



To: IAEM Members
From: Martha Braddock
IAEM Policy Advisor
Subject: **Highlights of S. 3595, introduced by Chairman Collins and Ranking Member Lieberman**
Date: June 29, 2006

Chairman Collins and Ranking Member Lieberman of the Senate Committee on Homeland Security introduced S. 3595, a Bill to amend the Homeland Security Act of 2002 to establish the United States Emergency Management Authority on June 28.

The Committee will be introducing the "recovery" section which will include Stafford Act amendments at a later day.

A copy of the bill as introduced is attached.

Since the bill is 43 pages long, I have written a fast section by section summary below. I have listed the section numbers and the page numbers so that you can turn to the bill to review the sections of particular interest to you. (Note: the page numbers are changed from the e-mail sent earlier now that the version of the bill printed by the Government Printing Office is available.)

Summary of a few highlights: Leaves FEMA in DHS. Puts Programs of FEMA and Preparedness back together. Tries to protect the new "United States Emergency Management Authority" in the same way as the Coast Guard or Secret Service.

A fast section by section of highlights follows:

S. 3595

Sec. 1. Short title: United States Emergency Management Authority Act of 2006.

Sec. 2. United States Emergency Management Authority

Amends Title V of the Homeland Security Act of 2002 by striking some sections and adding the new Title V.

Title V—National Preparedness and Response

Section 501. Definitions. (pp. 2-5)

- Defines all hazards plus, authority, Administrator, Federal Coordinating Officer, National Advisory Council, National Incident Management System, National Response Plan, Nuclear Incident Response Team, Regional Advisory Council, Regional Administrator, Regional Office, surge capacity.

Sec. 502. United States Emergency Management Authority (pp. 5-9)

- Creates a new organization within DHS.
- New organization called "United States Emergency Management Authority" (USEMA).
- Gives USEMA the status of Coast Guard and Secret Service.
- USEMA would have response, preparedness, recovery, mitigation and critical infrastructure assets.
- Under leadership of Secretary would coordinate with Coast Guard, Customs, ICE, and National Operations Center and other parts of DHS to take advantage of resources.
- Would implement an all hazards strategy for preparedness.
- Would carry out provisions of Stafford Act.
- Would develop and maintain "robust regional offices."

- Head would be "Administrator"--would be Executive Level II. (I is Cabinet level) Qualifications of Administrator "not less than 5 years of executive leadership and management experience in the public or private sector and a demonstrated ability to manage a substantial staff and budget"
- Reports to the Secretary of DHS and is "principal emergency preparedness and response advisor to the President, the Homeland Security Council, and the Secretary."In presenting advice shall inform on the range of emergency mitigation, preparedness, response, and recovery options. Administrator shall provide advice on a particular matter when President, Homeland Security Council or the Secretary requests such advice. After informing Secretary, may make recommendations to Congress. But nothing in this section "can be construed as affecting the authority of the Secretary."

Sec. 503 Authorities and Responsibilities (pp. 9-13)

- Administrator provides Federal leadership to prepare for and respond to a natural or man-made disaster.
- Carries out mission to reduce loss of life and property and to protect the Nation from all hazards by leading comprehensive risk-based preparedness and response program of mitigation, preparedness, response, recovery, critical infrastructure protection.
- Provides for Federal Government's response to a natural or man-made disaster (list of what includes pp. 11-13)
- Administers Homeland Security Emergency Management, First Responder and other preparedness grants
- Establishes a Regional Advisory Council on Emergency Preparedness and Response in each Regional Office.

Additional Responsibilities Related to Catastrophic Incidents (pp. 14-15)

- Shall develop, in consultation with Secretary and other senior Dept. officials. a national emergency management system capable of responding to catastrophic incidents.
- Shall submit to Congress annually estimate of resources of the Authority and other Federal agencies needed for and devoted to developing local, state and national capabilities necessary to respond to a catastrophic event.

Sec. 504. Authority Components (p. 15)

- FEMA
- Directorate of Preparedness

Sec. 505 Preserving the USEMA (p. 16)

- Secretary may not substantially or significantly reduce the authorities, responsibilities or functions of USEMA or the capability to perform those responsibilities except as otherwise specifically provided in legislation enacted after enactment of the United States Emergency Management Authority Act of 2006.
- Can not divert assets, functions or mission to the principal and continuing use of any other organization of Department (except for details or assignments that do not reduce the capability of USEMA to perform its missions)

Sec. 506. Directors (p. 16-18)

- Director for Preparedness
- Director for Response and Recovery
- Both appointed by President and with advice and consent of Senate; report to Administrator.
- Qualifications--not less than 5 years of executive leadership and management experience in public or private sector; significant experience in crisis management or another relevant field; a demonstrated ability to manage a substantial staff and budget.
- Individuals serving as Under Secretary for Emergency Preparedness and Director of FEMA may serve as Director of Preparedness and Director of Response and Recovery respectively until a Director of Preparedness and a Director of Response and Recovery, as the case may be, is appointed.

Sec. 507 Regional Offices (pp. 18-23)

- Administrator will establish 10 regional offices; In addition, may designate the Office of the National Capital Region Coordination as a Regional Office.
- Regional Office will be headed by a Regional Administrator for Preparedness and Response. They will be Senior Executive Service, appointed by the Secretary of DHS. Will be qualified to act as a senior Federal coordinating officer to provide strategic oversight of incident management when needed.
- Regional Administrator shall work in partnership with State and local governments, emergency managers, emergency response providers, medical providers, the private sector, nongovernmental organizations, multi-jurisdictional councils of government, and regional planning commissions and organizations in the geographic area.
- Details of Responsibilities--(See pp. 19-21)
- Will establish and oversee 1 or more multi-agency strike teams whose members will be primarily at the Regional office. . (pages 21-23).
- Will establish an area office in Pacific and in the Caribbean, as components of the appropriate Regional office.

Sec. 508 National Advisory Council on Emergency Preparedness and Response (pp. 23-25)

- Establish in 60 days. Members appointed by Administrator.
- To include to extent practicable geographic and substantive cross section of State and local government officials and emergency managers, and emergency response providers, from State and local governments, the private sector and nongovernmental organizations. (further details are listed)

Sec. 509 National Incident Management System Integration Center (pp. 25-27)

- Is included in USEMA
- Responsibility for NIMS and the NRP and any other document or tool in support of HSPD 5, or any other Homeland Security Presidential Directive relating to incident management and response.

Sec. 510 National Operations Center (pp. 27-28)

- Established in the Department to coordinate the national response to any natural or man-made disaster as determined by the Secretary and provide situational awareness and a common operating picture for Fed. Government and state and local governments as appropriate.

Chief Medical Officer (p. 28-32)

- Authorizes this position and lists qualification and responsibilities. Advice and consent of Senate required. Responsibilities include managing the Metropolitan Medical Response System.
- Reports to Administrator.
- Responsibilities include establishing doctrine and priorities for the National Disaster Medical System and the Metropolitan Medical Response System.

Sec. 512 Public and Community Preparedness (p. 32)

- Consists of one sentence as follows: "The Administrator shall promote public and community preparedness."

Sec. 513. Saver Program (pp. 32-34)

- Establishes a System Assessment and Validation for Emergency Responders Program to provide impartial and practioner relevant evaluations of emergency response provider equipment and systems that have not already been third-party certified to a standard adopted by the Department.

Sec. 514 National Search and Rescue Response System (p. 34-35)

- Authorizes in USEMA the National Search and Rescue Response System.

Sec. 515 Metropolitan Medical Response System (p. 35-36)

- Authorizes in USEMA the MMRS and lists use of grants.

Sec. 516 Emergency Management Assistance Compact Authorization (pp.37-38)

- The Secretary, acting through the Administrator of USEMA may make grants for administering and improving the Emergency Management Assistance Compact consented to by the Joint Resolution "Joint Resolution granting the consent of Congress to the Emergency Management Assistance Compact" (Public Law 104-321)
- Lists uses of the grants--carry out recommendations identified in 2004 and 2005 after action reports; coordinate with DHS and other Federal Government agencies; coordinate with State and local government entities and their respective national associations; assist State and local governments with credentialing emergency response providers and the typing of emergency response resources; or administering the operations of the EMAC.
- Authorizes \$4 million a year for 2007-2010.

Sec. 517. Office for the Prevention of Terrorism (p. 38-40)

- Establishes in DHS an Office for the Prevention of Terrorism to be headed by a Director with background and experience in law enforcement, intelligence or other anti-terrorism functions
- Director reports directly to the Secretary of DHS.
- Liaisons and responsibilities are listed. Responsibilities include coordinating "with the Office of Grants and Training to ensure that homeland security grants to State and local government agencies are adequately focused on terrorism prevention activity."
- Establishes a pilot program to determine "the efficacy and feasibility of establishing law enforcement deployment teams."

Sec. 518. Department Officials. (pp. 40-41)

- Establishes in DHS an Assistant Secretary for Cybersecurity and Telecommunications
- Rank of Administrator of United States Fire Administration will have a rank equivalent to an assistant secretary of the Department.

(Note all of the Above Sections 501 to 518 are new sections of Title V of the Homeland Security Act.

Sec. 3 Authorization of Appropriations (p. 41)

- Authorizes such sums as may be necessary to carry out this Act and amendments.

Sec. 4 Technical and Conforming Amendments (pp. 41-43)

- Executive Schedule changes—makes Administrator a level II, and the "Directors" level III.
- Federal Insurance Administrator, FEMA Inspector General, and FEMA Chief Information Officer are struck.

Sec. 5. Effective Date (p. 43)

- Act and amendments made by the Act would take effect on January 1, 2007.