

cies (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, Telegraphs, Telephones, and Radiotelegraphs] 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 submit 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.)

#### 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.)

**§ 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.

**(c) Authorization of appropriations**

There is authorized to be appropriated to carry out the program for fiscal year 2008, an amount equal to the amount appropriated for the program for fiscal year 2007 and an additional \$30,000,000.

(Pub. L. 109–295, title VI, § 635, Oct. 4, 2006, 120 Stat. 1421.)

**§ 724. Logistics**

The Administrator shall develop an efficient, transparent, and flexible logistics system for procurement and delivery of goods and services necessary for an effective and timely response to natural disasters, acts of terrorism, and other man-made disasters and for real-time visibility of items at each point throughout the logistics system.

(Pub. L. 109–295, title VI, § 636, Oct. 4, 2006, 120 Stat. 1422.)

**§ 725. Prepositioned equipment program**

**(a) In general**

The Administrator shall establish a prepositioned equipment program to preposition standardized emergency equipment in at least 11 locations to sustain and replenish critical assets used by State, local, and tribal governments in response to (or rendered inoperable by the effects of) natural disasters, acts of terrorism, and other man-made disasters.

**(b) Notice**

The Administrator shall notify State, local, and tribal officials in an area in which a loca-

tion for the prepositioned equipment program will be closed not later than 60 days before the date of such closure.

(Pub. L. 109–295, title VI, § 637, Oct. 4, 2006, 120 Stat. 1422.)

**§ 726. Basic life supporting first aid and education**

The Administrator shall enter into agreements with organizations to provide funds to emergency response providers to provide education and training in life supporting first aid to children.

(Pub. L. 109–295, title VI, § 639, Oct. 4, 2006, 120 Stat. 1423.)

**§ 727. Improvements to information technology systems**

**(a) Measures to improve information technology systems**

The Administrator, in coordination with the Chief Information Officer of the Department, shall take appropriate measures to update and improve the information technology systems of the Agency, including measures to—

(1) ensure that the multiple information technology systems of the Agency (including the National Emergency Management Information System, the Logistics Information Management System III, and the Automated Deployment Database) are, to the extent practicable, fully compatible and can share and access information, as appropriate, from each other;

(2) ensure technology enhancements reach the headquarters and regional offices of the Agency in a timely fashion, to allow seamless integration;

(3) develop and maintain a testing environment that ensures that all system components are properly and thoroughly tested before their release;

(4) ensure that the information technology systems of the Agency have the capacity to track disaster response personnel, mission assignments task orders, commodities, and supplies used in response to a natural disaster, act of terrorism, or other man-made disaster;

(5) make appropriate improvements to the National Emergency Management Information System to address shortcomings in such system on October 4, 2006; and

(6) provide training, manuals, and guidance on information technology systems to personnel, including disaster response personnel, to help ensure employees can properly use information technology systems.

**(b) Report**

Not later than 270 days after October 4, 2006, the Administrator shall submit to the appropriate committees of Congress a report describing the implementation of this section, including 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.