

“(3) Sections 505, 507, 508, and 514 of the Homeland Security Act of 2002 [sections 315, 317, 318, and 321c of this title], as amended by section 611(13) of this Act.

“(4) The amendments made by subsection (a) [sic].

“(5) The amendments made by subsection (b)(1) [sic].”

SHORT TITLE OF 2020 AMENDMENT

Pub. L. 116-272, §1, Dec. 31, 2020, 134 Stat. 3349, provided that: “This Act [amending section 791 of this title and enacting provisions set out as notes under section 791 of this title] may be cited as the ‘Federal Advance Contracts Enhancement Act’ or the ‘FACE Act’.”

SHORT TITLE OF 2019 AMENDMENT

Pub. L. 116-64, §1, Oct. 9, 2019, 133 Stat. 1122, provided that: “This Act [amending section 748 of this title] may be cited as the ‘Terrorist and Foreign Fighter Travel Exercise Act of 2019’.”

SHORT TITLE

Pub. L. 109-295, title VI, §601, Oct. 4, 2006, 120 Stat. 1394, provided that: “This title [see Tables for classification] may be cited as the ‘Post-Katrina Emergency Management Reform Act of 2006’.”

CLARIFICATION OF CONGRESSIONAL INTENT

Pub. L. 110-53, title XXII, §2202, Aug. 3, 2007, 121 Stat. 541, provided that: “The Federal departments and agencies (including independent agencies) identified under the provisions of this title [enacting provisions set out as notes under section 194 of this title and section 247d-3a of Title 42, The Public Health and Welfare, and amending provisions set out as a note under section 309 of Title 47, Telecommunications] and title III of this Act [enacting sections 579 and 580 of this title and amending sections 194 and 572 of this title] and title VI of Public Law 109-295 [see Short Title note set out above] shall carry out their respective duties and responsibilities in a manner that does not impede the implementation of requirements specified under this title and title III of this Act and title VI of Public Law 109-295. Notwithstanding the obligations under section 1806 of Public Law 109-295 [probably means Pub. L. 107-296; 6 U.S.C. 576], the provisions of this title and title III of this Act and title VI of Public Law 109-295 shall not preclude or obstruct any such department or agency from exercising its other authorities related to emergency communications matters.”

NATIONAL WEATHER SERVICE

Pub. L. 109-295, title VI, §613, Oct. 4, 2006, 120 Stat. 1411, provided that: “Nothing in this title [see Tables for classification] shall alter or otherwise affect the authorities and activities of the National Weather Service to protect life and property, including under the Act of October 1, 1890 (26 Stat. 653-55) [15 U.S.C. 312 et seq.]”

REFERENCES IN PUB. L. 109-295

Pub. L. 109-295, title VI, §699A, Oct. 4, 2006, 120 Stat. 1463, provided that: “Except as expressly provided otherwise, any reference to ‘this Act’ contained in this title [see Tables for classification] shall be treated as referring only to the provisions of this title.”

SUBCHAPTER I—PERSONNEL PROVISIONS

PART A—FEDERAL EMERGENCY MANAGEMENT AGENCY PERSONNEL

§ 711. Surge Capacity Force

(a) Establishment

(1) In general

Not later than 6 months after October 4, 2006, the Administrator shall prepare and sub-

mit to the appropriate committees of Congress a plan to establish and implement a Surge Capacity Force for deployment of individuals to respond to natural disasters, acts of terrorism, and other man-made disasters, including catastrophic incidents.

(2) Authority

(A) In general

Except as provided in subparagraph (B), the plan shall provide for individuals in the Surge Capacity Force to be trained and deployed under the authorities set forth in the Robert T. Stafford Disaster Relief and Emergency Assistance Act [42 U.S.C. 5121 et seq.].

(B) Exception

If the Administrator determines that the existing authorities are inadequate for the training and deployment of individuals in the Surge Capacity Force, the Administrator shall report to Congress as to the additional statutory authorities that the Administrator determines necessary.

(b) Employees designated to serve

The plan shall include procedures under which the Secretary shall designate employees of the Department who are not employees of the Agency and shall, in conjunction with the heads of other Executive agencies, designate employees of those other Executive agencies, as appropriate, to serve on the Surge Capacity Force.

(c) Capabilities

The plan shall ensure that the Surge Capacity Force—

(1) includes a sufficient number of individuals credentialed in accordance with section 320 of this title that are capable of deploying rapidly and efficiently after activation to prepare for, respond to, and recover from natural disasters, acts of terrorism, and other man-made disasters, including catastrophic incidents; and

(2) includes a sufficient number of full-time, highly trained individuals credentialed in accordance with section 320 of this title to lead and manage the Surge Capacity Force.

(d) Training

The plan shall ensure that the Administrator provides appropriate and continuous training to members of the Surge Capacity Force to ensure such personnel are adequately trained on the Agency’s programs and policies for natural disasters, acts of terrorism, and other man-made disasters.

(e) No impact on agency personnel ceiling

Surge Capacity Force members shall not be counted against any personnel ceiling applicable to the Federal Emergency Management Agency.

(f) Expenses

The Administrator may provide members of the Surge Capacity Force with travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5 for the purpose of participating in any training that relates to service as a member of the Surge Capacity Force.

(g) Immediate implementation of Surge Capacity Force involving Federal employees

As soon as practicable after October 4, 2006, the Administrator shall develop and implement—

- (1) the procedures under subsection (b); and
- (2) other elements of the plan needed to establish the portion of the Surge Capacity Force consisting of individuals designated under those procedures.

(Pub. L. 109–295, title VI, §624, Oct. 4, 2006, 120 Stat. 1419.)

Editorial Notes

REFERENCES IN TEXT

The Robert T. Stafford Disaster Relief and Emergency Assistance Act, referred to in subsec. (a)(2)(A), is Pub. L. 93–288, May 22, 1974, 88 Stat. 143, as amended, which is classified principally to chapter 68 (§5121 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 5121 of Title 42 and Tables.

PART B—EMERGENCY MANAGEMENT
CAPABILITIES

§ 721. Evacuation preparedness technical assistance

The Administrator, in coordination with the heads of other appropriate Federal agencies, shall provide evacuation preparedness technical assistance to State, local, and tribal governments, including the preparation of hurricane evacuation studies and technical assistance in developing evacuation plans, assessing storm surge estimates, evacuation zones, evacuation clearance times, transportation capacity, and shelter capacity.

(Pub. L. 109–295, title VI, §632, Oct. 4, 2006, 120 Stat. 1421.)

Statutory Notes and Related Subsidiaries

GUIDANCE ON EVACUATION ROUTES

Pub. L. 115–254, div. D, §1209, Oct. 5, 2018, 132 Stat. 3441, provided that:

“(a) IN GENERAL.—

“(1) IDENTIFICATION.—The Administrator [of the Federal Emergency Management Agency], in coordination with the Administrator of the Federal Highway Administration, shall develop and issue guidance for State, local, and Indian tribal governments regarding the identification of evacuation routes.

“(2) GUIDANCE.—The Administrator of the Federal Highway Administration, in coordination with the Administrator, shall revise existing guidance or issue new guidance as appropriate for State, local, and Indian tribal governments regarding the design, construction, maintenance, and repair of evacuation routes.

“(b) CONSIDERATIONS.—

“(1) IDENTIFICATION.—In developing the guidance under subsection (a)(1), the Administrator shall consider—

“(A) whether evacuation routes have resisted impacts and recovered quickly from disasters, regardless of cause;

“(B) the need to evacuate special needs populations, including—

“(i) individuals with a physical or mental disability;

“(ii) individuals in schools, daycare centers, mobile home parks, prisons, nursing homes and

other long-term care facilities, and detention centers;

“(iii) individuals with limited-English proficiency;

“(iv) the elderly; and

“(v) individuals who are tourists, seasonal workers, or homeless;

“(C) the sharing of information and other public communications with evacuees during evacuations;

“(D) the sheltering of evacuees, including the care, protection, and sheltering of animals;

“(E) the return of evacuees to their homes; and

“(F) such other items the Administrator considers appropriate.

“(2) DESIGN, CONSTRUCTION, MAINTENANCE, AND REPAIR.—In revising or issuing guidance under subsection (a)(2), the Administrator of the Federal Highway Administration shall consider—

“(A) methods that assist evacuation routes to—

“(i) withstand likely risks to viability, including flammability and hydrostatic forces;

“(ii) improve durability, strength (including the ability to withstand tensile stresses and compressive stresses), and sustainability; and

“(iii) provide for long-term cost savings;

“(B) the ability of evacuation routes to effectively manage contraflow operations;

“(C) for evacuation routes on public lands, the viewpoints of the applicable Federal land management agency regarding emergency operations, sustainability, and resource protection; and

“(D) such other items the Administrator of the Federal Highway Administration considers appropriate.

“(c) STUDY.—The Administrator, in coordination with the Administrator of the Federal Highway Administration and State, local, territorial, and Indian tribal governments, may—

“(1) conduct a study of the adequacy of available evacuation routes to accommodate the flow of evacuees; and

“(2) submit recommendations on how to help with anticipated evacuation route flow, based on the study conducted under paragraph (1), to—

“(A) the Federal Highway Administration;

“(B) the [Federal Emergency Management] Agency;

“(C) State, local, territorial, and Indian tribal governments; and

“(D) Congress.”

[For definition of “State”, as used in section 1209 of Pub. L. 115–254, set out above, see section 1203 of Pub. L. 115–254, set out as a note under section 5122 of Title 42, The Public Health and Welfare.]

§ 722. Urban Search and Rescue Response System

(a) In general

There is in the Agency a system known as the Urban Search and Rescue Response System.

(b) Authorization of appropriations

There is authorized to be appropriated to carry out the system for fiscal year 2008, an amount equal to the amount appropriated for the system for fiscal year 2007 and an additional \$20,000,000.

(Pub. L. 109–295, title VI, §634, Oct. 4, 2006, 120 Stat. 1421.)

§ 723. Metropolitan Medical Response Grant Program

(a) In general

There is a Metropolitan Medical Response Program.

(b) Purposes

The program shall include each purpose of the program as it existed on June 1, 2006.