content of emergency alerts on
19	the basis of geographic location, risks, or personal
20	user preferences, as appropriate.
21	"SEC. 554. ASSESSMENTS AND REPORTS.
22	"(a) Baseline Operability and Interoperability
23	Assessment.—Not later than June 1, 2007, and periodi-
24	cally thereafter, but not less frequently than every 5 years,
25	the Administrator, acting through the Director for Emer-

1	gency Communications, shall conduct an assessment of Fed-
2	eral, State, and local governments to—
3	"(1) define the range of emergency communica-
4	tions capabilities and communications interoper-
5	ability needed for specific events;
6	"(2) assess the capabilities to meet such commu-
7	nications needs;
8	"(3) determine the degree to which necessary
9	emergency communications capabilities and commu-
10	nications interoperability have been achieved;
11	"(4) ascertain the needs that remain for commu-
12	nications interoperability to be achieved;
13	"(5) assess the ability of communities to provide
14	and maintain emergency communications capabilities
15	and communications interoperability among emer-
16	gency response providers, and government officials in
17	the event of a natural or man-made disaster, includ-
18	ing when there is substantial damage to ordinary
19	communications infrastructure or a sustained loss of
20	electricity;
21	"(6) include a national interoperable emergency
22	communication inventory that—
23	"(A) identifies for each Federal department
24	and agency—
25	"(i) the channels and frequencies used;

1	"(ii) the nomenclature used to refer to
2	each channel or frequency used; and
3	"(iii) the types of communications sys-
4	tem and equipment used;
5	"(B) identifies the interoperable emergency
6	communication systems in use for public safety
7	systems in the United States; and
8	"(C) provides a listing of public safety mu-
9	tual aid channels in operation and their ability
10	to connect to an interoperable emergency commu-
11	nications system; and
12	"(7) compile a list of best practices among com-
13	munities for providing and maintaining emergency
14	communications capabilities and communications
15	interoperability in the event of a natural or man-
16	made disaster.
17	$\hbox{\it ``(b) Mobile Communications.} \hbox{\itThe Administrator},$
18	acting through the Director of Emergency Communications,
19	shall evaluate the feasibility and desirability of the Depart-
20	ment developing, on its own or in conjunction with the De-
21	partment of Defense, a mobile communications capability,
22	modeled on the Army Signal Corps, that could be deployed
23	to support emergency communications at the site of a nat-
24	ural or man-made disaster.

1	"(c) Annual Report.—Not later than 1 year after
2	the date of enactment of the Post-Katrina Emergency Man-
3	agement Reform Act of 2006, and annually thereafter until
4	the date that is 10 years after such date, the Administrator,
5	acting through the Director for Emergency Communica-
6	tions, shall submit to the Committee on Homeland Security
7	and Governmental Affairs of the Senate and the Committee
8	on Homeland Security of the House of Representatives a
9	report on the progress of the Department in implementing
10	and achieving the goals of this subtitle, including a descrip-
11	tion of the findings of the most recent nationwide assess-
12	ment conducted under subsection (a).
10	
13	"SEC. 555. COORDINATION OF FEDERAL EMERGENCY COM-
	"SEC. 555. COORDINATION OF FEDERAL EMERGENCY COM- MUNICATIONS GRANT PROGRAMS.
14	MUNICATIONS GRANT PROGRAMS.
14 15	MUNICATIONS GRANT PROGRAMS. "(a) Assessment of Grants and Standards Pro- Grams.—The Secretary, acting through the Director for
14151617	MUNICATIONS GRANT PROGRAMS. "(a) Assessment of Grants and Standards Pro- Grams.—The Secretary, acting through the Director for
14 15 16 17 18	MUNICATIONS GRANT PROGRAMS. "(a) Assessment of Grants and Standards Pro- Grams.—The Secretary, acting through the Director for Emergency Communications, in coordination with other
14 15 16 17 18	MUNICATIONS GRANT PROGRAMS. "(a) Assessment of Grants and Standards Pro- Grams.—The Secretary, acting through the Director for Emergency Communications, in coordination with other Federal departments and agencies, and in consultation with
14 15 16 17 18 19 20	"(a) Assessment of Grants and Standards Pro- Grams.—The Secretary, acting through the Director for Emergency Communications, in coordination with other Federal departments and agencies, and in consultation with the National Advisory Committee, shall review Federal
14 15 16 17 18 19 20 21	"(a) Assessment of Grants and Standards Pro- Grams.—The Secretary, acting through the Director for Emergency Communications, in coordination with other Federal departments and agencies, and in consultation with the National Advisory Committee, shall review Federal emergency communications grants and standards programs
14 15 16 17 18 19 20 21 22	"(a) Assessment of Grants and Standards Pro- Grams.—The Secretary, acting through the Director for Emergency Communications, in coordination with other Federal departments and agencies, and in consultation with the National Advisory Committee, shall review Federal emergency communications grants and standards programs across the Federal government to—
14151617	"(a) Assessment of Grants and Standards Pro- Grams.—The Secretary, acting through the Director for Emergency Communications, in coordination with other Federal departments and agencies, and in consultation with the National Advisory Committee, shall review Federal emergency communications grants and standards programs across the Federal government to— "(1) integrate and coordinate Federal grant

1	"(2) assess and make recommendations to ensure
2	that such guidelines are consistent across the Federal
3	Government; and
4	"(3) assess and make recommendations to ensure
5	conformity with the goals and objectives identified in
6	$the\ National\ Emergency\ Communications\ Strategy.$
7	"(b) Denial of Eligibility for Grants.—
8	"(1) In general.—The Secretary may prohibit
9	any State or local government from using Federal
10	homeland security assistance administered by the De-
11	partment to achieve, maintain, or enhance interoper-
12	able emergency communications capabilities if—
13	"(A) such government has not complied
14	with the requirement to submit a Statewide
15	Interoperable Communications Plan under sec-
16	tion 7303(f) of the Intelligence Reform and Ter-
17	rorism Prevention Act of 2004 (6 U.S.C. 194(f));
18	"(B) the State or local government has not
19	taken adequate steps to maintain operability of
20	network infrastructure in order to prepare for a
21	natural or man-made disaster; or
22	"(C) a grant request does not comply with
23	interoperable communications equipment stand-
24	ards, after those standards have been developed
25	through a voluntary consensus-based process or

1	are promulgated pursuant to the authority under
2	paragraph (2).
3	"(2) Standards.—If the Secretary determines
4	that inadequate progress is being made on the comple-
5	tion of voluntary consensus-based interoperable com-
6	munications equipment standards, the Secretary may
7	promulgate such standards and include them in inter-
8	operable communications grant guidance.
9	"SEC. 556. EMERGENCY COMMUNICATIONS INTEROPER-
10	ABILITY RESEARCH AND DEVELOPMENT.
11	"(a) In General.—The Secretary shall establish a
12	comprehensive research and development program to pro-
13	mote emergency communications capabilities and commu-
14	nications interoperability among emergency response pro-
15	viders, including by—
16	"(1) promoting research on a competitive basis
17	through the Directorate of Science and Technology
18	Homeland Security Advanced Research Projects Agen-
19	cy; and
20	"(2) establishing a Center of Excellence under
21	the Department of Homeland Security Centers of Ex-
22	cellence Program, using a competitive process, focused
23	on enhancing information and communications sys-
24	tems for emergency response providers.

1	"(b) Purposes.—The purposes of the program estab-
2	lished under subsection (a) include—
3	"(1) understanding the strengths and weaknesses
4	of the public safety communications systems in use;
5	"(2) examining how current and emerging tech-
6	nology can make public safety organizations more ef-
7	fective, and how Federal, State, and local government
8	agencies can use this technology in a coherent and
9	cost-effective manner;
10	"(3) exploring Federal, State, and local govern-
11	ment policies that shall move systematically towards
12	$long\text{-}term\ solutions;$
13	"(4) evaluating and validating technology con-
14	cepts, and promoting the deployment of advanced
15	public safety information technologies for emergency
16	communications capabilities and communications
17	interoperability; and
18	"(5) advancing the creation of a national strat-
19	egy to enhance emergency communications capabili-
20	ties, promote communications interoperability and ef-
21	ficient use of spectrum in communications systems,
22	improve information sharing across organizations,
23	and use advanced information technology to increase
24	the effectiveness of emergency response providers in
25	valuable new ways.

1	"SEC.	<i>557</i> .	EMERGENCY	COMMUNICATIONS	PILOT
2		i	PROJECTS.		
3	"((a) Est	ABLISHMENT.—		
4		"(1)	In general.—	-Not later than 1 ye	ar after
5	th	e date	of enactment of	the Post-Katrina En	ıergency
6	M	Tanagen	nent Reform Ac	t of 2006, the Admir	iistrator
7	sh	all este	ablish not fewer	than 2 pilot project	s to de-
8	$v\epsilon$	elop and	d evaluate strate	gies and technologies	for pro-
9	vi	ding a	nd maintaining	g emergency commun	ications
10	ca	upabilit	ies and comm	nunications interope	erability
11	an	mong er	nergency respon	se providers and gov	ernment
12	of.	ficials	in the event of	a natural or man-m	ade dis-
13	as	ster in	which there is :	significant damage to	o, or de-
14	st	ruction	of, critical in	frastructure, includi	ng sub-
15	st	antial	loss of ordinar	y telecommunication	s infra-
16	st	ructure	and sustained l	loss of electricity.	
17		"(2)	Interoperabi	LE DATA COMMUNICAT	TONS.—
18	N	tot less	than 1 pilot pr	oject under this secti	on shall
19	in	volve ti	he development	of interoperable data	commu-
20	ni	ications	, including med	lical and victim infor	mation,
21	80	that t	his information	can be shared amon	ng emer-
22	$g\epsilon$	ency re	sponse provider.	s, as needed, at all	levels of
23	ga	overnme	ent, and in acc	ordance with the reg	ulations
24	pr	romulge	uted under the	Health Insurance Por	rtability
25	ar	nd $Acco$	untability Act	of 1996 (Public Law	104-91:

110 Stat. 1936).

1	"(b) Selection Criteria.—In selecting areas for the
2	location of the pilot projects under this section, the Admin-
3	istrator shall consider—
4	"(1) the risk to the area from a large-scale ter-
5	rorist attack or natural disaster;
6	"(2) the number of potential victims from a
7	large-scale terrorist attack or natural disaster in the
8	area;
9	"(3) the capabilities of the emergency commu-
10	nications systems of the area and capabilities for the
11	development of modeling and simulation training and
12	command and control functions; and
13	"(4) such other criteria as the Administrator
14	may determine appropriate.
15	"SEC. 558. EMERGENCY COMMUNICATIONS AND INTER-
16	OPERABILITY GRANTS.
17	"(a) In General.—The Administrator, through the
18	Office of the Grants and Training, shall make grants to
19	States and eligible regions for initiatives necessary to im-
20	prove emergency communications capabilities and to
21	achieve short-term or long-term solutions to statewide, re-
22	gional, national, and, where appropriate, international
23	interoperability.
24	"(b) Use of Grant Funds.—Grants awarded under
25	subsection (a) may be used for initiatives to achieve short-

1	term or long-term solutions for emergency communications
2	capabilities and communications interoperability within
3	the State or region and to assist with any aspect of the
4	communication life cycle, including—
5	"(1) statewide or regional communications plan-
6	ning;
7	"(2) system design and engineering;
8	"(3) procurement and installation of equipment;
9	"(4) exercises;
10	"(5) modeling and simulation exercises for oper-
11	ational command and control functions;
12	"(6) other activities determined by the Adminis-
13	trator to be integral to the achievement of emergency
14	communications capabilities and communications
15	interoperability; and
16	"(7) technical assistance and training.
17	"(c) Coordination.—The Administrator shall ensure
18	that the Office of Grants and Training coordinates its ac-
19	tivities with the Office of Emergency Communications, the
20	Directorate of Science and Technology and other Federal
21	entities so that grants awarded under this section, and other
22	grant programs related to homeland security, fulfill the
23	purposes of this section and facilitate the achievement of
24	emergency communications capabilities and communica-
25	tions interoperability consistent with the national strategy.

1	"(d) Application.—
2	"(1) In general.—A State or eligible region de-
3	siring a grant under this section shall submit an ap-
4	plication at such time, in such manner, and accom-
5	panied by such information as the Administrator
6	may reasonably require.
7	"(2) Minimum contents.—At a minimum, each
8	application submitted under paragraph (1) shall—
9	"(A) identify the critical aspects of the com-
10	munications life cycle, including planning, sys-
11	tem design and engineering, procurement and
12	installation, and training for which funding is
13	requested;
14	"(B) describe how—
15	"(i) the proposed use of funds would be
16	consistent with and address the goals in
17	any applicable State homeland security
18	plan, and, unless the Secretary determines
19	otherwise, is consistent with the national
20	strategy and architecture; and
21	"(ii) the applicant intends to spend
22	funds under the grant, to administer such
23	funds, and to allocate such funds among
24	any participating local governments; and

1	"(C) be consistent with the Interoperable
2	Communications Plan required by section
3	7303(f) of the Intelligence Reform and Terrorism
4	Prevention Act of 2004 (6 U.S.C. 194(f)).
5	"(e) State Review and Submission.—
6	"(1) In general.—To ensure consistency with
7	State homeland security plans, an eligible region ap-
8	plying for a grant under this section shall submit its
9	application to each State within which any part of
10	the eligible region is located for review before submis-
11	sion of such application to the Administrator.
12	"(2) Deadline.—Not later than 30 days after
13	receiving an application from an eligible region
14	under paragraph (1), each such State shall transmit
15	the application to the Administrator.
16	"(3) State disagreement.—If the Governor of
17	any such State determines that a regional application
18	is inconsistent with the State homeland security plan
19	of that State, or otherwise does not support the appli-
20	cation, the Governor shall—
21	"(A) notify the Administrator in writing of
22	that fact; and
23	"(B) provide an explanation of the reasons
24	for not supporting the application at the time of
25	transmission of the application.

1	"(f) Award of Grants.—
2	"(1) Considerations.—In approving applica-
3	tions and awarding grants under this section, the Ad-
4	ministrator shall consider—
5	"(A) the nature of the threat to the State or
6	eligible region from natural or man-made disas-
7	ters;
8	"(B) the location, risk, or vulnerability of
9	critical infrastructure and key national assets,
10	including the consequences from damage to crit-
11	ical infrastructure in nearby jurisdictions as a
12	result of a natural or man-made disaster;
13	"(C) the size of the population, and the pop-
14	ulation density of the area, that will be served by
15	the interoperable emergency communications sys-
16	tems, except that the Secretary shall not establish
17	a minimum population requirement that would
18	disqualify from consideration an area that other-
19	wise faces significant threats, vulnerabilities, or
20	consequences from a natural or man-made dis-
21	aster;
22	"(D) the extent to which grants will be used
23	to implement emergency communications and
24	interoperability solutions—

1	"(i) consistent with the national strat-
2	egy and compatible with national infra-
3	structure and equipment standards; and
4	"(ii) more efficient and cost effective
5	than current approaches;
6	"(E) the number of jurisdictions within re-
7	gions participating in the development of emer-
8	gency communications capabilities and inter-
9	operable emergency communications systems, in-
10	cluding the extent to which the application in-
11	cludes all incorporated municipalities, counties,
12	parishes, and tribal governments within the
13	State or eligible region, and their coordination
14	with Federal and State agencies;
15	"(F) the extent to which a grant would ex-
16	pedite the achievement of emergency communica-
17	tions capabilities and communications interoper-
18	ability in the State or eligible region with Fed-
19	eral, State, and local government agencies;
20	"(G) the extent to which a State or eligible
21	region, given its financial capability, dem-
22	onstrates its commitment to expeditiously achiev-
23	ing emergency communications capabilities and
24	communications interoperability by

1	supplementing Federal funds with non-Federal
2	funds;
3	"(H) whether the State or eligible region is
4	on or near an international border;
5	"(I) whether the State or eligible region en-
6	compasses an economically significant border
7	crossing;
8	"(J) whether the State or eligible region has
9	a coastline bordering an ocean or international
10	waters including the Great Lakes;
11	"(K) the extent to which geographic barriers
12	pose unusual obstacles to achieving emergency
13	communications capabilities or communications
14	interoperability;
15	"(L) the threats, vulnerabilities, and con-
16	sequences faced by the State or eligible region re-
17	lated to at-risk sites or activities in nearby juris-
18	dictions, including the need to respond to nat-
19	ural or man-made disasters arising in those ju-
20	risdictions;
21	"(M) the need to achieve nationwide emer-
22	gency communications capabilities and commu-
23	nications interoperability, consistent with the
24	national strategies:

1	"(N) the extent to which the State has for-
2	mulated a State executive interoperability com-
3	mittee or conducted similar statewide planning
4	$\it efforts;$
5	"(O) whether the activity for which a grant
6	is requested is being funded under another home-
7	land security grant program; and
8	"(P) such other factors as are specified by
9	the Secretary in writing.
10	"(2) Review panel.—
11	"(A) In general.—The Secretary shall es-
12	tablish a review panel under section 871(a) to
13	assist in reviewing grant applications under this
14	section.
15	"(B) Recommendations.—The review
16	panel established under subparagraph (A) shall
17	make recommendations to the Administrator re-
18	garding applications for grants under this sec-
19	tion.
20	"(C) Membership.—The review panel es-
21	tablished under subparagraph (A) shall include
22	individuals with technical expertise in emer-
23	gency communications and communications
24	interoperability and emergency response pro-

1	viders and other relevant State and local govern-
2	ment officials.
3	"(3) Availability of funds.—Any grant funds
4	awarded that may be used to support emergency com-
5	munications capabilities or communications inter-
6	operability shall, as the Administrator may deter-
7	mine, remain available for up to 3 years, consistent
8	with section 7303(e) of the Intelligence Reform and
9	Terrorism Prevention Act of 2004 (6 U.S.C. 194(e)).".
10	SEC. 102. CONFORMING AMENDMENTS RELATING TO INTEL-
11	LIGENCE REFORM.
12	Section 7303(g) of the Intelligence Reform and Ter-
13	rorism Prevention Act of 2004 (6 U.S.C. 194(g)) is amend-
14	ed—
15	(1) by striking paragraph (1) and inserting the
16	following:
17	"(1) Interoperable emergency communica-
18	TIONS SYSTEM AND COMMUNICATIONS INTEROPER-
19	ABILITY.—The terms 'interoperable emergency com-
20	munications system' and 'communications interoper-
21	ability' mean the ability of emergency response pro-
22	viders and relevant Federal, State, and local govern-
	<i>g</i>

1	"(A) communicate with each other as nec-
2	essary, using information technology systems
3	and radio communications systems; and
4	"(B) exchange voice, data, or video with
5	each other on demand, in real time, as nec-
6	essary."; and
7	(2) by adding at the end the following:
8	"(3) Emergency communications capabili-
9	TIES.—The term 'emergency communications capa-
10	bilities' means the ability to provide and maintain,
11	throughout an emergency response operation, a con-
12	tinuous flow of information among emergency re-
13	sponders, agencies, and government officials from
14	multiple disciplines and jurisdictions and at all levels
15	of government in the event of a natural disaster, ter-
16	rorist attack, or other large-scale or catastrophic
17	emergency, including where there has been significant
18	damage to, or destruction of, critical infrastructure,
19	substantial loss of ordinary telecommunications infra-
20	structure, and sustained loss of electricity.".
21	SEC. 103. BORDER INTEROPERABILITY DEMONSTRATION
22	PROJECTS.
23	(a) Definitions.—In this section—

1	(1) the term "demonstration project" means a
2	demonstration project established under subsection
3	(b)(1); and
4	(2) the term "interoperable emergency commu-
5	nications system" has the meaning given that term in
6	section 501 of the Homeland Security Act of 2002, as
7	amended by this Act.
8	(b) In General.—
9	(1) Establishment.—There is established in
10	the Department an "International Border Commu-
11	nity Interoperable Communications Demonstration
12	Project".
13	(2) Minimum number of communities.—The
14	Secretary shall select not fewer than 6 communities to
15	participate in a demonstration project.
16	(3) Location of communities.—Not fewer than
17	3 of the communities selected under paragraph (2)
18	shall be located on the northern border of the United
19	States and not fewer than 3 of the communities se-
20	lected under paragraph (2) shall be located on the
21	southern border of the United States.
22	(c) Project Requirements.—A demonstration
23	project shall—
24	(1) address the interoperable emergency commu-
25	nications system needs of police officers, firefighters,

1	emergency medical technicians, National Guard, and
2	other emergency response providers;
3	(2) foster interoperable emergency communica-
4	tions systems—
5	(A) among Federal, State, local, and tribal
6	government agencies in the United States in-
7	volved in preventing or responding to terrorist
8	attacks or other catastrophic events; and
9	(B) with similar agencies in Canada or
10	Mexico;
11	(3) identify common international cross-border
12	frequencies for communications equipment, including
13	radio or computer messaging equipment;
14	(4) foster the standardization of equipment for
15	interoperable emergency communications systems;
16	(5) identify solutions that will facilitate commu-
17	nications interoperability across national borders ex-
18	peditiously;
19	(6) ensure that emergency response providers can
20	communicate with each other and the public at dis-
21	aster sites;
22	(7) provide training and equipment to enable
23	emergency response providers to deal with threats and
24	contingencies in a variety of environments; and

1	(8) identify and secure appropriate joint-use
2	equipment to ensure communications access.
3	(d) Distribution of Funds.—
4	(1) In General.—The Secretary shall distribute
5	funds under this section to each community partici-
6	pating in a demonstration project through the State,
7	or States, in which each community is located.
8	(2) Other participants.—Not later than 60
9	days after receiving funds under paragraph (1), a
10	State receiving funds under this section shall make
11	the funds available to the local governments and
12	emergency response providers selected by the Secretary
13	to participate in a demonstration project.
14	(e) Reporting.—Not later than December 31, 2007,
15	and each year thereafter in which funds are appropriated
16	for a demonstration project, the Secretary shall submit to
17	the Committee on Homeland Security and Governmental
18	Affairs of the Senate and the Committee on Homeland Se-
19	curity of the House of Representatives a report on the dem-
20	onstration projects.
21	SEC. 104. TECHNICAL AND CONFORMING AMENDMENTS.
22	(a) Executive Schedule.—
23	(1) Administrator.—Section 5313 of title 5,
24	United States Code, is amended by adding at the end
25	$the\ following:$

1	"Administrator of the Federal Emergency Man-
2	agement Agency.".
3	(2) Directors.—Section 5314 of title 5, United
4	States Code, is amended by adding at the end the fol-
5	lowing:
6	"Directors, Federal Emergency Management
7	Agency.".
8	(b) Officers of the Department.—Section 103(a)
9	of the Homeland Security Act of 2002 (6 U.S.C. 113(a))
10	is amended—
11	(1) by striking paragraph (5) and inserting the
12	following:
13	"(5) An Administrator of the Federal Emergency
14	Management Agency.";
15	(2) by striking paragraph (2); and
16	(3) by redesignating paragraphs (3) through (10)
17	(as amended by this subsection) as paragraphs (2)
18	through (9), respectively.
19	(c) References.—Any reference to the Director of the
20	Federal Emergency Management Agency, in any law, rule,
21	regulation, certificate, directive, instruction, or other offi-
22	cial paper in force on the effective date of this title shall
23	be considered to refer and apply to the Administrator of
24	the Federal Emergency Management Agency.

- 1 (d) Table of Contents in
- 2 section 1(b) of the Homeland Security Act of 2002 (6 U.S.C.
- 3 101 et seq.) is amended by striking the items relating to
- 4 title V and sections 501 through 509 and inserting the fol-
- 5 lowing:

"TITLE V—NATIONAL EMERGENCY MANAGEMENT

"Sec. 501. Definitions.

"Subtitle A—Preparedness and Response

- "Sec. 511. Definitions.
- "Sec. 512. Federal Emergency Management Agency.
- "Sec. 513. Authorities and responsibilities.
- "Sec. 514. Agency components.
- "Sec. 515. Preserving the Federal Emergency Management Agency.
- "Sec. 516. Directors.
- "Sec. 517. Regional Offices.
- "Sec. 518. National Advisory Council on Preparedness and Response.
- "Sec. 519. National Incident Management System Integration Center.
- "Sec. 520. National Operations Center.
- "Sec. 521. Chief Medical Officer.
- "Sec. 522. Public and community preparedness.
- "Sec. 523. Basic life supporting first aid education for children.
- "Sec. 524. SAVER Program.
- "Sec. 525. National Search and Rescue Response System.
- "Sec. 526. Metropolitan Medical Response System.
- "Sec. 527. The National Infrastructure Simulation and Analysis Center.
- "Sec. 528. Emergency Management Assistance Compact.
- "Sec. 529. Office for the Prevention of Terrorism.
- "Sec. 530. Department officials.
- "Sec. 531. Credentialing.
- "Sec. 532. Typing of resources.
- "Sec. 533. Providing secure access to critical infrastructure.
- "Sec. 534. Improvements to information technology systems.
- "Sec. 535. Evacuation technical assistance.
- "Sec. 536. Evacuation Plans and Exercises.
- "Sec. 537. Minimum performance measure requirements.
- "Sec. 538. Coordination between the Agency and the United States Army Corps of Engineers.
- "Sec. 539. Disclosure of certain information to law enforcement agencies.
- "Sec. 540. Nuclear incident response.
- "Sec. 541. Conduct of certain public health-related activities.
- "Sec. 542. Use of national private sector networks in emergency response.
- "Sec. 543. Use of commercially available technology, goods, and services.
- "Sec. 544. Procurement of security countermeasures for strategic national stockpile.
- "Sec. 545. Urban and other high risk area communications capabilities.

$\hbox{``Subtitle B---Emergency Communications'}\\$

	 "Sec. 551. Definitions. "Sec. 552. Office of Emergency Communications. "Sec. 553. National Emergency Communications Strategy. "Sec. 554. Assessments and reports. "Sec. 555. Coordination of Federal emergency communications grant programs. "Sec. 556. Emergency communications interoperability research and development. "Sec. 557. Emergency communications pilot projects. "Sec. 558. Emergency communications and interoperability grants.".
1	TITLE II—STAFFORD ACT
2	AMENDMENTS
3	SEC. 201. GENERAL FEDERAL ASSISTANCE.
4	(a) Major Disasters.—Section 402 of the Robert T.
5	Stafford Disaster Relief and Emergency Assistance Act (42
6	U.S.C. 5170a) is amended—
7	(1) by striking "In any major disaster, the
8	President" and inserting the following:
9	"(a) In General.—In any major disaster, the Presi-
10	dent";
11	(2) in subsection (a)(1), as so designated by this
12	section, by striking "efforts" and inserting "response
13	or recovery efforts, including precautionary evacu-
14	ations";
15	(3) in subsection (a)(2), as so designated by this
16	section, by striking the semicolon and inserting ", in-
17	cluding precautionary evacuations;";
18	(4) in subsection (a)(3), as so designated by this
19	section, by striking "and" at the end;

1	(5) in subsection (a)(4), as so designated by this
2	section, by striking the period and inserting "; and";
3	and
4	(6) by adding at the end the following:
5	"(5) provide accelerated Federal assistance and
6	Federal support where necessary to save lives, prevent
7	human suffering, or mitigate severe damage, which
8	may be provided in the absence of a specific request
9	and in which case the President—
10	"(A) shall, to the fullest extent practicable,
11	promptly notify and coordinate with officials in
12	a State in which such assistance or support is
13	provided; and
14	"(B) shall not, in notifying and coordi-
15	nating with a State under subparagraph (A),
16	delay or impede the rapid deployment, use, and
17	distribution of critical resources to victims of a
18	major disaster.
19	"(b) Recovery Efforts.—In any major disaster, the
20	President may assist State and local governments in short-
21	term and long-term recovery from the consequences of a
22	major disaster and coordinate any such Federal assistance
23	provided by—
24	"(1) identifying Federal programs and agencies
25	to support the implementation of short-term and long-

1	term recovery efforts of State, regional, local, and
2	$tribal\ governments;$
3	"(2) directing any Federal agency, with or with-
4	out reimbursement, to utilize its authorities and re-
5	sources to—
6	"(A) support State and local governments,
7	nongovernmental organizations, and the private
8	sector by conducting a postdisaster assessment of
9	social, economic, and environmental impacts;
10	and
11	"(B) provide technical assistance, guidance,
12	and resources to State and local governments to
13	undertake long-term recovery activities;
14	"(3) creating a plan that clearly outlines the
15	roles, responsibilities, and shared activities of each
16	Federal department and agency involved in long-term
17	recovery activities;
18	"(4) coordinating long-term recovery activities
19	and mitigation provided by all Federal agencies, non-
20	governmental organizations, the private sector, and
21	State and local governments; and
22	"(5) providing technical assistance and other ad-
23	vice to State and local governments affected by the
24	major disaster to—

1	"(A) assess social, economic, and environ-
2	mental impacts (including impacts to living re-
3	sources) of the major disaster on the affected geo-
4	graphic region;
5	"(B) support coordinated, multi-scale plan-
6	ning that takes postdisaster assessments and haz-
7	ard and risk modeling into account;
8	"(C) coordinate data sharing and informa-
9	tion management between Federal agencies,
10	State and local governments, nongovernmental
11	organizations, and the private sector;
12	"(D) coordinate implementation of plans
13	for long-term recovery activities; and
14	"(E) manage, control, and mitigate hazards
15	and risk in a way that reduces injuries, loss of
16	life, damage to the natural environment, and
17	damage and destruction of property, including
18	damage to living resources and facilities.
19	"(c) Guidelines.—The President shall promulgate
20	and maintain guidelines to assist Governors in requesting
21	the declaration of a major disaster in advance of a natural
22	or man-made disaster (including for the purpose of seeking
23	assistance with special needs and other evacuation efforts)
24	under this section by defining the types of assistance avail-

1	able to affected States and the circumstances under which
2	such requests are likely to be approved.".
3	(b) Emergencies.—Section 502 of the Robert T. Staf-
4	ford Disaster Relief and Emergency Assistance Act (42
5	U.S.C. 5192) is amended—
6	(1) in subsection (a)—
7	(A) in paragraph (1), by striking the semi-
8	colon and inserting ", including precautionary
9	evacuations;";
10	(B) in paragraph (6), by striking "and"
11	after the semicolon;
12	(C) in paragraph (7), by striking the period
13	and inserting "; and"; and
14	(D) by adding at the end the following:
15	"(8) provide accelerated Federal assistance and
16	Federal support where necessary to save lives, prevent
17	human suffering, or mitigate severe damage, which
18	may be provided in the absence of a specific request
19	and in which case the President—
20	"(A) shall, to the fullest extent practicable,
21	promptly notify and coordinate with a State in
22	which such assistance or support is provided;
23	and
24	"(B) shall not, in notifying and coordi-
25	natina with a State under subparagraph (A).

1	delay or impede the rapid deployment, use, and
2	distribution of critical resources to victims of an
3	emergency.";
4	(2) in subsection (b), by striking the period and
5	inserting ", including precautionary evacuations.";
6	and
7	(3) by adding at the end the following:
8	"(c) Guidelines.—The President shall promulgate
9	and maintain guidelines to assist Governors in requesting
10	the declaration of an emergency in advance of a natural
11	or man-made emergency (including for the purpose of seek-
12	ing assistance with special needs and other evacuation ef-
13	forts) under this section by defining the types of assistance
14	available to affected States and the circumstances under
15	which such requests are likely to be approved.".
16	SEC. 202. NATIONAL DISASTER RECOVERY STRATEGY.
17	$(a)\ In\ General. — The\ Administrator,\ in\ coordination$
18	with the Secretary of Housing and Urban Development, the
19	Administrator of the Environmental Protection Agency, the
20	Secretary of Agriculture, the Secretary of Commerce, the
21	Secretary of the Treasury, the Administrator of the Small
22	Business Administration, and State and local government
23	officials (including through the National Advisory Council)
24	shall develop, coordinate, and maintain a National Disaster
25	Recovery Strategy.

1	(b) Contents.—The National Disaster Recovery
2	Strategy shall—
3	(1) outline the most efficient and cost effective
4	Federal programs that will meet the short-term and
5	long-term recovery needs of States, local governments,
6	and individuals affected by a major disaster;
7	(2) clearly define the role, programs, authorities,
8	and responsibilities of each Federal department or
9	agency that may be of assistance in providing assist-
10	ance in the recovery from a major disaster;
11	(3) promote the use of the most appropriate and
12	cost-effective building materials (based on the hazards
13	present in an area) in any area affected by a major
14	disaster, with the goal of encouraging the construction
15	of disaster-resistant buildings; and
16	(4) describe in detail the programs that will be
17	offered by the departments and agencies described in
18	paragraph (2), including—
19	(A) discussing funding issues;
20	(B) detailing how responsibilities under the
21	National Disaster Recovery Strategy will be
22	shared; and
23	(C) addressing other matters concerning the
24	cooperative effort to provide recovery assistance.

1	(c) REPORT.—Not later than 270 days after the date
2	of enactment of this Act, and on May 1 of every year there-
3	after, the Administrator shall submit to the Committee on
4	Homeland Security and Governmental Affairs of the Senate
5	and the Committee on Homeland Security of the House of
6	Representatives a report describing in detail the National
7	Disaster Recovery Strategy and any additional authorities
8	necessary to implement any portion of the National Dis-
9	aster Recovery Strategy.
10	SEC. 203. MITIGATION.
11	(a) In General.—Section 322 of the Robert T. Staf-
12	ford Disaster Relief and Emergency Assistance Act (42
13	U.S.C. 5165) is amended—
14	(1) in subsection (a), by inserting "or man-
15	made" after "natural"; and
16	(2) by striking subsection (c)(1) and inserting
17	$the\ following:$
18	"(1) identify the natural and man-made haz-
19	ards, risks, and vulnerabilities of areas in the State
20	which substantially increase the risk of damage, hard-
21	ship, loss, or suffering in the event of an emergency
22	or major disaster;".
23	(b) HAZARD MITIGATION.—The second sentence of sec-
24	tion 404(a) of the Robert T. Stafford Disaster Relief and

1	Emergency Assistance Act (42 U.S.C. 5170c(a)) is amended
2	by inserting "or man-made" after "natural".
3	SEC. 204. DISASTER HOUSING STRATEGY.
4	(a) In General.—The Administrator, in coordination
5	with the Secretary of Housing and Urban Development and
6	State and local government officials (including through the
7	National Advisory Council) shall develop, coordinate, and
8	maintain a National Disaster Housing Strategy.
9	(b) Contents.—The National Disaster Housing
10	Strategy shall—
11	(1) outline the most efficient and cost effective
12	Federal programs that will best meet the short-term
13	and long-term housing needs of individuals and
14	households affected by a major disaster;
15	(2) clearly define the role, programs, authorities,
16	and responsibilities of each entity in providing hous-
17	ing assistance in the event of a major disaster, in-
18	cluding—
19	(A) the Agency;
20	(B) the Department of Housing and Urban
21	Development;
22	(C) the Department of Agriculture;
23	(D) the Department of Veterans Affairs;
24	(E) the Department of Health and Human
25	Services;

1	(F) any other Federal agency that may pro-
2	vide housing assistance in the event of a major
3	disaster;
4	(G) the American Red Cross; and
5	(H) State and local governments;
6	(3) describe in detail the programs that will be
7	offered by the entities described in paragraph (2), in-
8	cluding—
9	(A) outlining any funding issues;
10	(B) detailing how responsibilities under the
11	National Disaster Housing Strategy will be
12	shared; and
13	(C) addressing other matters concerning the
14	cooperative effort to provide housing assistance
15	during a major disaster;
16	(4) consider methods through which housing as-
17	sistance can be provided to individuals and house-
18	holds where employment and other resources for living
19	are available;
20	(5) describe programs directed to meet the needs
21	of special needs and low income populations;
22	(6) describe plans for the operation of clusters of
23	housing provided to individuals and households, in-
24	cluding access to public services, site management, se-
25	curity, and site density; and

1	(7) describe any additional authorities necessary
2	to carry out any portion of the strategy.
3	(c) REPORT.—Not later than 270 days after the date
4	of enactment of this Act, and on May 1 of every year there-
5	after, the Administrator shall submit to the Committee on
6	Homeland Security and Governmental Affairs and the
7	Committee on Banking, Housing, and Urban Affairs of the
8	Senate and the Committee on Homeland Security and the
9	Committee on Transportation and Infrastructure of the
10	House of Representatives a report describing in detail the
11	National Disaster Housing Strategy, including programs
12	directed to meeting the needs of special needs populations.
13	SEC. 205. ESSENTIAL SERVICES.
14	Title IV of the Robert T. Stafford Disaster Relief and
	Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.) is
15	
15	Emergency Assistance Act (42 U.S.C. 5170 et seq.) is
15 16	Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following: "SEC. 425. ESSENTIAL SERVICE PROVIDERS.
15 16 17	Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following: "SEC. 425. ESSENTIAL SERVICE PROVIDERS.
15 16 17 18	Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following: "SEC. 425. ESSENTIAL SERVICE PROVIDERS. "(a) DEFINITION.—In this section, the term 'essential
15 16 17 18 19	Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following: "SEC. 425. ESSENTIAL SERVICE PROVIDERS. "(a) DEFINITION.—In this section, the term 'essential service provider' means an entity that—
15 16 17 18 19 20	Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following: "SEC. 425. ESSENTIAL SERVICE PROVIDERS. "(a) DEFINITION.—In this section, the term 'essential service provider' means an entity that— "(1) provides—
15 16 17 18 19 20 21	Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following: "SEC. 425. ESSENTIAL SERVICE PROVIDERS. "(a) DEFINITION.—In this section, the term 'essential service provider' means an entity that— "(1) provides— "(A) telecommunications service;

1	"(E) any other essential service, as deter-
2	mined by the President;
3	"(2) is—
4	"(A) a municipal entity;
5	"(B) a nonprofit entity; or
6	"(C) a private, for-profit entity; and
7	"(3) is contributing to efforts to respond to an
8	emergency or major disaster.
9	"(b) AUTHORIZATION.—In an emergency or major dis-
10	aster, the President may use Federal equipment, supplies,
11	facilities, personnel, and other non-monetary resources to
12	assist an essential service provider, in exchange for reason-
13	able compensation.
14	"(c) Compensation.—
15	"(1) In general.—The President shall, by regu-
16	lation, establish a mechanism to set reasonable com-
17	pensation to the Federal Government for the provision
18	of assistance under subsection (b).
19	"(2) Criteria.—The mechanism established
20	under paragraph (1)—
21	"(A) shall reflect the cost to the Government
22	(or if this is not readily obtainable, the full mar-
23	ket value under the applicable circumstances) for
24	assistance provided under subsection (b) in set-
25	ting compensation;

1	"(B) shall have, to the maximum degree fea-
2	sible, streamlined procedures for determining
3	compensation; and
4	"(C) may, at the President's discretion, be
5	based on a good faith estimate of cost to the Gov-
6	ernment rather than an actual accounting of
7	costs.
8	"(3) Periodic review.—The President shall pe-
9	riodically review, and if necessary revise, the regula-
10	tions established under paragraphs (1) and (2) to en-
11	sure that these regulations result in full compensation
12	to the Government for transferred resources. Such re-
13	views shall occur not less frequently than once every
14	2 years, and the results of such reviews shall be re-
15	ported to the Committee on Transportation and In-
16	frastructure and the Committee on Homeland Secu-
17	rity of the House of Representatives and the Com-
18	mittee on Homeland Security and Governmental Af-
19	fairs of the Senate.".
20	SEC. 206. HAZARD MITIGATION GRANT PROGRAM FORMULA.
21	The third sentence of section $404(a)$ of the Robert T.
22	Stafford Disaster Relief and Emergency Assistance Act (42
23	U.S.C. 5170c(a)) is amended by striking "7.5 percent" and
24	inserting "15 percent for amounts not more than
25	\$2,000,000,000, 10 percent for amounts of more than

1	\$2,000,000,000 and not more than \$10,000,000,000, and 7.5
2	percent on amounts of more than \$10,000,000,000 and not
3	more than \$35,333,000,000".
4	SEC. 207. HOUSING ASSISTANCE.
5	Section 408 of the Robert T. Stafford Disaster Relief
6	and Emergency Assistance Act (42 U.S.C. 5174) is amend-
7	ed—
8	(1) in subsection (b), by adding at the end the
9	following:
10	"(3) Consent of individual or house-
11	HOLD.—
12	"(A) In General.—Notwithstanding para-
13	graph (2), the President shall seek the consent of
14	each individual or household before providing
15	such individual or household with a direct hous-
16	ing assistance option.
17	"(B) Rejection of direct housing as-
18	SISTANCE.—If an individual or household does
19	not provide consent under subparagraph (A),
20	such individual or household shall remain eligi-
21	ble for any other assistance available under this
22	section.";
23	(2) in subsection (c)—
24	(A) in paragraph (1)—

1	(i) in the paragraph heading, by strik-
2	ing "Temporary housing" and inserting
3	"Housing"; and
4	(ii) in subparagraph (B)—
5	(I) in clause (i), by striking
6	"housing units" and inserting "semi-
7	permanent, or permanent housing
8	units"; and
9	(II) in clause (iii), by striking
10	"housing unit" and inserting "semi-
11	permanent, or permanent housing
12	unit"; and
13	(B) in paragraph (4)—
14	(i) by inserting "or semi-permanent"
15	after "permanent";
16	(ii) by striking "insular"; and
17	(iii) by striking "remote"; and
18	(3) in subsection $(d)(2)(B)(ii)$ —
19	(A) by striking "sole"; and
20	(B) by inserting "or for other purposes that
21	further the public good" after "major disasters
22	and emergencies".

1	SEC. 208. MAXIMUM AMOUNT UNDER INDIVIDUAL ASSIST-
2	ANCE PROGRAMS.
3	Section 408(c) of the Robert T. Stafford Disaster Relief
4	and Emergency Assistance Act (42 U.S.C. 5174(c)) is
5	amended—
6	(1) by striking paragraph (2)(C); and
7	(2) in paragraph (3)—
8	(A) by striking subparagraph (B); and
9	(B) by redesignating subparagraph (C) as
10	subparagraph (B).
11	SEC. 209. COORDINATING OFFICERS.
12	Section 302 of the Robert T. Stafford Disaster Relief
13	and Emergency Assistance Act (42 U.S.C. 5143(b)) is
14	amended—
15	(1) in subsection (b)—
16	(A) in paragraph (3), by striking "and" at
17	$the\ end;$
18	(B) in paragraph (4), by striking the period
19	and inserting "; and"; and
20	(C) by adding at the end the following:
21	"(5) serve as a primary point of contact for, and
22	provide situational awareness to, the Secretary of
23	Homeland Security."; and
24	(2) by adding after subsection (c) the following:
25	"(d) Where the area affected by a major disaster or
26	emergency includes parts of more than 1 State, the Presi-

1	dent, at the discretion of the President, may appoint a sin-
2	gle Federal coordinating officer for the entire affected area,
3	and may appoint such deputy Federal coordinating officers
4	to assist the Federal coordinating officer as the President
5	determines appropriate.".
6	SEC. 210. DEFINITIONS.
7	Section 102 of the Robert T. Stafford Disaster Relief
8	and Emergency Assistance Act (42 U.S.C. 5122) is amend-
9	ed—
10	(1) in paragraph (2)—
11	(A) by striking "catastrophe" and inserting
12	"disaster"; and
13	(B) by striking "or, regardless of cause, any
14	fire, flood, or explosion, in any part of the
15	United States, which in the determination of the
16	President causes damage" and inserting "any
17	fire, flood, or explosion (regardless of cause), any
18	act of domestic terrorism or international ter-
19	rorism (as those terms are defined in section
20	2331 of title 18, United States Code), any out-
21	break of infectious disease, or any chemical re-
22	lease, in any part of the United States, which in
23	the determination of the President causes damage
24	(including from erosion)";

1	(2) in paragraph (9), by inserting "(including
2	museums, zoos, performing arts facilities, community
3	centers, libraries, homeless shelters, senior citizen cen-
4	ters, rehabilitation facilities, shelter workshops, and
5	facilities that provide health and safety services of a
6	governmental nature)" after "general public";
7	(3) by redesignating paragraphs (6) through (9)
8	as paragraphs (7) through (10), respectively; and
9	(4) by inserting after paragraph (5) the fol-
10	lowing:
11	"(6) Individual with a disability.—The term
12	'individual with a disability' means an individual
13	with a disability as defined in section 3(2) of the
14	Americans with Disabilities Act of 1990 (42 U.S.C.
15	12102(2)).".
16	SEC. 211. CATASTROPHIC DAMAGE ASSISTANCE.
17	The Robert T. Stafford Disaster Relief and Emergency
18	Assistance Act (42 U.S.C. 5121 et seq.) is amended—
19	(1) by redesignating title VII as title VIII;
20	(2) by redesignating sections 701 through 705 as
21	subsections 801 through 805, respectively; and
22	(3) by inserting after title VI, the following:

1

"TITLE VII—CATASTROPHIC

DAMAGE ASSISTANCE 2 3 "SEC. 701. PROCEDURES FOR CATASTROPHIC DAMAGES DE-4 TERMINATIONS. 5 "(a) In General.—Following a declaration of a major disaster, if a damage assessment indicates that damages qualify as catastrophic, the President may provide, in 7 addition to other relief available under this Act, the assistance provided for in this title or alter the assistance avail-10 able under this Act as described in this title. 11 "(b) Regulations.—The President shall promulgate 12 regulations establishing a threshold for a catastrophic dam-13 ages determination that greatly exceeds the threshold for the declaration of a major disaster and which include consideration of— 15 16 "(1) the dollar amount per capita of damage to 17 the State, its political subdivisions, or a region: 18 "(2) the impact on the ability of the State, its 19 political subdivisions, or regions to perform response 20 and recovery activities and to provide basic services 21 to citizenry; 22 "(3) the estimated impact of revenue loss to the 23 State, its political subdivisions, or a region;

1	"(4) the number of individuals and households
2	displaced from their predisaster residences by the
3	event;
4	"(5) the severity of loss of housing stock, utility
5	services, and alternative living accommodations;
6	"(6) the severity of the impact on employment
7	rates in the State, its political subdivisions, or a re-
8	gion;
9	"(7) the anticipated length and difficulty of the
10	recovery process; and
11	"(8) other factors that the President determines
12	relevant.
	"SEC. 702. CATASTROPHIC DAMAGES.
13	SEC. 702. CATASTROPHIC DAMAGES.
13 14	"(a) In General.—
14	"(a) In General.—
14 15	"(a) In General.— "(1) Types of assistance.—In the event of a
14 15 16	"(a) In General.— "(1) Types of assistance.—In the event of a catastrophic damages determination under section
14 15 16 17	"(a) In General.— "(1) Types of Assistance.—In the event of a catastrophic damages determination under section 701, the President may provide to an individual or
14 15 16 17 18	"(a) In General.— "(1) Types of assistance.—In the event of a catastrophic damages determination under section 701, the President may provide to an individual or household any type of assistance authorized under sec-
14 15 16 17 18	"(a) In General.— "(1) Types of Assistance.—In the event of a catastrophic damages determination under section 701, the President may provide to an individual or household any type of assistance authorized under section 408 in the event of a major disaster.
14 15 16 17 18 19 20	"(a) In General.— "(1) Types of assistance.—In the event of a catastrophic damages determination under section 701, the President may provide to an individual or household any type of assistance authorized under section 408 in the event of a major disaster. "(2) Terms.—Except as provided in subsection
14 15 16 17 18 19 20 21	"(a) In General.— "(1) Types of Assistance.—In the event of a catastrophic damages determination under section 701, the President may provide to an individual or household any type of assistance authorized under section 408 in the event of a major disaster. "(2) Terms.—Except as provided in subsection (b), assistance under paragraph (1) shall be provided

1	"(1) Maximum amount.—The President may in-
2	crease the maximum amount of assistance under sub-
3	section (a)(1), up to an amount equal to not more
4	than twice the maximum amount authorized under
5	section 408(h).
6	"(2) FEDERAL SHARE.—The President may in-
7	crease the Federal share of the costs eligible to be paid
8	for using assistance provided under subsection $(a)(1)$
9	to not more than—
10	"(A) 100 percent for assistance provided
11	under section $408(g)(2)$ during the 3-month pe-
12	riod beginning on the date on which the Presi-
13	dent declared the major disaster; and
14	"(B) 90 percent for assistance provided
15	under section $408(g)(2)$ during the period begin-
16	ning on the day after the date described in sub-
17	paragraph (A) and ending on the date that is 9
18	months after the date on which the President de-
19	clared the major disaster.
20	"SEC. 703. MORTGAGE AND RENTAL ASSISTANCE.
21	"(a) Eligible Person.—In this section, the term 'eli-
22	gible person' means an individual or household that—
23	"(1) resides in the predisaster primary residence
24	of such individual or household;

1	"(2) has experienced a loss of at least 20 percent
2	of the predisaster income of such individual or house-
3	hold as a result of a major disaster;
4	"(3) has a rent or mortgage payment that con-
5	stitutes at least 25 percent of the postdisaster income
6	of such individual or household; and
7	"(4) as a result of financial hardship caused by
8	the incident determined to have caused catastrophic
9	damage, is subject to—
10	"(A) dispossession or eviction from the resi-
11	dence of the individual or household; or
12	"(B) foreclosure of a mortgage or lien or
13	termination of a lease entered into before the
14	date on which the incident determined to have
15	caused catastrophic damage was declared.
16	"(b) Assistance.—The President may provide assist-
17	ance to eligible persons to make mortgage or rental pay-
18	ments.
19	"(c) Limitations.—Assistance under subsection (b)
20	shall be included against the assistance limitation under
21	section 702(b)(1). Such assistance shall be provided as an
22	alternative to other housing assistance described in sections
23	408(b) and 702(a).
24	"(d) Promulgation of Rules and Verification
25	Requirements.—Not later than 120 days after the date

- 1 of enactment of the Post-Katrina Emergency Management
- 2 Reform Act of 2006, the President shall promulgate rules
- 3 and issue verification requirements, documents, and proce-
- 4 dures to administer the program authorized under this sec-
- 5 tion.
- 6 "(e) Period of Assistance.—The President may not
- 7 provide assistance to an individual or household under sub-
- 8 section (b) for more than 12 months during the 18-month
- 9 period beginning on the date of the declaration of the inci-
- 10 dent determined to have caused catastrophic damages by
- 11 the President.
- 12 "SEC. 704. DISASTER UNEMPLOYMENT ASSISTANCE.
- 13 "(a) In General.—The President may provide to an
- 14 individual unemployed as a result of a major disaster caus-
- 15 ing catastrophic damages as determined under section
- 16 701(a), any assistance authorized under section 410 in the
- 17 event of a major disaster for the period authorized under
- 18 subsection (b).
- 19 "(b) Duration of Assistance.—The President may
- 20 provide assistance to an individual under subsection (a) for
- 21 not more than 39 weeks after the date on which the Presi-
- 22 dent declared the major disaster that resulted in the unem-
- 23 ployment of that individual.

1 "SEC. 705. COMMUNITY DISASTER LOAN PROGRAM.

- 2 "(a) In General.—Except as provided in subsection 3 (b), the President may provide to a local government located 4 in an area that the President has determined has suffered 5 catastrophic damages from a major disaster any assistance 6 authorized under section 417 in the event of a major dis-7 aster.
- 8 "(b) Maximum Amount and Use of Funds.—
- 9 "(1) Maximum amount.—In providing assist-10 ance under subsection (a), the President may waive 11 the limitations under section 417(b) on the maximum 12 amount of a loan under section 417, except that a 13 loan under this section may not exceed 50 percent of 14 the annual operating budget of that local government 15 for the fiscal year of that local government in which 16 the major disaster determined to have caused cata-17 strophic damages occurs. The President may establish 18 additional criteria for eligibility for assistance pro-19 vided in excess of the limitation under section 417(b) 20 in order to ensure that the additional assistance is 21 awarded to those jurisdictions most impacted by the 22 major disaster determined to have caused catastrophic 23 damages.
 - "(2) USE OF FUNDS.—The President may authorize a local government receiving assistance under subsection (a) to use that assistance for salaries, in-

24

25

1	cluding overtime, of employees of that local govern-
2	ment.
3	"SEC. 706. REIMBURSEMENT FOR PURCHASES.
4	"(a) Definitions.—In this section:
5	"(1) Disaster period.—The term 'disaster pe-
6	riod' means, with respect to any State that includes
7	an area for which a major disaster has been declared
8	in accordance with section 401, the period beginning
9	on the earliest date on which any area of the State
10	was so declared and ending on the latest date for
11	which any such declaration of an area of the State
12	terminates.
13	"(2) Survivor.—The term 'survivor' means an
14	individual who—
15	"(A) resides in an area for which a major
16	disaster determined to have caused catastrophic
17	damages has been declared in accordance with
18	section 401; or
19	"(B) resided in an area described in sub-
20	paragraph (A) during the 7 days immediately
21	preceding the date of declaration of a major dis-
22	aster described in subparagraph (A).
23	"(b) Reimbursement.—
24	"(1) In GENERAL.—Notwithstanding any other
25	provision of law, the President may reimburse a com-

1	munity for each purchase of supplies (such as food,
2	personal hygiene products, linens, and clothing) dis-
3	tributed to survivors. The Federal share of such assist-
4	ance shall be 90 percent.
5	"(2) Eligible purchases.—Reimbursement
6	under paragraph (1) shall be available only with re-
7	spect to supplies that—
8	"(A) are purchased with government funds;
9	and
10	"(B) would otherwise be eligible for reim-
11	bursement if purchased by a survivor.
12	"(c) Period of Applicability.—This section and the
13	authority provided by this section apply only to a commu-
14	nity assisting survivors from a State during the disaster
15	period of the State.
16	"SEC. 707. LONG-TERM RECOVERY OFFICES.
17	"The President may establish and operate long-term
18	recovery offices in any area in which the President has de-
19	clared a major disaster causing catastrophic damages, as
20	determined under section 701(a) .".
21	SEC. 212. INDIVIDUALS WITH DISABILITIES.
22	(a) GUIDELINES.—Not later than 90 days after the
23	date of enactment of this Act, the Administrator shall de-
24	velop guidelines to accommodate individuals with disabil-
25	ities, which shall include guidelines for—

1	(1) the accessibility of, and communications and
2	programs in, shelters, recovery centers, and other fa-
3	cilities; and
4	(2) devices used in connection with disaster oper-
5	ations, including first aid stations, mass feeding
6	areas, portable payphone stations, portable toilets,
7	and temporary housing.
8	(b) Nondiscrimination in Disaster Assistance.—
9	Section 308(a) of the Robert T. Stafford Disaster Relief and
10	Emergency Assistance Act (42 U.S.C. 5151(a)) is amended
11	by inserting "disability," after "age,".
12	(c) Essential Assistance.—Section 403(a) of the
13	Robert T. Stafford Disaster Relief and Emergency Assist-
14	ance Act (42 U.S.C. 5170b(a)) is amended—
15	(1) in paragraph (2), by inserting "durable med-
16	ical equipment," after "medicine"; and
17	(2) in paragraph (3)—
18	(A) in subparagraph (B), by inserting "du-
19	rable medical equipment," after "medicine";
20	(B) in subparagraph (H), by striking
21	"and" at the end;
22	(C) in subparagraph (I), by striking the pe-
23	riod and inserting "; and"; and
24	(D) by adding at the end the following:

1	"(J) provision of rescue, care, shelter, and
2	essential needs—
3	"(i) to individuals with household pets
4	and service animals; and
5	"(ii) to such pets and animals.".
6	(d) Repair, Restoration, and Replacement of
7	Damaged Facilities.—Section 406(e)(1)(A)(ii) of the
8	Robert T. Stafford Disaster Relief and Emergency Assist-
9	ance Act (42 U.S.C. 5172(e)(1)(A)(ii)) is amended by in-
10	serting "disability accessibility requirements," after "speci-
11	fications".
12	(e) Federal Assistance to Individuals and
13	Households.—Section 408 of the Robert T. Stafford Dis-
14	aster Relief and Emergency Assistance Act (42 U.S.C.
15	5174) is amended—
16	(1) in subsection (b)(1), by inserting ", or with
17	respect to individuals with disabilities, rendered inac-
18	cessible or uninhabitable," after "uninhabitable"; and
19	(2) in subsection $(d)(1)(A)$ —
20	(A) in clause (i), by striking "and" after
21	$the \ semicolon;$
22	(B) by redesignating clause (ii) as clause
23	(iii); and
24	(C) by inserting after clause (i) the fol-
25	lowing:

1	"(ii) meets the physical accessibility
2	requirements for individuals with disabil-
3	ities; and".
4	(f) Emergency Public Transportation.—Section
5	419 of the Robert T. Stafford Disaster Relief and Emer-
6	gency Assistance Act (42 U.S.C. 5186) is amended by add-
7	ing at the end the following: "The President shall ensure
8	to the maximum extent practicable that temporary public
9	transportation services under this section are planned, de-
10	signed, and carried out to meet the needs of individuals
11	with disabilities and others with special needs.".
12	(g) Exercises.—The Administrator shall include in-
13	dividuals with disabilities in preparedness and planning
14	activities.
15	SEC. 213. DISABILITY COORDINATOR.
16	The Robert T. Stafford Disaster Relief and Emergency
17	Assistance Act is amended by inserting after section 302
18	the following:
19	"SEC. 302A. DISABILITY COORDINATOR.
20	"(a) In General.—After consultation with organiza-
21	tions representing individuals with disabilities and the
22	Interagency Coordinating Council on Preparedness and In-
23	dividuals with Disabilities established under Executive
24	Order 13347 (6 U.S.C. 312 note), the Administrator of the
25	Federal Emergency Management Agency shall appoint a

1	Disability Coordinator. The Disability Coordinator shall
2	report directly to the Administrator, in order to ensure that
3	the needs of individuals with disabilities are being properly
4	addressed in emergency preparedness and disaster relief.
5	$\hbox{\it ``(b)} \ Responsibilities. \hbox{\it The Disability Coordinator}$
6	shall be responsible for—
7	"(1) providing guidance and coordination on
8	matters related to individuals with disabilities in
9	emergency planning requirements and relief efforts in
10	the event of a major disaster;
11	"(2) interacting directly with the staff of the
12	Federal Emergency Management Agency, the Inter-
13	agency Coordinating Council on Preparedness and
14	Individuals with Disabilities established under Execu-
15	tive Order No. 13347 (6 U.S.C. 312 note), other agen-
16	cies of the Federal Government, and State and local
17	government authorities regarding the needs of indi-
18	viduals with disabilities in emergency planning re-
19	quirements and relief efforts in the event of a major
20	disaster;
21	"(3) consulting with organizations that represent
22	the interests and rights of individuals with disabil-
23	ities about the needs of individuals with disabilities
24	in emergency planning requirements and relief efforts

in the event of a major disaster;

- 1 "(4) coordinating and disseminating best prac-2 tices and model evacuation plans for individuals with 3 disabilities;
 - "(5) developing a curriculum for training of emergency response providers (as that term is defined in section 102 of the Homeland Security Act of 2002 (6 U.S.C. 101)) on the needs of individuals with disabilities, including the needs of individuals with physical disabilities and the needs of individuals with psychiatric disabilities;
 - "(6) developing training materials for State and local governmental officials, emergency response providers, and others about the importance of allowing individuals with disabilities to retain their durable medical equipment, wheelchairs, service animals, and other assistive devices, to the maximum extent possible, in the aftermath of a major disaster;
 - "(7) working with the Director of the Centers for Medicare and Medicaid Services, durable medical equipment regional carriers, manufacturers and suppliers of durable medical equipment, and medical professionals to draft an emergency response plan for the temporary loan or replacement of durable medical equipment in the event of a major disaster;

1	"(8) ensuring the accessibility of telephone hot-
2	lines and websites regarding emergency preparedness,
3	evacuations, and disaster relief;
4	"(9) working with the Chairman of the Federal
5	Communications Commission to ensure that video
6	programming distributors, including broadcasters,
7	cable operators, and satellite television services, make
8	emergency information accessible to individuals with
9	hearing and vision disabilities;
10	"(10) coordinating the availability of accessible
11	transportation options for individuals with disabil-
12	ities in the event of an evacuation;
13	"(11) providing guidance and implementing
14	policies to ensure that the rights and wishes of indi-
15	viduals with disabilities regarding post-evacuation
16	residency and relocation are respected;
17	"(12) ensuring that meeting the needs of individ-
18	uals with disabilities are included in any Federal
19	emergency response plans; and
20	"(13) any other duties relevant to emergency
21	preparedness and response for individuals with dis-
22	abilities.".
23	SEC. 214. ACCESSIBLE HOUSING.
24	Section $408(c)(1)(B)$ of the Robert T. Stafford Disaster
25	Relief and Emergency Assistance Act (42 U.S.C.

1	5174(c)(1)(B)) is amended by adding at the end the fol-
2	lowing—
3	"(iv) Accessibility.—
4	"(I) In general.—Not less than
5	7 percent of the total housing units
6	provided under this subparagraph for
7	a major disaster shall be made acces-
8	sible for persons with mobility impair-
9	ments. Not less than an additional 2
10	percent of such units shall be made ac-
11	cessible for persons with hearing or vi-
12	sion impairments. Not less than 1 per-
13	cent of such units shall be made acces-
14	sible for persons with mobility and
15	hearing or vision impairments.
16	"(II) Increases.—Any State,
17	local government, or Federal agency
18	may request an increase in the per-
19	centage under subclause (I), based
20	upon demonstration of a need for a
21	higher percentage, based on census data
22	or other available data on the location
23	of people with disabilities, or in re-
24	sponse to evidence of a need for higher
25	percentage or number received in any

1	other manner. In reviewing a request
2	under this subclause, or otherwise as-
3	sessing the existence of such needs, the
4	President shall take into account the
5	expected needs of eligible persons with
6	and without disabilities.".
7	SEC. 215. GAO STUDY ON ACCESSIBILITY OF EMERGENCY
8	SHELTERS.
9	(a) In General.—The Comptroller General of the
10	United States shall conduct a national study regarding
11	whether, and, if so, to what extent, emergency shelters for
12	use in response to a major disaster are accessible to, and
13	usable by, individuals with disabilities.
14	(b) Report.—Not later than 12 months after the date
15	of enactment of this Act, the Comptroller General of the
16	United States shall submit a report to the Committee on
17	Homeland Security and Governmental Affairs and the
18	Committee on Health, Education, Labor, and Pensions of
19	the Senate and the Committee on Homeland Security and
20	the Committee on Education and the Workforce of the
21	House of Representatives summarizing the results of the
22	study conducted under subsection (a).
23	SEC. 216. REUNIFICATION.
24	(a) DEFINITIONS.—In this section:

1	(1) Child locator center.—The term "Child
2	Locator Center" means the National Emergency Child
3	Locator Center established under subsection (c).
4	(2) Declared event.—The term "declared
5	event" means a major disaster or emergency.
6	(3) Displaced Adult.—The term "displaced
7	adult" means an individual 21 years of age or older
8	who is displaced from the habitual residence of that
9	individual as a result of a declared event.
10	(4) Displaced Child.—The term "displaced
11	child" means an individual under 21 years of age
12	who is displaced from the habitual residence of that
13	individual as a result of a declared event.
14	(b) National Emergency Child Locator Cen-
15	TER.—
16	(1) In general.—Not later than 180 days after
17	the date of enactment of this Act, the Administrator,
18	in coordination with the Attorney General of the
19	United States, shall establish within the National

United States, shall establish within the National
Center for Missing and Exploited Children the National Emergency Child Locator Center. In establishing the National Emergency Child Locator Center,
the Administrator shall establish procedures to make
all relevant information available to the National
Emergency Child Locator Center in a timely manner

1	to facilitate the expeditious identification and reunifi-
2	cation of children with their families.
3	(2) Purposes.—The purposes of the Child Loca-
4	tor Center are to—
5	(A) enable individuals to provide to the
6	Child Locator Center the name of and other
7	identifying information about a displaced child
8	or a displaced adult who may have information
9	about the location of a displaced child;
10	(B) enable individuals to receive informa-
11	tion about other sources of information about
12	displaced children and displaced adults; and
13	(C) assist law enforcement in locating dis-
14	placed children.
15	(3) Responsibilities and duties.—The re-
16	sponsibilities and duties of the Child Locator Center
17	are to—
18	(A) establish a toll-free telephone number to
19	receive reports of displaced children and infor-
20	mation about displaced adults that may assist in
21	locating displaced children;
22	(B) create a website to provide information
23	about displaced children;

1	(C) deploy its staff to the location of a de-
2	clared event to gather information about dis-
3	placed children;
4	(D) assist in the reunification of displaced
5	children with their families;
6	(E) provide information to the public about
7	additional resources for disaster assistance;
8	(F) work in partnership with Federal,
9	State, and local law enforcement agencies;
10	(G) provide technical assistance in locating
11	displaced children;
12	(H) share information on displaced children
13	and displaced adults with governmental agencies
14	and nongovernmental organizations providing
15	$disaster\ assistance;$
16	(I) use its resources to gather information
17	about displaced children;
18	(I) refer reports of displaced adults to—
19	(i) an entity designated by the Attor-
20	ney General to provide technical assistance
21	in locating displaced adults; and
22	(ii) the National Emergency Family
23	Registry and Locator System as defined
24	under section 217(a); and

1	(K) enter into cooperative agreements with
2	Federal and State agencies and other organiza-
3	tions such as the American Red Cross as nec-
4	essary to implement the mission of the Child Lo-
5	cator Center; and
6	(L) develop an emergency response plan to
7	prepare for the activation of the Child Locator
8	Center.
9	(c) Conforming Amendments.—Section 403(1) of the
10	Missing Children's Assistance Act (42 U.S.C. 5772(1)) is
11	amended—
12	(1) in subparagraph (A), by striking "or" at the
13	end;
14	(2) in subparagraph (B), by adding "or" after
15	the semicolon; and
16	(3) by inserting after subparagraph (B) the fol-
17	lowing:
18	"(C) the individual is an individual under
19	21 years of age who is displaced from the habit-
20	ual residence of that individual as a result of an
21	emergency or major disaster (as those terms are
22	defined in section 102 of the Robert T. Stafford
23	Disaster Relief and Emergency Assistance Act
24	(42 U.S.C. 5122)).".

1	(d) REPORT.—Not later than 270 days after the date
2	of enactment of this Act, the Administrator shall submit
3	to the Committee on Homeland Security and Governmental
4	Affairs and the Committee on Health, Education, Labor
5	and Pensions of the Senate and the Committee on Home-
6	land Security and the Committee on Energy and Commerce
7	of the House of Representatives a report describing in detail
8	the status of the Child Locator Center, including funding
9	issues and any difficulties or issues in establishing the Cen-
10	ter or completing the cooperative agreements described
11	$under\ section\ 216(b)(3)(K).$
10	SEC. 217. NATIONAL EMERGENCY FAMILY REGISTRY AND
12	SEC. 217. NATIONAL EMERGENCI FAMILI REGISTRI AND
	LOCATOR SYSTEM.
13	
13 14	LOCATOR SYSTEM.
13 14 15	LOCATOR SYSTEM. (a) Definitions.—In this section—
13 14 15 16	LOCATOR SYSTEM. (a) DEFINITIONS.—In this section— (1) the term "displaced individual" means an
13 14 15 16 17	LOCATOR SYSTEM. (a) DEFINITIONS.—In this section— (1) the term "displaced individual" means an individual displaced by an emergency or major dis-
12 13 14 15 16 17 18	LOCATOR SYSTEM. (a) DEFINITIONS.—In this section— (1) the term "displaced individual" means an individual displaced by an emergency or major disaster; and
13 14 15 16 17	LOCATOR SYSTEM. (a) DEFINITIONS.—In this section— (1) the term "displaced individual" means an individual displaced by an emergency or major disaster; and (2) the term "National Emergency Family Reg-
13 14 15 16 17 18	LOCATOR SYSTEM. (a) DEFINITIONS.—In this section— (1) the term "displaced individual" means an individual displaced by an emergency or major disaster; and (2) the term "National Emergency Family Registry and Locator System" means the National Emergency
13 14 15 16 17 18 19 20	LOCATOR SYSTEM. (a) DEFINITIONS.—In this section— (1) the term "displaced individual" means an individual displaced by an emergency or major disaster; and (2) the term "National Emergency Family Registry and Locator System" means the National Emergency Family Registry and Locator System estab-
13 14 15 16 17 18 19 20 21	LOCATOR SYSTEM. (a) DEFINITIONS.—In this section— (1) the term "displaced individual" means an individual displaced by an emergency or major disaster; and (2) the term "National Emergency Family Registry and Locator System" means the National Emergency Family Registry and Locator System established under subsection (b).

1	tor System to help reunify families separated after an emer-
2	gency or major disaster.
3	(c) Operation of System.—The National Emer-
4	gency Family Registry and Locator System shall—
5	(1) allow a displaced adult to voluntarily reg-
6	ister (and allow an adult that is the parent or guard-
7	ian of a displaced child to register such child), by
8	submitting personal information to be entered into a
9	database (such as the name, current location of resi-
10	dence, and any other relevant information that could
11	be used by others seeking to locate that individual);
12	(2) include a means of providing information
13	submitted under paragraph (1) to individuals named
14	by a displaced individual and to law enforcement of-
15	ficials;
16	(3) be accessible through the Internet and
17	through a toll-free number, to receive reports of dis-
18	placed individuals; and
19	(4) include a means of referring displaced chil-
20	dren to the National Emergency Child Locator Center
21	established under section 216.
22	(d) Publication of Information.—Not later than
23	210 days after the date of enactment of this Act, the Admin-
24	istrator shall establish a mechanism to inform the public
25	about the National Emergency Family Registry and Loca-

1	tor System and its potential usefulness for assisting to re-
2	unite displaced individuals with their families.
3	(e) Coordination.—Not later than 90 days after the
4	date of enactment of this Act, the Administrator shall enter
5	a memorandum of understanding with the Department of
6	Justice, the National Center for Missing and Exploited
7	Children, the Department of Health and Human Services,
8	and the American Red Cross and other relevant private or-
9	ganizations that will enhance the sharing of information
10	to facilitate reuniting displaced individuals with their fam-
11	ilies.
12	(f) Report.—Not later than 270 days after the date
13	of enactment of this Act, the Administrator shall submit
14	to the Committee on Homeland Security and Governmental
15	Affairs of the Senate and the Committee on Homeland Se-
16	curity of the House of Representatives a report describing
17	in detail the status of the National Emergency Family Reg-
18	istry and Locator System, including any difficulties or
19	issues in establishing the System, including funding issues.
20	SEC. 218. FEDERAL ASSISTANCE TO INDIVIDUALS AND
21	HOUSEHOLDS.
22	(a) Shared Households.—
23	(1) In general.—Section 408(b)(1) of the Rob-
24	ert T. Stafford Disaster Relief and Emergency Assist-

ance Act (42 U.S.C. 5174(b)(1)) is amended—

(A) by striking "The President may" and
inserting the following:
"(A) In General.—The President may";
and
(B) by adding at the end the following:
"(B) Shared households.—
"(i) Definition.—In this subpara-
graph, the term 'member of the predisaster
household' means an individual who was a
member of the predisaster household of the
individual or a member of the predisaster
household seeking assistance, as the case
may be.
"(ii) Eligibility for shared
Households.—The President may not
deny assistance to an individual or house-
hold under this section because a member of
the predisaster household has already re-
ceived assistance under this section, if the
individual or household seeking assistance—
"(I) has evacuated the predisaster
residence of that individual or house-
hold and who for good cause, as deter-
mined by the President, resides in a
different location than a member of the

1	predisaster household who has already
2	received assistance under this section;
3	"(II) is a victim of domestic vio-
4	lence, as defined under section
5	40002(a)(6) of the Violence Against
6	Women Act of 1994 (42 U.S.C.
7	13925(a)(6)) and, in order to protect
8	the safety of such individual or because
9	of family or household break up or di-
10	vorce, resides in a different residence
11	than the member of the predisaster
12	household who has already received as-
13	sistance under this section; or
14	"(III) has other good cause, as de-
15	termined by the President, for main-
16	taining a separate household from the
17	member of the predisaster household
18	who has already received assistance
19	under this section.
20	"(iii) Determination of victim of
21	DOMESTIC VIOLENCE.—In determining
22	whether someone is a victim of domestic vio-
23	lence for purposes of clause (ii)(II), the
24	President shall consider all credible evi-
25	dence.".

1	(2) Regulations.—Not later than 180 days
2	after the date of enactment of this Act, the President
3	shall issue regulations to carry out the amendments
4	made by this subsection.
5	(b) Utility Costs and Fair Market Rent.—Sec-
6	tion 408(c)(1)(A) of the Robert T. Stafford Disaster Relief
7	and Emergency Assistance Act (42 U.S.C. 5174(c)(1)(A))
8	is amended—
9	(1) in clause (i), by adding at the end the fol-
10	lowing: "Such assistance may include the payment of
11	the cost of utilities, excluding telephone service.";
12	(2) in clause (ii), by inserting "security depos-
13	its," after "hookups,"; and
14	(3) by adding at the end the following:
15	"(iii) Adjustments to amount.—
16	"(I) In general.—The President
17	shall provide assistance under clause
18	(i) in an amount up to 120 percent of
19	fair market rent plus the costs de-
20	scribed in clause (ii) if the President
21	determines that, as a result of rental
22	market changes caused by the major
23	disaster and its consequences, the fair
24	market rent does not accurately reflect
25	the reasonable cost of rental units

1	available to individuals and households
2	receiving assistance under clause (i).
3	The President may provide assistance
4	over 120 percent of fair market rent if
5	the President determines that due to
6	extraordinary circumstances a higher
7	percentage is necessary. The President
8	shall publicly announce any adjust-
9	ment to the fair market rent in accord-
10	ance with this subsection.
11	"(II) Persons with disabil-
12	ITIES.—The President shall adjust the
13	amount of assistance under clause (i)
14	if the President deems such adjustment
15	necessary to accommodate the special
16	housing needs of an individual with
17	disabilities, as that term is as defined
18	in section 3(2) of the Americans with
19	Disabilities Act of 1990 (42 U.S.C.
20	12102(2)).
21	"(iv) Definition.—In this subpara-
22	graph, the term 'fair market rent' means the
23	rent (including utilities, except telephone
24	service), as determined by the Department
25	of Housing and Urban Development, for

1	units of varying sizes (by number of bed-
2	rooms), that must be paid in the market
3	area to rent privately-owned, existing, de-
4	cent, safe, and sanitary rental housing of
5	modest (non-luxury) nature with suitable
6	amenities.".
7	(c) Guidance on Housing Assistance.—Section
8	408(c) of the Robert T. Stafford Disaster Relief and Emer-
9	gency Assistance Act (42 U.S.C. 5174(c)) is amended by
10	adding at the end the following:
11	"(5) Public guidance on housing assist-
12	ANCE.—
13	"(A) In General.—The President shall
14	issue public guidance in simple terms explain-
15	ing—
16	"(i) all types of housing assistance
17	available under this Act to individuals and
18	households affected by a major disaster;
19	"(ii) the specific requirements that in-
20	dividuals and households shall meet to be el-
21	igible for different types of housing assist-
22	ance under this Act, including requirements
23	for continuation of housing assistance pro-
24	vided;

1	"(iii) procedures for applying for such
2	assistance;
3	"(iv) any relevant local condition; and
4	"(v) any modifications of previously
5	announced policies or procedures.
6	"(B) FORM OF ISSUING GUIDANCE.—The
7	President shall—
8	"(i) post the guidance described in sub-
9	paragraph (A) on the website of the Federal
10	Emergency Management Agency;
11	"(ii) provide a copy of the guidance
12	described in subparagraph (A) to any indi-
13	vidual or household who requests housing
14	assistance; and
15	"(iii) take other reasonable steps to en-
16	sure that the guidance described in subpara-
17	graph (A) is freely accessible to the public.
18	"(C) Accessibility.—The guidance under
19	subparagraph (A) shall be issued in formats that
20	may be understood by individuals with—
21	"(i) vison impairments;
22	"(ii) limited English proficiency; and
23	"(iii) other special needs.

1	"(D) REVISIONS.—Any revisions to the
2	guidance described in subparagraph (A) shall be
3	publicized as described in subparagraph (B).
4	"(E) Deadline.—Not later than 5 days
5	after declaring a major disaster, the President
6	shall publicize the guidance described in this sec-
7	tion and any local modifications. The President
8	shall also publicize any subsequent modifications
9	to the policy guidance described in this section
10	not later than 2 days after the date of any such
11	modification.".
12	SEC. 219. MENTAL HEALTH SERVICES.
13	(a) In General.—Section 416 of the Robert T. Staf-
14	ford Disaster Relief and Emergency Assistance Act (42
15	U.S.C. 5183) is amended—
16	(1) by inserting "and substance abuse" after
17	"counseling";
18	(2) by inserting "or prevent" after "relieve";
19	(3) by inserting "or substance abuse" after
20	"mental health"; and
21	(4) by inserting "or identified mental health con-
22	ditions or disorders" after "problems".
23	(b) RESPONSE PLAN.—Not later than 180 days after
24	the date of enactment of this Act, the Substance Abuse and
25	Mental Health Services Administration and other Federal

1	agencies providing mental health or substance abuse serv-
2	ices, in coordination with the Administrator and State and
3	local government officials with responsibilities for providing
4	mental health or substance abuse prevention and services,
5	shall—
6	(1) conduct a survey of mental health or sub-
7	stance abuse services and any applicable support
8	services available to individuals affected by major dis-
9	asters and to emergency response providers respond-
10	ing to major disasters; and
11	(2) develop a strategy for the adequate provision
12	of mental health and substance abuse services to indi-
13	viduals affected by major disasters and to emergency
14	response providers responding to major disasters.
15	SEC. 220. DISASTER RELATED INFORMATION SERVICES.
16	(a) Definition.—In this section—
17	(1) the term "documents" includes—
18	(A) emergency notifications, public broad-
19	casts, flyers, brochures, applications, and letters
20	containing important information regarding as-
21	sistance authorized to be provided by the Presi-
22	dent under this Act, and the amendments made
23	by this Act;
24	(B) notices pertaining to the reduction, de-
25	nial, or termination of services or benefits under

1	this Act, and the amendments made by this Act,
2	including the right to appeal such actions; and
3	(C) notices of the availability of free lan-
4	guage services and other outreach materials;
5	(2) the term "appropriate population segments"
6	includes groups comprising a substantial portion of
7	limited English proficient individuals in the area for
8	which the President declares a major disaster; and
9	(3) the term "individuals with limited English
10	proficiency" means individuals who do not speak
11	English as their primary language and who have a
12	limited ability to read, write, speak, or understand
13	English.
14	(b) Reasonable Steps To Communicate With
15	People With Limited English Proficiency or Indi-
16	VIDUALS WITH DISABILITIES.—In carrying out the Robert
17	T. Stafford Disaster Relief and Emergency Assistance Act,
18	the President shall—
19	(1) ensure that all Federal entities that provide
20	assistance under the Robert T. Stafford Disaster Re-
21	lief and Emergency Assistance Act, as amended by
22	this Act, maintain, on a continuing and updated
23	basis, the capability to administer competent inter-
24	pretation and translation services;

1	(2) consult all available data and communicate
2	with State and local governments and relevant non-
3	governmental organizations for the purposes of—
4	(A) identifying individuals with limited
5	English proficiency; and
6	(B) including such individuals in disaster
7	$preparedness\ planning;$
8	(3) direct all Federal agencies to implement dis-
9	aster relief assistance under the Robert T. Stafford
10	Disaster Relief and Emergency Assistance Act by pro-
11	viding to appropriate population segments, in a time-
12	ly manner, competent interpretation services and
13	$translated\ documents;$
14	(4) provide documents to individuals with dis-
15	abilities or other special needs in formats they can
16	understand;
17	(5) ensure that translated documents are pro-
18	vided to organizations that could assist with their
19	distribution to affected population segments;
20	(6) have available for activation disaster assist-
21	ance employees sufficient to comply with paragraphs
22	(1), (2), (3), and (4); and
23	(7) develop and maintain an informational
24	clearinghouse of model language assistance programs

1	and best practices for State and local governments in
2	providing disaster and emergency related services.
3	(c) Technical Assistance for Development of
4	Plans and Programs.—Section 201(b) of the Robert T.
5	Stafford Disaster Relief and Emergency Assistance Act (42
6	U.S.C. 5131(b)) is amended by inserting "with and without
7	English proficiency, disabilities, or other special needs"
8	after "to individuals".
9	SEC. 221. STANDARDS FOR STATE AND LOCAL EMERGENCY
10	PREPAREDNESS OPERATIONAL PLANS.
11	(a) Standards.—
12	(1) In General.—Section 613 of the Robert T.
13	Stafford Disaster Relief and Emergency Assistance
14	Act (42 U.S.C. 5196b) is amended—
15	(A) by redesignating subsection (g) as sub-
16	section (h); and
17	(B) by inserting after subsection (f) the fol-
18	lowing:
19	"(g) Standards for State and Local Emergency
20	Preparedness Plans.—In approving standards for State
21	and local emergency preparedness plans under subsection
22	(b)(3), the Administrator shall ensure that such plans take
23	into account the needs of individuals with special needs and
24	requirements as described in section 611(f) and individuals
25	with pets as described in section 611(g).".

1	(2) Plan requirements.—Section 613(b)(3) of
2	the Robert T. Stafford Disaster Relief and Emergency
3	Assistance Act (42 U.S.C. $5196b(b)(3)$) is amended by
4	inserting before the semicolon ", in consultation with
5	State and local government officials".
6	(b) Planning for Special Needs and Individuals
7	With Pets.—Section 611 of the Robert T. Stafford Dis-
8	aster Relief and Emergency Assistance Act (42 U.S.C.
9	5196) is amended—
10	(1) by redesignating subsections (f) through (k)
11	as subsections (h) through (m); and
12	(2) by inserting after subsection (e) the following:
13	"(f) The Administrator of the Federal Emergency
14	Management Agency, shall take appropriate actions to en-
15	sure that each State, in its Homeland Security Strategy
16	or other homeland security plan, provides detailed and com-
17	prehensive predisaster and postdisaster plans for individ-
18	uals with special needs and their care givers, including in-
19	dividuals with disabilities and individuals with chronic
20	diseases, including those with service animals, individuals
21	with limited English proficiency, children, and the elderly,
22	including plans for medical care, evacuations and shel-
23	tering. The Administrator shall also ensure that such plans
24	address the evacuation planning needs of those unable to
25	evacuate themselves, including those individuals with low-

- 1 income or without access to private transportation and
- 2 those requiring specialized transportation because of med-
- 3 ical conditions.
- 4 "(g) The Administrator of the Federal Emergency
- 5 Management Agency shall take appropriate actions to en-
- 6 sure that State and local emergency preparedness, evacu-
- 7 ation, and sheltering plans take into account the needs of
- 8 individuals with household pets prior to, during, and fol-
- 9 lowing a major disaster or emergency.".
- 10 (c) Assistance to States and Local Authori-
- 11 TIES.—Section 611(l)(1) of the Robert T. Stafford Disaster
- 12 Relief and Emergency Assistance Act, as redesignated by
- 13 subsection (b) of this section, is amended by striking the
- 14 period at the end of the first sentence and inserting the fol-
- 15 lowing: ", and the Administrator of the Federal Emergency
- 16 Management Agency may provide financial and technical
- 17 support, including the services of subject matter experts,
- 18 such as pediatricians and geriatricians, on the basis of pro-
- 19 grams or projects approved by the Administrator, to States
- 20 and local governments for the purpose of developing and
- 21 implementing plans for individuals with special needs and
- 22 requirements, as identified in subsection (f), including pro-
- 23 curement of facilities and medical equipment and supplies
- 24 for the care of such individuals, and individuals with pets
- 25 as identified in subsection (g), including the procurement,

1	construction, leasing, or renovating of emergency shelter fa-
2	cilities and materials that will accommodate individuals
3	with disabilities, individuals with special needs, and indi-
4	viduals with household pets or service animals.".
5	(d) Report to Congress.—Not later than 1 year
6	after the date of enactment of this Act, the Administrator
7	shall submit to Congress a report—
8	(1) evaluating the adequacy of the plans of the
9	States to evacuate individuals with special needs and
10	requirements, as described in section 611(f) of the
11	Robert T. Stafford Disaster Relief and Emergency As-
12	sistance Act, as amended by subsection (b) of this sec-
13	tion, in emergencies or major disasters that would
14	warrant their evacuation; and
15	(2) discussing—
16	(A) whether the States have the resources
17	necessary to implement fully their evacuation
18	and sheltering plans; and
19	(B) the manner in which the plans of the
20	States are integrated with the response plans of
21	the Federal Government for natural and man-
22	made disasters that would require the evacuation
23	and sheltering of individuals with special needs.
24	(e) Training Programs.—Section 611(h)(1) of the
25	Robert T. Stafford Disaster Relief and Emergency Assist-

1	ance Act, as redesignated by subsection (b) of this section
2	is amended by striking subparagraph (A) and inserting the
3	following:
4	"(A) conduct or arrange by contract or oth-
5	erwise, the training programs for the instruction
6	of emergency preparedness and response officials
7	and other persons in the organization, operation
8	and techniques of emergency preparedness and
9	response, including planning for and responding
10	to individuals with special needs;".
11	SEC. 222. TRANSPORTATION ASSISTANCE AND CASE MAN-
12	AGEMENT SERVICES TO INDIVIDUALS AND
13	HOUSEHOLDS.
14	Title IV of the Robert T. Stafford Disaster Relief and
15	Emergency Assistance Act (42 U.S.C. 5170 et seq.), as
16	amended by this Act, is amended by adding at the end the
17	following:
18	"SEC. 426. TRANSPORTATION ASSISTANCE TO INDIVIDUALS
19	AND HOUSEHOLDS.
20	"The President may provide transportation assistance
21	to relocate individuals displaced from their predisaster pri-
22	mary residences as a result of an incident declared under
23	this Act or otherwise transported from their predisaster pri-
24	mary residences under section 403(a)(3) or 502, to and
25	from alternative locations for short or long-term accommo-

- 1 dation or to return an individual or household to their
- 2 predisaster primary residence or alternative location, as de-
- 3 termined necessary by the President.
- 4 "SEC. 427. CASE MANAGEMENT SERVICES.
- 5 "The President may provide case management serv-
- 6 ices, including financial assistance, to State or local govern-
- 7 ment agencies or qualified private organizations to provide
- 8 such services, to victims of major disasters to identify and
- 9 address unmet needs.".
- 10 SEC. 223. NON-FEDERAL ASSISTANCE.
- 11 Section 801 of the Robert T. Stafford Disaster Relief
- 12 and Emergency Assistance Act (42 U.S.C. 5201), as redesig-
- 13 nated by this Act, is amended—
- 14 (1) in subsection (b), by striking the period at
- 15 the end of the first sentence and inserting the fol-
- 16 lowing: "including from foreign organizations and
- 17 governments."; and
- 18 (2) by adding at the end the following:
- 19 "(c) Receipt and Coordination of Gifts From
- 20 Foreign Sources.—Notwithstanding the provisions of
- 21 section 612, the President or the designee of the President
- 22 shall coordinate receipt of gifts or assistance from foreign
- 23 sources with the Secretary of Defense and the Secretary of
- 24 State with regard to—

1	"(1) the identification of emergency requirements
2	for which such gifts or assistance are required and
3	appropriate; and
4	"(2) procedures for receipt, distribution, and
5	monitoring of the use of such gifts or assistance.".
6	SEC. 224. DISASTER COORDINATION.
7	Not later than 180 days after the date of enactment
8	of this Act, the Administrator shall, in consultation with
9	the Secretary of Defense and the Secretary of State, develop
10	policies and procedures relating to the effective coordination
11	of disaster assistance from non-Federal entities, including
12	private and foreign entities and governments, as provided
13	under section 801 of the Robert T. Stafford Disaster Relief
14	and Emergency Assistance Act, as redesignated by this Act,
15	including—
16	(1) coordination with other disaster assistance
17	from the Federal Government, and State and local
18	governments and other sources;
19	(2) identification of requirements for use that
20	are necessary and appropriate for such assistance;
21	(3) receipt and distribution of such assistance;
22	and
23	(4) monitoring to ensure the appropriate use of
24	euch assistance

1	SEC. 225. PUBLIC FACILITIES.	
2	Section $406(c)(1)(B)$ of the Robert T. Stafford Disaster	
3	Relief and Emergency Assistance Act (42 U.S.C.	
4	5172(c)(1)(B)) is amended—	
5	(1) by amending the subparagraph heading to	
6	read as follows: "Repair, restoration, recon-	
7	STRUCTION, OR REPLACEMENT INFEASIBLE.—"; and	
8	(2) in the first sentence, by inserting "or another	
9	condition" after "soil instability".	
10	SEC. 226. VOLUNTEER HOUSING.	
11	The President may make contributions to State or	
12	local governments for expenses associated with housing vol-	
13	unteers who are assisting the response and recovery efforts	
14	in an area affected by a major disaster.	
15	SEC. 227. HOUSING REHABILITATION.	
16	Section 408(c) of the Robert T. Stafford Disaster Reliep	
17	and Emergency Assistance Act (42 U.S.C. 5174(c)), as	
18	amended by this Act, is amended—	
19	(1) in paragraph $(1)(B)(i)$, by inserting "includ-	
20	ing existing rental units repaired under paragraph	
21	(2)(A)(iii)" after "purchase or lease,"; and	
22	(2) in paragraph (2)—	
23	$(A) \ in \ subparagraph \ (A)$ —	
24	(i) in clause (i), by striking "and"	
25	after the semicolon;	

1	(ii) in clause (ii), by striking the pe-
2	riod and inserting "; and"; and
3	(iii) by adding at the end the fol-
4	lowing:
5	"(iii) the repair, to a safe and sani-
6	tary condition, of existing rental housing
7	units that will be used to provide temporary
8	housing to individuals and households eligi-
9	ble under paragraph (1).";
10	(B) by redesignating subparagraph (B) as
11	subparagraph (C);
12	(C) by inserting after subparagraph (A) the
13	following:
14	"(B) Repair of rental housing units.—
15	"(i) In general.—Funds may be pro-
16	vided to State and local governments to con-
17	tract with owners of private rental housing
18	for purposes of subparagraph (A)(iii). Such
19	contracts shall require repaired units to be
20	made available to individuals and house-
21	holds eligible for assistance under this part
22	for a period of up to 18 months at a rent
23	that may not exceed the rent under para-
24	$graph\ (1)(A)(iii).$

1	"(ii) Competitive selection proc-
2	ESS.—Funding to provide assistance under
3	subparagraph (A)(iii) shall be allocated by
4	the President or by a State or local govern-
5	ment through a competitive selection process
6	that considers—
7	"(I) the amount of funding re-
8	quired per unit, with preference for the
9	lowest per unit cost consistent with
10	$other\ selection\ priorities;$
11	"(II) the demonstrated ability of
12	property owners to complete the re-
13	pairs and make the housing units
14	available promptly, and not more than
15	120 days after the date of receiving
16	funding;
17	"(III) whether the property owner
18	requires a short-term or long-term loan
19	to complete the repairs, with preference
20	to owners agreeing to repay funds
21	loaned upon receipt of insurance pay-
22	ments for property losses caused by the
23	disaster; and
24	"(IV) whether the property owner
25	is a for profit or nonprofit organiza-

1	tion, with preference given to nonprofit
2	property owners."; and
3	(D) in subparagraph (C), as redesignated
4	by this paragraph, by—
5	(i) by striking "this paragraph" and
6	inserting "clause (i) or (ii) of subparagraph
7	(A)"; and
8	(ii) by striking "can" and inserting
9	``cannot".
10	SEC. 228. DEBRIS REMOVAL CONTRACTING.
11	(a) In General.—The Administrator, in consultation
12	with the Administrator of the Environmental Protection
13	Agency and the Chief of Engineers of the United States
14	Army Corps of Engineers, shall—
15	(1) review all regulations and procedures related
16	to contracting for debris removal and, where appro-
17	priate and practicable, provide additional incentives
18	to recycle debris cleared from an area in which the
19	President has declared a major disaster; and
20	(2) identify any legal or other obstacles to in-
21	creasing the amount of debris recycled following a
22	major disaster.
23	(b) Report.—Not later than 180 days after the date
24	of enactment of this Act, the Administrator shall submit
25	to the Committee on Homeland Security and Governmental

1	Affairs of the Senate and the Committee on Homeland Se-
2	curity of the House of Representatives a report regarding—
3	(1) the review and any incentives provided
4	under subsection $(a)(1)$; and
5	(2) any obstacles that have been identified under
6	subsection $(a)(2)$.
7	SEC. 229. EMERGENCY HOUSING FOR VICTIMS.
8	(a) Definitions.—In this section—
9	(1) the term "authorized placement" means plac-
10	ing a covered manufactured home as authorized by
11	subparagraph (A), (B), or (C) of subsection (b)(1);
12	(2) the term "base flood" means the flood which
13	has a 1 percent chance of being equaled or exceeded
14	in any given year;
15	(3) the term "costal high hazard area" means an
16	area subject to high velocity waters, including hurri-
17	cane wave wash or a tsunami;
18	(4) the term "covered civil action" means a civil
19	action against the Federal Government (including a
20	civil action against the Administrator) for damages
21	related to the flooding of a covered manufactured
22	home that is the subject of an authorized placement;
23	(5) the term "covered individual" means an in-
24	dividual displaced by Hurricane Katrina of 2005 or
25	Hurricane Rita of 2005;

1	(6) the term "covered manufactured home"
2	means a manufactured home purchased by the Au-
3	thority during the period beginning on August 1,
4	2005, and ending on the date of enactment of this
5	Act;
6	(7) the term "flood" means a general and tem-
7	porary condition of partial or complete inundation of
8	normally dry land areas from—
9	(A) the overflow of inland or tidal waters;
10	or
11	(B) the unusual and rapid accumulation or
12	runoff of surface waters from any source;
13	(8) the term "flood plain" means an area which
14	has a 1 percent chance of being flooded in any given
15	year;
16	(9) the term "floodway" means that portion of
17	the flood plain which—
18	(A) provides for the discharge of the base
19	flood so the cumulative increase in water surface
20	elevation is no more than 12 inches; and
21	(B) is effective in carrying flow, within
22	which this carrying capacity shall be preserved
23	and where the flood hazard is generally highest;
24	and

1	(10) the term "manufactured home" has the
2	same meaning as in section 603 of the Manufactured
3	Home Construction and Safety Standards Act of
4	1974 (42 U.S.C. 5402).
5	(b) Use of Manufactured Homes.—
6	(1) In general.—Except as provided in para-
7	graph (2), and notwithstanding any other provision
8	of law (including section 9.13 of title 44, Code of Fed-
9	eral Regulations (or any corresponding similar regu-
10	lation or ruling)), upon receiving a request from, or
11	on behalf of, a covered individual, the Administrator
12	shall place a covered manufactured home—
13	(A) in a floodway or costal high hazard
14	area;
15	(B) in a flood plain, without elevating such
16	home up to the base flood level; or
17	(C) in a flood plain, without complying
18	with—
19	(i) the decision-making process re-
20	quired under section 9.6 of title 44, Code of
21	Federal Regulations (or any corresponding
22	similar regulation or ruling); and
23	(ii) the mitigation requirements under
24	section 9.11 of title 44, Code of Federal Reg-

1	ulations (or any corresponding similar reg-
2	ulation or ruling).
3	(2) EVACUATION PLANS.—The Administrator
4	may not make an authorized placement, unless the
5	Administrator has received an evacuation plan from
6	State or local government officials that includes the
7	area in which the covered placement will be made.
8	(3) Types of use.—Any authorized placement
9	shall be used to house covered individuals.
10	(4) Promotional materials.—The Adminis-
11	trator shall make appropriate changes to any pro-
12	motional materials to reflect, and otherwise publicize,
13	the authorization in this subsection.
14	(5) Rule of construction.—Nothing in this
15	subsection shall be construed to prohibit any other
16	lawful use of a covered manufactured home.
17	(c) Liability.—
18	(1) In general.—If the Administrator makes
19	an authorized placement, a covered civil action relat-
20	ing to the covered manufactured home involved in
21	such authorized placement may not be brought in any
22	Federal or State court.
23	(2) Notice.—The Administrator shall provide
24	any person to whom the Administrator provides a

1	covered manufactured home as part of an authorized
2	placement with written notice of—
3	(A) the potential risks associated with such
4	placement; and
5	(B) the limitations on liability under para-
6	graph(1).
7	TITLE III—STAFFING
8	<i>IMPROVEMENTS</i>
9	SEC. 301. STRATEGIC HUMAN CAPITAL PLAN.
10	(a) Plan Development.—Not later than 6 months
11	after the date of enactment of this Act, the Administrator
12	shall develop and submit to the Committee on Homeland
13	Security and Governmental Affairs of the Senate and the
14	Committee on Homeland Security and the Committee on
15	Government Reform of the House of Representatives a stra-
16	tegic human capital plan to shape and improve the work-
17	force of the Agency.
18	(b) Contents.—The strategic human capital plan
19	shall include—
20	(1) a workforce gap analysis, including an as-
21	sessment of—
22	(A) the critical skills and competencies that
23	will be needed in the workforce of the Agency to
24	support the mission and responsibilities of, and
25	effectively manage, the Agency during the 10-

1	year period beginning on the date of enactment
2	$of\ this\ Act;$
3	(B) the skills and competencies of the work-
4	force of the Federal Emergency Management
5	Agency on the day before the date of enactment
6	of this Act and projected trends in that work-
7	force, based on expected losses due to retirement
8	and other attrition; and
9	(C) the staffing levels of each category of
10	employee, including gaps in the workforce of the
11	Federal Emergency Management Agency on the
12	day before the date of enactment of this Act and
13	in the projected workforce of the Agency that
14	should be addressed to ensure that the Agency
15	has continued access to the critical skills and
16	competencies described in subparagraph (A); and
17	(2) a plan of action for developing and reshap-
18	ing the workforce of the Agency to address the gaps
19	in critical skills and competencies identified under
20	paragraph (1)(C), including—
21	(A) specific recruiting and retention goals,
22	including the use of bonus authority under sec-
23	tions 5753 and 5754 of title 5, United States
24	Code, (including the program objectives of the
25	Agency to be achieved through such goals);

1	(B) specific strategies for developing, train-
2	ing, deploying, compensating, and motivating
3	and retaining the Agency workforce and its abil-
4	ity to fulfill the Agency's mission and respon-
5	sibilities (including the program objectives of the
6	Department and the Agency to be achieved
7	through such strategies);
8	(C) specific strategies for recruiting individ-
9	uals who have served in multiple State agencies
10	with emergency management responsibilities;
11	and
12	(D) specific strategies for the development,
13	training, and coordinated and rapid deployment
14	of the Surge Capacity Force established by sec-
15	tion 304; and
16	(3) a discussion that—
17	(A) details the number of employees of the
18	Department not employed by the Agency serving
19	in the Surge Capacity Force and the qualifica-
20	tions or credentials of such individuals;
21	(B) details the number of individuals not
22	employed by the Department serving in the
23	Surge Capacity Force and the qualifications or
24	credentials of such individuals:

1	(C) describes the training given to the Surge
2	Capacity Force during the last year;
3	(D) states whether the Surge Capacity Force
4	is able to adequately prepare for, respond to, and
5	recover from a natural or man-made disaster,
6	including a catastrophic incident; and
7	(E) describes any additional authorities or
8	resources necessary to address any deficiencies in
9	the Surge Capacity Force.
10	(c) Annual Updates.—Not later than May 1, 2007,
11	and May 1 of each year thereafter until 2012, the Adminis-
12	trator shall submit to the Committee on Homeland Security
13	and Governmental Affairs of the Senate and the Committee
14	on Homeland Security and the Committee on Government
15	Reform of the House of Representatives an update of the
16	strategic human capital plan, including an assessment by
17	the Administrator, using results-oriented performance
18	measures, of the progress of the Department and the Agency
19	in implementing the strategic human capital plan.
20	(d) Comptroller General Review.—
21	(1) In general.—Not later than 90 days after
22	the Administrator submits the strategic human cap-
23	ital plan under subsection (a), the Comptroller Gen-
24	eral of the United States shall submit to the Com-
25	mittee on Homeland Security and Governmental Af-

1	fairs of the Senate and the Committee on Homeland
2	Security and the Committee on Government Reform
3	of the House of Representatives a report evaluating
4	$the \ plan.$
5	(2) UPDATES.—Not later than 90 days after the

- (2) UPDATES.—Not later than 90 days after the Administrator submits an update of the strategic human capital plan under subsection (c), the Comptroller General shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Government Reform of the House of Representatives a report evaluating the updated plan.
- 13 SEC. 302. CAREER PATHS.

6

7

8

9

10

11

12

- 14 (a) In General.—The Administrator shall—
- 15 (1) ensure that appropriate career paths for per-16 sonnel are identified, including the education, train-17 ing, experience, and assignments necessary for career 18 progression within the Agency; and
- (2) publish information on the career paths de scribed in paragraph (1).
- 21 (b) Education, Training, and Experience.—The 22 Administrator shall ensure that all personnel of the Agency 23 are provided the opportunity to acquire the education, 24 training, and experience necessary to qualify for promotion
- 25 within the Agency, including, as appropriate, the oppor-

1	tunity to participate in the Rotation Program established
2	under section 305.
3	(c) Policy.—The Administrator shall establish a pol-
4	icy for assigning Agency personnel to positions that pro-
5	vides for a balance between—
6	(1) the need for such personnel to serve in career
7	enhancing positions; and
8	(2) the need to require service in a position for
9	sufficient period of time to provide the stability nec-
10	essary—
11	(A) to carry out the duties of that position;
12	and
13	(B) for responsibility and accountability for
14	actions taken in that position.
15	SEC. 303. NATIONAL HOMELAND SECURITY ACADEMY.
16	(a) Establishment of National Homeland Secu-
17	RITY ACADEMY.—
18	(1) In General.—Title VIII of the Homeland
19	Security Act of 2002 (6 U.S.C. 361 et seq.) is amend-
20	ed by adding after section 801 the following:
21	"SEC. 802. NATIONAL HOMELAND SECURITY ACADEMY.
22	"(a) Establishment.—
23	"(1) In General.—The Secretary—

1	"(A) shall establish the National Homeland
2	Security Academy (referred to in this section as
3	the 'Academy'); and
4	"(B) shall coordinate with the Adminis-
5	trator of the General Services Administration to
6	identify and utilize, to the maximum extent pos-
7	sible, unused Federal real property for the Acad-
8	emy and if the Secretary determines that a suit-
9	able location cannot be found, the Secretary may
10	enter into cooperative agreements with other
11	agencies or entities to utilize space and provide
12	for the lease of real property for the Academy or
13	any component of the Academy.
14	"(2) Composition.—The Academy shall consist
15	of—
16	"(A) the National Homeland Security Edu-
17	cation and Strategy Center (referred to in this
18	section as the 'Strategy Center') to provide fun-
19	damental instruction and develop a homeland se-
20	curity curriculum focusing primarily on the
21	Federal Government's overall strategy, goals,
22	methods, and techniques;
23	"(B) a communications network capable of
24	delivering distance learning opportunities, at the
25	direction of the Strategy Center;

1	"(C) the programs of the Center for Home-
2	land Defense and Security located at the Naval
3	Postgraduate School, and such programs shall be
4	incorporated into the Academy in a manner to
5	be determined by the Secretary; and
6	"(D) the National Homeland Security Edu-
7	cation Network, which—
8	"(i) shall be composed of representa-
9	tives from all of the academies and training
10	centers within the jurisdiction of the De-
11	partment;
12	"(ii) shall work with the Academy to
13	develop a standardized homeland security
14	curriculum to be incorporated, as appro-
15	priate, at each academy and training center
16	to ensure that the focus of the individual
17	centers is coordinated with the centralized
18	educational strategies and goals of the
19	Academy; and
20	"(iii) shall not affect the respective
21	missions and goals of the participating
22	academies and training centers.
23	"(3) Mission.—The mission of the Academy
24	shall be to—
25	"(A) establish an educational system to—

1	"(i) cultivate leaders in homeland secu-
2	rity; and
3	"(ii) ensure that Federal, State, local,
4	tribal, and private sector officials get the
5	full range of skills needed to provide robust
6	$homeland\ security;$
7	"(B) provide strategic education and train-
8	ing to carry out the missions of the Department
9	of Homeland Security;
10	"(C) provide cross-disciplinary and joint
11	education and training to Federal, State, and
12	local government officials responsible for the di-
13	rect application and execution of vital homeland
14	security missions; and
15	"(D) focus primarily on shorter-term classes
16	and exercises to maximize participation by the
17	homeland security community.
18	"(4) Enrollment target.—
19	"(A) In General.—The Strategy Center
20	shall have an initial annual enrollment target of
21	1,000 resident students, as described in sub-
22	section $(b)(3)(A)$.
23	"(B) Non-resident students.—The en-
24	rollment target under subparagraph (A) does not

1	include non-resident students, including students
2	who participate in electronic learning systems.
3	"(5) Responsibilities.—
4	"(A) In general.—In addition to pro-
5	viding traditional course work and hands-on
6	training exercises, the Academy shall encourage
7	the development and use of modern technology to
8	ensure that the training offered at the Academy,
9	and to organizations and individuals receiving
10	instruction over electronic learning systems—
11	"(i) is tailored to the unique needs of
12	the individuals and groups that need train-
13	ing;
14	"(ii) efficiently uses such technology;
15	and
16	"(iii) translates directly into practical
17	skills.
18	"(B) Instructional materials.—The
19	Academy shall develop instructional require-
20	ments for courses related to its mission that are
21	supported with materials that are adequately re-
22	viewed and continuously updated.
23	"(C) CERTIFICATION.—
24	"(i) In general.—The Academy may
25	establish certification criteria for students

1	in areas related to its mission, in consulta-
2	tion with the Network established under
3	subsection (e).
4	"(ii) Recertification.—The criteria
5	established under clause (i) shall include re-
6	quirements for recertification and ensure
7	the availability of needed assessment tools.
8	"(D) Information repository.—The
9	Academy shall provide a repository of approved
10	$instructional \ \ materials, \ \ instructional \ \ software,$
11	and other materials that are easily accessible by
12	participants.
13	"(E) Communication networks.—The
14	Academy shall certify, and operate, if necessary,
15	a secure, reliable communication system capable
16	of delivering instructional materials to partici-
17	pants at any time and place.
18	"(F) Instruction and expertise.—The
19	Academy shall certify instructors, experts, coun-
20	selors, and other individuals who can provide
21	answers and advice to students over communica-
22	tion systems.
23	"(6) Strategy center.—
24	"(A) Responsibilities.—The Strategy
25	Center shall—

1	"(i) provide curriculum development
2	and classroom instruction for resident stu-
3	dents that focus on the strategic goals, meth-
4	ods, and techniques for homeland security;
5	"(ii) provide instruction—
6	"(I) primarily to Federal employ-
7	ees described under subsection (b)(3)(A)
8	with homeland security responsibil-
9	ities; and
10	"(II) to small numbers of State
11	and local government officials and pri-
12	vate individuals; and
13	"(iii) direct the operation of the Acad-
14	emy's electronic learning systems.
15	"(B) Curriculum.—The curriculum taught
16	at the Strategy Center shall—
17	"(i) include basic education about
18	homeland security, the Department, and the
19	relationship of the directorates within the
20	Department;
21	"(ii) include the relationship between
22	the Department and other Federal, State,
23	and local agencies with homeland security
24	responsibilities; and

1	"(iii) be developed with assistance from
2	the National Homeland Security Education
3	Network.
4	"(b) Administration.—
5	"(1) Executive director.—The Secretary
6	shall appoint an Executive Director for the Academy,
7	who shall—
8	"(A) administer the operations of the Acad-
9	emy;
10	"(B) establish an Academic Board, to be
11	headed by the Dean of the Academic Board, ap-
12	pointed under paragraph (2);
13	"(C) hire initial staff and faculty, as ap-
14	propriate and necessary;
15	"(D) contract with practitioners and ex-
16	perts, as appropriate, to supplement academic
17	instruction; and
18	"(E) make recommendations to the Sec-
19	retary regarding long-term staffing and funding
20	levels for the Academy.
21	"(2) Dean of the academic board.—The Ex-
22	ecutive Director shall appoint, with the approval of
23	the Secretary, a permanent professor to serve as Dean
24	of the Academic Board and perform such duties as the
25	Executive Director may prescribe.

1	"(3) Director of Admissions.—The Executive
2	Director shall appoint, with the approval of the Sec-
3	retary, a Director of Admissions, who shall—
4	"(A) grant admission to the Strategy Center
5	to—
6	"(i) new employees of the Department,
7	who have clear homeland security respon-
8	sibilities;
9	"(ii) mid-level executive employees of
10	the Department, including employees that
11	receive academy or other training, who
12	demonstrate a need for cross-disciplinary or
13	advanced education and training and have
14	been endorsed by the appropriate Under
15	Secretary;
16	"(iii) other Federal employees with
17	homeland security responsibilities who have
18	been endorsed by the head of their agency;
19	"(iv) State and local employees who—
20	"(I) demonstrate a clear responsi-
21	bility for providing homeland security;
22	and
23	"(II) possess the nomination of
24	the Governor of their State, or head of
25	the applicable jurisdiction; and

1	"(v) private sector applicants who
2	demonstrate a clear responsibility for pro-
3	viding homeland security, if such appli-
4	cants reimburse the Academy for all ex-
5	penses associated with their education at
6	$the\ Academy;$
7	"(B) ensure that students from each level of
8	government and the private sector are included
9	in all programs and classes, whenever appro-
10	priate; and
11	"(C) perform such duties as the Executive
12	Director may prescribe.
13	"(c) Board of Visitors.—
14	"(1) Establishment.—Before the Academy ad-
15	mits any students, the Secretary shall establish a
16	Board of Visitors (in this section referred to as the
17	'Board') to—
18	"(A) assist in the development of cur-
19	riculum and programs at the Academy; and
20	"(B) recommend the site for the location of
21	the Strategy Center.
22	"(2) Membership.—
23	"(A) Composition.—The Board will be
24	composed of—

1	"(i) the Secretary, or designee, who
2	shall serve as chair;
3	"(ii) the Executive Director of the
4	Academy, or designee, who shall be a non-
5	$voting\ member;$
6	"(iii) the Chairman of the Committee
7	on Homeland Security and Governmental
8	Affairs of the Senate, or designee;
9	"(iv) the Ranking Member of the Com-
10	mittee on Homeland Security and Govern-
11	mental Affairs of the Senate, or designee;
12	"(v) the Chairman of the Committee on
13	Homeland Security of the House of Rep-
14	resentatives, or designee;
15	"(vi) the Ranking Member of the Com-
16	mittee on Homeland Security of the House
17	of Representatives, or designee;
18	"(vii) the Secretary of Health and
19	Human Services, or designee;
20	"(viii) the Secretary of Defense, or des-
21	ignee;
22	"(ix) the Secretary of Education, or
23	designee;
24	"(x) the Secretary of Transportation,
25	or designee;

1	"(xi) the Director of the Federal Bu-
2	reau of Investigation, or designee;
3	"(xii) 4 persons, who shall be ap-
4	pointed by the Secretary for 2-year terms to
5	represent State and local governments; and
6	"(xiii) 4 persons, who shall be ap-
7	pointed by the Secretary for 2-year terms to
8	represent emergency response providers.
9	"(B) Prohibition.—Any person described
10	under subparagraph (A), whose membership on
11	the Board would create a conflict of interest,
12	shall not serve as a member of the Board.
13	"(C) VACANCIES.—If a member of the
14	Board dies or resigns from office, the official who
15	designated the member shall designate a suc-
16	cessor for the unexpired portion of the term.
17	"(3) Duties.—
18	"(A) Academy visits.—The Board shall
19	visit the Academy not less than annually, and
20	may, with the approval of the Secretary, make
21	other visits to the Academy in connection with
22	the duties of the Board or to consult with the Ex-
23	ecutive Director of the Academy.
24	"(B) Inquires.—The Board shall inquire
25	into the curriculum, instruction, physical equip-

1	ment, fiscal affairs, academic methods, student
2	body composition, and other matters relating to
3	the Academy that the Board decides to consider.
4	"(C) Reports.—
5	"(i) Annual report.—Not later than
6	60 days after each annual visit, the Board
7	shall submit a written report to the Sec-
8	retary, which describes its factual findings,
9	and its views and recommendations per-
10	taining to the Academy.
11	"(ii) Additional reports.—Any re-
12	port of a visit, other than the annual visit,
13	shall, if approved by a majority of the
14	members of the Board, be submitted to the
15	Secretary not later than 60 days after the
16	approval.
17	"(4) Travel expenses.—The members of the
18	Board shall be allowed travel expenses, including per
19	diem in lieu of subsistence, at rates authorized for
20	employees of agencies under subchapter I of chapter
21	57 of title 5, United States Code, while away from
22	their homes or regular places of business in the per-
23	formance of services for the Board.
24	"(d) Reports to Congress.—

1	"(1) Curriculum and attendance.—The Sec-
2	retary shall submit an annual report that describes
3	the curriculum of, and enrollment at, the Academy
4	to—
5	"(A) the Committee on Homeland Security
6	and Governmental Affairs of the Senate; and
7	"(B) the Committee on Homeland Security
8	of the House of Representatives.
9	"(2) Feasibility report.—Not later than 1
10	year after the establishment of the Academy, the Sec-
11	retary shall submit a report to the Committee on
12	Homeland Security and Governmental Affairs of the
13	Senate and the Committee on Homeland Security of
14	the House of Representatives that—
15	"(A) recommends an appropriate combina-
16	tion of students from Federal, State, and local
17	government and the private sector, and the per-
18	centage of costs related to the education of stu-
19	dent groups from Federal, State, and local gov-
20	ernment that should be borne by the Department
21	and borne by the student's home organization,
22	respectively;
23	"(B) describes the feasibility of expanding
24	the Academy in regional offices of the Federal
25	Emergency Management Agency or other govern-

1	ment or university programs to provide ongoing
2	education and training for Federal employees
3	with homeland security responsibilities; and
4	"(C) describes the feasibility of providing
5	education for the general public through elec-
6	tronic learning systems.
7	"(e) National Homeland Security Education
8	Network.—
9	"(1) Establishment.—The Executive Director
10	of the Academy shall establish a National Homeland
11	Security Education Network (referred to in this sec-
12	tion as the 'Network'), as described under subsection
13	(a)(2)(B).
14	"(2) Membership.—The Network shall be com-
15	prised of representatives from Federal training and
16	certification organizations, including—
17	"(A) the National Homeland Security
18	A cademy;
19	"(B) the Office of Grants and Training;
20	"(C) the National Domestic Preparedness
21	Consortium;
22	"(D) the Center for Homeland Defense and
23	Security at the Naval Postgraduate School;
24	"(E) the Federal Law Enforcement Train-
25	ing Center, including all schools or training and

1	education programs managed or co-located with
2	the Center;
3	"(F) the Customs and Border Protection
4	A cademy;
5	"(G) the Border Patrol Academy;
6	"(H) the Bureau of Immigration and Cus-
7	$toms\ Enforcement\ Academy;$
8	"(I) the Secret Service Academy;
9	"(J) the United States Coast Guard Acad-
10	emy, including all schools within the jurisdiction
11	of the Coast Guard Academy;
12	"(K) the Emergency Management Institute;
13	"(L) the Animal and Plant Health Inspec-
14	tion Service Training Program;
15	"(M) the Federal Air Marshal Training
16	Center;
17	"(N) the National Fire Academy; and
18	"(O) other relevant training facilities with-
19	in the Department.
20	"(3) Curriculum requirements.—The cur-
21	riculum and course work developed as part of the Net-
22	work shall be incorporated into the curriculum of the
23	institutions listed under paragraph (2), as appro-
24	priate, to ensure that students at these institutions
25	understand how their homeland security responsibil-

1	ities relate to other homeland security responsibilities
2	in the Department and other Federal, State, and local
3	agencies. The training centers and academies listed
4	under paragraph (2) shall retain their respective mis-
5	sions and goals.
6	"(4) Semi-annual meetings.—The Executive
7	Director and the Dean of the Academic Board shall
8	meet with the Network not less than once every 6
9	months to—
10	"(A) discuss curriculum requirements; and
11	"(B) coordinate training activities within
12	the Network.
13	"(5) Reports.—Not later than 2 years after the
14	date of enactment of this section, and every 2 years
15	thereafter, the Network shall submit a report to the
16	Committee on Homeland Security and Governmental
17	Affairs of the Senate and the Committee on Home-
18	land Security of the House of Representatives, which
19	describes the Network's—
20	"(A) strategy for using advanced instruc-
21	$tional\ technologies;$
22	"(B) plans for future improvement; and
23	"(C) success in working with other organi-
24	zations in achieving the goals described under
25	subparagraphs (A) and (B).".

1	(2) TECHNICAL AMENDMENT.—Section 1(b) of
2	the Homeland Security Act of 2002 (Public Law 107–
3	296) is amended by inserting after the item relating
4	to section 801 the following:
	"Sec. 802. National Homeland Security Academy.".
5	(b) State and Local Education and Training Co-
6	ORDINATOR.—The Secretary shall appoint a State and
7	Local Education and Training Coordinator, who shall—
8	(1) serve as the primary point of contact between
9	Federal, State, and local training facilities, the Na-
10	tional Homeland Security Academy, and the Agency,
11	in order to—
12	(A) maximize the ability of the Academy to
13	identify non-Academy programs that meet spe-
14	cific training goals and are crucial to the Na-
15	tion's homeland security mission; and
16	(B) assist the Academy in determining
17	where to direct Federal training funds; and
18	(2) at least semiannually, conduct meetings with
19	a coalition of State and local education and training
20	facilities to—
21	(A) allow State and local fire, rescue, and
22	law enforcement training facilities to provide
23	input on decisions made concerning the training
24	of emergency response providers; and

1	(B) increase curriculum coordination be-
2	tween the Academy and Federal, State, and local
3	facilities.
4	SEC. 304. SURGE CAPACITY FORCE.
5	(a) Definition.—In this section, the term "Surge Ca-
6	pacity Force" means the Surge Capacity Force established
7	under subsection (b).
8	(b) Establishment.—
9	(1) In General.—The Administrator shall es-
10	tablish a Surge Capacity Force for deployment of in-
11	dividuals to natural or man-made disasters, includ-
12	ing catastrophic incidents.
13	(2) Employees designated to serve.—The
14	Secretary shall designate employees of the Department
15	who are not employees of the Agency and employees
16	of other Federal departments and agencies, as appro-
17	priate, to serve on the Surge Capacity Force.
18	(c) Capabilities.—The Administrator shall—
19	(1) include a sufficient number of individuals
20	credentialed in accordance with section 531 of the
21	Homeland Security Act of 2002, as amended by this
22	Act, that are capable of deploying rapidly and effi-
23	ciently after activation to prepare for, respond to,
24	and recover from a natural or man-made disaster, in-
25	cluding a catastrophic incident; and

1 (2)	include	a	sufficient	number	of	full-time,

- 2 highly trained individuals credentialed in accordance
- 3 with section 531 of the Homeland Security Act of
- 4 2002, as amended by this Act, to lead and manage the
- 5 Surge Capacity Force.
- 6 (d) Training.—The Administrator shall provide ap-
- 7 propriate and continuous training to individuals serving
- 8 in the Surge Capacity Force to ensure such personnel are
- 9 adequately trained on the Agency's programs and policies
- 10 relevant to assistance provided by the Agency as a result
- 11 of an emergency or major disaster.
- 12 (e) Database.—The Administrator shall establish and
- 13 maintain a database regarding the members of the Surge
- 14 Capacity Force that includes the skills, qualifications, and
- 15 disaster management experience of such members.
- 16 (f) ANNUITANTS.—If an individual receiving an annu-
- 17 ity from the Civil Service Retirement and Disability Fund
- 18 becomes temporarily reemployed under this section, such
- 19 annuity shall not be discontinued on that basis. An indi-
- 20 vidual so reemployed as a Surge Capacity Force employee
- 21 shall not be considered an employee for the purposes of
- 22 chapter 83 or 84 of title 5, United States Code.
- 23 (g) No Impact on Agency Personnel Ceiling.—
- 24 Surge Capacity Force members under this section shall not

1	be counted against any personnel ceiling applicable to the
2	Agency.
3	(h) Expenses.—The Administrator may provide
4	members of the Surge Capacity Force with travel expenses,
5	including per diem in lieu of subsistence, at rates author-
6	ized for employees of agencies under subchapter I of chapter
7	57 of title 5, United States Code, for the purpose of partici-
8	pating in any training that relates to service as a member
9	of the Surge Capacity Force.
10	SEC. 305. ESTABLISHMENT OF HOMELAND SECURITY ROTA-
11	TION PROGRAM AT THE DEPARTMENT OF
12	HOMELAND SECURITY.
13	(a) Establishment.—
14	(1) In General.—Title VIII of the Homeland
	(1) In General.—Title VIII of the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) is amend-
141516	
15	Security Act of 2002 (6 U.S.C. 361 et seq.) is amend-
15 16	Security Act of 2002 (6 U.S.C. 361 et seq.) is amended by inserting after section 843 the following:
15 16 17	Security Act of 2002 (6 U.S.C. 361 et seq.) is amended by inserting after section 843 the following: "SEC. 844. HOMELAND SECURITY ROTATION PROGRAM.
15 16 17 18	Security Act of 2002 (6 U.S.C. 361 et seq.) is amended by inserting after section 843 the following: "SEC. 844. HOMELAND SECURITY ROTATION PROGRAM. "(a) ESTABLISHMENT.—
15 16 17 18 19	Security Act of 2002 (6 U.S.C. 361 et seq.) is amended by inserting after section 843 the following: "SEC. 844. HOMELAND SECURITY ROTATION PROGRAM. "(a) Establishment.— "(1) In General.—Not later than 180 days
15 16 17 18 19 20	Security Act of 2002 (6 U.S.C. 361 et seq.) is amended by inserting after section 843 the following: "SEC. 844. HOMELAND SECURITY ROTATION PROGRAM. "(a) ESTABLISHMENT.— "(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Sec-
15 16 17 18 19 20 21	Security Act of 2002 (6 U.S.C. 361 et seq.) is amended by inserting after section 843 the following: "SEC. 844. HOMELAND SECURITY ROTATION PROGRAM. "(a) ESTABLISHMENT.— "(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall establish the Homeland Security Rotation.

1	cluding those from the Chief Human Capital Officers
2	Council.
3	"(2) Goals.—The Rotation Program established
4	by the Secretary shall—
5	"(A) be established in accordance with the
6	Human Capital Strategic Plan of the Depart-
7	ment;
8	"(B) provide middle and senior level em-
9	ployees in the Department the opportunity to
10	broaden their knowledge through exposure to
11	other components of the Department;
12	"(C) expand the knowledge base of the De-
13	partment by providing for rotational assign-
14	ments of employees to other components;
15	"(D) build professional relationships and
16	contacts among the employees in the Depart-
17	ment;
18	"(E) invigorate the workforce with exciting
19	and professionally rewarding opportunities;
20	"(F) incorporate Department human cap-
21	ital strategic plans and activities, and address
22	critical human capital deficiencies, recruitment
23	and retention efforts, and succession planning
24	within the Federal workforce of the Department;
25	and

1	"(G) complement and incorporate (but not
2	replace) rotational programs within the Depart-
3	ment in effect on the date of enactment of this
4	section.
5	"(3) Administration.—
6	"(A) In General.—The Chief Human Cap-
7	ital Officer shall administer the Rotation Pro-
8	gram.
9	"(B) RESPONSIBILITIES.—The Chief
10	Human Capital Officer shall—
11	"(i) provide oversight of the establish-
12	ment and implementation of the Rotation
13	Program;
14	"(ii) establish a framework that sup-
15	ports the goals of the Rotation Program and
16	promotes cross-disciplinary rotational op-
17	portunities;
18	"(iii) establish eligibility for employees
19	to participate in the Rotation Program and
20	select participants from employees who
21	apply;
22	"(iv) establish incentives for employees
23	to participate in the Rotation Program, in-
24	cluding promotions and employment pref-
25	erences;

1	"(v) ensure that the Rotation Program
2	provides professional education and train-
3	ing;
4	"(vi) ensure that the Rotation Program
5	develops qualified employees and future
6	leaders with broad-based experience
7	throughout the Department;
8	"(vii) provide for greater interaction
9	among employees in components of the De-
10	partment; and
11	"(viii) coordinate with rotational pro-
12	grams within the Department in effect on
13	the date of enactment of this section.
14	"(4) Allowances, privileges, and bene-
15	FITS.—All allowances, privileges, rights, seniority,
16	and other benefits of employees participating in the
17	Rotation Program shall be preserved.
18	"(5) Reporting.—Not later than 180 days after
19	the date of the establishment of the Rotation Program,
20	the Secretary shall submit a report on the status of
21	the Rotation Program, including a description of the
22	Rotation Program, the number of employees partici-
23	pating, and how the Rotation Program is used in
24	succession planning and leadership development to—

1	"(A) the Committee on Homeland Security
2	and Governmental Affairs of the Senate;
3	"(B) the Committee on Homeland Security
4	of the House of Representatives; and
5	"(C) the Committee on Government Reform
6	of the House of Representatives.".
7	(2) Technical and conforming amend-
8	MENT.—Section 1(b) of the Homeland Security Act of
9	2002 (6 U.S.C. 101 et seq.) is amended by inserting
10	after the item relating to section 843 the following:
	"Sec. 844. Homeland Security Rotation Program.".
11	SEC. 306. QUARTERLY REPORT ON VACANCY RATE IN EM-
12	PLOYEE POSITIONS.
13	(a) Initial Report.—
13 14	(a) Initial Report.— (1) In General.—Not later than 3 months after
14	(1) In General.—Not later than 3 months after
14 15	(1) In General.—Not later than 3 months after the date of enactment of this Act, the Administrator
14 15 16	(1) In General.—Not later than 3 months after the date of enactment of this Act, the Administrator shall develop and submit to the Committee on Home-
14 15 16 17	(1) In General.—Not later than 3 months after the date of enactment of this Act, the Administrator shall develop and submit to the Committee on Home- land Security and Governmental Affairs of the Senate
14 15 16 17 18	(1) In General.—Not later than 3 months after the date of enactment of this Act, the Administrator shall develop and submit to the Committee on Home- land Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the
14 15 16 17 18	(1) In General.—Not later than 3 months after the date of enactment of this Act, the Administrator shall develop and submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Government Reform of the House of
14 15 16 17 18 19 20	(1) In General.—Not later than 3 months after the date of enactment of this Act, the Administrator shall develop and submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Government Reform of the House of Representatives a report on the vacancies in employee
14 15 16 17 18 19 20 21	(1) In General.—Not later than 3 months after the date of enactment of this Act, the Administrator shall develop and submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Government Reform of the House of Representatives a report on the vacancies in employee positions of the Agency.
14 15 16 17 18 19 20 21	(1) In General.—Not later than 3 months after the date of enactment of this Act, the Administrator shall develop and submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security and the Committee on Government Reform of the House of Representatives a report on the vacancies in employee positions of the Agency. (2) Contents.—The report under this subsection

1	(B) the number of applicants for each va-
2	cancy for which public notice has been given;
3	(C) the length of time that each vacancy has
4	been pending;
5	(D) hiring-cycle time for each vacancy that
6	has been filled; and
7	(E) a plan for reducing the hiring-cycle
8	time and reducing the current and anticipated
9	vacancies with highly-qualified personnel.
10	(b) Quarterly Updates.—Not later than 3 months
11	after submission of the initial report, and every 3 months
12	thereafter until 5 years after the date of enactment of this
13	Act, the Administrator shall submit to the Committee on
14	Homeland Security and Governmental Affairs of the Senate
15	and the Committee on Homeland Security and the Com-
16	mittee on Government Reform of the House of Representa-
17	tives an update of the report under subsection (a), including
18	an assessment by the Administrator of the progress of the
19	Agency in filling vacant employee positions of the Agency.
20	SEC. 307. REPORT BY THE INSPECTOR GENERAL.
21	(a) In General.—Not later than 90 days after the
22	date of enactment of this Act, the Inspector General of the
23	Department of Homeland Security shall submit a report
24	to Congress evaluating the implications of the conversion
25	of some portion of the Agency's temporary workforce into

1	a permanent full-time response workforce or other perma-
2	nent full-time positions.
3	(b) Considerations.—The report under this section
4	shall consider the appropriateness of taking actions to im-
5	plement such conversions, including the feasibility of mak-
6	ing such conversions, associated costs, and likely improve-
7	ments, if any, to the Agency's ability to respond to and
8	recover from a natural or man-made disaster, including a
9	$cat a strophic\ incident.$
10	TITLE IV—PLANNING,
11	PREPAREDNESS, AND TRAINING
12	SEC. 401. DEFINITION.
13	In this title, the term "Emergency Support Function
14	Annex" means an Emergency Support Function Annex to
15	the National Response Plan.
16	SEC. 402. EMERGENCY RESPONSE FRAMEWORK.
17	(a) In General.—The Secretary, acting through the
18	Administrator, shall employ the National Incident Manage-
19	ment System and the National Response Plan as the frame-
20	work for emergency response and domestic incident man-
21	agement.
22	(b) Use by Federal Agencies.—
23	(1) National response plan.—The National
24	Response Plan shall be the governing plan for any
25	Federal involvement or assistance in a natural or

1	man-made disaster or other Incident of National Sig-
2	nificance declared by the Secretary under the Na-
3	tional Response Plan.
4	(2) National incident management sys-
5	TEM.—The National Incident Management System
6	shall be the incident management system for any Fed-
7	eral involvement or assistance in a natural or man-
8	made disaster or other Incident of National Signifi-
9	cance declared by the Secretary under the National
10	Response Plan.
11	SEC. 403. REVIEW OF THE NATIONAL RESPONSE PLAN.
12	(a) Review and Revision of Plan.—
13	(1) In general.—Not later than May 1, 2007,
14	the Secretary, acting through the Administrator, and
15	in conjunction with the Federal agencies and non-
16	governmental organizations that are signatories to the
17	National Response Plan and with the National Advi-
18	sory Council, shall—
19	(A) conduct a comprehensive review of the
20	adequacy of the National Response Plan, includ-
21	ing incorporating lessons learned from Hurri-
22	cane Katrina of 2005; and
23	(B) revise and update the National Re-
24	sponse Plan, as appropriate, to incorporate the
25	findings of the review under subparagraph (A)

1	and the changes to the National Response Plan
2	required under paragraph (2).
3	(2) Changes required.—The comprehensive
4	review and update required under paragraph (1)
5	shall ensure the following:
6	(A) Principal federal official.—
7	(i) In general.—That the position of
8	Principal Federal Official under the Na-
9	tional Response Plan is eliminated.
10	(ii) Chain of command.—That the
11	National Response Plan provides for a clear
12	chain of command to lead and coordinate
13	the Federal response to any natural or
14	man-made disaster. The chain of the com-
15	mand specified in the National Response
16	Plan shall provide for a role for the Admin-
17	istrator consistent with the Administrator's
18	role as the principal emergency prepared-
19	ness and response advisor to the President,
20	the Homeland Security Council, and the
21	Secretary under section $512(c)(4)$ of the
22	Homeland Security Act of 2002, as amend-
23	ed by this Act, and the Administrator's re-
24	sponsibility to manage the response of the
25	Federal Government to a natural or man-

1 made disaster under section 513(a)(4) of 2 that Act, as amended by this Act, and shall 3 provide for a role for the Federal Coordinating Officer consistent with the responsibilities under section 302(b) of the Robert 6 T. Stafford Disaster Relief and Emergency 7 Assistance Act (42 U.S.C. 5143(b). 8 (iii) Incidents of National Signifi-9 CANCE THAT ARE NOT STAFFORD ACT DEC-10 LARATIONS.—The President or the Sec-11 retary may designate a Federal coordi-12 nating officer for Incidents of National Sig-13 nificance or other domestic incidents not 14 considered an emergency or major disaster. 15 In such cases, the Federal coordinating offi-16 cer shall have all the authorities and re-17 sponsibilities the Federal coordinating offi-18 cer would have under section 302 (b) of the 19 Robert T. Stafford Disaster Relief and 20 Emergency Assistance Act (42)U.S.C.21 5143(b)), in addition to any others the 22 President, the Secretary, or the Adminis-23 trator may assign. 24 (B) Mass care, housing, and human 25 SERVICES EMERGENCY SUPPORT FUNCTION.—

1	That, in consultation with the Department of
2	Justice and the Department of Health and
3	Human Services, the National Response Plan in-
4	cludes measures to reunify families separated
5	after a major disaster or catastrophic event, in-
6	cluding the location of missing children, and
7	that the appropriate agency or nongovernmental
8	organization is assigned timely responsibility for
9	that task.
10	(C) Public health and medical emer-
11	GENCY SUPPORT FUNCTION.—That, in consulta-
12	tion with the Secretary of Health and Human
13	Services and other relevant Federal agencies, the
14	National Response Plan, including any Emer-
15	gency Support Function Annex relating to pub-
16	lic health and medical services—
17	(i) addresses the public health and
18	medical needs of evacuees, special-needs
19	populations, and the general population
20	that is affected by a natural or man-made
21	disaster; and
22	(ii) assigns and clarifies the responsi-
23	bility for mortuary activities.
24	(D) Search and rescue.—That, in con-
25	sultation with the member agencies or depart-

1	ments of the National Search and Rescue Com-
2	mittee, the National Response Plan, including
3	Emergency Support Function Annex 9 (relating
4	to urban search and rescue)—
5	(i) addresses the full range of search
6	and rescue requirements and environments
7	for natural and man-made disasters; and
8	(ii) designates coordinating, primary,
9	and supporting agencies appropriate to a
10	range of environments of natural or man-
11	made disasters.
12	(E) Senior federal law enforcement
13	Officer.—That, in consultation with the Attor-
14	ney General, the National Response Plan clearly
15	describes—
16	(i) the roles and responsibilities of the
17	Senior Federal Law Enforcement Officer;
18	(ii) how the roles and responsibilities
19	of the Senior Federal Law Enforcement Of-
20	ficer relate to the roles and responsibilities
21	of other law enforcement entities; and
22	(iii) how the roles and responsibilities
23	of the Senior Federal Law Enforcement Of-
24	ficer relate to the roles and responsibilities
25	of Federal agencies provided for under

Emergency Support Function Annex 13 of
the National Response Plan (relating to
public safety and security).
(F) Infrastructure protection emer-
GENCY SUPPORT FUNCTION.—That, in consulta-
tion with other Federal departments and agen-
cies responsible for infrastructure restoration, the
need for an additional emergency support func-
tion annex within the National Response Plan
focused on the identification, protection, resil-
iency, and restoration of critical infrastructure
and key resources is considered.
(G) Maritime salvage.—That, in con-
sultation with the Commandant of the Coast
Guard, the Chief of Naval Operations, and the
Chief Engineer of the United States Army Corps
of Engineers, the National Response Plan—
(i) assigns a single Federal agency to
coordinate maritime-salvage needs during a
natural or man-made disaster;
(ii) clarifies the responsibilities of the
coordinating agency assigned under clause
(i) and other Federal agencies relating to
maritime salvage; and

1	(iii) considers the need for an addi-
2	tional Emergency Support Function Annex
3	within the National Response Plan focused
4	on maritime salvage and wreck removal.
5	(H) Catastrophic incidents.—The time-
6	ly completion of the Catastrophic Incident Sup-
7	plement to the National Response Plan, and that
8	the Catastrophic Incident Supplement effectively
9	addresses response requirements in the event of a
10	$cat a strophic\ incident.$
11	(3) Consultation with state and local gov-
12	ERNMENTS.—In reviewing and revising the National
13	Response Plan under paragraphs (1) and (2), and in
14	making any subsequent significant revision of the Na-
15	tional Response Plan, the Secretary and the Adminis-
16	trator shall, to the fullest extent possible, consult with
17	State and local government officials, including
18	through the National Advisory Council.
19	(4) Accessibility.—In revising or updating the
20	National Response Plan under paragraphs (1)(B)
21	and (2), and in any subsequent revision of the Na-
22	tional Response Plan, the Secretary, acting through
23	the Administrator, shall ensure that the National Re-
24	sponse Plan is written in a manner that provides

1	clear, unambiguous, and accessible guidance and in-
2	formation, and whenever possible uses plain English.
3	(b) Reporting.—
4	(1) In general.—The Secretary, acting through
5	the Administrator, shall submit to the Committee on
6	Homeland Security and Governmental Affairs of the
7	Senate and the Committee on Homeland Security of
8	the House of Representatives—
9	(A) not later than May 1, 2007, a report on
10	the results of its review under subsection (a), in-
11	cluding a detailed discussion of how the changes
12	to the National Response Plan described in sub-
13	section (a) have been implemented; and
14	(B) after May 1, 2007, a copy of any pro-
15	posed change, not later than 30 days before the
16	date of implementing that proposed change to the
17	National Response Plan.
18	SEC. 404. PLANNING AND PREPAREDNESS.
19	(a) In General.—The Secretary, acting through the
20	Administrator, in conjunction with other Federal depart-
21	ments and agencies with coordinating, primary, and sup-
22	porting roles under the National Response Plan and its an-
23	nexes, and in consultation with State and local government
24	officials, including through the National Advisory Council,
25	shall develop a unified system of strategic and operational

1	plans to respond effectively to natural or man-made disas-
2	ters, in support of the National Response Plan. These plans
3	shall include plans for specific geographic regions and for
4	specific types of high-risk events, and shall include, at a
5	minimum, the following elements:
6	(1) Concepts of operation for appropriate nat-
7	ural and man-made disasters.
8	(2) Critical tasks and department and agency
9	responsibilities, consistent with the National Response
10	Plan and all its Emergency Support Functions.
11	(3) Detailed resource and personnel requirements
12	and sourcing for the accomplishment of critical tasks
13	and capabilities.
14	(4) Creation and maintenance of asset inven-
15	tories by departments and agencies with Emergency
16	Support Function responsibilities under the National
17	Response Plan.
18	(5) Incorporation of deployable interagency
19	headquarters units, including crisis planning teams,
20	to manage the response and to ensure unity of effort
21	by all response organizations.
22	(6) Provision for special needs populations in all
23	planning.
24	(b) Catastrophic Planning.—

1	(1) In General.—In carrying out the require-
2	ments of subsection (a), the Administrator shall de-
3	velop comprehensive operational plans to respond to
4	catastrophic incidents.
5	(2) Contents.—The plans developed under
6	paragraph (1)—
7	(A) shall include the elements under sub-
8	section (a); and
9	(B) shall—
10	(i) be based on specific identified na-
11	tional and regional risks;
12	(ii) be developed in conjunction with
13	State and local government officials and
14	other relevant Federal departments and
15	agencies;
16	(iii) provide for the surge capacity nec-
17	essary to respond proportionately to the
18	scale of the event;
19	(iv) provide, where necessary and ap-
20	propriate for the proactive, rapid, and self-
21	sustaining deployment and integration of
22	Federal resources and personnel essential to
23	save lives, prevent suffering, and preserve
24	property or public health and safety;

1	(v) address the implementation of the
2	appropriate means of ensuring continuity
3	of government and command structures in
4	the affected area;
5	(vi) include planning for the emer-
6	gency sheltering, accommodation (including
7	details on feeding, protecting, and man-
8	aging), relocation, transportation, place-
9	ment, and long-term housing of large popu-
10	lations of displaced victims in the event of
11	a catastrophic incident, that includes iden-
12	tifying housing options in different regions
13	of the country, site options for temporary,
14	semipermanent, and permanent housing,
15	and available land and property that could
16	serve to shelter mass populations during
17	catastrophic incidents; and
18	(vii) address the recovery of areas af-
19	fected by a catastrophic incident.
20	(c) Standards and Guidance.—The Secretary, act-
21	ing through the Administrator, shall—
22	(1) provide clear standardization, guidance, and
23	assistance with planning at the Federal, State, and
24	local government levels; and
25	(2) ensure—

1	(A) a common terminology, approach, and
2	framework for all strategic and operational plan-
3	ning; and
4	(B) that planning considers threats, both
5	natural and man-made.
6	(d) Planning.—
7	(1) In general.—Planning under subsections
8	(a) and (b) shall, at a minimum, address the fol-
9	lowing matters:
10	(A) Health and medical.—
11	(i) In General.—Preparedness and
12	deployment of health and medical resources,
13	including clearly defining the responsibility
14	for logistics, security, and other support as-
15	sets, and the ability to track these resources.
16	(ii) National disaster medical sys-
17	TEM.—With respect to the National Disaster
18	Medical System, the provision of resources
19	to equip, staff, and train National Disaster
20	Medical System teams, transportation, lo-
21	gistics and communications capabilities,
22	and training and outreach programs and
23	patient triage and tracking capabilities.

1	(B) Human services.—Operational plans
2	for the expeditious location of missing children
3	and the reunification of families, to include—
4	(i) clarification of the role of the Na-
5	tional Center for Missing and Exploited
6	Children;
7	(ii) appropriate coordination and in-
8	formation-sharing between the Agency, the
9	Department of Justice, the National Center
10	for Missing and Exploited Children, the De-
11	partment of Health and Human Services,
12	the American Red Cross, other relevant non-
13	governmental organizations, and Federal,
14	State, and local government emergency
15	management and law enforcement agencies,
16	including the development of advance coop-
17	erative agreements as necessary to facilitate
18	implementation during response; and
19	(iii) appropriate public information
20	gathering and dissemination mechanisms.
21	(C) Search and rescue.—In consultation
22	with the National Search and Rescue Committee,
23	development of a National Search and Rescue
24	Plan that includes the search and rescue require-
25	ments of a multienvironment (air. water. or

1	land) disaster, including providing for a unified
2	coordination structure, asset deployment, a com-
3	munications network, and sharing of informa-
4	tion with State and local search and rescue
5	units.
6	(D) EVACUATION.—In coordination with
7	State and local governments, plans to support
8	mass evacuations in advance of, or following, a
9	natural or man-made disaster, that address—
10	(i) keeping families together throughout
11	evacuation and sheltering;
12	(ii) populations lacking the means to
13	evacuate themselves and individuals with
14	$special\ needs;$
15	(iii) policies and provisions for evacu-
16	ating pets;
17	(iv) the deployment and employment of
18	various transportation modes necessary to
19	expedite mass evacuations, together with ap-
20	propriate security escorts;
21	(v) information and guidance to the
22	public; and
23	(vi) short-term and long-term shel-
24	$tering\ following\ evacuation.$

1	(E) COORDINATION WITH DEPARTMENT OF
2	Defense.—In conjunction with the Department
3	of Defense, including the United States Northern
4	Command, the United States Pacific Command,
5	the National Guard Bureau, and the National
6	Advisory Council, develop plans for military
7	support of civilian authorities under the Na-
8	tional Response Plan, including—
9	(i) the coordinated deployment, and
10	the reception, staging, onward movement,
11	and integration of appropriate units and
12	personnel of the regular components and re-
13	serve components of the Armed Forces in re-
14	sponse to natural and man-made disasters;
15	(ii) the coordination, command, and
16	control of units and personnel in order to
17	facilitate and ensure integrated military
18	support for the response to natural and
19	man-made disasters;
20	(iii) the identification of response as-
21	sets (including helicopters, boats, medical
22	supplies and personnel, food and water,
23	communications equipment, and other as-
24	sets) required for military support for the
25	response to natural and man-made disas-

1	ters, and the development of procedures and
2	guidelines for the prepositioning or
3	preassembly of such assets;
4	(iv) procedures for expedited requests
5	and approvals of Federal payment for, or
6	Federal reimbursement of, the costs of the
7	States in deploying members of the Na-
8	tional Guard in State status;
9	(v) procedures for coordination between
10	the Department of Defense and the State
11	governments to ensure that the military
12	support provided meets applicable State re-
13	quirements;
14	(vi) procedures for identifying units
15	and personnel of the regular components of
16	the Armed Forces that have capabilities
17	suitable for purposes of providing military
18	support to natural and man-made disasters;
19	and
20	(vii) military support for the distribu-
21	tion by the Department and the Agency of
22	basic commodities in response to a cata-
23	$strophic\ incident.$
24	(F) Use of Aerial and Remotely Sensed
25	IMAGERY.—To the extent practicable and appro-

priate, incorporate use of Department of Defense,
National Air and Space Administration, National Oceanic and Atmospheric Administration,
and commercial aircraft and satellite remotely
sensed imagery to ensure timely situational
awareness throughout the Federal Government in
the wake of a natural or man-made disaster or
catastrophic incident.

- (G) Private Sector and nongovern-Mental Organizations.—To the extent possible, and appropriate, incorporate coordination with and integration of support from the private sector and nongovernmental organizations whether in accordance with, or in the absence of, prior agreements. Planning shall also incorporate the means to communicate and coordinate with such entities during response efforts.
- (H) Maritime salvage.—In coordination with Federal, State, or local government agencies that have or may have maritime salvage responsibilities, including the United States Coast Guard, the United States Navy, the Agency, and the United States Army Corps of Engineers, plans to allow salvage to proceed in a timely manner during a natural or man-made disaster

1	and, where appropriate, provide for a national
2	emergency salvage contract to 1 or more quali-
3	fied national salvors that would allow immediate
4	access to commercial salvage assets.
5	(I) Disposal of debris.—In coordination
6	with the United States Army Corps of Engi-
7	neers, the United States Environmental Protec-
8	tion Agency and other agencies with coordi-
9	nating, primary, and supporting responsibilities
10	under the National Response Plan's Public
11	Works and Engineering Emergency Support
12	Function Annex—
13	(i) provisions for the safe handling and
14	sorting of debris to ensure proper identifica-
15	tion and disposal of hazardous material;
16	and
17	(ii) provisions for the recycling of de-
18	bris where appropriate and practicable.
19	(e) National and Interagency Preparedness.—
20	The Secretary, acting through the Administrator, shall en-
21	sure the following:
22	(1) Asset inventory.—In conjunction with the
23	appropriate Federal agencies and departments with
24	coordinating, primary, and supporting responsibil-
25	ities under the National Response Plan, the develop-

- ment of an inventory of Federal resources, including assets and personnel with particular skills that are available for deployment and employment in response to natural and man-made disasters.
 - (2) Prescripted mission assignments.—To the extent practicable and where appropriate, the development of prescripted mission assignments in conjunction with the appropriate Federal agencies and departments with coordinating, primary and supporting responsibilities under the National Response Plan.
 - (3) Representation at Military com-Mands.—In consultation with the Department of Defense—
 - (A) the determination of appropriate representatives of the Department to the United States Northern Command and, as appropriate, the United States Pacific Command; and
 - (B) the integration of such representatives into national planning, training, exercising, and responses to a natural or man-made disaster to promote better coordination.
- 23 (4) COORDINATION WITH DEPARTMENT OF
 24 HEALTH AND HUMAN SERVICES.—Not later than
 25 March 1, 2007, the Secretary of Homeland Security

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

[and th	e Secretary	of	Health	and	Human	Services
2	shall—						

(A) establish a memorandum of understanding defining the respective roles and responsibilities of their respective departments in providing for public health and medical care under the National Response Plan or in the event that the Secretary of Health and Human Services declares a public health emergency under section 319 of the Public Health Service Act (42 U.S.C. 247(d)) and for coordinating their respective activities in such an event, including deployment, operational control and resupply of National Disaster Medical System and Metropolitan Medical Response System assets; and

(B) create a pilot project for establishing "special needs registries" (in which individuals should voluntarily enroll), which shall include information regarding an individual's location, medical needs, transportation needs, mobility, emergency contact information, and other relevant information and which emergency and evacuation personnel and transportation providers would be used in the event of an emer-

gency to best meet the needs of special needs in dividuals and seniors in the community.

(f) Reports.—

- (1) In General.—Not later than May 1, 2007, and annually thereafter until May 1, 2017, the Secretary, acting through the Administrator, shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives describing all Federal planning and preparedness efforts relating to the National Response Plan, including an evaluation of the status of national disaster planning, particularly for catastrophic incidents.
- (2) INITIAL REPORT.—The initial report submitted under paragraph (1) shall include findings on the status and progress in completing the national operational plans described in subsections (a) through (d) and the preparedness efforts described in subsection (e) and a description of how the Administrator used remotely sensed imagery from the departments and agencies identified in subsection (d)(1)(F) during the response to Hurricane Katrina of 2005 and how such imagery can be used during response to future disasters.

1 SEC. 405. TRAINING AND EXERCISES.

2	(a) In General.—The Administrator, in conjunction
3	with other Federal departments and agencies with coordi-
4	nating, primary, or support functions under the National
5	Response Plan and, where practicable and appropriate,
6	with the National Homeland Security Academy and the
7	National Incident Management System Integration Center,
8	and in consultation with the National Advisory Council,
9	shall ensure that the planning and preparedness require-
10	ments under section 404 are effectively trained and exer-
11	cised to provide for a fully coordinated national response
12	to natural and man-made disasters.
13	(b) Requirements.—The training and exercises
14	under subsection (a), shall at a minimum, include the fol-
15	lowing:
16	(1) State and local participation.—With re-
17	spect to State and local governments, emergency re-
18	sponse providers, and emergency managers—
19	(A) incorporate input from State and local
20	governments, emergency response providers, and
21	emergency managers in planning and con-
22	ducting the national exercises and training
23	under subsection (a); and
24	(B) disaster and catastrophic response
25	training and exercises on the National Response
26	Plan, State disaster plans, the Catastrophic Inci-

- dent Annex to the National Response Plan, and
 operational plans developed under section 404.
 - (2) Federal departments and agencies
 Incorporate all Federal departments and agencies
 with any responsibilities under the National Response
 Plan, relevant agencies of State and local governments, and emergency response providers, including
 exercises relating to large-scale natural and manmade disasters, including catastrophic incidents, that
 simulate the partial or complete incapacitation of
 emergency response providers from State and local
 government.
 - (3) Scope.—Programs to address the unique requirements of various special needs populations.
 - (4) Surge capacity.—Training on disaster response and recovery for employees of the Federal Government designated as part of the surge capacity of the Federal Government, including disaster assistance employees.
 - (5) Senior officials.—Training that ensures that senior level officials from Federal agencies and departments with responsibilities under the National Response Plan, including senior military officers and officials with responsibilities related to mitigation, preparedness, response, and recovery from a natural

- or man-made disaster on a national level, are trained in the National Response Plan, National Incident Management System, and, as appropriate, the Defense Support to Civil Authorities mission of the Department of Defense.
- 6 (6) ELECTED OFFICIALS.—Training for Federal,
 7 State, and local government elected officials regarding
 8 the National Response Plan, National Incident Man9 agement System, and, as appropriate, the Defense
 10 Support to Civil Authorities mission of the Depart11 ment of Defense.
- 12 (7) Implementation of lessons learned.—
 13 Procedures for implementing lessons learned from ex14 ercises into disaster response plans and programs.
- 15 (c) Reports.—Not later than May 1, 2007, and annu-16 ally thereafter until May 1, 2017, the Administrator shall 17 submit to the Committee on Homeland Security and Gov-18 ernmental Affairs of the Senate and the Committee on 19 Homeland Security of the House of Representatives a report 20 regarding the development and implementation of national
- 22 SEC. 406. EMERGENCY SUPPORT FUNCTION ASSURANCE 23 PROGRAMS.

exercise and training programs under this section.

24 (a) Entity Reports and Certification.—Not later 25 than February 1, 2007, and annually thereafter, each agen-

cy or entity designated as a primary or support agency for any emergency support function under the National Response Plan and annexes thereof shall provide the coordi-3 4 nating organization for that emergency support function 5 with a detailed description of its plan to fulfill its responsibilities under such Plan and annexes, including identification of key personnel and organizations or offices re-8 sponsible for such functions, and the staffing and budget allocated for these purposes for the current year and staffing 10 and budget needs for the succeeding year. Each such agency or entity shall include in each such report a certification 12 that the agency or entity is capable and prepared to fulfill its responsibilities under such Plan and annexes. If such agency or entity concludes that the agency or entity is not 14 15 capable and prepared, the agency or entity shall submit a remedial plan to the Administrator and the coordinating 16 17 organization for the relevant emergency support function. 18 (b) Coordinating Organization Reports and Cer-19 TIFICATION.—Each agency or entity designated as a coordi-20 nating agency under the National Response Plan and an-21 nexes thereof shall evaluate plans submitted by the primary and support agencies or entities under subsection (a). Not 23 later than March 1, 2007, and annually thereafter, each coordinating organization for an emergency support function under the National Response Plan and annexes thereof shall

- 1 provide the Administrator with a detailed description of its
- 2 coordinated plan with primary and support entities or
- 3 agencies for the relevant emergency support function to ful-
- 4 fill its responsibilities under the National Response Plan
- 5 and annexes thereof, including identification of key per-
- 6 sonnel and organizations or offices responsible for such
- 7 functions, and the staffing and budget allocated for these
- 8 purposes for the current year and staffing and budget needs
- 9 for the succeeding year. Each such agency or entity shall
- 10 include in each such report a certification that the coordi-
- 11 nating, primary, and support agencies are capable and pre-
- 12 pared to fulfill their responsibilities under such Plan and
- 13 annexes. If such agency or entity concludes that the coordi-
- 14 nating, primary, or support agency is not capable and pre-
- 15 pared, the agency or entity shall submit a remedial plan
- 16 to the Administrator and the coordinating agency for the
- 17 relevant emergency support function.
- 18 (c) Evaluation and Report to Congress by the
- 19 Administrator.—
- 20 (1) In General.—The Administrator shall en-
- 21 sure that each agency or entity designated as a co-
- ordinating, primary, or support agency under the
- National Response Plan and annexes thereof is capa-
- 24 ble and prepared to carry out its responsibilities in-

1	cluding appropriate operational plans, staffing, re-
2	sources, and training.
3	(2) Reports.—Not later than June 1, 2007, and
4	annually thereafter, the Administrator shall submit a
5	report to the Committee on Homeland Security and
6	Governmental Affairs of the Senate and the Com-
7	mittee on Homeland Security of the House of Rep-
8	resentatives that—
9	(A) evaluates and verifies the readiness of
10	such agencies or entities for the purposes under
11	paragraph (1);
12	(B) includes an appendix that identifies the
13	level of funding and staffing each agency or enti-
14	ty has designated to meet its responsibilities
15	under the National Response Plan; and
16	(C) in those cases where the Administrator
17	determines that an agency or entity is not capa-
18	ble or prepared to fulfill its responsibilities, iden-
19	tifies the deficiencies and develops an alternative
20	mechanism to ensure that the necessary capabili-
21	ties are in place to meet the requirements of the
22	plan.

1	TITLE V—PREVENTION OF
2	FRAUD, WASTE, AND ABUSE
3	SEC. 501. PROHIBITION ON EXCESSIVE PASS-THROUGH
4	CHARGES.
5	(a) Regulations Required.—Not later than 120
6	days after the date of the enactment of this Act, the Admin-
7	istrator for Federal Procurement Policy shall prescribe reg-
8	ulations prohibiting excessive pass-through charges on con-
9	tracts, subcontracts, or task or delivery orders that are en-
10	tered into for or on behalf of an executive agency that are
11	in excess of the simplified acquisition threshold, as specified
12	in section 4(11) of the Office of Federal Procurement Policy
13	Act (41 U.S.C. 403(11)).
14	(b) Scope of Regulations.—The regulations pre-
15	scribed under this section shall not apply to any firm, fixed-
16	price contract, subcontract, or task or delivery order that
17	is—
18	(1) awarded on the basis of adequate price com-
19	petition; or
20	(2) for the acquisition of a commercial item, as
21	defined in section 4(12) of the Office of Federal Pro-
22	curement Policy Act (41 U.S.C. 403(12)).
23	(c) Definitions.—In this section:
24	(1) Excessive pass-through charge.—The
25	term "excessive pass-through charge" means a charge

1	by a covered contractor or subcontractor for overhead
2	or profit on work performed by a covered lower-tier
3	contractor (other than charges for the direct costs of
4	managing lower-tier contracts and overhead and prof-
5	it based on such direct costs).
6	(2) Covered contractor.—The term "covered
7	contractor" means the following:
8	(A) A contractor that assigns work account-
9	ing for more than 80 percent of the cost of con-
10	tract performance (not including overhead or
11	profit) to subcontractors.
12	(B) In the case of a contract providing for
13	the development or production of a system of sys-
14	tems, a contractor that assigns work accounting
15	for more than 80 percent of the cost of contract
16	performance (not including overhead or profit)
17	for any particular system under such contract to
18	subcontractors.
19	(3) Covered Lower-tier contractor.—The
20	term "covered lower-tier contractor" means the fol-
21	lowing:
22	(A) With respect to a covered contractor de-
23	scribed by paragraph (2)(A) in a contract, any
24	lower-tier subcontractor under such contract.

1	(B) With respect to a covered contractor de-
2	scribed by paragraph (2)(B) in a contract, any
3	lower-tier subcontractor on a system under such
4	contract for which such covered contractor has
5	assigned work accounting for more than 80 per-
6	cent of the cost of contract performance (not in-
7	cluding overhead or profit).
8	(4) Executive Agency.—The term "executive
9	agency" has the meaning given such term in section
10	4 of the Office of Federal Procurement Policy Act (41
11	U.S.C. 403).
12	(d) Effective Date.—The regulations prescribed
13	under this section shall apply to contracts awarded on or
14	after the date that is 120 days after the date of the enact-
15	ment of this Act.
16	(e) GAO REPORT.—Not later than 180 days after the
17	date of enactment of this Act, the Comptroller General shall
18	submit a report to Congress that—
19	(1) determines the total number of all contracts
20	and subcontracts entered into during the 2-year pe-
21	riod preceding the date of enactment of this Act to
22	carry out the Robert T. Stafford Disaster Relief and
23	Emergency Assistance Act or relating to Hurricane
24	Katrina of 2005;

1	(2) determines the number of the contracts and
2	subcontracts described in paragraph (1) of this sub-
3	section to which the prohibition under subsection (a)
4	would have applied if this section had been in effect
5	during that 2-year period; and
6	(3) determines the number of the contracts and
7	subcontracts described in paragraph (1) of this sub-
8	section to which the prohibition under subsection (a)
9	would have applied if—
10	(A) this section had been in effect during
11	that 2-year period; and
12	(B) the term "90 percent" is substituted for
13	the term "80 percent" each place it appears in
14	subsection (c).
15	SEC. 502. FRAUD PREVENTION PROGRAMS.
16	(a) Report.—
17	(1) Analysis.—The Comptroller General shall
18	submit to the Committee on Homeland Security and
19	Governmental Affairs of the Senate and the Com-
20	mittee on Homeland Security of the House of Rep-
21	resentatives a report containing an analysis of fraud
22	prevention programs used by the Department in con-
23	nection with assistance programs. The analysis shall
24	assess, among other relevant issues, the effectiveness

of, and adherence to, the fraud prevention controls

- used in such programs for registration and payment
 processes.
- 3 (2) RECOMMENDATIONS.—The report required 4 under this subsection shall include recommendations 5 for additional fraud prevention controls, including re-6 quiring that data provided by registrants be validated 7 against other Federal Government or third-party 8 sources to determine the accuracy of identification 9 and residence information.
- 10 (b) TRAINING.—The Secretary shall conduct training 11 on fraud awareness for key Department personnel, includ-12 ing contracting officers and the Surge Capacity Force estab-13 lished under section 304, for the purpose of preventing fraud 14 in the assistance programs of the Department.
- 15 SEC. 503. CONTINGENCY CONTRACTING CORPS AND REGU16 LATIONS.
- 17 (a) ESTABLISHMENT AND PURPOSE.—The Director of
 18 the Office of Management and Budget, in consultation with
 19 the heads of other relevant executive agencies, is authorized
 20 to establish and maintain a Contingency Contracting Corps
 21 (in this section referred to as the "Corps"). The Corps shall
 22 be composed of contracting officers of executive agencies who
 23 are trained and available to perform on a temporary and
 24 volunteer basis services necessary to assist agencies with

contracting activities during unplanned events.

- 1 (b) Service.—An employee of an executive agency
- 2 shall receive the approval of such agency prior to per-
- 3 forming services for the Corps under subsection (a) that re-
- 4 duce substantially the amount of time such employee is able
- 5 to perform the normal functions of such employee, and may
- 6 perform such services for at least 30 days, but not more
- 7 than 1 year. An employee performing services for the Corps
- 8 in accordance with this subsection shall not be removed
- 9 from employment as a result of performing such services.
- 10 (c) Continuity of Knowledge.—The Director of the
- 11 Office of Management and Budget shall ensure that, as em-
- 12 ployees rotate through periods of service with the Corps, the
- 13 Corps retains information developed during such periods of
- 14 service in a useful, complete format to enable the Corps to
- 15 effectively carry out the purposes of the Corps.
- 16 (d) Training.—Members of the Corps shall receive
- 7 training on contingency contracting from the Federal Ac-
- 18 quisition Institute or other appropriate entity. The training
- 19 shall be provided using available funds in the Acquisition
- 20 Workforce Training Fund established under section
- 21 37(h)(3)(A) of the Office of Federal Procurement Policy Act
- 22 (41 U.S.C. 433(h)(3)(A)).
- 23 (e) Contingency Contracting Regulations.—
- 24 Each member of the Corps shall—

1	(1) be provided all necessary forms and regula-
2	tions in a portable, electronic format to facilitate
3	compliance with all relevant laws, including part 18
4	of the Federal Acquisition Regulation relating to
5	emergency acquisitions; and
6	(2) be familiar with such forms and regulations.
7	SEC. 504. VERIFICATION MEASURES FOR INDIVIDUALS AND
8	HOUSEHOLDS PROGRAM.
9	Not later than 180 days after the date of the enactment
10	of this Act, the Administrator shall prescribe regulations—
11	(1) establishing an identity verification process
12	for the Individuals and Households Program (in this
13	section referred to as the "IHP") registrants applying
14	via the Internet or by telephone to provide reasonable
15	assurance that disaster assistance payments are made
16	only to qualified individuals;
17	(2) developing procedures to improve the existing
18	review process of duplicate registrations containing
19	the exact same social security numbers and to iden-
20	tify the reasons why registrations flagged as invalid
21	or as potential duplicates have been overridden and
22	approved for payment;
23	(3) establishing an address verification process
24	for IHP registrants applying via the Internet or by
25	telephone to provide reasonable assurance that dis-

1	aster assistance payments are made only to qualified		
2	individuals;		
3	(4) establishing procedures for entering into		
4	agreements with other agencies, such as the Social Se-		
5	curity Administration, to periodically authenticate		
6	information contained in the IHP registrations;		
7	(5) establishing procedures to collect duplicate		
8	expedited assistance payments or to offset these		
9	amounts against future payments;		
10	(6) ensuring that distributions of IHP debit		
11	cards include instructions on the proper use of IHP		
12	funds, similar to those instructions provided to recipi-		
13	ents of IHP checks and electronic fund transfers, to		
14	prevent improper usage;		
15	(7) ensuring that any systems or processes estab-		
16	lished under paragraphs (1) through (6) are fully		
17	tested before implementation for quality assurance;		
18	and		
19	(8) providing an expedited and simplified review		
20	and appeal process for IHP registrants whose disaster		
21	assistance applications are denied.		
22	SEC. 505. INFORMATION TECHNOLOGY SYSTEMS.		
23	The Secretary shall ensure that information technology		
24	systems used by the Department have functions to help en-		
25	sure the validity of claims for assistance under the Robert		

1	T. Stafford Disaster Relief and Emergency Assistance Act
2	(42 U.S.C. 5121 et seq.), to deter waste, fraud, and abuse.
3	SEC. 506. REGISTRY OF DISASTER RESPONSE CONTRAC-
4	TORS.
5	(a) Definitions.—In this section—
6	(1) the term "registry" means the registry cre-
7	ated under subsection (b); and
8	(2) the terms "small business concern", "small
9	business concern owned and controlled by socially and
10	economically disadvantaged individuals", "small
11	business concern owned and controlled by women",
12	and "small business concern owned and controlled by
13	service-disabled veterans" have the meanings given
14	those terms under the Small Business Act (15 U.S.C.
15	631 et seq.).
16	(b) Registry.—
17	(1) In general.—The Administrator shall cre-
18	ate a registry of contractors who are capable of per-
19	forming debris removal, distribution of supplies, re-
20	construction, and other disaster or emergency relief
21	activities.
22	(2) Contents.—The registry shall include, for
23	each business concern—
24	(A) the name of the business concern;
25	(B) the location of the business concern;

1	(C) the area served by the business concern;	
2	(D) the type of good or service provided by	
3	the business concern;	
4	(E) the bonding level of the business con-	
5	cern; and	
6	(F) whether the business concern is—	
7	(i) a small business concern;	
8	(ii) a small business concern owned	
9	and controlled by socially and economically	
10	$disadvantaged\ individuals;$	
11	(iii) a small business concern owned	
12	and controlled by women; or	
13	(iv) a small business concern owned	
14	and controlled by service-disabled veterans.	
15	(3) Source of information.—	
16	(A) Submission.—Information maintained	
17	in the registry shall be submitted on a voluntary	
18	basis by business concerns.	
19	(B) Attestation.—Each business concern	
20	submitting information to the registry shall sub-	
21	mit—	
22	(i) an attestation that the information	
23	is true; and	
24	(ii) documentation supporting such at-	
25	testation.	

- 1 (C) VERIFICATION.—The Administrator 2 shall verify that the documentation submitted by 3 each business concern supports the information 4 submitted by that business concern.
 - (D) Enforcement penalties for misRepresentation.—Any business concern that
 misrepresents the status of that business concern
 as a small business concern, a small business
 concern owned and controlled by socially and
 economically disadvantaged individuals, a small
 business concern owned and controlled by
 women, or a small business concern owned and
 controlled by service-disabled veterans shall be
 subject to the criminal and civil provisions of
 section 1001 of title 18, United States Code, and
 sections 3729 through 3733 of title 31, United
 States Code.
 - (4) AVAILABILITY OF REGISTRY.—The registry shall be made generally available on the Internet site of the Agency.
 - (5) Consultation of Registry.—As part of the acquisition planning for contracting for debris removal, distribution of supplies in a disaster, reconstruction, and other disaster or emergency relief activities, a Federal agency shall consult the registry.

1 SEC. 507. USE OF CERTAIN SUPPLY SCHEDULES.

2	Section 502(c) of title 40, United States Code, is			
3	amended by striking paragraph (1) and inserting the fol-			
4	lowing:			
5	"(1) In general.—The Administrator may pro-			
6	vide for the use by State or local governments of Fed-			
7	eral supply schedules of the General Services Admin			
8	istration for—			
9	"(A) automated data processing equipment			
10	(including firmware), software, supplies, support			
11	equipment, and services (as contained in Federal			
12	supply classification code group 70); and			
13	"(B) procurement of supplies or services to			
14	be used to prepare for or respond to a emergency			
15	or major disaster declared by the President			
16	under the Robert T. Stafford Disaster Relief and			
17	Emergency Assistance Act (42 U.S.C. 5121 et			
18	seq.).".			
19	SEC. 508. USE OF LOCAL FIRMS AND INDIVIDUALS.			
20	The Robert T. Stafford Disaster Relief and Emergency			
21	Assistance Act (42 U.S.C. 5121 et seq.) is amended by strik-			
22	ing section 307 and inserting the following:			
23	"SEC. 307. USE OF LOCAL FIRMS AND INDIVIDUALS.			
24	"(a) Contracts or Agreements With Private En-			
25	TITIES.—			

"(1) IN GENERAL.—In the expenditure of Federal funds for debris clearance, distribution of supplies, reconstruction, and other major disaster or emergency assistance activities which may be carried out by contract or agreement with private organizations, firms, or individuals, preference shall be given, to the extent feasible and practicable, to those organizations, firms, and individuals residing or doing business primarily in the area affected by such major disaster or emergency.

"(2) Construction.—This subsection shall not be considered to restrict the use of Department of Defense resources under this Act in the provision of assistance in a major disaster.

"(b) Implementation.—

"(1) Contracts not to entities in area.—
Any expenditure of Federal funds for debris clearance, distribution of supplies, reconstruction, and other major disaster or emergency assistance activities which may be carried out by contract or agreement with private organizations, firms, or individuals, not awarded to an organization, firm, or individual residing or doing business primarily in the area affected by such major disaster shall be justified in writing in the contract file.

1	"(2) Transition.—To the maximum extent fea-
2	sible and practicable, taking into consideration cost,
3	schedule, and performance as significant factors, fol-
4	lowing the declaration of an emergency or major dis-
5	aster, an agency performing response, relief, and re-
6	construction activities shall transition work per-
7	formed under contracts in effect on the date on which
8	the President declares the emergency or major disaster
9	to organizations, firms, and individuals residing or
10	doing business primarily in any area affected by the
11	major disaster or emergency.
12	"(c) Prior Contracts.—Nothing in this section shall
13	be construed to require any Federal agency to breach or
14	renegotiate any contract in effect before the occurrence of
15	a major disaster or emergency.".
16	SEC. 509. ADVANCE CONTRACTING.
17	(a) Initial Report.—
18	(1) In General.—Not later than 180 days after
19	the date of enactment of this Act, the Administrator
20	shall submit a report under paragraph (2) identi-
21	fying—
22	(A) recurring disaster response require-
23	ments, including specific goods and services, for
24	which the Agency is capable of contracting for in

1	advance of natural or man-made disasters in a		
2	cost effective manner;		
3	(B) recurring disaster response require-		
4	ments, including specific goods and services, for		
5	which the Agency can not contract in advance of		
6	a natural or man-made disaster in a cost-effec-		
7	tive manner; and		
8	(C) a contracting strategy that maximizes		
9	the use of advance contracts to the extent prac-		
10	tical and cost effective.		
11	(2) Submission.—The report under paragraph		
12	(1) shall be submitted to—		
13	(A) the Committee on Homeland Security		
14	and Governmental Affairs the Senate; and		
15	(B) the Committee on Homeland Security of		
16	the House of Representatives.		
17	(b) Entering Into Contracts.—Not later than 1		
18	year after the date of enactment of this Act, the Adminis-		
19	trator shall enter into 1 or more contracts through the use		
20	of competitive procedures for each type of goods or services		
21	identified under subsection (a)(1)(A), and in accordance		
22	with the contracting strategy identified in subsection		
23	(a)(1)(C). Any contract for goods or services identified in		
24	subsection (a)(1)(A) previously awarded under competitive		
25	procedures may be maintained in fulfilling this require-		

1	ment. Before entering into any contract under this sub-
2	section, the Administrator shall consider section 307 of the
3	Robert T. Stafford Disaster Relief and Emergency Assist-
4	ance Act (42 U.S.C. 5150), as amended by this Act.
5	(c) Maintenance of Contracts.—After the date de-
6	scribed under subsection (b), the Administrator shall have
7	the responsibility to maintain contracts for appropriate lev-
8	els of goods and services in accordance with subsection
9	(a)(1)(C).
10	(d) Report on Contracts Not Using Competitive
11	Procedures.—At the end of each fiscal quarter, beginning
12	with the first fiscal quarter occurring at least 90 days after
13	the date of enactment of this Act, the Administrator shall
14	submit a report on each disaster assistance contract entered
15	into by the Agency by other than competitive procedures
16	to—
17	(1) the Committee on Homeland Security and
18	Governmental Affairs the Senate; and
19	(2) the Committee on Homeland Security of the
20	$House\ of\ Representatives.$
21	SEC. 510. PURCHASE CARD WASTE ELIMINATION.
22	(a) Requirement for Guidance.—
23	(1) Office of management and budget pol-
24	ICV GUIDANCE -Not later than 180 days after the

date of the enactment of this Act, the Director of the

1	Office of Management and Budget shall issue guide-			
2	lines to assist the heads of executive agencies in im-			
3	proving the management of the use of the Govern-			
4	mentwide commercial purchase card for making			
5	micropurchases. The Director shall include guidelines			
6	on the following matters:			
7	(A) Analysis of purchase card expenditures			
8	to identify opportunities for achieving savings			
9	through micropurchases made in economical vol-			
10	umes.			
11	(B) Negotiation of discount agreements with			
12	major vendors accepting the purchase card.			
13	(C) Establishment of communication pro-			
14	grams to ensure that purchase card holders re-			
15	ceive information pertaining to the availability			
16	of discounts, including programs for the training			
17	of purchase card holders on the availability of			
18	discounts.			
19	(D) Assessment of cardholder purchasing			
20	practices, including use of discount agreements.			
21	(E) Collection and dissemination of best			
22	practices and successful strategies for achieving			
23	savings in micropurchases.			
24	(F) Analysis of purchase card expenditures			
25	to identify opportunities for achieving and accu-			

1	rately measuring fair participation of small		
2	business concerns in micropurchases consistent		
3	with the national policy on small business par-		
4	ticipation in Federal procurements set forth in		
5	sections 2(a) and 15(g) of the Small Business		
6	Act (15 U.S.C. 631(a) and 644(g)), and dissemi-		
7	nation of best practices for participation of		
8	small business concerns in micropurchases.		
9	(2) General services administration.—The		
10	Administrator of General Services shall—		
11	(A) continue efforts to improve reporting by		
12	financial institutions that issue the Government-		
13	wide commercial purchase card so that the Gen-		
14	eral Services Administration has the data needed		
15	to identify opportunities for achieving savings;		
16	and		
17	(B) actively pursue point-of-sale discounts		
18	with major vendors accepting the purchase card		
19	so that any Federal Government purchaser using		
20	the purchase card can benefit from such point-		
21	of-sale discounts.		
22	(3) AGENCY REPORTING REQUIREMENT.—The		
23	senior procurement executive for each executive agen-		
24	cy shall, as directed by the Director of the Office of		
25	Management and Budget, submit to the Director peri-		

1	odic reports on the actions take	en in such executive
2	agency under the guidelines issu	ed under paragraph
3	(1).	

- than December 31 of the year following the year in which this Act is enacted, and December 31 of each of the ensuing 3 years, the Director of the Office of Management and Budget shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives a report summarizing the progress made during the fiscal year ending in the year in which such report is due—
 - (A) in improving the management of the use of the Governmentwide commercial purchase card for making micropurchases; and
 - (B) in achieving savings in micropurchases made with such card, expressed in terms of average savings achieved by each executive agency in the use of discount agreements identified in paragraph (1) and the total savings achieved Governmentwide.

(5) Definitions.—In this subsection:

(A) The term "executive agency" has the meaning given such term in section 4 of the Of-

1	fice of Federal Procurement Policy Act (41
2	U.S.C. 403).
3	(B) The term "micropurchase" means a
4	purchase in an amount not in excess of the
5	micropurchase threshold, as defined in section 32
6	of such Act (41 U.S.C. 428).
7	(b) Payments to Federal Contractors With Fed-
8	ERAL TAX DEBT.—The General Services Administration,
9	in conjunction with the Internal Revenue Service and the
10	Financial Management Service, shall develop procedures to
11	subject purchase card payments to Federal contractors to
12	the Federal Payment Levy program.
13	(c) Reporting of Air Travel by Federal Govern-
14	MENT EMPLOYEES.—
15	(1) Definition.—In this subsection, the term
16	"executive agency" has the meaning given such term
17	in section 4 of the Office of Federal Procurement Pol-
18	icy Act (41 U.S.C. 403).
19	(2) Annual reports required.—The Admin-
20	istrator of the General Services shall submit annually
21	to the Committee on Homeland Security and Govern-
22	mental Affairs of the Senate and the Committee on
23	Government Reform of the House of Representatives a
24	report on all first class and business class travel by

1	employees of each executive agency undertaken at the
2	expense of the Federal Government.
3	(3) Content.—The reports submitted under
4	paragraph (2) shall include, at a minimum, with re-
5	spect to each travel by first class or business class—
6	(A) the names of each traveler;
7	(B) the date of travel;
8	(C) the points of origination and destina-
9	tion;
10	(D) the cost of the first class or business
11	class travel; and
12	(E) the cost difference between such travel
13	and travel by coach class.
14	SEC. 511. MANAGEMENT OF PURCHASE CARDS.
15	(a) Definition.—In this section, the term "executive
16	agency" has the meaning given such term in section 4(1)
17	of the Office of Federal Procurement Policy Act (41 U.S.C.
18	403(1)).
19	(b) Required Safeguards and Internal Con-
20	TROLS.—The head of each executive agency that issues and
21	uses purchase cards and convenience checks shall establish
22	and maintain safeguards and internal controls to ensure
23	the following:
24	(1) That there is a record in each executive agen-
25	cy of each holder of a purchase card issued by the

1	agency for official use, annotated with the limitations
2	on single transaction and total credit amounts that
3	are applicable to the use of each such card by that
4	purchase cardholder.
5	(2) That each purchase card holder is assigned
6	an approving official other than the card holder with
7	the authority to approve or disapprove expenditures.
8	(3) That the holder of a purchase card and each
9	official with authority to authorize expenditures
10	charged to the purchase card are responsible for—
11	(A) reconciling the charges appearing on
12	each statement of account for that purchase card
13	with receipts and other supporting documenta-
14	tion; and
15	(B) forwarding such reconciliation to the
16	designated official who certifies the bill for pay-
17	ment in a timely manner.
18	(4) That any disputed purchase card charge, and
19	any discrepancy between a receipt and other sup-
20	porting documentation and the purchase card state-
21	ment of account, is resolved in the manner prescribed
22	in the applicable Governmentwide purchase card con-

tract entered into by the Administrator of General

Services.

23

- (5) That payments on purchase card accounts are made promptly within prescribed deadlines to avoid interest penalties.
 - (6) That rebates and refunds based on prompt payment on purchase card accounts are monitored for accuracy and properly recorded as a receipt to the agency that pays the monthly bill.
 - (7) That records of each purchase card transaction (including records on associated contracts, reports, accounts, and invoices) are retained in accordance with standard Government policies on the disposition of records.
 - (8) That periodic reviews are performed to determine whether each purchase cardholder has a need for the purchase card.
 - (9) That appropriate training is provided to each purchase cardholder and each official with responsibility for overseeing the use of purchase cards issued by an executive agency.
 - (10) That the executive agency has specific policies regarding the number of purchase cards issued by various organizations and categories of organizations, the credit limits authorized for various categories of cardholders, and categories of employees eligible to be issued purchase cards, and that those policies are de-

1	signed to minimize the financial risk to the Federal
2	Government of the issuance of the purchase cards and
3	to ensure the integrity of purchase cardholders.
4	(11) That the executive agency utilizes tech-
5	nologies to prevent or identify fraudulent purchases,
6	including controlling merchant codes and utilizing
7	statistical machine learning and pattern recognition
8	technologies that review the risk of every transaction.
9	(12) That the executive agency invalidates the
10	purchase card of each employee who—
11	(A) ceases to be employed by the agency im-
12	mediately upon termination of the employment
13	of the employee; or
14	(B) transfers to another unit of the agency
15	immediately upon the transfer of the employee.
16	(13) That the executive agency takes steps to re-
17	cover the cost of any improper or fraudulent purchase
18	made by an employee, including, as necessary,
19	through salary offsets.
20	(c) Management of Purchase Cards.—The head of
21	each executive agency shall prescribe regulations imple-
22	menting the safeguards and internal controls in subsection
23	(b). The regulations shall be consistent with regulations that
24	apply Governmentwide regarding the use of purchase cards
25	by Government personnel for official purposes.

1	SEC. 512. GAO REPORT ON COMPLIANCE WITH THE SINGLE
2	AUDIT ACT OF 1984.
3	Not later than 90 days after the date of enactment of
4	this Act, the Comptroller General shall submit a report to
5	Congress on the compliance of the Department with the Sin-
6	gle Audit Act of 1984 (31 U.S.C. 7501 note), specifically
7	with respect to the management decisions of the Department
8	during the 2-year period preceding the date of enactment
9	of this Act relating to the quality of audits of the recipients
10	$of\ grants.$
11	SEC. 513. GAO REPORT ON IMPROPER PAYMENTS.
12	Not later than 90 days after the date of enactment of
13	this Act, the Comptroller General shall submit a report to
14	Congress on—
15	(1) the ability of the Department to comply with
16	the Improper Payments Information Act of 2002 (31
17	U.S.C. 3321 note) with respect to disasters similar to
18	Hurricane Katrina of 2005; and
19	(2) whether internal controls are in place within
20	the Department to ensure that the risk of making im-
21	proper payments (as defined under section $2(d)(2)$ of
22	that Act) is not increased with the need to expend
23	funds quickly in similar disasters.

1	SEC. 514. GAO REPORT ON CONTRACTS WITH CERTAIN
2	SMALL BUSINESS CONCERNS.
3	Not later than 90 days after the date of enactment of
4	this Act, the Comptroller General shall submit a report to
5	Congress on the number of all contracts and subcontracts
6	entered into during the 2-year period preceding the date
7	of enactment of this Act to carry out the Robert T. Stafford
8	Disaster Relief and Emergency Assistance Act or relating
9	to Hurricane Katrina of 2005 between the Department and
10	small business concerns, small business concerns owned and
11	controlled by socially and economically disadvantaged indi-
12	viduals, small business concerns owned and controlled by
13	women, and small business concerns owned and controlled
14	by service-disabled veterans, as those terms are defined in
15	the Small Business Act (15 U.S.C. 631 et seq.).
16	SEC. 515. CHIEF FINANCIAL OFFICER FOR CATASTROPHIC
17	INCIDENTS AND LONG-TERM RECOVERY OF-
18	FICES.
19	(a) Establishment and Appointment.—In the
20	event of a catastrophic incident or when the President has
21	elected to establish and operate long-term recovery offices
22	for any other emergency, the President shall—
23	(1) establish an Office of Catastrophic Incident
24	or Long-term Recovery in the Executive Office of the
25	President (in this section referred to as the "Office");
26	and

1	(2) appoint a Chief Financial Officer, by and
2	with the advice and consent of the Senate, to be the
3	head of the Office.
4	(b) Superseding Provisions.—Any provision of this
5	section that is inconsistent with any other provision of this
6	Act, the Homeland Security Act of 2002, or the Robert T.
7	Stafford Disaster Relief and Emergency Assistance Act,
8	shall apply instead of such other provision to the extent of
9	the inconsistency.
10	(c) QUALIFICATIONS.—The Chief Financial Officer
11	shall—
12	(1) have the qualifications required under section
13	901(a)(3) of title 31, United States Code; and
14	(2) have knowledge of Federal contracting and
15	policymaking functions.
16	(d) Authorities and Functions.—
17	(1) In General.—The Chief Financial Officer
18	shall—
19	(A) be responsible for the efficient and effec-
20	tive use of Federal funds in all activities relating
21	to the recovery from the catastrophic incident or
22	$other\ emergency;$
23	(B) strive to ensure that—
24	(i) priority in the distribution of Fed-
25	eral relief funds is given to individuals and

1	organizations most in need of financial as-
2	sistance; and
3	(ii) priority in the distribution of Fed-
4	eral reconstruction funds is given to busi-
5	ness entities that are based in the area of
6	the catastrophic incident or other emergency
7	or business entities that hire workers who
8	resided in that area before the catastrophic
9	incident or other emergency occurred;
10	(C) perform risk assessments of all pro-
11	grams and operations related to recovery from
12	the catastrophic incident or other emergency and
13	implement internal controls and program over-
14	sight based on risk of waste, fraud, or abuse;
15	(D) report directly to the President regard-
16	ing financial management matters and activities
17	relating to the programs and operations of the
18	catastrophic incident recovery effort or long-term
19	recovery effort;
20	(E) oversee all financial management ac-
21	tivities relating to the programs and operations
22	of the catastrophic incident or other emergency
23	recovery effort;
24	(F) develop and maintain an integrated ac-
25	counting and financial management system, in-

1	cluding financial reporting and internal con-									
2	trols, which—									
3	(i) complies with applicable accounting									
4	principles, standards, and requirements									
5	and internal control standards;									
6	(ii) complies with such policies and re									
7	quirements as may be prescribed by the Di-									
8	rector of the Office of Management and									
9	Budget;									
10	(iii) complies with any other require-									
11	ments applicable to such systems; and									
12	(iv) provides for—									
13	(I) complete, reliable, consistent,									
14	and timely information which is pre-									
15	pared on a uniform basis and which is									
16	responsive to the financial information									
17	needs of the Office;									
18	(II) the development and report-									
19	ing of cost information;									
20	(III) the integration of accounting									
21	and budgeting information; and									
22	(IV) the systematic measurement									
23	of performance;									
24	(G) monitor the financial execution of the									
25	budget of Federal agencies relating to recovery									

from the catastrophic incident or other emergency in relation to actual expenditures, and prepare and submit to the President timely performance reports;

- (H) have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material which are the property of Federal agencies, or which are available to the agencies, and which relate to programs and operations with respect to which the Chief Financial Officer has responsibilities;
- (I) request such information or assistance as may be necessary for carrying out the duties and responsibilities provided by this section from any Federal, State, or local governmental entity, including any Chief Financial Officer under section 902 of title 31, United States Code, and, upon receiving such request, insofar as is practicable and not in contravention of any law, any such Federal Governmental entity or Chief Financial Officer under section 902 shall cooperate and furnish such requested information or assistance;

1	(I) to the extent and in such amounts as
2	may be provided in advance by appropriations
3	Acts, be authorized to—
4	(i) enter into contracts and other ar-
5	rangements with public agencies and with
6	private persons for the preparation of fi-
7	nancial statements, studies, analyses, and
8	other services; and
9	(ii) make such payments as may be
10	necessary to carry out the provisions of this
11	section;
12	(K) for purposes of the Improper Payments
13	Information Act of 2002 (31 U.S.C. 3321 note),
14	perform, in consultation with the Office of Man-
15	agement and Budget, the functions of the head of
16	an agency for any activity relating to the recov-
17	ery from the catastrophic incident or other emer-
18	gency that is not currently the responsibility of
19	the head of an agency under that Act; and
20	(L) transmit a report, on a quarterly basis,
21	regarding any program or activity identified by
22	the Chief Financial Officer as susceptible to sig-
23	nificant improper payments under section 2(a)
24	of the Improper Payments Information Act of

1	2002	(31	U.S.C.	3321	note)	to	the	appropriate
2	inspe	ctor	general.					

- (2) Access.—Except as provided in paragraph (1)(H), this subsection does not provide to the Chief Financial Officer any access greater than permitted under any other law to records, reports, audits, reviews, documents, papers, recommendations, or other material of any Office of Inspector General established under the Inspector General Act of 1978 (5 U.S.C. App.).
- (3) Coordination of Agencies.—In the performance of the authorities and functions under paragraph (1) by the Chief Financial Officer the President (or the President's designee) shall act as the head of the Office and the Chief Financial Officer shall have management and oversight of all agencies performing activities relating to the recovery from the catastrophic incident or other emergency.

(4) Regular reports.—

(A) In General.—Every month the Chief Financial Officer shall submit a financial report on the activities for which the Chief Financial Officer has management and oversight responsibilities to—

1	(i) the Committee on Homeland Secu-
2	rity and Governmental Affairs of the Sen-
3	ate;
4	(ii) the Committee on Homeland Secu-
5	rity of the House of Representatives;
6	(iii) the Committees on Appropriations
7	of the Senate and House of Representatives;
8	and
9	(iv) the Committee on Government Re-
10	form of the House of Representatives.
11	(B) Contents.—Each report under this
12	paragraph shall include the extent to which—
13	(i) Federal relief funds have been given
14	to individuals and organizations most in
15	need of financial assistance;
16	(ii) Federal reconstruction funds have
17	been made available to business entities that
18	are based in the area of the catastrophic in-
19	cident or other emergency or business enti-
20	ties that hire workers who resided in that
21	area before the catastrophic incident or
22	other emergency occurred; and
23	(iii) Federal agencies have made use of
24	sole source, no-bid or cost-plus contracts.

1	(C) First report under
2	this paragraph shall include information relat-
3	ing to the first full month for which a Chief Fi-
4	nancial Officer has been appointed.
5	(e) Responsibilities of Chief Financial Offi-
6	CERS.—Nothing in this section shall be construed to relieve
7	the responsibilities of any Chief Financial Officer under
8	section 902 of title 31, United States Code.
9	(f) Availability of Records.—Upon request to the
10	Chief Financial Officer, the Office shall make the records
11	of the Office available to the Inspector General of any Fed-
12	eral agency performing recovery activities relating to the
13	catastrophic incident or other emergency, or to any Special
14	Inspector General designated to investigate such activities,
15	for the purpose of performing the duties of that Inspector
16	General under the Inspector General Act of 1978 (5 U.S.C.
17	App.).
18	(g) Reports of the Government Accountability
19	Office.—The Government Accountability Office shall pro-
20	vide quarterly reports to the committees described under
21	subsection (d)(4) relating to all activities and expenditures
22	overseen by the Office, including—
23	(1) the accuracy of reports submitted by the
24	Chief Financial Officer to Congress;

(2) the exten	t to which	agencies per	rforming ac-
tivities relating to	o the recove	ery from the	cat a strophic
incident or other	emergency	have made	use of sole
source, no-bid or o	cost-plus cor	ntracts;	

- (3) whether Federal funds expended by State and local government agencies were spent for their intended use;
- (4) the extent to which Federal relief funds have been distributed to individuals and organizations most affected by the catastrophic incident or other emergency and Federal reconstruction funds have been made available to business entities that are based in the area of the catastrophic incident or other emergency or business entities that hire workers who resided in that area before the catastrophic incident or other emergency occurred; and
- (5) the extent to which internal controls to prevent waste, fraud, or abuse exist in the use of Federal funds relating to the recovery from the catastrophic incident or other emergency.

(h) Administrative and Support Services.—

(1) In General.—The President shall provide administrative and support services (including office space) for the Office and the Chief Financial Officer.

1	(2) Personnel.—The President shall provide						
2	for personnel for the Office through the detail of Fed-						
3	eral employees. Any Federal employee may be detailed						
4	to the Office without reimbursement, and such detail						
5	shall be without interruption or loss of civil service						
6	status or privilege.						
7	(i) Authorization of Appropriations.—There ar						
8	authorized to be appropriated such sums as necessary to						
9	carry out this section.						
10	(j) Termination of Office.—The President shall						
11	provide for the timely termination of any Office of Cata						
12	strophic Incident or Long-term Recovery established under						
13	this section and any position of Chief Financial Officer es						
14	tablished under this section.						
15	TITLE VI—MISCELLANEOUS						
16	PROVISIONS						
17	SEC. 601. AUTHORIZATION OF APPROPRIATIONS.						
18	(a) In General.—There are authorized to be appro-						
19	priated—						
20	(1) for fiscal year 2007—						
21	(A) \$249,000,000 for "Administrative and						
22	Regional Operations"; and						
23	(B) \$240,000,000 for "Readiness, Mitiga-						
24	tion, Response, and Recovery";						
25	(2) for fiscal year 2008—						

1	(A) \$273,900,000 for "Administrative and				
2	Regional Operations"; and				
3	(B) \$264,000,000 for "Readiness, Mitiga-				
4	tion, Response, and Recovery";				
5	(3) for fiscal year 2009—				
6	(A) \$301,290,000 for "Administrative and				
7	Regional Operations"; and				
8	(B) \$290,400,000 for "Readiness, Mitiga-				
9	tion, Response, and Recovery"; and				
10	(4) for fiscal year 2010—				
11	(A) \$331,419,000 for "Administrative and				
12	Regional Operations"; and				
13	(B) \$319,440,000 for "Readiness, Mitiga-				
14	tion, Response, and Recovery".				
15	(b) Communications.—There are authorized to be ap-				
16	propriated—				
17	(1) to carry out section 528 of the Homeland Se-				
18	curity Act of 2002 (as amended by this Act),				
19	\$4,000,000 for each of fiscal years 2007 through 2010,				
20	and such amounts appropriated under this section				
21	shall remain available for 3 fiscal years after the date				
22	on which such funds are appropriated; and				
23	(2) to carry out section 558 of the Homeland Se-				
24	curity Act of 2002 (as added by this Act)—				
25	(A) \$400,000,000 for fiscal year 2007;				

1	(B) \$500,000,000 for fiscal year 2008;					
2	(C) \$600,000,000 for fiscal year 2009;					
3	(D) \$800,000,000 for fiscal year 2010;					
4	(E) \$1,000,000,000 for fiscal year 2011;					
5	and					
6	(F) such sums as are necessary for each fis-					
7	cal year thereafter; and					
8	(3) for the operations of the Office for Emergency					
9	Communications and to carry out subtitle B of title					
10	V of the Homeland Security Act of 2002 except fo					
11	section 558 (as added by this Act)—					
12	(A) \$127,232,000 for fiscal year 2007;					
13	(B) \$126,549,000 for fiscal year 2008;					
14	(C) \$125,845,000 for fiscal year 2009;					
15	(D) \$125,121,000 for fiscal year 2010; and					
16	(E) such sums as are necessary for each fis-					
17	cal year thereafter.					
18	(c) Other Authorizations.—Except as provided in					
19	subsections (b) and (c), there are authorized to be appro-					
20	priated such sums as are necessary to carry out this Act					
21	and the amendments made by this Act.					
22	SEC. 602. EFFECTIVE DATE.					
23	Except as otherwise provided in this Act, this Act and					
24	the amendments made by this Act shall take affect on Janu-					
25	ary 1, 2007.					

Amend the title so as to read: "A bill to amend the Homeland Security Act of 2002 to strengthen and ensure the efficacy of the Federal Emergency Management Agency, and for other purposes.".

Calendar No. 582

109TH CONGRESS S. 3721

A BILL

To amend the Homeland Security Act of 2002 to establish the United States Emergency Management Authority, and for other purposes.

August 3, 2006

Reported with an amendment and an amendment to the title