

[DISCUSSION DRAFT]109TH CONGRESS
2^D SESSION**H. R.** _____

To amend Homeland Security Act of 2002 to establish a Directorate of Emergency Management, to codify certain existing functions of the Department of Homeland Security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. REICHERT (for himself, Mr. MCCAUL, Mr. PASCRELL, and Mr. ETHERIDGE) introduced the following bill; which was referred to the Committee on _____

A BILL

To amend Homeland Security Act of 2002 to establish a Directorate of Emergency Management, to codify certain existing functions of the Department of Homeland Security, 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 “National Emergency
5 Management Reform and Enhancement Act of 2006”.

1 **SEC. 2. DIRECTORATE FOR EMERGENCY MANAGEMENT.**

2 (a) ESTABLISHMENT.—Title V of the Homeland Se-
3 curity Act of 2002 (6 U.S.C. 311 et seq.) is amended to
4 read as follows:

5 **“TITLE V—EMERGENCY**
6 **MANAGEMENT**

7 **“Subtitle A—Directorate for**
8 **Emergency Management**

9 **“SEC. 501. DIRECTORATE FOR EMERGENCY MANAGEMENT.**

10 **“(a) UNDER SECRETARY FOR EMERGENCY MANAGE-**
11 **MENT.—**

12 **“(1) IN GENERAL.—**There is in the Department
13 a Directorate for Emergency Management. The head
14 of the Directorate is the Under Secretary for Emer-
15 gency Management, who shall be appointed by the
16 President, by and with the advice and consent of the
17 Senate.

18 **“(2) QUALIFICATIONS.—**The individual ap-
19 pointed as Under Secretary shall possess a dem-
20 onstrated ability in and knowledge of emergency pre-
21 paredness and management.

22 **“(3) RESPONSIBILITIES.—**The Under Secretary
23 shall assist the Secretary in discharging the respon-
24 sibilities under section 502.

25 **“(b) DEPUTY UNDER SECRETARY FOR EMERGENCY**
26 **PREPAREDNESS.—**

1 “(1) IN GENERAL.—There is in the Department
2 a Deputy Under Secretary for Emergency Prepared-
3 ness, who shall be appointed by the President.

4 “(2) QUALIFICATIONS.—The individual ap-
5 pointed as Deputy Under Secretary shall possess a
6 demonstrated ability in and knowledge of emergency
7 preparedness and management.

8 “(3) RESPONSIBILITIES.—The Deputy Under
9 Secretary for Emergency Preparedness shall assist
10 the Under Secretary for Emergency Management in
11 discharging the responsibilities of the Under Sec-
12 retary.

13 “(c) DEPUTY UNDER SECRETARY FOR EMERGENCY
14 RESPONSE.—

15 “(1) IN GENERAL.—There is in the Department
16 a Deputy Under Secretary for Emergency Response,
17 who shall be appointed by the President.

18 “(2) QUALIFICATIONS.—The individual ap-
19 pointed as Deputy Under Secretary shall possess a
20 demonstrated ability in and knowledge of emergency
21 preparedness and management.

22 “(3) RESPONSIBILITIES.—The Deputy Under
23 Secretary for Emergency Response shall assist the
24 Under Secretary for Emergency Management in dis-
25 charging the responsibilities of the Under Secretary.

1 “(d) ASSISTANT SECRETARIES FOR EMERGENCY
2 MANAGEMENT.—There are in the Department the fol-
3 lowing Assistant Secretaries, who shall be appointed by
4 the President:

5 “(1) An Assistant Secretary for Grants and
6 Planning.

7 “(2) An Assistant Secretary for Training and
8 Exercises.

9 “(3) An Assistant Secretary for Emergency
10 Communications.

11 **“SEC. 502. RESPONSIBILITIES.**

12 “(a) RESPONSIBILITIES.—Subject to the direction
13 and control of the Secretary, the Under Secretary for
14 Emergency Management shall have the primary responsi-
15 bility within the executive branch of Government for pre-
16 paring for and supporting the response to acts of ter-
17 rorism, natural disasters, and other emergencies. Such re-
18 sponsibilities shall include the following:

19 “(1) Serving as the Secretary’s principal advi-
20 sor on emergency preparedness and response issues.

21 “(2) Overseeing and directing all of the activi-
22 ties of the Directorate.

23 “(3) Coordinating emergency preparedness and
24 response activities throughout the Department.

1 “(4) Leading the development of an integrated
2 national preparedness system.

3 “(5) Coordinating preparedness and response
4 efforts at the Federal level.

5 “(6) Working with all State, local, tribal, and
6 private sector emergency response providers and
7 emergency response support providers on all matters
8 pertaining to acts of terrorism, natural disasters,
9 and other emergencies, including training, exercises,
10 lessons learned, and equipment support.

11 “(7) Implementing national strategies and poli-
12 cies in all matters pertaining to emergency manage-
13 ment and response.

14 “(8) Establishing priorities for directing, fund-
15 ing, and conducting national preparedness programs,
16 activities, and services for preventing, protecting
17 against, mitigating against, responding to, and re-
18 covering from acts of terrorism, natural disasters,
19 and other emergencies.

20 “(9) Coordinating or, as appropriate, consoli-
21 dating communications and systems of communica-
22 tions relating to homeland security at all levels of
23 government.

1 “(10) Directing and supervising homeland secu-
2 rity grant programs of the Federal Government for
3 all emergency response providers.

4 “(11) Serving as an advocate for emergency
5 preparedness across all government sectors, the pri-
6 vate sector, and the public.

7 “(12) Helping to ensure the acquisition of oper-
8 able and interoperable communications capabilities
9 by Federal, State, and local governments and emer-
10 gency response providers.

11 “(13) Aiding the recovery from acts of ter-
12 rorism, natural disasters, and other emergencies.

13 “(b) FEMA FUNCTIONS TRANSFERRED.—There are
14 transferred to the Under Secretary for Emergency Man-
15 agement the functions, personnel, assets, and liabilities of
16 the Federal Emergency Management Agency. The Under
17 Secretary shall carry out the responsibilities of the Direc-
18 tor of such agency.

19 “(c) PERFORMANCE OF PREVIOUSLY TRANSFERRED
20 FUNCTIONS.—The Secretary shall perform the following
21 functions through the Under Secretary for Emergency
22 Management:

23 “(1) The Integrated Hazard Information Sys-
24 tem (which the Secretary shall rename ‘FIRESAT’)

1 of the National Oceanic and Atmospheric Adminis-
2 tration.

3 “(2) The National Domestic Preparedness Of-
4 fice of the Federal Bureau of Investigation, includ-
5 ing the functions of the Attorney General relating
6 thereto.

7 “(3) The Domestic Emergency Response Teams
8 of the Department of Justice, including the func-
9 tions of the Attorney General relating thereto.

10 “(4) The Office of Emergency Preparedness,
11 the National Disaster Medical System, and the Met-
12 ropolitan Medical Response System of the Depart-
13 ment of Health and Human Services, including the
14 functions of the Secretary of Health and Human
15 Services and the Assistant Secretary for Public
16 Health Emergency Preparedness relating thereto.

17 “(d) DIRECT REPORTING TO THE PRESIDENT.—
18 During the effective period of an Incident of National Sig-
19 nificance declared by the Secretary under the National Re-
20 sponse Plan, the Under Secretary for Emergency Manage-
21 ment shall report directly to the President.

1 **“SEC. 503. ROLE OF FEDERAL EMERGENCY MANAGEMENT**
2 **AGENCY.**

3 “(a) IN GENERAL.—The Under Secretary for Emer-
4 gency Management shall perform the following functions
5 through the Federal Emergency Management Agency:

6 “(1) All functions and authorities prescribed by
7 the Robert T. Stafford Disaster Relief and Emer-
8 gency Assistance Act (42 U.S.C. 5121 et seq.).

9 “(2) Carrying out its mission to reduce the loss
10 of life and property and to protect the Nation from
11 hazards by leading and supporting the Nation in a
12 comprehensive, risk-based emergency management
13 program—

14 “(A) of mitigation, by taking sustained ac-
15 tions to reduce or eliminate long-term risk to
16 people and property from hazards and their ef-
17 fects;

18 “(B) of planning for building the emer-
19 gency management profession to prepare effec-
20 tively for, mitigate against, respond to, and re-
21 cover from any hazard;

22 “(C) of response, by conducting emergency
23 operations to save lives and property through
24 positioning emergency equipment and supplies,
25 through evacuating potential victims, through
26 providing food, water, shelter, and medical care

1 to those in need, and through restoring critical
2 public services;

3 “(D) of recovery, by assisting in the re-
4 building of communities so individuals, busi-
5 nesses, and governments can function on their
6 own, return to normal life, and protect against
7 future hazards; and

8 “(E) of increased efficiencies, by coordi-
9 nating efforts relating to mitigation, planning,
10 response, and recovery.

11 “(3) Coordinating the Federal response to acts
12 of terrorism, natural disasters, or other emergencies,
13 including coordination of—

14 “(A) the National Emergency Response
15 Team;

16 “(B) the Strategic National Stockpile;

17 “(C) the National Disaster Medical Sys-
18 tem;

19 “(D) the Nuclear Incident Response Team
20 (when operating as an organizational unit of
21 the Department pursuant to this title);

22 “(E) the Metropolitan Medical Response
23 System;

24 “(F) the Urban Search and Rescue Sys-
25 tem;

1 “(G) Federal Incident Response Support
2 Teams;

3 “(H) Management Support Teams;

4 “(I) Incident Support Teams; and

5 “(J) the Mobile Emergency Response Sys-
6 tem.

7 “(b) NATIONAL RESPONSE PLAN.—Notwithstanding
8 any other provision of this Act, the Federal Emergency
9 Management Agency is the lead agency for the National
10 Response Plan.

11 “(c) REPROGRAMMING.—The Secretary may not re-
12 program any funds allocated to the Federal Emergency
13 Management Agency until 60 days after the Secretary
14 submits to the Committees on Appropriations of the Sen-
15 ate and House of Representatives, the Committee on
16 Homeland Security and Governmental Affairs of the Sen-
17 ate, and the Committee on Homeland Security of the
18 House of Representatives written notification of the re-
19 programming.

20 “(d) SUFFICIENCY OF RESOURCES.—The Secretary
21 shall provide to the Under Secretary for Emergency Man-
22 agement the resources and staff necessary to carry out
23 the responsibilities of the Federal Emergency Manage-
24 ment Agency under this section.

1 **“SEC. 504. REGIONAL OFFICES.**

2 “(a) IN GENERAL.—In accordance with section 706,
3 the Secretary shall establish a Regional Office in the De-
4 partment for each region of the United States.

5 “(b) REGIONAL DIRECTOR.—

6 “(1) IN GENERAL.—Each Regional Office shall
7 be headed by a Regional Director, who shall be ap-
8 pointed by the Secretary, in consultation with State,
9 local, and tribal governments in the region. Each
10 Regional Director shall report directly to the Under
11 Secretary for Emergency Management.

12 “(2) QUALIFICATIONS.—Each individual ap-
13 pointed as Regional Director must possess a dem-
14 onstrated ability in and knowledge of emergency pre-
15 paredness and incident management and possess fa-
16 miliarity with the geographical area served by the
17 Regional Office.

18 “(3) INCIDENTS OF NATIONAL SIGNIFICANCE.—
19 During the effective period of an Incident of Na-
20 tional Significance declared by the Secretary under
21 the National Response Plan, the Under Secretary
22 for Emergency Management may designate the Re-
23 gional Director for the region with respect to which
24 the incident is declared as the Principle Federal Of-
25 ficial or, as needed, the Federal Coordinating Officer

1 for the region. Such Principle Federal Official shall,
2 with respect to the incident—

3 “(A) establish and direct a Regional Re-
4 sponse Coordination Center for such incident;

5 “(B) possess the authority to make any
6 necessary operational decisions, in accordance
7 with existing Federal law, without obtaining ap-
8 proval from the Secretary;

9 “(C) coordinate and direct as appropriate
10 Federal response assets deployed within the
11 operational area; and

12 “(D) serve as the primary point of contact
13 between the Department, the Department of
14 Defense, and States for contingency planning.

15 “(4) RESPONSIBILITIES.—Subject to the direc-
16 tion and control of the Secretary, each Regional Di-
17 rector shall work in partnership with State, local,
18 and tribal governments, emergency response pro-
19 viders, emergency response support providers, the
20 private sector, and non-governmental organizations
21 in their regions to carry out the following respon-
22 sibilities:

23 “(A) Ensuring coordination and integra-
24 tion of regional preparedness and response ac-

1 activities and programs, including planning, train-
2 ing, exercises, and professional development.

3 “(B) Participating in regional prepared-
4 ness activities.

5 “(C) Identifying critical gaps in prepared-
6 ness and critical infrastructure protection and
7 reporting such gaps to the Assistant Secretary
8 for Grants and Planning.

9 “(D) Organizing, in consultation with the
10 Assistant Secretary for Training and Exercises,
11 regional training and exercise programs;

12 “(E) Facilitating the dissemination and
13 implementation of lessons learned and best
14 practices.

15 “(F) Improving information sharing and
16 other forms of coordination.

17 “(G) Encouraging public and community
18 preparedness efforts.

19 “(H) Assisting in the development of re-
20 gional capabilities needed for a national cata-
21 strophic response system.

22 “(I) Pre-identifying Joint Field Office lo-
23 cations in areas with large populations.

1 “(J) Performing such other duties relating
2 to such responsibilities as the Secretary may re-
3 quire.

4 “(5) TRAINING.—The Secretary shall require
5 each Regional Director to periodically, but not less
6 than annually, undergo specific training to com-
7 plement the qualifications of the Regional Director.
8 Such training shall include training with respect to
9 the National Incident Management System, the Na-
10 tional Response Plan, and such other subjects as de-
11 termined by the Secretary.

12 “(c) REGIONAL PREPAREDNESS GROUP.—There is in
13 each Regional Office a Regional Preparedness Group.

14 “(1) SUBJECT MATTER EXPERTS.—Each Re-
15 gional Preparedness Group shall be composed of
16 subject matter experts—

17 “(A) from across the Federal Government,
18 including representatives from the Departments
19 of Defense, Energy, Health and Human Serv-
20 ices, and Transportation;

21 “(B) from components of the Department,
22 including the Coast Guard, United States Cus-
23 toms and Border Protection, Immigration and
24 Customs Enforcement, the Transportation Se-

1 security Administration, and the United States
2 Secret Service;

3 “(C) representing State, local, and tribal
4 officials, including Adjutant Generals, within
5 the region; and

6 “(D) representing emergency response pro-
7 viders and emergency response support pro-
8 viders.

9 “(2) REGIONAL FACTORS.—The size and com-
10 position of each Regional Preparedness Group shall
11 be determined by—

12 “(A) the size of the region associated with
13 the Regional Preparedness Group;

14 “(B) the propensity of that region to expe-
15 rience natural disasters and other emergencies;

16 “(C) the risk of acts of terrorism within
17 the region; and

18 “(D) State, local, and tribal preparedness,
19 as measured against the National Preparedness
20 Goal.

21 “(d) COORDINATION.—Each Regional Director shall
22 coordinate all activities conducted under this section with
23 other Federal departments and agencies, and shall not
24 have authority over other agencies of the Department, in-
25 cluding the Coast Guard, the United States Customs and

1 Border Protection, Immigration and Customs Enforce-
2 ment, the Transportation Security Administration, or the
3 United States Secret Service.

4 “(e) RETENTION OF AUTHORITIES.—

5 “(1) FEDERAL COORDINATING OFFICER.—

6 Nothing in this section shall be construed as affect-
7 ing any authority of the Federal Coordinating Offi-
8 cer under the Robert T. Stafford Disaster Relief and
9 Emergency Assistance Act (42 U.S.C. 5201 et seq.).

10 “(2) STATE, LOCAL, AND TRIBAL GOVERN-
11 MENTS.—Nothing in this section shall be construed
12 as limiting the power of State, local, and tribal gov-
13 ernments.

14 **“SEC. 505. CHIEF MEDICAL OFFICER.**

15 “(a) IN GENERAL.—There is in the Department a
16 Chief Medical Officer, who shall be appointed by the Presi-
17 dent, by and with the advice and consent of the Senate.

18 “(b) RESPONSIBILITIES.—The Chief Medical Officer
19 shall have the primary responsibility within the Depart-
20 ment for medical issues related to acts of terrorism, nat-
21 ural disasters, and other emergencies, including the fol-
22 lowing:

23 “(1) Serving as the Secretary’s principal advi-
24 sor on medical and public health issues.

1 “(2) Coordinating the medical intelligence and
2 surveillance activities of the Department.

3 “(3) Ensuring that decision support tools link
4 surveillance and detection information to near real-
5 time response actions at the State, local, and tribal
6 level.

7 “(4) Ensuring internal and external coordina-
8 tion of all medical preparedness and response activi-
9 ties of the Department, including training, exercises,
10 and equipment support.

11 “(5) Serving as the Department’s primary point
12 of contact with the Departments of Agriculture, De-
13 fense, Health and Human Services, Transportation,
14 and Veterans Affairs, and other Federal depart-
15 ments or agencies, on medical and public health
16 issues.

17 “(6) Serving as the Department’s primary point
18 of contact with respect to medical and public health
19 matters.

20 “(7) Discharging responsibilities of the Depart-
21 ment related to Project Bioshield.

22 “(8) Establishing doctrine and priorities for the
23 National Disaster Medical System and supervising
24 its medical components, consistent with the National

1 Response Plan and the National Incident Manage-
2 ment System.

3 “(9) Establishing doctrine and priorities for the
4 Metropolitan Medical Response System, consistent
5 with the National Response Plan and the National
6 Incident Management System.

7 “(10) Assessing and monitoring long-term
8 health issues of emergency response providers and
9 emergency response support providers.

10 “(11) Developing and updating guidelines for
11 State, local, and tribal governments for medical re-
12 sponse plans for chemical, biological, radiological,
13 nuclear, or explosive weapon attacks.

14 “(12) Performing such other duties relating to
15 such responsibilities as the Secretary may require.

16 “(c) DEPUTY.—There is in the Department a Deputy
17 Chief Medical Officer, who shall be appointed by the Chief
18 Medical Officer and who shall assist the Chief Medical Of-
19 ficer in carrying out the responsibilities under subsection
20 (b).

21 **“SEC. 506. OFFICE OF STATE, LOCAL, AND TRIBAL GOVERN-
22 MENT COORDINATION.**

23 “(a) ESTABLISHMENT.—There is in the Directorate
24 of Emergency Management an Office of State, Local, and
25 Tribal Government Coordination to oversee and coordinate

1 departmental programs for and relationships with State,
2 local, and tribal governments.

3 “(b) DIRECTOR.—The Office shall be headed by a Di-
4 rector, who shall be appointed by the Secretary.

5 “(c) RESPONSIBILITIES.—The Director of the Office
6 of State, Local, and Tribal Government Coordination
7 shall, in consultation with the Regional Directors ap-
8 pointed under section 504(b), carry out the following re-
9 sponsibilities:

10 “(1) Coordinating the activities of the Depart-
11 ment relating to State, local, and tribal government.

12 “(2) Assessing and advocating for the resources
13 needed by State, local, and tribal governments to
14 prevent, prepare for, respond to, mitigate against,
15 and recover from acts of terrorism, natural disas-
16 ters, and other emergencies.

17 “(3) Providing State, local, and tribal govern-
18 ments with regular information, research, and tech-
19 nical support to assist local efforts at securing the
20 homeland.

21 “(4) Developing a process for receiving mean-
22 ingful and timely input from State, local, and tribal
23 governments to assist in the development of an inte-
24 grated national preparedness system.

1 “(5) Scheduling regular meetings with rep-
2 representatives selected by State, local, and tribal gov-
3 ernments.

4 “(6) Ensuring the coordination of the planning
5 requirements imposed on State, local, and tribal gov-
6 ernments by the Department.

7 **“SEC. 507. OFFICE OF PUBLIC AND COMMUNITY PREPARED-**
8 **NESS.**

9 “(a) IN GENERAL.—There is in the Directorate for
10 Emergency Management an Office of Public and Commu-
11 nity Preparedness.

12 “(b) DIRECTOR.—The Office shall be headed by a Di-
13 rector, who shall be appointed by the Secretary. The Di-
14 rector shall report directly to the Under Secretary for
15 Emergency Management.

16 “(c) COMPONENTS.—The Office of Public and Com-
17 munity Preparedness shall consist of the following:

18 “(1) The various component programs of the
19 Citizen Corps, including Community Emergency Re-
20 sponse Teams, Fire Corps, Volunteers in Police
21 Service, USA on Watch, and the Medical Reserve
22 Corps.

23 “(2) The Internet website known as Ready.gov
24 and the components of that website, including Ready
25 Businesses, Ready Kids, and Listo.

1 “(3) Such other duties relating to community,
2 public, and citizen preparedness as the Secretary
3 may provide.

4 “(d) RESPONSIBILITIES.—The Director of the Office
5 of Public and Community Preparedness shall have the pri-
6 mary responsibility within the executive branch of Govern-
7 ment for the preparedness of citizens and communities in
8 the United States for acts of terrorism, natural disasters,
9 and other emergencies, including primary responsibility
10 for each of the following:

11 “(1) Coordinating and supporting public and
12 community preparedness efforts at all levels of Govern-
13 ment.

14 “(2) Serving as the principal advisor to the Sec-
15 retary on public and community preparedness issues.

16 “(3) Developing, in coordination with the As-
17 sistant Secretary for Grants and Planning, guidance
18 on citizen preparedness for grants to State, local,
19 and tribal governments.

20 “(4) Providing State, local, and tribal Citizen
21 Corps Councils with tools, information, and technical
22 assistance to connect local and national citizen pre-
23 paredness efforts.

1 “(5) Directing, managing, and implementing all
2 programs associated with the entities under sub-
3 section (c).

4 “(6) Establishing specialized preparedness pro-
5 grams for those less able to provide for themselves,
6 such as unaccompanied minors, the elderly, the ill,
7 and persons with disabilities, during acts of ter-
8 rorism, natural disasters, and other emergencies.

9 “(7) Ensuring coordination with private sector
10 entities, faith-based groups, other nongovernmental
11 organizations, special needs groups, emergency re-
12 sponse provider organizations, emergency response
13 support provider organizations, and international or-
14 ganizations, in order to promote citizen preparedness
15 and participation.

16 “(8) Developing a comprehensive public mes-
17 saging program.

18 “(9) Establishing a baseline of essential citizen
19 preparedness skills and capabilities, such as assem-
20 bling preparedness kits, developing an emergency
21 communications plan, training in basic first aid, and
22 learning how to react to a variety of hazards.

23 “(10) Assisting in the implementation of na-
24 tional strategies for public and community prepared-
25 ness.

1 “(e) AT-RISK COMMUNITIES.—In carrying out the
2 responsibilities under this section, the Director shall con-
3 sider the unique preparedness challenges faced by persons
4 with disabilities, health problems, language barriers, and
5 income barriers, the elderly, unaccompanied minors, and
6 pet owners.

7 “(f) NATIONAL CITIZEN CORP COUNCIL.—

8 “(1) IN GENERAL.—There is in the Department
9 a National Citizen Corps Council. The Under Sec-
10 retary for Emergency Management shall serve as
11 chair of the Council.

12 “(2) MEMBERSHIP.—The Council shall consist
13 of national leaders of organizations and associations
14 representing emergency response providers, emer-
15 gency response support providers, community and
16 volunteer service providers, government, and the pri-
17 vate sector.

18 “(3) RESPONSIBILITIES.—The responsibilities
19 of the Council are as follows:

20 “(A) To work together at the national level
21 and encourage members of the Council at the
22 State, local, and tribal level to collaborate in
23 support of the Citizen Corps.

24 “(B) To identify opportunities for Federal,
25 State, local, and tribal organizations to collabo-

1 rate to accomplish the shared goals of the Cit-
2 izen Corps programs.

3 “(C) To encourage the development and
4 support of local Citizen Corps Councils and to
5 advance the Citizen Corps mission across the
6 country.

7 “(D) To exchange facts and information
8 on programs to promote public awareness,
9 training, safety, and volunteer service opportu-
10 nities and on safety and preparedness messages
11 to be conveyed to the public.

12 “(E) To develop and disseminate messages
13 on safety and emergency preparedness that will
14 be effective in engaging communities and indi-
15 viduals in the Citizen Corps.

16 “(F) To serve as the catalyst for engaging
17 others within their areas of expertise to pro-
18 mote the Citizen Corps mission.

19 “(4) MEETINGS.—The Under Secretary for
20 Emergency Management shall convene meetings of
21 the National Citizen Corps Council at the discretion
22 of the Under Secretary or at the direction of the
23 Secretary.

24 “(g) COORDINATION.—The Director shall—

1 “(1) coordinate with other Federal entities, as
2 appropriate, including the Departments of Health
3 and Human Services, Justice, Commerce, and Edu-
4 cation, the Environmental Protection Agency, and
5 the Corporation for National and Community Serv-
6 ice, to enhance public and community preparedness;
7 and

8 “(2) subject to the availability of appropria-
9 tions, make grants and enter into contracts and co-
10 operative agreements with other Federal agencies
11 and nongovernmental organizations, as may be nec-
12 essary and proper to carry out the responsibilities of
13 the Director under this section.

14 **“SEC. 508. EMERGENCY MANAGEMENT ADVISORY COUNCIL.**

15 “(a) ESTABLISHMENT.—Not later than 60 days after
16 the date of the enactment of the National Emergency
17 Management Reform and Enhancement Act of 2006, the
18 Secretary shall establish an advisory body pursuant to sec-
19 tion 871(a), to be known as the Emergency Management
20 Advisory Council.

21 “(b) RESPONSIBILITIES.—The Advisory Council shall
22 assist the Secretary shall in implementing subsection (c).

23 “(c) REQUIREMENT TO UPDATE, REVISE, OR RE-
24 PLACE CERTAIN DOCUMENTS.—The Secretary shall regu-

1 larly, but not less than once every 3 years, update, revise,
2 or replace—

3 “(1) the National Response Plan;

4 “(2) the National Incident Management Sys-
5 tem;

6 “(3) the National Preparedness Guidance;

7 “(4) the National Preparedness Goal;

8 “(5) the Targeted Capabilities List;

9 “(6) the National Infrastructure Protection
10 Plan;

11 “(7) any successor to any document under
12 paragraph (1) through (6); and

13 “(8) any other national initiative on acts of ter-
14 rorism, natural disasters, and other emergencies
15 that affects emergency response providers and emer-
16 gency response support providers as necessary.

17 “(d) REPORT.—

18 “(1) IN GENERAL.—Not later than 1 year after
19 the date on which the Advisory Council is estab-
20 lished under subsection (a), and not later than every
21 2 years thereafter, the Advisory Council shall submit
22 to the Secretary a report on the recommendations of
23 the Advisory Council for updating, revising, or re-
24 placing such national initiatives.

25 “(2) CONTENTS.—Each report shall—

1 “(A) include a priority ranking of essential
2 capabilities for emergency preparedness in
3 order to provide guidance to the Secretary and
4 to the Congress on determining the appropriate
5 allocation of, and funding levels for, the needs
6 of emergency response providers;

7 “(B) set forth a methodology by which any
8 State, local, or tribal government will be able to
9 determine the extent to which it possesses or
10 has access to the essential capabilities that
11 State, local, and tribal governments having
12 similar risks should obtain;

13 “(C) describe the availability of national
14 voluntary consensus standards, and whether
15 there is a need for new national voluntary con-
16 sensus standards, with respect to training and
17 equipment for emergency response providers;

18 “(D) include such additional matters as
19 the Secretary may specify in order to further
20 the emergency preparedness capabilities of
21 emergency response providers; and

22 “(E) include such revisions to the contents
23 of previous reports as are necessary to take into
24 account changes in the most current risk as-
25 sessment prepared by and available from the

1 Chief Intelligence Officer of the Department or
2 other relevant information as determined by the
3 Secretary.

4 “(3) CONSISTENCY WITH FEDERAL WORKING
5 GROUP.—The Advisory Council shall ensure that its
6 recommendations for essential capabilities for emer-
7 gency preparedness are, to the extent feasible, con-
8 sistent with any preparedness goals or recommenda-
9 tions of the Federal working group established under
10 section 319F(a) of the Public Health Service Act
11 (42 U.S.C. 247d–6(a)).

12 “(e) MEMBERSHIP.—

13 “(1) IN GENERAL.—The Advisory Council shall
14 consist of 30 members appointed by the Secretary,
15 and shall, to the extent practicable, represent a geo-
16 graphic (including urban and rural) and substantive
17 cross section of emergency response providers and
18 emergency response support providers from the
19 State, local, and tribal levels, including as
20 appropriate—

21 “(A) members selected from the emergency
22 response field, including fire service, law en-
23 forcement, hazardous materials response, emer-
24 gency medical services, and emergency manage-
25 ment personnel;

1 “(B) health scientists, emergency and in-
2 patient medical providers, and public health
3 professionals, including—

4 “(i) experts in emergency health care
5 response to chemical, biological, radio-
6 logical, and nuclear terrorism; and

7 “(ii) experts in providing mental
8 health care during emergency response op-
9 erations;

10 “(C) experts from Federal, State, and local
11 governments, and the private sector, rep-
12 resenting standards-setting organizations, in-
13 cluding representation from the voluntary con-
14 sensus codes and standards development com-
15 munity, particularly those with expertise in the
16 emergency preparedness and response field;

17 “(D) State and local officials with exper-
18 tise in terrorism preparedness and emergency
19 management, subject to the condition that if
20 any such official is an elected official rep-
21 resenting one of the two major political parties,
22 an equal number of elected officials shall be se-
23 lected from each such party; and

24 “(E) members selected from the emergency
25 response support field, including public works,

1 utilities, and transportation personnel who are
2 routinely engaged in emergency response.

3 “(2) COORDINATION WITH THE DEPARTMENTS
4 OF HEALTH AND HEALTH SERVICES AND TRANSPOR-
5 TATION.—In the selection of members of the Advi-
6 sory Council who are health or emergency medical
7 services professionals, the Secretary shall coordinate
8 such selection with the Secretaries of Health and
9 Human Services and Transportation.

10 “(3) EX OFFICIO MEMBERS.—The Secretary
11 and the Secretary of Health and Human Services
12 shall each designate one or more officers of their re-
13 spective Department to serve as ex officio members
14 of the Advisory Council. One of the ex officio mem-
15 bers from the Department of Homeland Security
16 shall be the designated officer of the Federal Gov-
17 ernment for purposes of subsection (e) of section 10
18 of the Federal Advisory Committee Act (5 App.
19 U.S.C.).

20 “(f) APPLICABILITY OF FEDERAL ADVISORY COM-
21 MITTEE ACT.—

22 “(1) IN GENERAL.—Notwithstanding section
23 871(a) and subject to paragraph (2), the Federal
24 Advisory Committee Act (5 U.S.C. App.), including
25 subsections (a), (b), and (d) of section 10 of such

1 Act, and section 552b(c) of title 5, United States
2 Code, shall apply to the Task Force.

3 “(2) TERMINATION.—Section 14(a)(2)(B) of
4 the Federal Advisory Committee Act (5 U.S.C.
5 App.) shall not apply to the Advisory Council.

6 **“SEC. 509. REORGANIZATION OF DIRECTORATE.**

7 “The Secretary may not allocate or reallocate func-
8 tions among the officers of the Directorate for Emergency
9 Management or establish, consolidate, alter, or discontinue
10 organizational units within the Directorate for Emergency
11 Management under the authority of section 872 until the
12 date that is 30 days after the date on which the Secretary
13 submits to Congress a report describing the proposed allo-
14 cation, reallocation, establishment, consolidation, alter-
15 ation or discontinuance.

16 **“Subtitle B—Emergency**
17 **Preparedness**

18 **“SEC. 521. OFFICE OF GRANTS AND PLANNING.**

19 “(a) IN GENERAL.—There is in the Department an
20 Office of Grants and Planning under the authority of the
21 Under Secretary for Emergency Management.

22 “(b) ASSISTANT SECRETARY.—The head of the office
23 shall be the Assistant Secretary for Grants and Planning.

1 “(c) RESPONSIBILITIES.—The Assistant Secretary
2 for Grants and Planning shall carry out the following re-
3 sponsibilities:

4 “(1) Administering Department grant programs
5 that enhance the capacity of State, regional, local,
6 and tribal jurisdictions to prevent, prepare for, miti-
7 gate against, respond to, and recover from acts of
8 terrorism, especially those involving chemical, bio-
9 logical, radiological, nuclear, or explosive weapons,
10 natural disasters, and other emergencies.

11 “(2) Ensuring coordination of the homeland se-
12 curity assistance programs of the Federal Govern-
13 ment.

14 “(3) Establishing incentives for the efficient ad-
15 ministration of Federal homeland security assist-
16 ance.

17 “(4) Evaluating the effectiveness of funded De-
18 partment programs and disseminating lessons
19 learned, as appropriate.

20 “(5) Revising and updating on a periodic basis,
21 but not less than annually, operational plans, pre-
22 paredness documents, and capabilities-based plan-
23 ning tools, related to catastrophic acts of terrorism,
24 natural disasters, and other emergencies,
25 including—

1 “(A) the National Preparedness Goal es-
2 tablished by Homeland Security Directive 5;

3 “(B) the Targeted Capabilities List;

4 “(C) the Universal Task List;

5 “(D) the National Planning Scenarios; and

6 “(E) any other document or tool in sup-
7 port of Homeland Security Directives 5 and 8
8 or any other Homeland Security Directive re-
9 lated to the national preparedness system or
10 emergency management.

11 “(6) Establishing, in coordination with State,
12 local, and tribal governments, a clear and account-
13 able process for achieving, maintaining, and enhanc-
14 ing national preparedness for catastrophic acts of
15 terrorism, natural disasters, and other emergencies.

16 “(7) Providing technical assistance to State,
17 local, and tribal governments on catastrophic plan-
18 ning and preparedness.

19 “(8) Developing performance measures and
20 metrics for assessing national preparedness.

21 “(9) Assessing, on a periodic basis, but not less
22 than annually, the effectiveness of preparedness ca-
23 pabilities at the Federal, State, local, and tribal lev-
24 els.

1 “(10) Developing Federal homeland security
2 funding priorities on the basis of such periodic as-
3 sessments.

4 “(11) Implementing a shared resource planning
5 system to facilitate collaborative plan development.

6 “(12) Reviewing, in coordination with appro-
7 priate Federal departments and agencies, all Federal
8 preparedness activities.

9 “(13) Performing such other duties relating to
10 such responsibilities as the Secretary may require.

11 “(d) ANNUAL STATUS REPORTS.—Not later than 60
12 days after the last day of each fiscal year, the Secretary
13 shall provide to Congress a status report on the Nation’s
14 level of preparedness during that fiscal year, including
15 State, local, and tribal capabilities, the readiness of Fed-
16 eral response assets, the utilization of mutual aid, and an
17 assessment of how the Federal homeland security assist-
18 ance programs support the National Preparedness Goal
19 established by Homeland Security Directive 5.

20 **“SEC. 522. OFFICE OF TRAINING AND EXERCISES.**

21 “(a) IN GENERAL.—There is in the Department an
22 Office of Training and Exercises under the authority of
23 the Under Secretary for Emergency Management.

1 “(b) ASSISTANT SECRETARY.—The head of the office
2 shall be the Assistant Secretary for Training and Exer-
3 cises.

4 “(c) RESPONSIBILITIES.—The Assistant Secretary
5 for Training and Exercises shall—

6 “(1) establish specific requirements for training
7 programs and exercises for Federal, State, regional,
8 local, and tribal government officials, emergency re-
9 sponse providers, emergency response support pro-
10 viders, the private sector, international governments
11 and organizations, and other entities;

12 “(2) design, develop, perform, and evaluate
13 training programs and exercises at all levels of gov-
14 ernment to enhance and test the Nation’s capability
15 to prevent, prepare for, mitigate against, respond to,
16 and recover from threatened or actual acts of ter-
17 rorism, natural disasters, and other emergencies;

18 “(3) establish common supporting methodology
19 for training programs and exercises;

20 “(4) define and implement performance meas-
21 ures for training programs and exercises;

22 “(5) coordinate the training and exercise activi-
23 ties of the Department;

24 “(6) serve as the primary point of contact in
25 the Department for homeland security training and

1 exercises for other Federal departments and agen-
2 cies;

3 “(7) identify, analyze, and monitor the imple-
4 mentation of best practices and lessons learned with
5 respect to training and exercises;

6 “(8) establish a comprehensive program for the
7 professional development and education of homeland
8 security personnel at all levels of government, non-
9 governmental organizations, and emergency manage-
10 ment personnel in the private sector;

11 “(9) provide agency-specific training for agents
12 and analysts of the Department; and

13 “(10) perform such other duties relating to
14 such responsibilities as the Secretary may require.

15 “(d) TRANSFER.—The Assistant Secretary for Train-
16 ing and Exercises shall have authority over the following:

17 “(1) The Noble Training Center.

18 “(2) The Center for Domestic Preparedness.

19 “(3) The National Emergency Training Center.

20 “(4) The National Exercise and Evaluation
21 Program.

22 “(e) NATIONAL EXERCISE PROGRAM.—

23 “(1) IN GENERAL.—The Secretary, acting
24 through the Assistant Secretary for Training and
25 Exercises, shall carry out a National Exercise Pro-

1 gram for the purpose of testing, evaluating, and en-
2 hancing the capabilities of Federal, State, regional,
3 local, and tribal government entities to prevent, pre-
4 pare for, respond to, mitigate against, and recover
5 from threatened or actual acts of terrorism, natural
6 disasters, and other emergencies.

7 “(2) CONTENTS OF PROGRAM.—The National
8 Exercise Program—

9 “(A) shall enhance coordination for pre-
10 paredness between all levels of government,
11 emergency response providers, emergency re-
12 sponse support providers, nongovernmental or-
13 ganizations, international governments and or-
14 ganizations, and the private sector;

15 “(B) shall be—

16 “(i) multidisciplinary in nature, in-
17 cluding, as appropriate, information anal-
18 ysis and cybersecurity components;

19 “(ii) as realistic as practicable and
20 based on current risk assessments, includ-
21 ing credible threats, vulnerabilities, and
22 consequences;

23 “(iii) carried out with the minimum
24 degree of notice to involved parties regard-

1 ing the timing and details of such exer-
2 cises, consistent with safety considerations;

3 “(iv) evaluated against performance
4 measures and followed by corrective action
5 to solve identified deficiencies; and

6 “(v) assessed to learn best practices,
7 which the Secretary shall share with ap-
8 propriate Federal, State, regional, local,
9 and tribal personnel, authorities, and
10 training institutions for emergency re-
11 sponse providers and emergency response
12 support providers; and

13 “(C) shall provide assistance to State, re-
14 gional, local, and tribal governments with the
15 design, implementation, and evaluation of exer-
16 cises that—

17 “(i) conform to the requirements
18 under subparagraph (B);

19 “(ii) are consistent with any applica-
20 ble State or urban area homeland security
21 strategy or plan;

22 “(iii) support implementation of—

23 “(I) the National Incident Man-
24 agement System;

1 “(II) the National Response
2 Plan;

3 “(III) the National Preparedness
4 Goal;

5 “(IV) the National Preparedness
6 Guidance;

7 “(V) the National Infrastructure
8 Protection Plan; and

9 “(VI) any other similar national
10 initiative; and

11 “(iv) provide for systematic evaluation
12 of readiness.

13 “(3) NATIONAL LEVEL EXERCISES.—The Sec-
14 retary, acting through the Assistant Secretary for
15 Training and Exercises, shall periodically but not
16 less than biennially, perform national exercises for
17 the following purposes:

18 “(A) To involve in national exercises high-
19 ranking officials from—

20 “(i) Federal, State, local, tribal, and
21 international governments;

22 “(ii) nongovernmental organizations,
23 including faith-based organizations;

24 “(ii) the private sector; and

1 “(iv) others as the Secretary considers
2 appropriate.

3 “(B) To test and evaluate, in coordination
4 with the Attorney General, the capability of
5 Federal, State, local, and tribal government en-
6 tities to detect, disrupt, and prevent threatened
7 or actual catastrophic acts of terrorism, espe-
8 cially those involving weapons of mass destruc-
9 tion;

10 “(C) To test and evaluate the readiness of
11 Federal, State, local, and tribal government en-
12 tities to respond to catastrophic acts of ter-
13 rorism, especially those involving weapons of
14 mass destruction, natural disasters, and other
15 emergencies; and

16 “(D) To test and evaluate the readiness of
17 Federal, State, local, and tribal government en-
18 tities to recover from catastrophic acts of ter-
19 rorism, especially those involving weapons of
20 mass destruction, natural disasters, and other
21 emergencies.

22 “(4) COORDINATION AND CONSULTATION.—In
23 carrying out the National Exercise Program, the
24 Secretary shall—

25 “(A) coordinate with—

1 “(i) components of the Department
2 that have expertise in exercises, including
3 the Coast Guard, the United States Secret
4 Service, and United States Customs and
5 Border Protection; and

6 “(ii) such other Federal departments
7 and agencies as the Secretary determines
8 are appropriate; and

9 “(B) consult regularly with—

10 “(i) a geographic and substantive
11 cross section of emergency response pro-
12 viders and emergency response support
13 providers (including such providers located
14 in both urban and rural areas);

15 “(ii) Federal, State, and local training
16 institutions for emergency response pro-
17 viders and emergency response support
18 providers; and

19 “(iii) State and local officials, includ-
20 ing Adjutant Generals, with expertise in
21 terrorism preparedness and emergency
22 management.

23 “(5) TOP OFFICIAL PREVENTION EXERCISES.—
24 No later than one year after the date of enactment
25 of the National Emergency Management Reform

1 and Enhancement Act of 2006, the Secretary, acting
2 through the Assistant Secretary for Training and
3 Exercises, shall establish a program through which
4 the Secretary carries out periodically but not less
5 than biennially a national terrorism prevention exer-
6 cise for the purposes of—

7 “(A) involving in national exercises high-
8 ranking officials from Federal, State, local,
9 tribal, and international governments, as the
10 Secretary considers appropriate; and

11 “(B) testing and evaluating, in coordina-
12 tion with the Attorney General, the capability of
13 Federal, State, local, and tribal government en-
14 tities to detect, disrupt, and prevent threatened
15 or actual catastrophic acts of terrorism, espe-
16 cially those involving weapons of mass destruc-
17 tion.

18 “(6) NATIONAL EXERCISE STRATEGY.—The
19 Secretary, acting through the Assistant Secretary
20 for Training and Exercises, shall develop a multi-
21 year national homeland security exercise plan and
22 submit the plan to the Homeland Security Council
23 for review and approval.

24 “(f) NATIONAL TRAINING PROGRAM.—

1 “(1) IN GENERAL.—The Secretary, acting
2 through the Assistant Secretary for Training and
3 Exercises, shall carry out a National Training Pro-
4 gram for the purpose of enhancing the capabilities
5 of the Nation’s emergency response providers to pre-
6 vent, prepare for, respond to, mitigate against, and
7 recover from threatened or actual acts of terrorism,
8 natural disasters, and other emergencies.

9 “(2) REQUIREMENTS.—The National Training
10 Program shall provide validated training that—

11 “(A) reaches multiple disciplines, including
12 Federal, State, and local government officials,
13 emergency response providers, emergency re-
14 sponse support providers, the private sector,
15 international governments and organizations,
16 and other entities as the Secretary considers
17 appropriate;

18 “(B) provides training at the awareness,
19 performance, and management and planning
20 levels;

21 “(C) utilizes multiple training mediums
22 and methods, including—

23 “(i) direct delivery;

24 “(ii) train-the-trainer;

25 “(iii) computer-based training;

1 “(iv) web-based training; and

2 “(v) video teleconferencing;

3 “(D) is consistent with any applicable
4 State or urban area homeland security strategy
5 or plan;

6 “(E) is consistent with, and supports im-
7 plementation of, the National Incident Manage-
8 ment System, the National Response Plan, the
9 National Preparedness Goal, the National Pre-
10 paredness Guidance, the National Infrastruc-
11 ture Protection Plan, and other such national
12 initiatives;

13 “(F) is evaluated against clear and con-
14 sistent performance measures; and

15 “(G) to the greatest extent practicable, uti-
16 lize State, regional, and tribal training institu-
17 tions.

18 “(3) NATIONAL VOLUNTARY CONSENSUS
19 STANDARDS.—The Secretary shall—

20 “(A) support the development, promulga-
21 tion, and regular updating as necessary of na-
22 tional voluntary consensus standards for train-
23 ing; and

1 “(B) ensure that the training provided
2 under the National Training Program is con-
3 sistent with such standards.

4 “(4) TRAINING PARTNERS.—In developing and
5 delivering training under the National Training Pro-
6 gram, the Secretary shall—

7 “(A) work with government training facili-
8 ties, academic institutions, private organiza-
9 tions, and other entities that provide special-
10 ized, state-of-the-art training for emergency re-
11 sponder providers or emergency response sup-
12 port providers; and

13 “(B) utilize, as appropriate, training
14 courses provided by community colleges, State
15 and local public safety academies, State and
16 private universities, and other facilities.

17 “(5) COORDINATION AND CONSULTATION.—In
18 carrying out the National Training Program, the
19 Secretary shall—

20 “(A) coordinate with—

21 “(i) components of the Department
22 that have expertise in training, including
23 the Coast Guard, the United States Secret
24 Service, and the Federal Law Enforcement
25 Training Center; and

1 “(ii) such other Federal departments
2 and agencies as the Secretary determines
3 are appropriate; and

4 “(B) consult regularly with—

5 “(i) a geographic and substantive
6 cross section of emergency response pro-
7 viders and emergency response support
8 providers (including such providers located
9 in both urban and rural areas); and

10 “(ii) State and local officials, includ-
11 ing Adjutant Generals, with expertise in
12 terrorism preparedness and emergency
13 management.

14 “(g) REMEDIAL ACTION MANAGEMENT PROGRAM.—
15 The Secretary, acting through the Assistant Secretary for
16 Training and Exercises, shall establish a Remedial Action
17 Management Program to—

18 “(1) identify and analyze training, exercises,
19 and real-world events for lessons learned and best
20 practices;

21 “(2) disseminate lessons learned and best prac-
22 tices;

23 “(3) monitor the implementation of lessons
24 learned and best practices;

1 “(4) conduct remedial action tracking and long-
2 term trend analysis; and

3 “(5) certify that—

4 “(A) recipients of Federal homeland secu-
5 rity assistance have implemented lessons
6 learned and best practices, as appropriate; and

7 “(B) ensure that no recipient uses any
8 Federal homeland security assistance without
9 such certification.

10 “(h) NATIONAL DOMESTIC PREPAREDNESS CONSOR-
11 TIUM.—There is in the Department a National Domestic
12 Preparedness Consortium that—

13 “(1) includes as members—

14 “(A) the Center for Domestic Prepared-
15 ness;

16 “(B) the New Mexico Institute of Mining
17 and Technology;

18 “(C) Louisiana State University;

19 “(D) Texas A&M University; and

20 “(E) the Nevada Test Site of the Depart-
21 ment of Energy.

22 “(2) identifies, develop, tests, and delivers
23 training to State, local, and tribal emergency re-
24 sponse providers;

1 “(3) provides on-site training at the perform-
2 ance and management and planning levels; and

3 “(4) facilitates the delivery of awareness level
4 training by the training partners of the Department.

5 “(i) NATIONAL EXERCISE SIMULATION CENTER.—

6 There is in the Department a National Exercise Simula-
7 tion Center that uses a mix of live, virtual, and construc-
8 tive simulations to—

9 “(1) prepare elected officials and emergency re-
10 sponse providers at all levels of Government to oper-
11 ate cohesively;

12 “(2) provide a learning environment for the
13 homeland security personnel of all Federal depart-
14 ments and agencies;

15 “(3) assist in the development of operational
16 procedures and exercises, particularly those based on
17 catastrophic incidents; and

18 “(4) allow incident commanders to exercise de-
19 cision-making in a simulated environment.

20 **“SEC. 523. OFFICE OF NATIONAL CAPITAL REGION COORDI-**
21 **NATION.**

22 “(a) ESTABLISHMENT.—

23 “(1) IN GENERAL.—There is in the Directorate
24 for Emergency Management the Office of National
25 Capital Region Coordination, to oversee and coordi-

1 nate Federal programs for and relationships with
2 State, local, and regional authorities in the National
3 Capital Region, as defined under section 2674(f)(2)
4 of title 10, United States Code.

5 “(2) DIRECTOR.—The Office shall be headed by
6 a Director, who shall be appointed by the Secretary.

7 “(3) COOPERATION.—The Secretary shall co-
8 operate with the Mayor of the District of Columbia,
9 the Governors of Maryland and Virginia, and other
10 State, local, and regional officers in the National
11 Capital Region to integrate the District of Columbia,
12 Maryland, and Virginia into the planning, coordina-
13 tion, and execution of the activities of the Federal
14 Government for the enhancement of domestic pre-
15 paredness for acts of terrorism, natural disasters,
16 and other emergencies.

17 “(b) RESPONSIBILITIES.—The Director of the Office
18 of National Capital Region Coordination shall carry out
19 the following responsibilities:

20 “(1) Coordinating the activities of the Depart-
21 ment relating to the National Capital Region, in-
22 cluding cooperation with the Office for State, Local,
23 and Tribal Government Coordination.

24 “(2) Assessing and advocating for the resources
25 needed by State, local, and regional authorities in

1 the National Capital Region to implement efforts to
2 secure the homeland.

3 “(3) Providing State, local, and regional au-
4 thorities in the National Capital Region with regular
5 information, research, and technical support to as-
6 sist the efforts of State, local, and regional authori-
7 ties in the National Capital Region in securing the
8 homeland.

9 “(4) Developing a process for receiving mean-
10 ingful input from State, local, and regional authori-
11 ties and the private sector in the National Capital
12 Region to assist in the development of the homeland
13 security plans and activities of the Federal Govern-
14 ment.

15 “(5) Coordinating with Federal agencies in the
16 National Capital Region on emergency preparedness
17 to ensure adequate planning, information sharing,
18 training, and execution of the Federal role in domes-
19 tic preparedness activities.

20 “(6) Coordinating with Federal, State, local,
21 and regional agencies and private sector entities in
22 the National Capital Region on emergency prepared-
23 ness to ensure adequate planning, information shar-
24 ing, training, and execution of domestic prepared-
25 ness activities among such agencies and entities.

1 “(7) Serving as a liaison between the Federal
2 Government and State, local, and regional authori-
3 ties and private sector entities in the National Cap-
4 ital Region to facilitate access to Federal grants and
5 other programs.

6 “(c) ANNUAL REPORT.—The Director shall submit to
7 Congress an annual report that includes the following:

8 “(1) The identification of any resources re-
9 quired to fully implement homeland security efforts
10 in the National Capital Region.

11 “(2) An assessment of the progress made by
12 the National Capital Region in implementing home-
13 land security efforts.

14 “(3) The recommendations of the Director with
15 respect any additional resources needed to fully im-
16 plement homeland security efforts in the National
17 Capital Region.

18 “(d) LIMITATION.—Nothing in this section shall be
19 construed as limiting the power of any State or local gov-
20 ernment.

21 **“SEC. 524. ESSENTIAL CAPABILITIES.**

22 “(a) ESTABLISHMENT OF ESSENTIAL CAPABILI-
23 TIES.—

24 “(1) IN GENERAL.—Building upon the National
25 Preparedness Goal, the Secretary, acting through

1 the Under Secretary for Emergency Management,
2 shall regularly update, revise, or replace essential ca-
3 pabilities for State, local, and tribal government
4 emergency preparedness, in consultation with the
5 following:

6 “(A) The Emergency Management Advi-
7 sory Council under section 508.

8 “(B) Components of the Department, in-
9 cluding the Under Secretary for Science and
10 Technology, the Chief Intelligence Officer, the
11 Director for Operations Coordination, the As-
12 sistant Secretary for Policy, the Assistant Sec-
13 retary for Transportation Security, the Com-
14 missioner of United States Customs and Border
15 Protection, and the Commandant of the Coast
16 Guard.

17 “(C) The Secretary of Health and Human
18 Services.

19 “(D) Other appropriate Federal depart-
20 ments and agencies.

21 “(E) State, local, and tribal emergency re-
22 sponse providers.

23 “(F) State, local, and tribal emergency re-
24 sponse support providers.

1 “(G) State, local, and tribal prevention and
2 emergency management officials, including Ad-
3 jutant Generals.

4 “(H) Consensus-based standardmaking or-
5 ganizations responsible for setting standards
6 relevant to emergency response providers and
7 emergency response support providers.

8 “(2) DEADLINES.—The Secretary shall—

9 “(A) update, revise, or replace the essen-
10 tial capabilities under paragraph (1) not later
11 than 30 days after receiving the report sub-
12 mitted by the Emergency Management Advisory
13 Council under section 508(d); and

14 “(B) regularly update, revise, or replace
15 such essential capabilities as necessary, but not
16 less frequently than once every 3 years.

17 “(3) REPORT ON PROVISION OF ESSENTIAL CA-
18 PABILITIES.—The Secretary shall ensure that a re-
19 port containing a detailed description of the essential
20 capabilities is provided promptly to State and tribal
21 governments and to Congress. The States shall
22 make the description of the essential capabilities
23 available as appropriate to local governments within
24 their jurisdictions.

1 “(b) OBJECTIVES.—The Secretary shall ensure that
2 essential capabilities meet the following objectives:

3 “(1) Essential capabilities shall describe specifi-
4 cally the planning, personnel, equipment, training,
5 and exercises that State, local, or tribal governments
6 should possess or have access to for purposes of the
7 Department’s goals for emergency preparedness
8 based on—

9 “(A) the National Preparedness Goal and
10 supporting directives, policies, and guidelines;

11 “(B) the most current risk assessment
12 available from the Chief Intelligence Officer of
13 the threats of terrorism against the United
14 States;

15 “(C) the risks faced by different types of
16 communities, including communities of various
17 sizes, geographies, and other distinguishing
18 characteristics; and

19 “(D) the principles of regional coordination
20 and mutual aid among State, local, and tribal
21 governments.

22 “(2) Essential capabilities shall be sufficiently
23 flexible so as to allow State, local, and tribal govern-
24 ment officials to establish priorities based on local or
25 regional needs while reaching nationally determined

1 emergency preparedness levels within a specified
2 time period.

3 “(3) Essential capabilities shall be designed to
4 enable the measurement of progress toward specific
5 emergency preparedness goals.

6 “(c) FACTORS TO BE CONSIDERED.—

7 “(1) IN GENERAL.—In updating, revising, or
8 replacing essential capabilities for State, local, or
9 tribal governments under subsection (a)(1), the Sec-
10 retary specifically shall consider the variables of
11 threat, vulnerability, and consequences with respect
12 to population (including transient commuting and
13 tourist populations), areas of high population den-
14 sity, critical infrastructure, coastline, and inter-
15 national borders.

16 “(2) BASIS FOR CONSIDERATION.—Such con-
17 sideration shall be based upon the most current risk
18 assessment available from the Chief Intelligence Of-
19 ficer of the threats of terrorism against the United
20 States and the needs described in the National Pre-
21 paredness Goal established by Homeland Security
22 Directive 5 and the directives, policies, and guide-
23 lines supporting the National Preparedness Goal.

1 **“SEC. 525. CATASTROPHIC PLANNING.**

2 “(a) CATASTROPHIC EMERGENCY PLANS RE-
3 QUIRED.—The Secretary, acting through the Assistant
4 Secretary for Grants and Training, shall require each
5 State and urban area to develop, implement, and exercise
6 a peer-certified catastrophic emergency plan.

7 “(b) SUBMISSION OF PLANS.—The Secretary shall
8 require that any State or urban area that submits an ap-
9 plication to the Secretary for Federal homeland security
10 financial assistance shall submit the catastrophic emer-
11 gency plan required under subsection (a) at such time and
12 in such manner as the Secretary may reasonably require.

13 “(c) REQUIREMENTS.—Each catastrophic emergency
14 plan required under this section shall describe, with re-
15 spect to a State or urban area—

16 “(1) the procedures in place to address the pre-
17 positioning of food, medical and fuel supplies;

18 “(2) the evacuation procedures for populations
19 with special needs, including persons with disabil-
20 ities, health problems, language barriers, and income
21 barriers, the elderly, unaccompanied minors, and pet
22 owners;

23 “(3) sheltering options for displaced popu-
24 lations;

25 “(4) the augmentation of response resources;

1 “(5) regional planning, mutual aid agreements,
2 and requests for assistance that can meet urgent
3 needs;

4 “(6) the adequacy of delivery networks for crit-
5 ical services and supplies;

6 “(7) the degree to which the plan is mutually
7 supportive among contiguous jurisdictions and
8 States;

9 “(8) the use of all available and appropriate
10 transportation modes and resources, including the
11 identification of routes of egress and ingress, and
12 destinations; and

13 “(9) the changes in authorities or regulations
14 which may be necessary for the plan to meet the de-
15 mands of a catastrophic event.

16 “(d) CONSISTENCY.—A catastrophic emergency plan
17 required under this section shall be consistent with, and
18 support the implementation of—

19 “(1) any applicable State or urban area home-
20 land security strategy or plan; and

21 “(2) the National Incident Management Sys-
22 tem, the National Response Plan, the National Pre-
23 paredness Goal, the National Preparedness Guid-
24 ance, the National Infrastructure Protection Plan,

1 and other such national initiatives as may be deter-
2 mined by the Secretary.

3 “(e) EMERGENCY MANAGEMENT ADVISORY COUNCIL
4 REVIEW.—

5 “(1) REVIEW AND ASSESSMENT REQUIRED.—
6 The Emergency Management Advisory Council shall
7 review and assess a catastrophic emergency plan
8 submitted under subsection (b) based on the essen-
9 tial capabilities maintained by the Secretary under
10 section 524.

11 “(2) DEADLINE FOR SUBMISSION OF REVIEW
12 AND ASSESSMENT.—Not later than 90 days after
13 the date on which such a plan is submitted under
14 such subsection, the Emergency Management Advi-
15 sory Council shall submit to the Assistant Secretary
16 for Grants and Planning the review and assessment
17 of the plan required under paragraph (1).

18 “(f) CONSULTATION.—In developing the catastrophic
19 emergency plan required under this section, a State or
20 urban area shall consult with and seek appropriate com-
21 ments from—

22 “(1) local governments within the urban area or
23 State; and

24 “(2) a geographic and substantive cross section
25 of emergency response providers and emergency re-

1 tion and Interoperability equipment list cat-
2 egories; and

3 “(B) such other equipment or systems as
4 the Secretary determines are appropriate.

5 “(2) provide information that enables decision-
6 makers and emergency response providers to better
7 select, procure, use, and maintain emergency re-
8 sponse provider equipment or systems;

9 “(3) assess and validate the performance of
10 products within a system and systems within sys-
11 tems; and

12 “(4) provide information and feedback to emer-
13 gency response providers through a well-maintained,
14 Internet-accessible database.

15 “(c) ASSESSMENT AND VALIDATION PROCESS.—The
16 assessment and validation of emergency response provider
17 equipment and systems shall utilize multiple evaluation
18 techniques, including

19 “(1) operational assessments of equipment per-
20 formance on vehicle platforms;

21 “(2) technical assessments on a comparative
22 basis of system component performance across
23 makes and models under controlled conditions; and

1 “(3) integrative assessments on an individual
2 basis of system component interoperability and com-
3 patibility with other system components.

4 **“SEC. 527. HOMELAND SECURITY EDUCATION PROGRAM.**

5 “(a) ESTABLISHMENT.—The Secretary, acting
6 through the Assistant Secretary for Training and Exer-
7 cises, shall establish a graduate-level Homeland Security
8 Education Program in the National Capital Region to pro-
9 vide training to senior Federal government officials and
10 selected State and local officials with homeland security
11 and emergency management responsibilities.

12 “(b) LEVERAGING OF EXISTING RESOURCES.—To
13 maximize efficiency and effectiveness, in carrying out the
14 Program, the Secretary shall use existing Department-re-
15 viewed Master’s Degree curricula in homeland security, in-
16 cluding curricula pending accreditation, together with as-
17 sociated learning materials, quality assessment tools, dig-
18 ital libraries, exercise systems and other curriculum com-
19 ponents already being delivered by State and private uni-
20 versities and training facilities, including the National Do-
21 mestic Preparedness Consortium.

22 “(c) STUDENT ENROLLMENT.—

23 “(1) SOURCES.—The student body of the Pro-
24 gram shall include officials from Federal, State, trib-
25 al, and local governments, and from other sources

1 designated by the Under Secretary for Emergency
2 Management.

3 “(2) ENROLLMENT PRIORITIES AND SELECTION
4 CRITERIA.—The Under Secretary for Emergency
5 Management shall establish policies governing stu-
6 dent enrollment priorities and selection criteria that
7 are consistent with the mission of the Program.

8 “(3) DIVERSITY.—The Secretary shall take rea-
9 sonable steps to ensure that the student body rep-
10 represents racial, gender, and ethnic diversity.

11 “(d) SERVICE COMMITMENT.—

12 “(1) IN GENERAL.—Before any employee se-
13 lected for training under the Program may be as-
14 signed to such training, the employee shall agree in
15 writing to—

16 “(A) continue in the service of the agency
17 sponsoring the employee during the two-year
18 period beginning on the date on which the em-
19 ployee completes the training, unless the em-
20 ployee is involuntarily separated from the serv-
21 ice of that agency for reasons other than reduc-
22 tion in force; and

23 “(B) pay to the Government the amount of
24 the additional expenses incurred by the Govern-
25 ment in connection with the employee’s training

1 if the employee is voluntarily separated from
2 the service to the agency before the end of the
3 period described in subparagraph (A).

4 “(2) PAYMENT OF EXPENSES.—

5 “(A) EXEMPTION.—An employee who
6 leaves the service of the sponsoring agency to
7 enter into the service of another agency in any
8 branch of the Government shall not be required
9 to make a payment under paragraph (1)(B),
10 unless the head of the agency that sponsored
11 the training of the employee notifies the em-
12 ployee before the date on which the employee
13 enters the service of the other agency that pay-
14 ment is be required under that paragraph.

15 “(B) AMOUNT OF PAYMENT.—If an em-
16 ployee is required to make a payment under
17 paragraph (1)(B), the agency that sponsored
18 the training of the employee shall determine the
19 amount of the payment, except that such
20 amount may not exceed the pro rata share of
21 the expenses incurred for the time remaining in
22 the two-year period.

23 “(3) RECOVERY OF PAYMENT.—If an employee
24 who is required to make a payment under this sub-
25 section does not make the payment, a sum equal to

1 the amount of the expenses incurred by the Govern-
2 ment for the training of that employee is recoverable
3 by the Government from the employee or his estate
4 by—

5 “(A) setoff against accrued pay, compensa-
6 tion, amount of retirement credit, or other
7 amount due the employee from the Government;
8 or

9 “(B) such other method as is provided by
10 law for the recovery of amounts owing to the
11 Government.

12 **“Subtitle C—Emergency Response**

13 **“SEC. 541. NATIONAL INCIDENT MANAGEMENT SYSTEM** 14 **AND NATIONAL RESPONSE PLAN INTEGRA-** 15 **TION CENTER.**

16 “(a) IN GENERAL.—There is in the Directorate of
17 Emergency Management a National Incident Management
18 System and National Response Plan Integration Center
19 (referred to in this section as the ‘NIC’).

20 “(b) DIRECTOR.—The NIC shall be headed by a Di-
21 rector, who shall be appointed by the Secretary. The Di-
22 rector shall report directly to the Under Secretary for
23 Emergency Management.

24 “(c) RESPONSIBILITIES.—The Director, in consulta-
25 tion with the heads of other appropriate Federal depart-

1 ments and agencies, State, local, and tribal governments,
2 and the Emergency Management Advisory Council under
3 section 508, shall establish a mechanism for ensuring on-
4 going management and maintenance of the National Inci-
5 dent Management System (NIMS) and the National Re-
6 sponse Plan (NRP). The responsibilities of the Director
7 shall include the following:

8 “(1) Developing findings and recommendations
9 for revisions to the NIMS and the NRP, including—

10 “(A) clarifying the roles and responsibil-
11 ities of the Principal Federal Official, the Fed-
12 eral Coordinating Officer, the Federal Resource
13 Coordinator, and the Disaster Recovery Man-
14 ager;

15 “(B) developing procedures for the timely
16 activation of each such role;

17 “(C) evaluating the need to establish as
18 part of the National Response Plan an emer-
19 gency support function with respect to volun-
20 teers and donations; and

21 “(D) realigning the emergency support
22 functions of the National Response Plan so as
23 to be consistent with the National Incident
24 Management System.

1 “(2) Developing a national program for NIMS
2 and NRP education and awareness, including spe-
3 cific instruction on the purposes of the NIMS and
4 the NRP and responsibilities of the NIC.

5 “(3) Promoting the compatibility between na-
6 tional standards for the NIMS and the NRP and
7 such standards developed by other public, private, or
8 professional groups.

9 “(4) Facilitating the development and publica-
10 tion of materials and standardized templates to sup-
11 port the implementation and continuous refinement
12 of the NIMS and the NRP.

13 “(5) Developing performance measures and as-
14 sessment criteria for the various components of the
15 NIMS and the NRP and compliance requirements
16 and compliance timelines for implementation by
17 Federal, State, local, and tribal entities.

18 “(6) Establishing a peer review process for
19 NIMS compliance certifications that verifies the sat-
20 isfaction of training, planning, exercising, and other
21 activities.

22 “(7) Defining, in consultation with the Assist-
23 ant Secretary for Training and Exercises, the gen-
24 eral training requirements and the national training

1 standards and course curricula associated with the
2 NIMS and the NRP.

3 “(8) Facilitating the development of national
4 standards, guidelines, and protocols for incident
5 management training and exercises, including con-
6 sideration of existing exercise and training programs
7 at all levels of government.

8 “(9) Facilitating the establishment and mainte-
9 nance of a publication management system for docu-
10 ments supporting the NIMS and the NRP and other
11 related publications and materials related to the
12 NIMS and the NRP, including the development or
13 coordination of general publications.

14 “(10) Reviewing (in coordination with appro-
15 priate national professional standards), certifying,
16 and accrediting organizations and, with input from
17 Federal, State, local, tribal, private-sector and non-
18 governmental entities, the discipline-specific publica-
19 tion management requirements submitted by profes-
20 sional organizations and associations.

21 “(11) Facilitating the development and publica-
22 tion of national standards, guidelines, and protocols
23 for the qualification and certification of emergency
24 responder and incident management personnel, as
25 appropriate.

1 “(12) Reviewing and approving, in coordination
2 with appropriate national professional organizations
3 and with input from Federal, State, local, tribal, pri-
4 vate-sector, and other nongovernmental entities, the
5 discipline-specific qualification and certification re-
6 quirements submitted by emergency responder and
7 incident management organizations and associations.

8 “(13) Facilitating the establishment and main-
9 tenance of a documentation and database system re-
10 lated to qualification, certification, and credentialing
11 of incident management personnel and organiza-
12 tions, including reviewing and approving, in coordi-
13 nation with appropriate national professional organi-
14 zations and with input from the Federal, State,
15 local, tribal, private-sector and nongovernmental en-
16 tities, of the discipline-specific requirements sub-
17 mitted by functionally oriented incident management
18 organizations and associations.

19 “(14) Establishing a data maintenance system
20 to provide incident managers with the detailed quali-
21 fication, experience, and training information needed
22 to credential personnel for prescribed national inci-
23 dent management positions.

24 “(15) Coordinating minimum professional cer-
25 tification standards and facilitation of the design

1 and implementation of a credentialing system that
2 can be used nationwide.

3 “(16) Facilitating the development and issuance
4 of national standards for the typing of resources.

5 “(17) Facilitating the definition and mainte-
6 nance of the information framework required to
7 guide the development of NIMS information sys-
8 tems, including the development of data standards
9 for—

10 “(A) incident notification and situation re-
11 ports;

12 “(B) status reporting;

13 “(C) analytical data;

14 “(D) geospatial information;

15 “(E) wireless communications;

16 “(F) identification and authentication; and

17 “(G) incident reports, including lessons
18 learned reports.

19 “(18) Performing such other duties relating to
20 such responsibilities as the Secretary may require.

21 **“SEC. 542. USE OF NATIONAL PRIVATE SECTOR NETWORKS**
22 **IN EMERGENCY RESPONSE.**

23 “To the maximum extent practicable, the Secretary,
24 acting through the Under Secretary for Emergency Man-
25 agement, shall use national private sector networks and

1 infrastructure for emergency response to acts of terrorism,
2 especially such acts involving chemical, biological, radio-
3 logical, nuclear, or explosive weapons, natural disasters,
4 and other emergencies.

5 **“SEC. 543. NUCLEAR INCIDENT RESPONSE.**

6 “(a) NUCLEAR INCIDENT RESPONSE TEAM.—During
7 an act of terrorism, existence of the threat of an act of
8 terrorism, natural disaster, or other emergency in the
9 United States—

10 “(1) the Secretary shall have direction, author-
11 ity, and control of the Nuclear Incident Response
12 Team; and

13 “(2) the Nuclear Incident Response Team shall
14 operate as an organizational unit of the Depart-
15 ment..

16 “(b) RESPONSIBILITIES.—In addition to the author-
17 ity under subsection (a), the Secretary, acting through the
18 Under Secretary for Emergency Management, shall at all
19 times carry out the following responsibilities:

20 “(1) Establishing standards for performance of
21 the Nuclear Incident Response Team and, when
22 such standards have been met, certifying that they
23 have been met.

24 “(2) Conducting joint and other exercises and
25 training and evaluating performance.

1 “(3) Providing funds to the Department of En-
2 ergy and the Environmental Protection Agency, as
3 appropriate, for homeland security planning, exer-
4 cises and training, and equipment.

5 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
6 tion shall be construed to limit the responsibility of the
7 Secretary of Energy and the Administrator of the Envi-
8 ronmental Protection Agency for organizing, training,
9 equipping, and utilizing their respective entities that par-
10 ticipate in the Nuclear Incident Response Team, or (sub-
11 ject this section) from exercising direction, authority, and
12 control over such entities when they are not operating as
13 a unit of the Department.

14 “(d) DEFINITION.—In this section, the term ‘Nuclear
15 Incident Response Team’ means a resource that
16 includes—

17 “(1) those entities of the Department of Energy
18 that perform nuclear or radiological emergency sup-
19 port functions (including accident response, search
20 response, advisory, and technical operations func-
21 tions), radiation exposure functions at the medical
22 assistance facility known as the Radiation Emer-
23 gency Assistance Center/Training Site (REAC/TS),
24 radiological assistance functions, and related func-
25 tions; and

1 “(2) those entities of the Environmental Protec-
2 tion Agency that perform such support functions (in-
3 cluding radiological emergency response functions)
4 and related functions.

5 **“SEC. 544. NATIONAL URBAN SEARCH AND RESCUE RE-**
6 **SPONSE SYSTEM.**

7 “(a) NATIONAL URBAN SEARCH AND RESCUE RE-
8 SPONSE SYSTEM.—There is in the Directorate for Emer-
9 gency Management an emergency response system known
10 as the National Urban Search and Rescue Response Sys-
11 tem that provides a national network of standardized
12 search and rescue resources to assist State, local, and trib-
13 al governments in responding to structural collapses re-
14 sulting from acts of terrorism (especially such acts involv-
15 ing weapons of mass destruction), natural disasters, and
16 other emergencies.

17 “(b) ADMINISTRATION OF THE SYSTEM.—

18 “(1) TASK FORCE PARTICIPATION.—The Under
19 Secretary for Emergency Management shall select
20 eligible urban search and rescue teams that are
21 sponsored by State and local government entities to
22 participate as task forces in the System. The Under
23 Secretary shall determine the criteria for such par-
24 ticipation.

1 “(2) AGREEMENTS WITH SPONSORING AGEN-
2 CIES.—The Under Secretary shall enter into an
3 agreement with the State or local government entity
4 that sponsors each search and rescue team selected
5 under paragraph (1) with respect the team’s partici-
6 pation as a task force in the System.

7 “(3) URBAN SEARCH AND RESCUE TEAM PER-
8 SONNEL.—Personnel of an urban search and rescue
9 team that participates as a task force under this sec-
10 tion may be—

11 “(A) personnel of the State or local gov-
12 ernment sponsor; or

13 “(B) personnel of any other Federal,
14 State, or local government entity that enters
15 into a participation agency agreement with the
16 State or local government sponsor of the team.

17 “(4) MANAGEMENT AND TECHNICAL TEAMS.—
18 The Under Secretary shall maintain such manage-
19 ment and other technical teams as are necessary to
20 administer the System.

21 “(c) ADVISORY COMMITTEE.—

22 “(1) IN GENERAL.—The Under Secretary shall
23 establish and maintain an advisory committee to
24 provide expert recommendations to the Under Sec-
25 retary with respect to administering the System.

1 “(2) COMPOSITION.—The advisory committee
2 shall be geographically diverse, and shall include, at
3 a minimum—

4 “(A) the chief officer or senior executive
5 from each of at least three State or local gov-
6 ernments that sponsor urban search and rescue
7 teams selected to participate in the System as
8 task forces;

9 “(B) the senior emergency manager from
10 each of at least two States in which such local
11 governments are located; and

12 “(C) at least one representative selected by
13 the leaders of the task forces.

14 “(3) TERMINATION.—The advisory committee
15 shall terminate on the date that is two years after
16 the date of the enactment of the National Emer-
17 gency Management Reform and Enhancement Act of
18 2006.

19 **“SEC. 545. METROPOLITAN MEDICAL RESPONSE SYSTEM.**

20 “(a) IN GENERAL.—There is in the Department a
21 Metropolitan Medical Response System to make grants to
22 local governments to develop, maintain, and enhance med-
23 ical preparedness systems that are capable of responding
24 effectively during the initial hours of a public health crisis

1 or mass-casualty event caused by an act of terrorism, nat-
2 ural disaster, or other emergency.

3 “(b) USE OF FUNDS.—The Metropolitan Medical Re-
4 sponse System shall make grants to local governments to
5 enhance any of the following activities:

6 “(1) Medical surge capacity.

7 “(2) Mass prophylaxis.

8 “(3) CBRNE detection, response, and decon-
9 tamination capabilities.

10 “(4) Emergency communications capabilities.

11 “(5) Information sharing and collaboration ca-
12 pabilities.

13 “(6) Regional collaboration.

14 “(7) Triage and pre-hospital treatment.

15 “(8) Medical supply management and distribu-
16 tion.

17 “(9) Fatality management.

18 “(10) Such other activities as the Secretary
19 may provide.

20 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated such sums as may be
22 necessary for each of the fiscal years 2007 through 2010.

1 **“Subtitle D—Emergency**
2 **Communications**

3 **“SEC. 561. OFFICE OF EMERGENCY COMMUNICATIONS.**

4 “(a) IN GENERAL.—There is in the Department an
5 Office of Emergency Communications, which shall be
6 under the authority of the Under Secretary for Prepared-
7 ness.

8 “(b) ASSISTANT SECRETARY.—The head of the office
9 shall be the Assistant Secretary for Emergency Commu-
10 nications, who shall be appointed by the President.

11 “(c) RESPONSIBILITIES.—The Assistant Secretary
12 for Emergency Communications shall—

13 “(1) assist the Secretary in developing and im-
14 plementing the program described in section
15 7303(a)(1) of the Intelligence Reform and Terrorism
16 Prevention Act of 2004 (6 U.S.C. 194(a)(1)), except
17 as provided in section 5 of the National Emergency
18 Management Reform and Enhancement Act of 2006;

19 “(2) administer the Department’s responsibil-
20 ities and authorities relating to the SAFECOM Pro-
21 gram;

22 “(3) administer the Department’s responsibil-
23 ities and authorities relating to the Integrated Wire-
24 less Network program;

1 “(4) administer the Department’s responsibil-
2 ities and authorities relating to the National Com-
3 munications System;

4 “(5) conduct extensive, nationwide outreach and
5 foster the development of interoperable emergency
6 communications capabilities by State, regional, local,
7 and tribal governments and public safety agencies;

8 “(6) provide technical assistance to State, re-
9 gional, local, and tribal officials with respect to use
10 of interoperable emergency communications capabili-
11 ties;

12 “(7) facilitate the creation of regional task
13 forces, with appropriate governance structures and
14 representation from State, local, and tribal govern-
15 ments, public safety agencies, and Federal officials,
16 to achieve interoperable emergency communications
17 capabilities;

18 “(8) promote the development of standard oper-
19 ating procedures with respect to use of interoperable
20 emergency communications capabilities for incident
21 response and facilitate the sharing of information on
22 best practices (including from governments abroad)
23 for achieving, maintaining, and enhancing interoper-
24 able emergency communications capabilities for such
25 response;

1 “(9) 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
5 event of a catastrophic loss of local and regional
6 emergency communications services;

7 “(10) assist the President, the National Secu-
8 rity Council, the Director of the Office of Science
9 and Technology Policy, and the Director of the Of-
10 fice of Management and Budget in—

11 “(A) ensuring the operability of the tele-
12 communications functions and responsibilities
13 of the Federal Government, and

14 “(B) coordinating the planning for and
15 provision of national security and emergency
16 preparedness communications for the Federal
17 Government under all circumstances;

18 “(11) establish requirements for total and non-
19 proprietary interoperable emergency communications
20 capabilities for all public safety radio and data com-
21 munications systems and equipment;

22 “(12) help to establish an integrated national
23 public alert and warning system; and

24 “(13) review, in consultation with Assistant
25 Secretary for Grants and Planning, all interoperable

1 emergency communications plans of Federal, State,
2 local, and tribal governments, including Statewide
3 and tactical interoperability plans.

4 “(d) PERFORMANCE OF PREVIOUSLY TRANSFERRED
5 FUNCTIONS.—There is transferred to the Secretary the
6 authority to administer, through the Assistant Secretary
7 for Emergency Communications, the following:

8 “(1) The National Communications System.

9 “(2) The SAFECOM Program.

10 “(3) The responsibilities of the Chief Informa-
11 tion Officer related to the implementation of the In-
12 tegrated Wireless Network.

13 “(4) The Interoperable Communications Tech-
14 nical Assistance Program.

15 “(e) COORDINATION.—The Assistant Secretary shall
16 coordinate, as appropriate, with the Director of the Office
17 for Interoperability and Compatibility the responsibilities
18 described in section 5 of the National Emergency Manage-
19 ment Reform and Enhancement Act of 2006.

20 “(f) SUFFICIENCY OF RESOURCES.—The Secretary
21 shall provide the Office of Emergency Communications the
22 resources and staff necessary to carry out the responsibil-
23 ities under this section.

1 **“SEC. 562. NATIONAL EMERGENCY COMMUNICATIONS**
2 **STRATEGY.**

3 “(a) IN GENERAL.—The Secretary, acting through
4 the Assistant Secretary, shall, not later than one year
5 after the date of enactment of this section, and in coopera-
6 tion with State, local, and tribal governments, Federal de-
7 partments and agencies, emergency response providers,
8 emergency response support responders, and the private
9 sector, develop a National Emergency Communication
10 Strategy to achieve interoperable emergency communica-
11 tions.

12 “(b) CONTENTS.—The national strategy shall—

13 “(1) include a national interoperable emergency
14 communication inventory list that—

15 “(A) identifies the number of Federal de-
16 partments and agencies that use communica-
17 tions frequencies and equipment capable of sup-
18 porting interoperability with State, local, and
19 tribal governments during times of emergency;
20 and

21 “(B) provides a listing of the interoperable
22 emergency communication systems in use for
23 public safety systems in the United States;

24 “(2) include, in consultation with the National
25 Institute of Standards and Technology, a process for
26 expediting national voluntary consensus-based emer-

1 agency communications equipment standards for the
2 purchase and use by public safety agencies of inter-
3 operable emergency communications equipment and
4 technologies;

5 “(3) identify the appropriate interoperable
6 emergency communications capabilities necessary for
7 Federal, State, local, and tribal governments to op-
8 erate at all threat levels;

9 “(4) address both short-term and long-term so-
10 lutions to achieving Federal, State, local, and tribal
11 interoperable emergency communications systems,
12 including provision of commercially available equip-
13 ment that facilitates operability, interoperability, co-
14 ordination, and integration among existing emer-
15 gency communications systems;

16 “(5) identify how Federal Government depart-
17 ments and agencies that respond to acts of ter-
18 rorism, natural disasters, and other emergencies can
19 work effectively with State, local, and tribal govern-
20 ments, in all States, and such other entities as are
21 necessary to implement the strategy;

22 “(6) include measures to identify and overcome
23 all obstacles to achieving interoperable emergency
24 communications; and

1 “(7) set goals and establish timeframes for the
2 achievement of an emergency, command-level com-
3 munication system based on existing equipment
4 across the United States and develop a timetable for
5 a nationwide interoperable emergency communica-
6 tions system.

7 **“SEC. 563. INTEROPERABILITY ASSESSMENTS AND RE-**
8 **PORTS.**

9 “(a) BASELINE INTEROPERABILITY ASSESSMENT.—
10 The Secretary, acting through the Assistant Secretary for
11 Emergency Communications, shall periodically, but not
12 less than every 5 years, conduct a nationwide assessment
13 to—

14 “(1) define the range of interoperable emer-
15 gency communications capabilities needed for spe-
16 cific events;

17 “(2) assess the current capabilities to meet
18 such communications needs;

19 “(3) identify the gap between such current ca-
20 pabilities and defined requirements;

21 “(4) determine the degree to which interoper-
22 able emergency communications has been achieved
23 to date and ascertain the needs that remain for
24 interoperability to be achieved;

1 “(5) assess the ability of communities to pro-
2 vide and maintain interoperable emergency commu-
3 nications among emergency response providers,
4 emergency response support providers, and govern-
5 ment officials in the event of acts of terrorism, nat-
6 ural disasters, or other emergencies, including Inci-
7 dents of National Significance declared by the Sec-
8 retary under the National Response Plan, and where
9 there is substantial damage to ordinary communica-
10 tions infrastructure and sustained loss of electricity;

11 “(6) compile a list of best practices among com-
12 munities for providing and maintaining interoperable
13 emergency communications in the event of acts of
14 terrorism, natural disasters, or other emergencies;
15 and

16 “(7) evaluate the feasibility and desirability of
17 the Department developing, on its own or in con-
18 junction with the Department of Defense, a mobile
19 communications capability, modeled on the Army
20 Signal Corps, that could be deployed to support
21 emergency communications at the site of acts of ter-
22 rorism, natural disasters, or other emergencies.

23 “(b) ANNUAL REPORT.—Not later than 1 year after
24 the date of enactment of this section, and annually there-
25 after, the Secretary, acting through the Assistant Sec-

1 retary for Emergency Communications, shall submit to
2 Congress a report on the Department’s progress in imple-
3 menting and achieving the goals of this section, including
4 a description of the findings of the nationwide assessment
5 conducted under subsection (a).

6 **“SEC. 564. COORDINATION OF FEDERAL EMERGENCY COM-**
7 **MUNICATIONS GRANT PROGRAMS.**

8 “(a) ASSESSMENT OF GRANTS AND STANDARDS PRO-
9 GRAMS.—The Secretary, acting through Assistant Sec-
10 retary for Emergency Communications, shall assess Fed-
11 eral grants and standards programs managed by other
12 Federal departments and agencies to—

13 “(1) integrate and coordinate Federal grant
14 guidelines for the use of Federal homeland security
15 assistance relating to interoperable emergency com-
16 munications;

17 “(2) assess and make recommendations to en-
18 sure that such guidelines are consistent with the
19 mission of the Office of Emergency Communications;
20 and

21 “(3) assess and make recommendations to en-
22 sure conformity with the goals and objectives identi-
23 fied in the National Emergency Communications
24 Strategy.

25 “(b) DENIAL OF ELIGIBILITY FOR GRANTS.—

1 “(1) IN GENERAL.—The Secretary, acting
2 through Assistant Secretary for Grants and Plan-
3 ning, and in consultation with the Assistant Sec-
4 retary for Emergency Communications, may prohibit
5 any State, local, or tribal government from using
6 Federal homeland security assistance administered
7 by the Department to achieve, maintain, or enhance
8 interoperable emergency communications capabili-
9 ties, if—

10 “(A) such government has not complied
11 with the requirement to submit a Statewide
12 Interoperable Communications Plans as re-
13 quired by section 7303(f) of the Intelligence Re-
14 form and Terrorism Prevention Act of 2004 (6
15 U.S.C. 194(f)); and

16 “(B) within three years after the date of
17 the enactment of this section, national vol-
18 untary consensus standards for interoperable
19 emergency communications capabilities have not
20 been developed and promulgated.

21 “(2) STANDARDS.—The Secretary, in coordina-
22 tion with other Federal departments and agencies
23 with responsibility for standards shall develop, pro-
24 mulgate, and revise national voluntary consensus
25 standards on interoperable emergency communica-

1 tions within 4 years after the date of the enactment
2 of this section, if the requirements of paragraph
3 (1)(B) have not been satisfied.

4 “(c) TRANSFER OF FUNCTIONS.—Not later than 60
5 days after the date of the enactment of this subsection,
6 the President shall transfer to the Assistant Secretary for
7 Emergency Communications the functions authorized by
8 section 3006 of the Deficit Reduction Act of 2006 (Public
9 Law 109–71; 120 Stat. 24), including the authority to
10 borrow under 3006(b) of that Act.

11 **“SEC. 565. REGIONAL EMERGENCY COMMUNICATIONS CO-**
12 **ORDINATION.**

13 “(a) IN GENERAL.—There is in each Regional Office
14 under section 504 a Regional Emergency Communications
15 Coordination Working Group (in this section referred to
16 as an ‘RECC Working Group’).

17 “(b) SUBJECT MATTER EXPERTS.—The RECC
18 Working Group shall consist of—

19 “(1) State officials;

20 “(2) local elected officials;

21 “(3) State police departments;

22 “(4) local police departments;

23 “(5) local fire services;

24 “(6) public safety answering points (9–1–1
25 services);

1 “(7) communications equipment vendors (in-
2 cluding broadband data service providers);

3 “(8) hospitals;

4 “(9) public utility services;

5 “(10) local exchange carriers;

6 “(11) local broadcast media;

7 “(12) wireless carriers;

8 “(13) satellite communications services;

9 “(14) emergency evacuation transit services;

10 “(15) representatives from Federal departments
11 and agencies with responsibility for coordinating
12 interoperable emergency communications with or
13 providing emergency support services to State, local,
14 and tribal governments; and

15 “(16) other emergency response providers or
16 emergency support providers as deemed appropriate.

17 “(c) DUTIES.—The duties of the RECC Working
18 Groups shall include—

19 “(1) assessing the survivability, sustainability,
20 and interoperability of local emergency communica-
21 tions systems to meet the goals of the National
22 Emergency Communications Strategy;

23 “(2) reporting to the Assistant Secretary for
24 Emergency Communications on the status of the re-
25 gion in building a robust and sustainable interoper-

1 “(1) IN GENERAL.—The Secretary, the Chair-
2 man of the Federal Communication Commission, the
3 Secretary of Defense, the Secretary of Commerce,
4 the Attorney General, and the heads of other Fed-
5 eral departments and agencies or their designees
6 shall jointly operate the Center in accordance with
7 the Memorandum of Understanding entitled, ‘Emer-
8 gency Communications Preparedness Center
9 (ECPC), Charter’.

10 “(2) CHAIR.—The Secretary shall be the Chair
11 of the Center.

12 “(c) FUNCTIONS.—The Center shall—

13 “(1) serve as the focal point for interagency ef-
14 forts to address operable and interoperable commu-
15 nications;

16 “(2) serve as a clearinghouse with respect to all
17 relevant information regarding intergovernmental ef-
18 forts to achieve nationwide interoperable emergency
19 communications capabilities;

20 “(3) ensure cooperation among the relevant
21 Federal Government departments and agencies to
22 improve effectiveness in the communication and im-
23 plementation of the goals of the National Emergency
24 Communications Strategy, including specifically by
25 working to avoid duplication, hindrances, and coun-

1 urban and other areas determined by the Secretary to be
2 at consistently high levels of risk from terrorist attack.

3 “(b) MINIMUM CAPABILITIES.—The interoperable
4 emergency communications capabilities established under
5 subsection (a) shall ensure the ability of all levels of gov-
6 ernment, emergency response providers, emergency re-
7 sponse support providers, the private sector, and other or-
8 ganizations with emergency response capabilities—

9 “(1) to communicate with each other in the
10 event of an emergency; and

11 “(2) to have appropriate and timely access to
12 the Information Sharing Environment described in
13 section 1016 of the National Security Intelligence
14 Reform Act of 2004 (6 U.S.C. 321).

15 **“SEC. 568. INTEGRATED NATIONAL ALERT AND WARNING**
16 **SYSTEM.**

17 “(a) IN GENERAL.—The Secretary, acting through
18 the Assistant Secretary for Emergency Communications,
19 and in coordination with the head of any Federal depart-
20 ment or agency that possesses or acquires alert and warn-
21 ing capabilities, including the Departments of Commerce
22 and Defense and the Federal Communications Commis-
23 sion, shall develop, manage, operate, and coordinate an in-
24 tegrated national public alert and warning system.

25 “(b) REQUIREMENTS.—Such system shall—

1 “(1) be operational within 1 year of the date of
2 enactment of this section;

3 “(2) ensure effective collaboration with affected
4 State, local, and tribal governments;

5 “(3) complement and provide interoperability
6 with State, local, and tribal public warning systems;

7 “(4) provide standard protocols for interoper-
8 ability among multiple technologies;

9 “(5) carry all-hazards alert and warning mes-
10 saging, including Presidential messages, public safe-
11 ty information, child abduction alerts, severe weath-
12 er, or other emergencies;

13 “(6) conduct regular internal training and exer-
14 cises that incorporate the generation and dissemina-
15 tion of public alert and warning messages;

16 “(7) support the development of education and
17 outreach plans to make the general public, State,
18 local, and tribal governments, and the public safety
19 community aware of the United States’ new alert
20 and warning capabilities and how they can receive
21 such information;

22 “(8) incorporate, to the maximum extent pos-
23 sible, technologies and systems to effectively warn
24 and support the needs of people with disabilities or

1 non-English speakers, in compliance with Federal
2 Communications Commission regulations;

3 “(9) support and supplement existing State,
4 local, and tribal government, public safety, or private
5 sector alert and warning activities, and coordinate
6 the integration of State and local government mes-
7 sages within Federal public alert and warning activi-
8 ties;

9 “(10) develop public-private partnerships to—

10 “(A) leverage government and industry
11 needs, capabilities, and resources necessary to
12 delivery effective disaster warnings;

13 “(B) facilitate the promulgation of manu-
14 facturing, broadcasting, and national voluntary
15 consensus standards to address public alert and
16 warning capabilities and technology develop-
17 ment;

18 “(C) identify critical infrastructure and
19 key resources necessary to provide assured,
20 timely, and protected alert and warning mes-
21 sages to the public;

22 “(D) incorporate private sector threat and
23 hazard information sharing within Federal,
24 State, and local alerts and warnings, as appro-
25 priate; and

1 “(E) work with private sector representa-
2 tives to ensure plans are in place to minimize
3 the disruption to broadcast facilities, and other
4 message dissemination points, following acts of
5 terrorism, natural disasters, or other emer-
6 gencies in accordance with the requirements
7 outlined in Homeland Security Presidential Di-
8 rective-7 and the National Infrastructure Pro-
9 tection Plan; and

10 “(11) promulgate rules and regulations nec-
11 essary for the management, operation, and coordina-
12 tion of the integrated national public alert and warn-
13 ing system;

14 “(12) establish standard operating procedures
15 and terminology for Federal departments and agen-
16 cies, and State, local, and tribal entities that have
17 tactical command decision making authorities during
18 major events or emergencies to access or provide
19 input for the dissemination of warnings;

20 “(13) establish a comprehensive alert and warn-
21 ing public Web-based portal integrated with existing
22 Federal information sharing and alert and warning
23 capabilities, as appropriate;

24 “(14) identify and incorporate existing, new,
25 and emerging technologies, including the utilization

1 of both satellite and ground based alert and warning
2 distribution networks to provide assured, timely, and
3 protected connectivity that is fully compatible with
4 other elements of a comprehensive integrated public
5 alert and warning system; and

6 “(15) establish protocols and an organized
7 framework to work in conjunction with initiatives
8 outlined in Homeland Security Presidential Direc-
9 tive-5 for utilizing all available intelligence and data
10 to generate accurate, timely, and effective emergency
11 alert and warning messages in coordination with all
12 appropriate Federal, State, local, and tribal agen-
13 cies.

14 “(c) IMPLEMENTATION PLAN.—The Secretary, act-
15 ing through the Assistant Secretary for Emergency Com-
16 munications, shall develop an implementation plan for this
17 section within 180 days after the enactment of this sec-
18 tion.

19 **“Subtitle E—Emergency Logistics**

20 **“SEC. 581. PREPOSITIONED EQUIPMENT PROGRAM.**

21 “(a) IN GENERAL.—The Secretary, acting through
22 the Under Secretary for Emergency Management, shall
23 establish a Prepositioned Equipment Program to preposi-
24 tion standardized emergency equipment in selected geo-
25 graphic areas to sustain and replenish critical assets used

1 by State, local, or tribal governments in response to, or
2 rendered inoperable by the effects of, acts of terrorism,
3 natural disasters, or other emergencies.

4 “(b) FORCE PACKAGES.—As part of the Program,
5 the Secretary shall establish a number of force packages.
6 Each force package shall—

7 “(1) contain preposition-standardized equip-
8 ment and frequently used off-the-shelf items;

9 “(2) be strategically located and maintained at
10 logistics centers in no less than 11 regions;

11 “(3) be rapidly deployable to any major popu-
12 lation area within at least 12 hours; and

13 “(4) be easily transportable by air, land, or
14 water.

15 “(c) TYPES OF EQUIPMENT INCLUDED.—Each force
16 package shall include—

17 “(1) personal protective equipment;

18 “(2) detection equipment;

19 “(3) decontamination equipment;

20 “(2) search and rescue equipment;

21 “(3) medical equipment and supplies;

22 “(4) communications equipment; and

23 “(5) any additional devices, tools, supplies, and
24 material most likely needed by initial on-scene emer-
25 gency response providers.

1 “(d) SUPPORT TEAMS.—Each force package shall be
2 staffed by qualified personnel who reside in the local com-
3 munity. Such personnel shall—

4 “(1) be available to respond to emergencies
5 when necessary;

6 “(2) provide life-cycle management and mainte-
7 nance of equipment; and

8 “(3) perform associated logistics, including
9 equipment maintenance and calibration.

10 “(e) PROCEDURES FOR DEPLOYMENT OF FORCE
11 PACKAGES.—The Secretary, acting through the Under
12 Secretary, shall deploy force packages to State, local, and
13 tribal officials when—

14 “(1) a State, local, or tribal government entity
15 makes a request for the transfer deployment of a
16 force package; and

17 “(2) the Under Secretary approves such re-
18 quest.

19 **“SEC. 582. NATIONAL ASSET INVENTORY PROGRAM.**

20 “(a) ESTABLISHMENT.—The Secretary, acting
21 through the Under Secretary for Emergency Management
22 and in coordination with the heads of other appropriate
23 Federal departments and agencies, shall establish a Na-
24 tional Asset Inventory Program for the purpose of man-
25 aging and deploying Federal capabilities in response to

1 acts of terrorism, natural disasters, and other emer-
2 gencies.

3 “(b) INVENTORY.—In accordance with the require-
4 ments of section 611(h)(1)(C) of the Robert T. Stafford
5 Disaster Relief and Emergency Assistance Act (42 U.S.C.
6 5196(h)(1)(C)), the National Asset Inventory Program
7 shall develop and maintain an inventory of Federal re-
8 sponse capabilities and corresponding assets and re-
9 sources. Such inventory shall include—

10 “(1) the performance parameters of each capa-
11 bility;

12 “(2) the time frame within which each capa-
13 bility can be brought to bear on an incident;

14 “(3) the readiness of each capability to respond
15 to domestic incidents; and

16 “(4) the availability of such capability.

17 “(c) MILITARY CAPABILITIES.—The Secretary of De-
18 fense shall provide to the Secretary a description of the
19 functions and capabilities of any entity of the Department
20 of Defense that may be used to provide support to civil
21 authorities in responding to acts of terrorism, natural dis-
22 asters, or other emergencies.

23 “(d) DATABASE.—The Secretary, acting through the
24 Under Secretary for Emergency Management, shall estab-
25 lish an inventory database to allow—

1 “(1) real-time exchange of information regard-
2 ing capabilities, assets, and resources, readiness, or
3 the compatibility of equipment;

4 “(2) easy identification and rapid deployment
5 during an incident; and

6 “(3) the sharing of inventories across jurisdic-
7 tions.

8 “(e) FORCE PACKAGES.—The Secretary, acting
9 though the Under Secretary for Emergency Management,
10 shall certify on an annual basis that Federal departments
11 and agencies with primary or supporting agency respon-
12 sibilities under an Emergency Response Function of the
13 National Response Plan have developed and maintained
14 Force Packages of rapidly deployable Federal capabilities.

15 “(f) CRISIS SUPPORT CENTERS.—The Secretary, act-
16 ing through the Under Secretary and in coordination with
17 other Federal departments and agencies and State, local,
18 and tribal governments, shall identify physical locations in
19 selected geographic areas that could be used as crisis sup-
20 port centers for receiving, staging, and integrating Federal
21 capabilities in the event of acts of terrorism, natural disas-
22 ters, and other emergencies.

23 “(g) COORDINATION.—In carrying out the activities
24 of the program under this section, the Under Secretary
25 shall consult with the Administrator of the Emergency

1 Management Assistance Compact to ensure effective co-
2 ordination of efforts in responding to requests for assist-
3 ance.

4 **“SEC. 583. SMALL BUSINESS DATABASE FOR FEDERAL CON-**
5 **TRACTING RELATED TO MAJOR DISASTERS**
6 **AND EMERGENCY ASSISTANCE ACTIVITIES.**

7 “(a) ESTABLISHMENT OF DATABASE.—The Sec-
8 retary shall establish and maintain a database that con-
9 tains information about small business concerns for pur-
10 poses of Federal contracting related to major disasters
11 and emergency assistance activities.

12 “(b) INCLUDED INFORMATION.—The database under
13 subsection (a) shall include the following information
14 about each small business concern included in the data-
15 base:

16 “(1) The name of the small business concern.

17 “(2) The location of the small business concern.

18 “(3) The area served by the small business con-
19 cern.

20 “(4) The type of good or service provided by
21 the small business concern.

22 “(5) Whether the small business concern is—

23 “(A) a small business concern owned and
24 controlled by socially and economically dis-
25 advantaged individuals;

1 “(B) a small business concern owned and
2 controlled by women; or

3 “(C) a small business concern owned and
4 controlled by service-disabled veterans.

5 “(c) SOURCE OF INFORMATION.—

6 “(1) SUBMISSION.—The database may only
7 contain such information about a small business con-
8 cern as is submitted by the small business concern.

9 “(2) ATTESTATION.—Each small business con-
10 cern submitting information to the database shall
11 submit—

12 “(A) an attestation that the information
13 submitted is true; and

14 “(B) documentation supporting such attes-
15 tation.

16 “(3) VERIFICATION.—The Secretary shall verify
17 only that the documentation submitted by each small
18 business concern supports the information submitted
19 by that small business concern.

20 “(d) AVAILABILITY OF DATABASE.—The Secretary
21 shall make the database generally available on the Internet
22 website of the Department.

23 “(e) CONSULTATION OF DATABASE.—Before award-
24 ing a Federal contract for a disaster-related activity, a

1 component of the Department shall consult the database
2 established under this section.

3 “(f) DATABASE INTEGRATION.—The Secretary shall
4 integrate the database established under this section into
5 any other procurement-related database maintained by the
6 Secretary.

7 “(g) DEFINITIONS.—For purposes of this section, the
8 terms ‘small business concern’, ‘small business concern
9 owned and controlled by socially and economically dis-
10 advantaged individuals’, ‘small business concern owned
11 and controlled by women’, and ‘small business concern
12 owned and controlled by service-disabled veterans’ shall
13 have the meanings given those terms under the Small
14 Business Act (15 U.S.C. 631 et seq.).

15 **“SEC. 584. MCCAUL-ETHERIDGE.**

16 “[To be supplied]”.

17 (b) CLERICAL AMENDMENTS.—The items relating to
18 title V in the table of contents in section 1(b) of the Home-
19 land Security Act of 2002 are amended to read as follows:

“TITLE V—EMERGENCY MANAGEMENT

“Subtitle A—Directorate for Emergency Management

“Sec. 501. Directorate for Emergency Management.

“Sec. 502. Responsibilities.

“Sec. 503. Role of Federal Emergency Management Agency.

“Sec. 504. Regional Offices.

“Sec. 505. Chief Medical Officer.

“Sec. 506. Office of State, Local, and Tribal Government Coordination.

“Sec. 507. Office of Public and Community Preparedness.

“Sec. 508. Emergency Management Advisory Council.

“Sec. 509. Reorganization of Directorate.

“Subtitle B—Emergency Preparedness

- “Sec. 521. Office of Grants and Planning.
- “Sec. 522. Office of Training and Exercises.
- “Sec. 523. Office of National Capital Region Coordination.
- “Sec. 524. Essential capabilities.
- “Sec. 525. Catastrophic planning.
- “Sec. 526. System assessment and validation for Emergency Responders Program.
- “Sec. 527. Homeland Security Education Program.

“Subtitle C—Emergency Response

- “Sec. 541. National Incident Management System and National Response Plan Integration Center.
- “Sec. 542. Use of national private-sector networks in emergency response.
- “Sec. 543. Nuclear Incident Response.
- “Sec. 544. National Urban Search and Rescue Response System.
- “Sec. 545. Metropolitan Medical Response System.

“Subtitle D—Emergency Communications

- “Sec. 561. Office of Emergency Communications.
- “Sec. 562. National emergency communications strategy.
- “Sec. 563. Interoperability assessments and reports.
- “Sec. 564. Coordination of Federal emergency communications grant programs.
- “Sec. 565. Regional emergency communications coordination.
- “Sec. 566. Emergency Communications Preparedness Center.
- “Sec. 567. Urban and other high risk area communications capabilities.
- “Sec. 568. Integrated national alert and warning system.

“Subtitle E—Emergency Logistics

- “Sec. 581. Prepositioned Equipment Program.
- “Sec. 582. National Asset Inventory Program.
- “Sec. 583. Homeland security small business database.
- “Sec. 584. McCaul-Etheridge provision.”.

1 SEC. 3. GULF COAST LONG-TERM RECOVERY OFFICE.

- 2 (a) ESTABLISHMENT.— The Secretary of Homeland
3 Security shall establish in the Department of Homeland
4 Security a Gulf Coast Long-Term Recovery Office to ad-
5 minister amounts available to the Department for pro-
6 viding assistance to the residents of the Gulf Coast region
7 for recovering from Hurricanes Katrina and Rita.

1 (b) DIRECTOR.—The Office shall be headed by a Di-
2 rector, who shall be appointed by the Secretary of Home-
3 land Security.

4 (c) RESPONSIBILITIES.—The Director of the Gulf
5 Coast Long-Term Recovery Office shall work with State,
6 local, and tribal governments, the private sector, and non-
7 governmental organizations, including faith-based and
8 other community humanitarian relief entities, to provide
9 assistance to residents of the Gulf Coast region for recov-
10 ering from Hurricanes Katrina and Rita, including the fol-
11 lowing:

12 (1) To assess the social and economic con-
13 sequences in the areas affected by Hurricanes
14 Katrina and Rita and coordinate Federal efforts to
15 address long-term community recovery issues.

16 (2) To advise the Secretary of Homeland Secu-
17 rity on the long-term community recovery implica-
18 tions of response activities.

19 (3) To conduct comprehensive market disrup-
20 tion and loss analysis and develop a forward looking
21 market-based comprehensive long-term recovery plan
22 for the affected areas.

23 (4) To identify appropriate Federal programs
24 and agencies to support the implementation of the
25 long-term community recovery plan, to ensure co-

1 ordination across appropriate Federal departments
2 and agencies, and to identify any gaps in the avail-
3 able resources.

4 (5) To avoid duplication of assistance, to co-
5 ordinate, to the extent possible, program application
6 processes and planning requirements in order to
7 streamline assistance, and to identify and coordinate
8 the resolution of policy and program issues.

9 (6) To determine responsibilities for recovery
10 activities, to provide a method of maintaining con-
11 tinuity in the delivery of assistance under programs
12 administered by various Federal departments and
13 agencies, and to oversee coordination with State,
14 local, and tribal governments and other involved par-
15 ties, to ensure follow-through of recovery and hazard
16 mitigation efforts.

17 (7) To carry out such other activities as deter-
18 mined appropriate by the Secretary of Homeland Se-
19 curity.

20 (d) TERMINATION.—The Gulf Coast Long-Term Re-
21 covery Office established under subsection (a) shall termi-
22 nate on the date that is two years after the date of the
23 enactment of this Act.

1 **SEC. 4. NATIONAL DISASTER MEDICAL SYSTEM.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
3 2811 of the Public Health Service Act (42 U.S.C. 300hh–
4 11), as added by section 102 of the Public Health Security
5 and Bioterrorism Preparedness and Response Act of 2002
6 (116 Stat. 599), is amended in subsection (h) by striking
7 “such sums” and all that follows and inserting
8 “\$85,000,000 for each of the fiscal years 2007 through
9 2010.”.

10 (b) REPORT.—Not later than 6 months after the date
11 of the enactment of this Act, the Chief Medical Officer
12 of the Department of Homeland Security, in consultation
13 with the Under Secretary for Emergency Management,
14 shall submit to Congress a report that provides—

15 (1) an assessment of the need to expand the
16 National Disaster Medical System, including an ex-
17 amination of the feasibility of maintaining a full
18 time, non-volunteer operational unit or units;

19 (2) an evaluation of the relationship between
20 the National Disaster Medical System and the Met-
21 ropolitan Medical Response System;

22 (3) an assessment of the coordination between
23 the Department and the Department of Health and
24 Human Services during deployment; and

25 (4) an evaluation of whether the National Dis-
26 aster Medical System should remain in the Depart-

1 ment and, if not, which Department should have re-
2 sponsibility.

3 **SEC. 5. OFFICE OF INTEROPERABILITY AND COMPAT-**
4 **IBILITY.**

5 (a) IN GENERAL.—Title III of the Homeland Secu-
6 rity Act of 2002 (6 U.S.C. 181 et seq.) is amended by
7 adding at the end the following:

8 **“SEC. 314. OFFICE OF INTEROPERABILITY AND COMPAT-**
9 **IBILITY.**

10 “(a) CLARIFICATION OF RESPONSIBILITIES.—The
11 Director of the Office for Interoperability and Compat-
12 ibility shall—

13 “(1) assist the Secretary in developing and im-
14 plementing the science and technology aspects of the
15 program described in subparagraphs (D), (E), (F),
16 and (G) of section 7303(a)(1) of the Intelligence Re-
17 form and Terrorism Prevention Act of 2004 (6
18 U.S.C. 194(a)(1));

19 “(2) support the creation of national voluntary
20 consensus standards for interoperable emergency
21 communications;

22 “(3) establish a comprehensive research, devel-
23 opment, testing, and evaluation program for improv-
24 ing interoperable emergency communications;

1 “(4) establish requirements for total and non-
2 proprietary interoperable emergency communications
3 capabilities for all public safety radio and data com-
4 munications systems and equipment;

5 “(5) evaluate and validate new technology con-
6 cepts in real-world environments to achieve inter-
7 operable emergency communications capabilities;

8 “(6) encourage more efficient use of existing re-
9 sources, including equipment and spectrum, to
10 achieve interoperable emergency communications ca-
11 pabilities;

12 “(7) test and deploy public safety communica-
13 tions systems that are less prone to failure, support
14 new nonvoice services, consume less spectrum, and
15 cost less than existing systems; and

16 “(8) work with the private sector to develop so-
17 lutions to improve emergency communications capa-
18 bilities and achieve interoperable emergency commu-
19 nications capabilities.

20 “(b) SUFFICIENCY OF RESOURCES.—The Secretary
21 shall provide the Office for Interoperability and Compat-
22 ibility the resources and staff necessary to carry out the
23 responsibilities under this section.”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 in section 1(b) of such Act is amended by inserting at the
3 end of the items relating to title III the following:

“Sec. 314. Office of Interoperability and Compatibility.”.

4 **SEC. 6. INTELLIGENCE ANALYSTS.**

5 Financial assistance provided to State, local, and
6 tribal governments by the Secretary of Homeland Security
7 for terrorism preparedness activities may be used by the
8 State, local, or tribal government to hire new staff and
9 contractors to serve as intelligence analysts to facilitate
10 information and intelligence sharing activities.

11 **SEC. 7. NATIONAL ACADEMY OF PUBLIC ADMINISTRATION**
12 **STUDY ON IMPLEMENTATION OF ORGANIZA-**
13 **TIONAL REFORMS.**

14 (a) STUDY REQUIRED.—Subject to the availability of
15 appropriations, the Secretary of Homeland Security shall
16 enter into an arrangement with the National Academy of
17 Public Administration to conduct a study of the implemen-
18 tation of the organizational changes to the Department
19 of Homeland Security made by this Act and the amend-
20 ments made by this Act. Under the arrangement, the
21 Academy shall provide assistance in the creation and im-
22 plementation of the Directorate of Emergency Manage-
23 ment.

1 (b) DEADLINE FOR BEGINNING OF STUDY.—The
2 study shall begin not later than two months after the date
3 of the enactment of this Act.

4 **SEC. 8. GAO REPORTS ON AN INVENTORY AND STATUS OF**
5 **HOMELAND SECURITY TRAINING.**

6 (a) INITIAL REPORT REQUIRED.—Not later than 60
7 days after the date of the enactment of this Act, the
8 Comptroller General shall submit to Congress an initial
9 report on the overall inventory and status of training pro-
10 grams for emergency response providers in the Depart-
11 ment of Homeland Security and other Federal depart-
12 ments and agencies and the extent to which such pro-
13 grams are coordinated.

14 (b) FINAL REPORT REQUIRED.—Not later than 120
15 days after the date of the enactment of this Act, the
16 Comptroller General shall submit to Congress a final re-
17 port on homeland security training that includes the fol-
18 lowing:

19 (1) An assessment of the effectiveness of the
20 structure and organization of training programs for
21 emergency response providers in the Department of
22 Homeland Security and other Federal departments
23 and agencies.

24 (2) Recommendations to—

1 (A) improve the coordination, structure,
2 and organization of such training programs;
3 and

4 (B) increase the availability of training to
5 emergency response providers who are not able
6 to attend centralized training programs;

7 (3) A description of the structure and organiza-
8 tional effectiveness of such programs for emergency
9 response providers in rural communities.

10 (4) An identification of any duplication or re-
11 dundancy among such programs.

12 (5) A description of the use of State and local
13 training institutions, universities, centers, the Na-
14 tional Domestic Preparedness Consortium, and other
15 national training programs funded by the Depart-
16 ment of Homeland Security, in designing and pro-
17 viding training.

18 (6) A cost-benefit analysis of the costs and time
19 required for emergency response providers to partici-
20 pate in training courses at Federal institutions.

21 (7) An assessment of the approval process for
22 certifying training courses that are not administered
23 by the Department of Homeland Security and that
24 are useful for anti-terrorism purposes and eligible
25 for grants awarded by the Department.

1 (8) A description of the use of Department of
2 Homeland Security grant funds by State, local, and
3 tribal governments to acquire training.

4 (9) An analysis of the feasibility of Federal,
5 State, local, and tribal government personnel receiv-
6 ing the training that is necessary to adopt the Na-
7 tional Response Plan and the National Incident
8 Management System of the Department of Home-
9 land Security.

10 (10) A description of the role of each training
11 institution within the Department of Homeland Se-
12 curity in the design and implementation of emer-
13 gency preparedness and related training courses for
14 emergency response providers.

15 **SEC. 9. DEADLINE FOR ESTABLISHMENT OF REGIONAL OF-**
16 **FICES.**

17 (a) **DEADLINE.**—The Secretary of Homeland Secu-
18 rity shall establish the Regional Offices required under
19 section 504 of the Homeland Security Act of 2002, as
20 added by section 2, not later than one year after the date
21 of the enactment of this Act.

22 (b) **USE OF EXISTING FIELD OFFICES.**—In estab-
23 lishing the regional offices required under such section,
24 the Secretary of Homeland Security shall to the extent
25 practicable, co-locate and consolidate field offices of the

1 Department of Homeland Security that are in existence
2 as of the date of the enactment of this Act and use the
3 regional offices of the Federal Emergency Management
4 Agency that are in existence as of that date as the founda-
5 tion for the Regional Offices required under such section.

6 **SEC. 10. DEFINITIONS.**

7 (a) EXPANSION OF DEFINITION OF EMERGENCY RE-
8 SPONSE PROVIDER.—Paragraph (6) of section 2 of the
9 Homeland Security Act of 2002 (6 U.S.C. 101(6)) is
10 amended by striking “includes” and all that follows and
11 inserting “includes Federal, State, and local governmental
12 and nongovernmental emergency public safety, law en-
13 forcement, fire, emergency response, emergency medical
14 (including hospital emergency facilities), and related per-
15 sonnel, organizations, agencies, and authorities.”.

16 (b) NEW DEFINITIONS.—Such section is further
17 amended by adding at the end the following new para-
18 graphs:

19 “(17) The term ‘preparedness’ means any activ-
20 ity necessary to build, sustain, and improve the ca-
21 pability to prepare for, respond to, mitigate against,
22 or recover from a threatened or actual act of ter-
23 rorism, natural disaster, or other emergency.

1 “(18) The term ‘prevention’ means any activity
2 undertaken to avoid, prevent, or stop a threatened
3 or actual act of terrorism.

4 “(19) The term ‘emergency response support
5 providers’ includes Federal, State, and local govern-
6 mental and nongovernmental utilities, public works,
7 transportation, and public health and related per-
8 sonnel, organizations, agencies, and authorities.”.

9 **SEC. 11. CONFORMING AMENDMENTS.**

10 (a) **REPEALS.**—The following provisions of the
11 Homeland Security Act of 2002 are repealed:

12 (1) Section 430.

13 (2) Subtitle A of title VIII.

14 (3) Section 883.

15 (b) **OTHER CONFORMING AMENDMENTS.**—

16 (1) **UNDER SECRETARY.**—Section 103(a) is
17 amended—

18 (A) in paragraph (5), by striking “Pre-
19 paredness and Response” and inserting “Man-
20 agement”; and

21 (B) by striking paragraph (7) and redesign-
22 ating paragraphs (8) through (10) as para-
23 graphs (7) through (9), respectively.

24 (2) **INCREASE IN NUMBER OF ASSISTANT SEC-**
25 **RETARIES.**—Section 103(a)(9) of such Act, as redese-

- 1 ignated by paragraph (1)(B), is amended by striking
- 2 “12” and inserting “17”[check number].