

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2775
OFFERED BY MR. OBERSTAR OF MINNESOTA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. EMERGENCY MANAGEMENT PERFORMANCE**
2 **GRANTS.**

3 Subtitle B of title VI of the Robert T. Stafford Dis-
4 aster Relief and Emergency Assistance Act (42 U.S.C.
5 5197 et seq.) is amended by adding at the end the fol-
6 lowing:

7 **“SEC. 630. EMERGENCY MANAGEMENT PERFORMANCE**
8 **GRANTS.**

9 “(a) IN GENERAL.—The Administrator of the Fed-
10 eral Emergency Management Agency shall continue imple-
11 mentation of an emergency management performance
12 grants program (in this section referred to as the ‘pro-
13 gram’) to carry out the provisions of this title and section
14 201.

15 “(b) FEDERAL SHARE.—Except as otherwise specifi-
16 cally provided by this Act, the Federal share of the cost
17 of an activity carried out using funds made available under
18 the program shall not exceed 50 percent.

1 “(c) APPORTIONMENT.—For fiscal year 2009, and
2 each fiscal year thereafter, the Administrator shall appor-
3 tion the amounts appropriated to carry out the program
4 among the States as follows:

5 “(1) BASELINE AMOUNT.—The Administrator
6 shall first apportion 0.25 percent of such amounts to
7 each of American Samoa, the Commonwealth of the
8 Northern Mariana Islands, Guam, and the Virgin Is-
9 lands and 0.75 of such amount to each of the re-
10 maining States.

11 “(2) REMAINDER.—The Administrator shall ap-
12 portion the remainder of such amounts in the ratio
13 that—

14 “(A) the population of each State; bears to

15 “(B) the population of all States.

16 “(d) MINIMUM APPORTIONMENT.—If the total
17 amount appropriated to carry out the program for a fiscal
18 year equals or exceeds \$200,000,000, no State shall re-
19 ceive an apportionment under subsection (c) for the fiscal
20 year that is less than the amount that the State received
21 in emergency management performance grants for fiscal
22 year 2007.

23 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
24 is authorized to be appropriated to carry out the program
25 \$450,000,000 for fiscal year 2009, \$500,000,000 for fis-

1 cal year 2010, and \$550,000,000 for fiscal year 2011.
2 Such sums shall remain available until expended.”.

3 **SEC. 2. CONSTRUCTION OF EMERGENCY OPERATIONS CEN-**
4 **TERS.**

5 Section 614 of the Robert T. Stafford Disaster Relief
6 and Emergency Assistance Act (42 U.S.C. 5196c) is
7 amended to read as follows:

8 **“SEC. 614. CONSTRUCTION OF EMERGENCY OPERATIONS**
9 **CENTERS.**

10 “(a) GRANTS.—The Administrator of the Federal
11 Emergency Management Agency may make grants to
12 States under this title for equipping, upgrading, and con-
13 structing State and local emergency operations centers.

14 “(b) FEDERAL SHARE.—Notwithstanding any other
15 provision of this title, the Federal share of the cost of an
16 activity carried out using amounts from grants made
17 under this section shall not exceed 75 percent.”.