

(9) providing guidance and implementing policies to ensure that the rights and wishes of individuals with disabilities regarding post-evacuation residency and relocation are respected;

(10) ensuring that meeting the needs of individuals with disabilities are included in the components of the national preparedness system established under section 744 of this title; and

(11) any other duties as assigned by the Administrator.

(Pub. L. 107–296, title V, § 513, as added Pub. L. 109–295, title VI, § 611(13), Oct. 4, 2006, 120 Stat. 1408.)

REFERENCES IN TEXT

Executive Order No. 13347, referred to in subsecs. (a) and (b)(2), is set out as a note under section 314 of this title.

CHANGE OF NAME

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

§ 321c. Department and Agency officials

(a) Deputy Administrators

The President may appoint, by and with the advice and consent of the Senate, not more than 4 Deputy Administrators to assist the Administrator in carrying out this subchapter.

(b) Cybersecurity and communications

There is in the Department an Assistant Secretary for Cybersecurity and Communications.

(c) United States Fire Administration

The Administrator of the United States Fire Administration shall have a rank equivalent to an assistant secretary of the Department.

(Pub. L. 107–296, title V, § 514, as added Pub. L. 109–295, title VI, § 611(13), Oct. 4, 2006, 120 Stat. 1409.)

EFFECTIVE DATE

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

§ 321d. National Operations Center

(a) Definition

In this section, the term “situational awareness” means information gathered from a variety of sources that, when communicated to emergency managers and decision makers, can form the basis for incident management decisionmaking.

(b) Establishment

The National Operations Center is the principal operations center for the Department and shall—

(1) provide situational awareness and a common operating picture for the entire Federal Government, and for State, local, and tribal governments as appropriate, in the event of a

natural disaster, act of terrorism, or other man-made disaster; and

(2) ensure that critical terrorism and disaster-related information reaches government decision-makers.

(c) State and local fire service representation

(1) Establishment of position

The Secretary shall, in consultation with the Administrator of the United States Fire Administration, establish a fire service position at the National Operations Center established under subsection (b) to ensure the effective sharing of information between the Federal Government and State and local fire services.

(2) Designation of position

The Secretary shall designate, on a rotating basis, a State or local fire service official for the position described in paragraph (1).

(3) Management

The Secretary shall manage the position established pursuant to paragraph (1) in accordance with such rules, regulations, and practices as govern other similar rotating positions at the National Operations Center.

(Pub. L. 107–296, title V, § 515, as added Pub. L. 109–295, title VI, § 611(13), Oct. 4, 2006, 120 Stat. 1409; amended Pub. L. 110–376, § 8, Oct. 8, 2008, 122 Stat. 4060.)

AMENDMENTS

2008—Subsec. (c). Pub. L. 110–376 added subsec. (c).

§ 321e. Chief Medical Officer

(a) In general

There is in the Department a Chief Medical Officer, who shall be appointed by the President.

(b) Qualifications

The individual appointed as Chief Medical Officer shall possess a demonstrated ability in and knowledge of medicine and public health.

(c) Responsibilities

The Chief Medical Officer shall have the primary responsibility within the Department for medical issues related to natural disasters, acts of terrorism, and other man-made disasters, including—

(1) serving as the principal advisor to the Secretary and the Administrator on medical and public health issues;

(2) coordinating the biodefense activities of the Department;

(3) ensuring internal and external coordination of all medical preparedness and response activities of the Department, including training, exercises, and equipment support;

(4) serving as the Department’s primary point of contact with the Department of Agriculture, the Department of Defense, the Department of Health and Human Services, the Department of Transportation, the Department of Veterans Affairs, and other Federal departments or agencies, on medical and public health issues;

(5) serving as the Department’s primary point of contact for State, local, and tribal

governments, the medical community, and others within and outside the Department, with respect to medical and public health matters;

(6) discharging, in coordination with the Under Secretary for Science and Technology, the responsibilities of the Department related to Project Bioshield; and

(7) performing such other duties relating to such responsibilities as the Secretary may require.

(Pub. L. 107-296, title V, §516, as added Pub. L. 109-295, title VI, §611(13), Oct. 4, 2006, 120 Stat. 1409; amended Pub. L. 112-166, §2(f)(4), Aug. 10, 2012, 126 Stat. 1285.)

AMENDMENTS

2012—Subsec. (a). Pub. L. 112-166 struck out “, by and with the advice and consent of the Senate” before period at end.

CHANGE OF NAME

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

EFFECTIVE DATE OF 2012 AMENDMENT

Amendment by Pub. L. 112-166 effective 60 days after Aug. 10, 2012, and applicable to appointments made on and after that effective date, including any nomination pending in the Senate on that date, see section 6(a) of Pub. L. 112-166, set out as a note under section 113 of this title.

§ 321f. Nuclear incident response

(a) In general

At the direction of the Secretary (in connection with an actual or threatened terrorist attack, major disaster, or other emergency in the United States), the Nuclear Incident Response Team shall operate as an organizational unit of the Department. While so operating, the Nuclear Incident Response Team shall be subject to the direction, authority, and control of the Secretary.

(b) Rule of construction

Nothing in this subchapter shall be construed to limit the ordinary responsibility of the Secretary of Energy and the Administrator of the Environmental Protection Agency for organizing, training, equipping, and utilizing their respective entities in the Nuclear Incident Response Team, or (subject to the provisions of this subchapter) from exercising direction, authority, and control over them when they are not operating as a unit of the Department.

(Pub. L. 107-296, title V, §517, formerly §504, Nov. 25, 2002, 116 Stat. 2213; renumbered §517, Pub. L. 109-295, title VI, §611(6), Oct. 4, 2006, 120 Stat. 1395.)

CODIFICATION

Section was formerly classified to section 314 of this title prior to renumbering by Pub. L. 109-295.

§ 321g. Conduct of certain public health-related activities

(a) In general

With respect to all public health-related activities to improve State, local, and hospital preparedness and response to chemical, biological, radiological, and nuclear and other emerging terrorist threats carried out by the Department of Health and Human Services (including the Public Health Service), the Secretary of Health and Human Services shall set priorities and preparedness goals and further develop a coordinated strategy for such activities in collaboration with the Secretary.

(b) Evaluation of progress

In carrying out subsection (a), the Secretary of Health and Human Services shall collaborate with the Secretary in developing specific benchmarks and outcome measurements for evaluating progress toward achieving the priorities and goals described in such subsection.

(Pub. L. 107-296, title V, §518, formerly §505, Nov. 25, 2002, 116 Stat. 2213; renumbered §518, Pub. L. 109-295, title VI, §611(6), Oct. 4, 2006, 120 Stat. 1395.)

CODIFICATION

Section was formerly classified to section 315 of this title prior to renumbering by Pub. L. 109-295.

§ 321h. Use of national private sector networks in emergency response

To the maximum extent practicable, the Secretary shall use national private sector networks and infrastructure for emergency response to chemical, biological, radiological, nuclear, or explosive disasters, and other major disasters.

(Pub. L. 107-296, title V, §519, formerly §508, Nov. 25, 2002, 116 Stat. 2215; renumbered §519, Pub. L. 109-295, title VI, §611(6), Oct. 4, 2006, 120 Stat. 1395.)

CODIFICATION

Section was formerly classified to section 318 of this title prior to renumbering by Pub. L. 109-295.

§ 321i. Use of commercially available technology, goods, and services

It is the sense of Congress that—

(1) the Secretary should, to the maximum extent possible, use off-the-shelf commercially developed technologies to ensure that the Department’s information technology systems allow the Department to collect, manage, share, analyze, and disseminate information securely over multiple channels of communication; and

(2) in order to further the policy of the United States to avoid competing commercially with the private sector, the Secretary should rely on commercial sources to supply the goods and services needed by the Department.

(Pub. L. 107-296, title V, §520, formerly §509, Nov. 25, 2002, 116 Stat. 2215; renumbered §520, Pub. L. 109-295, title VI, §611(6), Oct. 4, 2006, 120 Stat. 1395.)