

paredness readiness of the State, (3) population, and (4) such other factors as the Administrator shall prescribe. The Administrator may reallocate the excess of any allocation not used by a State in a plan submitted under this section. Amounts paid to any State or political subdivision under this section shall be expended solely for the purposes set forth in this section.

**(g) Standards for State and local emergency preparedness operational plans**

In approving standards for State and local emergency preparedness operational plans pursuant to subsection (b)(3), the Administrator shall ensure that such plans take into account the needs of individuals with household pets and service animals prior to, during, and following a major disaster or emergency.

**(h)<sup>2</sup> Submission of plan**

If a State fails to submit a plan for approval as required by this section within 60 days after the Administrator notifies the States of the allocations under this section, the Administrator may reallocate such funds, or portions thereof, among the other States in such amounts as, in the judgment of the Administrator, will best assure the adequate development of the emergency preparedness capability of the United States.

**(h)<sup>2</sup> Annual reports**

The Administrator shall report annually to the Congress all contributions made pursuant to this section.

(Pub. L. 93-288, title VI, § 613, as added Pub. L. 103-337, div. C, title XXXIV, § 3411(a)(3), Oct. 5, 1994, 108 Stat. 3106; amended Pub. L. 107-188, title I, § 151, June 12, 2002, 116 Stat. 630; Pub. L. 109-295, title VI, § 631, Oct. 4, 2006, 120 Stat. 1420; Pub. L. 109-308, § 2, Oct. 6, 2006, 120 Stat. 1725; Pub. L. 111-351, § 3(c)(2), Jan. 4, 2011, 124 Stat. 3864.)

CODIFICATION

Section 631(2) of Pub. L. 109-295, which directed amendment of this section “by redesignating subsections (c) through (g) and subsections (d) through (h), respectively”, was executed by redesignating subsecs. (c) to (g) as (d) to (h), respectively, to reflect the probable intent of Congress.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 2286 of Title 50, Appendix, War and National Defense, prior to repeal by Pub. L. 103-337, § 3412(a).

AMENDMENTS

2011—Pub. L. 111-351 substituted “Administrator” for “Director” wherever appearing.

2006—Subsec. (b)(3). Pub. L. 109-295, § 631(1), inserted “including a catastrophic incident annex,” after “plans.”

Subsecs. (c) to (f). Pub. L. 109-295, § 631(2), (3), added subsec. (c) and redesignated former subsecs. (c) to (e) as (d) to (f), respectively. Former subsec. (f) redesignated (g). See Codification note above.

Subsec. (g). Pub. L. 109-308, § 2(2), added subsec. (g). Former subsec. (g) relating to submission of plan redesignated (h).

Pub. L. 109-295, § 631(2), redesignated subsec. (f) as (g). Former subsec. (g) relating to annual reports redesignated (h). See Codification note above.

Subsec. (h). Pub. L. 109-308, § 2(1), redesignated subsec. (g) relating to submission of plan as (h).

Pub. L. 109-295, § 631(2), redesignated subsec. (g) relating to annual reports as (h). See Codification note above.

2002—Subsec. (b)(7). Pub. L. 107-188 added par. (7).

TRANSFER OF FUNCTIONS

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

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

**§ 5196c. Grants for construction of emergency operations centers**

**(a) Grants**

The Administrator of the Federal Emergency Management Agency may make grants to States under this subchapter for equipping, upgrading, and constructing State and local emergency operations centers.

**(b) Federal share**

Notwithstanding any other provision of this subchapter, the Federal share of the cost of an activity carried out using amounts from grants made under this section shall not exceed 75 percent.

(Pub. L. 93-288, title VI, § 614, as added Pub. L. 103-337, div. C, title XXXIV, § 3411(a)(3), Oct. 5, 1994, 108 Stat. 3107; amended Pub. L. 110-53, title II, § 202, Aug. 3, 2007, 121 Stat. 295.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 2288 of Title 50, Appendix, War and National Defense, prior to repeal by Pub. L. 103-337, § 3412(a).

AMENDMENTS

2007—Pub. L. 110-53 amended section generally. Prior to amendment, text read as follows: “Notwithstanding any other provision of this subchapter, funds appropriated to carry out this subchapter may not be used for the purpose of constructing emergency operating centers (or similar facilities) in any State unless such State matches in an equal amount the amount made available to such State under this subchapter for such purpose.”

NON-FEDERAL COST SHARE

Pub. L. 108-7, div. K, title IV, § 419, Feb. 20, 2003, 117 Stat. 526, provided that: “Notwithstanding 42 U.S.C. 5196c, amounts provided in Public Law 107-117 [see Tables for classification] and subsequent appropriations Acts for the construction of emergency operations centers (or similar facilities) shall only require a 25 percent non-Federal cost share.”

**§ 5196d. Use of funds to prepare for and respond to hazards**

Funds made available to the States under this subchapter may be used by the States for the

<sup>2</sup> So in original. Two subsecs. (h) have been enacted.