

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

PRIOR PROVISIONS

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

§ 321a. Evacuation plans and exercises

(a) In general

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

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

(b) Plan development

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

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

(c) Assistance

(1) In general

The Administrator may establish any guidelines, standards, or requirements determined appropriate to administer this section and to ensure effective mass evacuation planning for State, local, and tribal areas.

(2) Requested assistance

The Administrator shall make assistance available upon request of a State, local, or

tribal government to assist hospitals, nursing homes, and other institutions that house individuals with special needs to establish, maintain, and exercise mass evacuation plans that are coordinated and integrated into the plans developed by that State, local, or tribal government under this section.

(d) Multipurpose funds

Nothing in this section may be construed to preclude a State, local, or tribal government from using grant funds in a manner that enhances preparedness for a natural or man-made disaster unrelated to an act of terrorism, if such use assists such government in building capabilities for terrorism preparedness.

(Pub. L. 107-296, title V, §512, as added Pub. L. 109-295, title VI, §611(13), Oct. 4, 2006, 120 Stat. 1407; amended Pub. L. 110-53, title I, §102(b), Aug. 3, 2007, 121 Stat. 293.)

AMENDMENTS

2007—Subsec. (b)(5)(A). Pub. L. 110-53 inserted “, including the elderly” after “needs”.

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.

§ 321b. Disability Coordinator

(a) In general

After consultation with organizations representing individuals with disabilities, the National Council on Disabilities, and the Interagency Coordinating Council on Preparedness and Individuals with Disabilities, established under Executive Order No. 13347, the Administrator shall appoint a Disability Coordinator. The Disability Coordinator shall report directly to the Administrator, in order to ensure that the needs of individuals with disabilities are being properly addressed in emergency preparedness and disaster relief.

(b) Responsibilities

The Disability Coordinator shall be responsible for—

- (1) providing guidance and coordination on matters related to individuals with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;
- (2) interacting with the staff of the Agency, the National Council on Disabilities, the Interagency Coordinating Council on Preparedness and Individuals with Disabilities established under Executive Order No. 13347, other agencies of the Federal Government, and State, local, and tribal government authorities regarding the needs of individuals with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;
- (3) consulting with organizations that represent the interests and rights of individuals with disabilities about the needs of individuals

with disabilities in emergency planning requirements and relief efforts in the event of a natural disaster, act of terrorism, or other man-made disaster;

(4) ensuring the coordination and dissemination of best practices and model evacuation plans for individuals with disabilities;

(5) ensuring the development of training materials and a curriculum for training of emergency response providers, State, local, and tribal government officials, and others on the needs of individuals with disabilities;

(6) promoting the accessibility of telephone hotlines and websites regarding emergency preparedness, evacuations, and disaster relief;

(7) working to ensure that video programming distributors, including broadcasters, cable operators, and satellite television services, make emergency information accessible to individuals with hearing and vision disabilities;

(8) ensuring the availability of accessible transportation options for individuals with disabilities in the event of an evacuation;

(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, decision makers, and other appropriate officials, can form the basis for incident management decisionmaking and steady-state activity.

(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, tribal, and territorial governments, the private sector, and international partners as appropriate, for events, threats, and incidents involving a natural disaster, act of terrorism, or other man-made disaster;

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

(3) enter into agreements with other Federal operations centers and other homeland security partners, as appropriate, to facilitate the sharing of information.

(c) State and local emergency responder representation

(1) Establishment of positions

The Secretary shall establish a position, on a rotating basis, for a representative of State and local emergency responders at the National Operations Center established under subsection (b) to ensure the effective sharing of information between the Federal Government and State and local emergency response services.

(2) 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; Pub. L. 114–328, div. A, title XIX, §1909, Dec. 23, 2016, 130 Stat. 2681.)

AMENDMENTS

2016—Subsec. (a). Pub. L. 114–328, §1909(1), substituted “emergency managers, decision makers, and other appropriate officials” for “emergency managers and decision makers” and inserted “and steady-state activity” before period at end.

Subsec. (b)(1). Pub. L. 114–328, §1909(2)(A), substituted “tribal, and territorial governments, the private sector, and international partners” for “and tribal governments” and “for events, threats, and incidents involving” for “in the event of” and struck out “and” at end.

Subsec. (b)(2). Pub. L. 114–328, §1909(2)(B), substituted “; and” for period at end.