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Calendar No. 223

111TH CONGRESS *1st Session*	SENATE	REPORT 111–103

EMERGENCY MANAGEMENT ASSISTANCE COMPACT GRANT REAUTHORIZATION ACT OF 2009

R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS UNITED STATES SENATE

TO ACCOMPANY

S. 1288

TO AUTHORIZE APPROPRIATIONS FOR GRANTS TO THE STATES PARTICIPATING IN THE EMERGENCY MANAGEMENT ASSISTANCE COMPACT, AND FOR OTHER PURPOSES

DECEMBER 9, 2009.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

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DECEMBER 9, 2009.—Ordered to be printed

Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, submitted the following

R E P O R T

[To accompany S. 1288]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (S. 1288) to authorize appropriations for grants to the States participating in the Emergency Management Assistance Compact, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill do pass.

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I. PURPOSE AND SUMMARY

The bill authorizes additional appropriations to the Federal Emergency Management Agency (FEMA) to make grants to administer the Emergency Management Assistance Compact (EMAC), a mutual aid agreement that enables states to better share disaster response and recovery resources.

II. BACKGROUND AND NEED FOR THE LEGISLATION

The EMAC, an interstate mutual aid agreement approved by Congress in 1996, facilitates the sharing of personnel and other re-

sources among member states during or after disasters.[1] The use of the EMAC for resource sharing has grown substantially since its creation. After the September 11, 2001 terrorist attacks, for example, New York requested just 26 support staff under the EMAC. In 2005, in contrast, the EMAC oversaw the deployment of approximately 66,000 personnel to respond to that year's Gulf Coast hurricanes.[2]

The EMAC proved itself an especially valuable tool during the response to Hurricane Katrina, when it brought critical resources from throughout the country to the Gulf Coast. Nonetheless, as found in the Senate Homeland Security and Governmental Affairs Committee's report, Hurricane Katrina: A Nation Still Unprepared, the magnitude of the demand of responding to Hurricane Katrina strained the EMAC process and exposed limitations in the system.[3] To help overcome these limitations and to provide necessary support for this valuable tool, Congress, as part of the Post-Katrina Emergency Management Reform Act of 2006,[4] authorized FEMA to make up to $4 million in grants in fiscal year 2008 to support EMAC administration.

The Committee believes that since Hurricane Katrina, the EMAC has continued to provide extraordinary assistance in responding to and recovering from disasters. Therefore, the Committee believes it is important to reauthorize the FEMA Administrator to provide up to $4 million in grants each year to support the EMAC's administration in order to facilitate the effective sharing of state and local resources during disaster response and recovery.

III. Legislative History

S. 1288 was introduced by Senator Pryor and the bill's co-sponsors, Senators Landrieu, Burris and Collins, on June 18, 2009, and was referred to the Committee on Homeland Security and Governmental Affairs.

On July 29, 2009, the Committee considered S. 1288 and adopted an amendment in the nature of a substitute offered by Senators Pryor, Lieberman, Collins, Landrieu, and Burris. The substitute amendment modifies S. 1288 by eliminating the bill's findings and its section specifying additional uses for the grants. The substitute amendment also extends the program's authorization from fiscal year 2008 to each of the fiscal years 2010 through 2012. The Committee adopted the substitute amendment by a voice vote and then ordered the bill, as amended, favorably reported to the full Senate, also by a voice vote. The members present for both votes were: Chairman Lieberman; Senators Akaka, Carper, Pryor, Landrieu, McCaskill and Burris; Ranking Member Collins; and Senators Coburn and Voinovich.

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[1] Public Law 104–321, 100 Stat. 3877.

[2] Emergency Management Assistance Compact, Enhancing EMAC's Collaborative and Administrative Capacity Should Improve National Disaster Response, GAO–07–854, June 2007, p. 3.

[3] Hurricane Katrina: A Nation Still Unprepared, p. 10, S. Rept. 109–322 (2006).

[4] Section 661 of P.L. 109–295.

IV. Section by Section Analysis

Section 1. Short title

This section of the bill states that the short title of the Act is the "Emergency Management Assistance Compact Grant Reauthorization Act of 2009."

Section 2. Emergency Management Assistance Compact grants

Section 2 extends the authorization of the FEMA Administrator to make grants to administer the Emergency Management Assistance Compact from fiscal year 2008 to each of the fiscal years 2010 through 2012. Although the bill's official title suggests the bill authorizes grants to states, the bill actually authorizes grants to the entity or entities that administer the EMAC, and not directly to the states.

V. Evaluation of Regulatory Impact

Pursuant to the requirement of paragraph 11(b)(1) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill. CBO states that the bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

VI. Estimated Cost of Legislation

August 7, 2009.

Hon. Joseph I. Lieberman,
Chairman, Committee on Homeland Security and Governmental Affairs, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1288, the Emergency Management Assistance Compact Grant Reauthorization Act of 2009.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Daniel Hoople.

Sincerely,

Douglas W. Elmendorf.

Enclosure.

S. 1288—Emergency Management Assistance Compact Grant Reauthorization Act of 2009

Summary: S. 1288 would authorize the appropriation of $4 million a year over the 2010–2012 period for grants to administer and coordinate activities under the Emergency Management Assistance Compact (EMAC). This compact enables member states to provide assistance to each other during disasters and specifies the general structure for such assistance. Based on historical expenditure patterns and assuming appropriation of the specified amounts, CBO estimates that implementing this legislation would cost $12 million over the next five years. Enacting S. 1288 would not affect direct spending or revenues.

S. 1288 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of S. 1288 is shown in the following table. The costs of this legislation fall within budget function 450 (community and regional development).

	By fiscal year, in millions of dollars—					
	2010	2011	2012	2013	2014	2010–2014
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Authorization Level	4	4	4	0	0	12
Estimated Outlays	3	4	4	1	0	12

Basis of estimate: EMAC was ratified by the Congress in 1996 (Public Law 104–321) as an interstate mutual-aid agreement that enables member states to share resources during a declared disaster. Each of the 50 states, the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands are currently EMAC members and may provide or receive assistance through the compact. Any state or territory receiving assistance under EMAC may still request additional resources from the federal government. In addition to providing a means of sharing resources during a disaster, the compact allows for interstate coordination of emergency-related exercises and training.

S. 1288 would authorize appropriations totalling $12 million over the 2010–2012 period for grants to help administer and coordinate activities under EMAC. EMAC is currently administered by the National Emergency Management Association, a private association representing state emergency management directors. Based on historical expenditure patterns, CBO estimates that providing those grants would cost $12 million over the 2010–2014 period, assuming appropriation of the specified amounts.

Intergovernmental and private-sector impact: S. 1288 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. State governments benefit from the EMAC program, and any costs those governments incur to participate in the program would result from conditions of federal assistance.

Estimate prepared by: Federal Costs: Daniel Hoople; Impact on State, Local, and Tribal Governments: Melissa Merrell; Impact on the Private Sector: Paige Piper/Bach.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

VII. Changes in Existing Law Made by the Bill, as Reported

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the following changes in existing law made by the bill, as reported, are shown as follows: (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SEC. 661. EMERGENCY MANAGEMENT ASSISTANT COMPACT GRANTS.

(a) * * *

(b) * * *

(c) * * *

(d) AUTHORIZATION.—There is authorized to be appropriated to carry out this section $4,000,000 for [fiscal year 2008] *each of fiscal years 2010 through 2012*. Such sums shall remain available until expended.

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