AMENDMENTS

2007—Subsec. (b)(2)(A)(iv) to (vi). Pub. L. 110–53, § 402, added cls. (iv) to (vi) and struck out former cls. (iv) and (v) which read as follows:

''(iv) designed to provide for systematic evaluation of readiness; and

''(v) designed to address the unique requirements of populations with special needs; and''.

Subsec. (b)(2)(B). Pub. L. 110–53, § 403, in introductory provisions, substituted ''shall include a selection of model exercises that State, local, and tribal governments can readily adapt for use and provide assistance to State, local, and tribal governments with the design, implementation, and evaluation of exercises (whether a model exercise program or an exercise designed locally)'' for ''shall provide assistance to State, local, and tribal governments with the design, implementation, and evaluation of exercises''.

§ 749. Comprehensive assessment system

(a) Establishment

The Administrator, in coordination with the National Council on Disability and the National Advisory Council, shall establish a comprehensive system to assess, on an ongoing basis, the Nation's prevention capabilities and overall preparedness, including operational readiness.

(b) Performance metrics and measures

The Administrator shall ensure that each component of the national preparedness system, National Incident Management System, National Response Plan, and other related plans and strategies, and the reports required under section 752 of this title is developed, revised, and updated with clear and quantifiable performance metrics, measures, and outcomes.

(c) Contents

The assessment system established under subsection (a) shall assess—

(1) compliance with the national preparedness system, National Incident Management System, National Response Plan, and other related plans and strategies;

(2) capability levels at the time of assessment against target capability levels defined pursuant to the guidelines established under section 746(a) of this title;

(3) resource needs to meet the desired target capability levels defined pursuant to the guidelines established under section 746(a) of this title; and

(4) performance of training, exercises, and operations.

(Pub. L. 109–295, title VI, § 649, Oct. 4, 2006, 120 Stat. 1428.)

§ 750. Remedial action management program

The Administrator, in coordination with the National Council on Disability and the National Advisory Council, shall establish a remedial action management program to—

(1) analyze training, exercises, and real-world events to identify and disseminate lessons learned and best practices;

(2) generate and disseminate, as appropriate, after action reports to participants in exercises and real-world events; and

(3) conduct remedial action tracking and long-term trend analysis.

(Pub. L. 109–295, title VI, § 650, Oct. 4, 2006, 120 Stat. 1428.)

§ 751. Federal response capability inventory

(a) In general

In accordance with section 5196(h)(1)(C) of title 42, the Administrator shall accelerate the completion of the inventory of Federal response capabilities.

(b) Contents

For each Federal agency with responsibilities under the National Response Plan, the inventory shall include—

(1) for each capability—

(A) the performance parameters of the capability;

(B) the timeframe within which the capability can be brought to bear on an incident; and

(C) the readiness of the capability to respond to all hazards, including natural disasters, acts of terrorism, and other man-made disasters;

(2) a list of personnel credentialed in accordance with section 320 of this title;

(3) a list of resources typed in accordance with section 320 of this title; and

(4) emergency communications assets maintained by the Federal Government and, if appropriate, State, local, and tribal governments and the private sector.

(c) Department of Defense

The Administrator, in coordination with the Secretary of Defense, shall develop a list of organizations and functions within the Department of Defense that may be used, pursuant to the authority provided under the National Response Plan and sections 5170a, 5170b, and 5192 of title 42, to provide support to civil authorities during natural disasters, acts of terrorism, and other man-made disasters.

(d) Database

The Administrator shall establish an inventory database to allow—

(1) real-time exchange of information regarding—

(A) capabilities;

(B) readiness;

(C) the compatibility of equipment;

(D) credentialed personnel; and

(E) typed resources;

(2) easy identification and rapid deployment of capabilities, credentialed personnel, and typed resources during an incident; and

(3) the sharing of the inventory described in subsection (a) with other Federal agencies, as appropriate.

(Pub. L. 109–295, title VI, § 651, Oct. 4, 2006, 120 Stat. 1429; Pub. L. 110–53, title IV, § 405, Aug. 3, 2007, 121 Stat. 303.)

AMENDMENTS

2007—Subsec. (b). Pub. L. 110–53, § 405(1)(A), substituted ''For each Federal agency with responsibilities under the National Response Plan, the inventory'' for ''The inventory'' in introductory provisions.

Subsec. (b)(2) to (4). Pub. L. 110–53, § 405(1)(B)–(D), added pars. (2) and (3) and redesignated former par. (2) as (4).

Subsec. (d)(1). Pub. L. 110–53, § 405(2)(A), substituted ''regarding—'' for ''regarding capabilities, readiness, or

the compatibility of equipment;'' in introductory provisions and added subpars. (A) to (E).

Subsec. (d)(2). Pub. L. 110–53, § 405(2)(B), inserted ''of capabilities, credentialed personnel, and typed resources'' after ''rapid deployment''.

Subsec. (d)(3). Pub. L. 110–53, § 405(2)(C), substituted ''the inventory described in subsection (a)'' for ''inventories''.

§ 752. Reporting requirements

(a) Federal preparedness report

(1) In general

Not later than 12 months after October 4, 2006, and annually thereafter, the Administrator, in coordination with the heads of appropriate Federal agencies, shall submit to the appropriate committees of Congress a report on the Nation's level of preparedness for all hazards, including natural disasters, acts of terrorism, and other man-made disasters.

(2) Contents

Each report shall include—

(A) an assessment of how Federal assistance supports the national preparedness system;

(B) the results of the comprehensive assessment carried out under section 749 of this title;

(C) a review of the inventory described in section 751 of this title, including the number and type of credentialed personnel in each category of personnel trained and ready to respond to a natural disaster, act of terrorism, or other man-made disaster;

(D) an assessment of resource needs to meet preparedness priorities established under section 746(e) of this title, including—

(i) an estimate of the amount of Federal, State, local, and tribal expenditures required to attain the preparedness priorities; and

(ii) the extent to which the use of Federal assistance during the preceding fiscal year achieved the preparedness priorities;

(E) an evaluation of the extent to which grants administered by the Department, including grants under title XX of the Homeland Security Act of 2002 [6 U.S.C. 601 et seq.]—

(i) have contributed to the progress of State, local, and tribal governments in achieving target capabilities; and

(ii) have led to the reduction of risk from natural disasters, acts of terrorism, or other man-made disasters nationally and in State, local, and tribal jurisdictions; and

(F) a discussion of whether the list of credentialed personnel of the Agency described in section 751(b)(2) of this title—

(i) complies with the strategic human capital plan developed under section 10102 of title 5; and

(ii) is sufficient to respond to a natural disaster, act of terrorism, or other man-made disaster, including a catastrophic incident.

(b) Catastrophic resource report

(1) In general

The Administrator shall develop and submit to the appropriate committees of Congress annually an estimate of the resources of the Agency and other Federal agencies needed for and devoted specifically to developing the capabilities of Federal, State, local, and tribal governments necessary to respond to a catastrophic incident.

(2) Contents

Each estimate under paragraph (1) shall include the resources both necessary for and devoted to—

(A) planning;

(B) training and exercises;

(C) Regional Office enhancements;

(D) staffing, including for surge capacity during a catastrophic incident;

(E) additional logistics capabilities;

(F) other responsibilities under the catastrophic incident annex and the catastrophic incident supplement of the National Response Plan;

(G) State, local, and tribal government catastrophic incident preparedness; and

(H) covering increases in the fixed costs or expenses of the Agency, including rent or property acquisition costs or expenses, taxes, contributions to the working capital fund of the Department, and security costs for the year after the year in which such estimate is submitted.

(c) State preparedness report

(1) In general

Not later than 15 months after October 4, 2006, and annually thereafter, a State receiving Federal preparedness assistance administered by the Department shall submit a report to the Administrator on the State's level of preparedness.

(2) Contents

Each report shall include—

(A) an assessment of State compliance with the national preparedness system, National Incident Management System, National Response Plan, and other related plans and strategies;

(B) an assessment of current capability levels and a description of target capability levels; and

(C) a discussion of the extent to which target capabilities identified in the applicable State homeland security plan and other applicable plans remain unmet and an assessment of resources needed to meet the preparedness priorities established under section 746(e) of this title, including—

(i) an estimate of the amount of expenditures required to attain the preparedness priorities; and

(ii) the extent to which the use of Federal assistance during the preceding fiscal year achieved the preparedness priorities.

(Pub. L. 109–295, title VI, § 652, Oct. 4, 2006, 120 Stat. 1429; Pub. L. 110–53, title I, § 103, title IV, § 406, Aug. 3, 2007, 121 Stat. 293, 304.)

REFERENCES IN TEXT

The Homeland Security Act of 2002, referred to in subsec. (a)(2)(E), is Pub. L. 107–296, Nov. 25, 2002, 116 Stat. 2135. Title XX of the Act is classified generally to subchapter XV (§ 601 et seq.) of chapter 1 of this title.