

ing a description of any actions taken, improvements made, and remaining problems and a description of any additional funding needed to make necessary and appropriate improvements to the information technology systems of the Agency.

(Pub. L. 109-295, title VI, §640, Oct. 4, 2006, 120 Stat. 1423.)

#### **§ 728. Disclosure of certain information to law enforcement agencies**

In the event of circumstances requiring an evacuation, sheltering, or mass relocation, the Administrator may disclose information in any individual assistance database of the Agency in accordance with section 552a(b) of title 5 (commonly referred to as the “Privacy Act”) to any law enforcement agency of the Federal Government or a State, local, or tribal government in order to identify illegal conduct or address public safety or security issues, including compliance with sex offender notification laws.

(Pub. L. 109-295, title VI, §640a, Oct. 4, 2006, 120 Stat. 1424.)

### SUBCHAPTER II—COMPREHENSIVE PREPAREDNESS SYSTEM

#### PART A—NATIONAL PREPAREDNESS SYSTEM

#### **§ 741. Definitions**

In this part:

##### **(1) Capability**

The term “capability” means the ability to provide the means to accomplish one or more tasks under specific conditions and to specific performance standards. A capability may be achieved with any combination of properly planned, organized, equipped, trained, and exercised personnel that achieves the intended outcome.

##### **(2) Credentialed; credentialing**

The terms “credentialed” and “credentialing” have the meanings given those terms in section 311 of this title.

##### **(3) Hazard**

The term “hazard” has the meaning given that term under section 5195a(a)(1) of title 42.

##### **(4) Mission assignment**

The term “mission assignment” means a work order issued to a Federal agency by the Agency, directing completion by that agency of a specified task and setting forth funding, other managerial controls, and guidance.

##### **(5) National preparedness goal**

The term “national preparedness goal” means the national preparedness goal established under section 743 of this title.

##### **(6) National preparedness system**

The term “national preparedness system” means the national preparedness system established under section 744 of this title.

##### **(7) National training program**

The term “national training program” means the national training program established under section 748(a) of this title.

##### **(8) Operational readiness**

The term “operational readiness” means the capability of an organization, an asset, a system, or equipment to perform the missions or functions for which it is organized or designed.

##### **(9) Performance measure**

The term “performance measure” means a quantitative or qualitative characteristic used to gauge the results of an outcome compared to its intended purpose.

##### **(10) Performance metric**

The term “performance metric” means a particular value or characteristic used to measure the outcome that is generally expressed in terms of a baseline and a target.

##### **(11) Prevention**

The term “prevention” means any activity undertaken to avoid, prevent, or stop a threatened or actual act of terrorism.

##### **(12) Resources**

The term “resources” has the meaning given that term in section 311 of this title.

##### **(13) Type**

The term “type” means a classification of resources that refers to the capability of a resource.

##### **(14) Typed; typing**

The terms “typed” and “typing” have the meanings given those terms in section 311 of this title.

(Pub. L. 109-295, title VI, §641, Oct. 4, 2006, 120 Stat. 1424; Pub. L. 110-53, title IV, §401(b), Aug. 3, 2007, 121 Stat. 302.)

#### AMENDMENTS

2007—Pars. (2) to (14). Pub. L. 110-53 added pars. (2) and (12) to (14) and redesignated former pars. (2) to (10) as (3) to (11), respectively.

#### **§ 742. National preparedness**

In order to prepare the Nation for all hazards, including natural disasters, acts of terrorism, and other man-made disasters, the President, consistent with the declaration of policy under section 5195 of title 42 and title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.), as amended by this Act, shall develop a national preparedness goal and a national preparedness system.

(Pub. L. 109-295, title VI, §642, Oct. 4, 2006, 120 Stat. 1425.)

#### REFERENCES IN TEXT

The Homeland Security Act of 2002, referred to in text, is Pub. L. 107-296, Nov. 25, 2002, 116 Stat. 2135, as amended. Title V of the Act is classified generally to subchapter V (§311 et seq.) of chapter 1 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 101 of this title and Tables.

This Act, referred to in text, means title VI of Pub. L. 109-295, Oct. 4, 2006, 120 Stat. 1394, known as the Post-Katrina Emergency Management Reform Act of 2006. For complete classification of this Act to the Code, see Short Title and References in Pub. L. 109-295 notes set out under section 701 of this title and Tables.

**§ 743. National preparedness goal****(a) Establishment**

The President, acting through the Administrator, shall complete, revise, and update, as necessary, a national preparedness goal that defines the target level of preparedness to ensure the Nation's ability to prevent, respond to, recover from, and mitigate against natural disasters, acts of terrorism, and other man-made disasters.

**(b) National Incident Management System and National Response Plan**

The national preparedness goal, to the greatest extent practicable, shall be consistent with the National Incident Management System and the National Response Plan.

(Pub. L. 109-295, title VI, §643, Oct. 4, 2006, 120 Stat. 1425.)

**§ 744. Establishment of national preparedness system****(a) Establishment**

The President, acting through the Administrator, shall develop a national preparedness system to enable the Nation to meet the national preparedness goal.

**(b) Components**

The national preparedness system shall include the following components:

- (1) Target capabilities and preparedness priorities.
- (2) Equipment and training standards.
- (3) Training and exercises.
- (4) Comprehensive assessment system.
- (5) Remedial action management program.
- (6) Federal response capability inventory.
- (7) Reporting requirements.
- (8) Federal preparedness.

**(c) National planning scenarios**

The national preparedness system may include national planning scenarios.

(Pub. L. 109-295, title VI, §644, Oct. 4, 2006, 120 Stat. 1425.)

**§ 745. National planning scenarios****(a) In general**

The Administrator, in coordination with the heads of appropriate Federal agencies and the National Advisory Council, may develop planning scenarios to reflect the relative risk requirements presented by all hazards, including natural disasters, acts of terrorism, and other man-made disasters, in order to provide the foundation for the flexible and adaptive development of target capabilities and the identification of target capability levels to meet the national preparedness goal.

**(b) Development**

In developing, revising, and replacing national planning scenarios, the Administrator shall ensure that the scenarios—

- (1) reflect the relative risk of all hazards and illustrate the potential scope, magnitude, and complexity of a broad range of representative hazards; and

- (2) provide the minimum number of representative scenarios necessary to identify and define the tasks and target capabilities required to respond to all hazards.

(Pub. L. 109-295, title VI, §645, Oct. 4, 2006, 120 Stat. 1425.)

**§ 746. Target capabilities and preparedness priorities****(a) Establishment of guidelines on target capabilities**

Not later than 180 days after October 4, 2006, the Administrator, in coordination with the heads of appropriate Federal agencies, the National Council on Disability, and the National Advisory Council, shall complete, revise, and update, as necessary, guidelines to define risk-based target capabilities for Federal, State, local, and tribal government preparedness that will enable the Nation to prevent, respond to, recover from, and mitigate against all hazards, including natural disasters, acts of terrorism, and other man-made disasters.

**(b) Distribution of guidelines**

The Administrator shall ensure that the guidelines are provided promptly to the appropriate committees of Congress and the States.

**(c) Objectives**

The Administrator shall ensure that the guidelines are specific, flexible, and measurable.

**(d) Terrorism risk assessment**

With respect to analyzing and assessing the risk of acts of terrorism, the Administrator shall consider—

- (1) the variables of threat, vulnerability, and consequences related to population (including transient commuting and tourist populations), areas of high population density, critical infrastructure, coastline, and international borders; and
- (2) the most current risk assessment available from the Chief Intelligence Officer of the Department of the threats of terrorism against the United States.

**(e) Preparedness priorities**

In establishing the guidelines under subsection (a), the Administrator shall establish preparedness priorities that appropriately balance the risk of all hazards, including natural disasters, acts of terrorism, and other man-made disasters, with the resources required to prevent, respond to, recover from, and mitigate against the hazards.

**(f) Mutual aid agreements**

The Administrator may provide support for the development of mutual aid agreements within States.

(Pub. L. 109-295, title VI, §646, Oct. 4, 2006, 120 Stat. 1426.)

**§ 747. Equipment and training standards****(a) Equipment standards****(1) In general**

The Administrator, in coordination with the heads of appropriate Federal agencies and the