



Memorandum to Emergency Managers

From: Martha Braddock
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Subject: Conference Report on HR 5441, (DHS Appropriations and FEMA Reform) - Posted on IAEM website
Date: September 30, 2006 (3:00 pm)

Status of HR 5441

The Conference Report on HR 5441 was approved by the House and Senate on September 29 and cleared to go to the President for signature. (House Report 109-699)

Thank You Contacts Needed

Many of you have contacted your Members of Congress and their staff members requesting their support for increasing the Emergency Management Performance Grant Funds in the DHS Appropriations **and** for strengthening FEMA. Both of these efforts have been extremely successful.

Please contact both the Washington and District/state offices of your Congressional Delegation and thank them for their assistance.

Conference Report

The Conference Report as printed in the *Congressional Record*. It is 65 pages and the print is small, but it can be enlarged on your computer. It is posted on the IAEM web site at <http://www.IAEM.com>.

Summary Guide to Locations in Conference Report

- Pages H7784 -H7795 The DHS Appropriations Bill Text for FY 2007
- Pages H 7813-H7848 the Joint Explanatory Statement of Managers—the report language section on the Appropriation bill.
- Pages H 7795-7813 Post Katrina Emergency Management Reform Act of 2006 (what we have referred to as the FEMA Reform Bill)

Highlights of DHS Appropriations for FY 2007

Preparedness and Recovery:

The bill language for DHS Appropriations for Preparedness and Recovery is located on pages H7788-H7789. The report language for this section is on pages H 7825-7831.

Under Secretary for Preparedness – A total of \$30,572,000 is recommended for the Under Secretary for Preparedness and \$46,849,000 for the U.S. Fire Administration.

Office of Grants and Training – A total of \$3,393,000,000 is recommended for first responder grants and assistance, including:

- \$525,000,000 for state and local assistance grants
- \$375,000,000 for law enforcement terrorism prevention grants;
- \$770,000,000 for Urban Area Security Initiative grants;
- \$210,000,000 for port security grants;
- \$12,000,000 for trucking industry security grants
- \$12,000,000 for intercity bus security grants
- \$175,000,000 for rail and transit security grants;
- \$50,000,000 for buffer zone protection plan grants;
- \$50,000,000 for the commercial equipment direct assistance program (technology transfer);
- \$145,000,000 for the National Domestic Preparedness Consortium;
- \$33,000,000 for Metropolitan Medical Response System;
- \$30,000,000 for demonstration training grants;
- \$31,000,000 for continuing training grants, includes full funding for graduate-level homeland security programs currently supported;
- \$662,000,000 for firefighter assistance grants, of which \$115,000,000 is for SAFER Act grants;
- \$15,000,000 for Citizen Corps;
- **\$200,000,000 for emergency management performance grants;**
- \$46,849,000 for the United States Fire Administration and Training

Federal Emergency Management Agency – A total of \$2,510,904,000 is recommended for emergency preparedness and response (EP&R) activities, including:

- \$244,000,000 for Readiness, Mitigation, Response and Recovery to fund all operating expenses for FEMA programs including \$25 million for the 28 strategically located Urban Search and Rescue (USAR) teams;
- \$282,000,000 for administrative and regional operations, including an additional \$30,000,000 for FEMA to hire up to 250 permanent disaster relief employees;
- \$100,000,000 for the National Pre-Disaster Mitigation Fund;
- \$198,980,000 Flood Map Modernization Fund;

- \$33,885,000 for the National Disaster Medical System and includes bill language transferring it to Department of Health and Human Services effective January 1, 2007
- \$25,000,000 for Urban Search and Rescue
- \$1,500,000,000 for Disaster Relief.
- \$151,470,000 for Emergency Food and Shelter

General Provisions Title V, bill text pages H7790-H 7795.report language H7831-H7834

- Sec. 528 requires monthly report on Disaster Relief Fund;
- Sec. 536 directs DHS to account for the needs of household pets and service animals in approving standards for state and local emergency preparedness operational plans under Stafford Act;
- Sec 541 continues a provision permitting Army Corp to use lots in Augusta Kansas for building portions of flood control levees;
- Sec. 542 permits City of Cuero Texas to use grant funds until Sept. 30, 2007;
- Sec. 557 amends Stafford Act to prohibit confiscation of Firearms during certain national emergencies.

Post-Katrina Emergency Management Reform Act of 2006

Bill language is located on pages H7795- H 7813 (There is no report language).

A summary of Highlights (quoted from Transportation and Infrastructure Committee)

Reforming the Federal Emergency Management Agency (FEMA) and National Emergency Response Capabilities

- Elevates the standing of the Federal Emergency Management Agency (FEMA) within the Department of Homeland Security (DHS) by promoting the Administrator of FEMA to the level of Deputy Secretary; also requires that the Administrator possess a demonstrated ability in and knowledge of emergency management and homeland security and at least five years of executive leadership and management experience;
- Provides statutory protections to FEMA, like those provided to the U.S. Coast Guard and the Secret Service under the Homeland Security Act, by maintaining FEMA as a distinct entity within the Department; and preventing the transfer of FEMA authorities, personnel, assets and funds;
- Directs the Administrator to serve as the principal advisor to the President, the Homeland Security Council, and the Secretary of Homeland Security for all matters relating to emergency management and permits the President to designate the Administrator as a member of the Cabinet in the event of natural disasters, acts of terrorism, and other disasters;

- Returns training, exercises, and grant administration authority to FEMA, restoring the nexus between emergency preparedness and response, helping improve FEMA relations with state and local first responders, officials, and emergency managers;
- Brings direction, professional expertise, and accountability to Federal, State, and local preparedness activities by defining responsibility for disaster management as vested jointly between Federal and State governments and establishing:
 - A national advisory council of State and local officials and first responders;
 - National planning scenarios;
 - Target capabilities or recommended preparedness levels;
 - Training and exercises;
 - A comprehensive assessment system and remedial action program; and
 - Federal preparedness requirements.
- Further improves response capabilities at the Federal, State and local levels by establishing regional emergency support and response teams and Regional Offices and Advisory Councils, authorizing the Urban Search and Rescue System and the Metropolitan Medical Response System, and establishing a nationwide pre-positioned emergency equipment program;
- Elevates the importance of emergency communications within DHS by creating an Office of Emergency Communications, requiring the Director of the new office to conduct a nationwide baseline assessment of emergency communications needs and produce a National Emergency Communications Plan;
- Requires State and local governments to establish effective, Department-approved Statewide Interoperable Communications Plans before being able to use DHS grant funds for emergency communications;
- Establishes a Chief Medical Officer to coordinate DHS' activities related to medical preparedness and response, bio-surveillance and detection, and other medical and public health issues;
- Prevents waste, fraud, and abuse by developing internal management controls, fraud prevention training, and allows the inspectors general of other Federal agencies to use a portion of their disaster relief funds for oversight activities; creates a housing pilot program to reduce the need for large scale trailer parks; and increases funding for mitigation programs;
- Provides a number of resources for rebuilding FEMA's professional and reserve workforces, including recruitment and retention bonuses and professional development and education;
- Requires the development of capabilities necessary to meet the needs of individuals with disabilities and others with special needs;

- Requires FEMA to develop a voluntary family registry and locator system and to coordinate with the National Center for Missing and Exploited Children in the Center's development of a National Emergency Child Locator Center;
- Clarifies that the Privacy Act permits FEMA to disclose evacuee information to law enforcement agencies to track sex offenders;
- Increases authorization levels for a select few programs and FEMA's core operating budget:
 - Urban Search and Rescue increases by \$20 million for FY08.
 - Metropolitan Medical Response increases by \$30 million for FY08.
 - Emergency Management Performance Grant increases by \$175 million for FY08.
 - Emergency Management Assistance Compact authorized at \$4 million for FY08.
 - FEMA's two operating accounts increase by 10% per year for 3 years.

Stafford Act Amendments

Pages H7808-7812.

A few highlights (not all inclusive)

- Removes the sub caps on home repair and home replacement in the individual assistance program.
- Increases funding for the Hazard Mitigation Grant Program under most circumstances by establishing a sliding scale
 - 15% for amounts not more than \$2,000,000,000
 - 10 % for amounts of more than \$2,000,000,000 and not more than \$10,000,000,000
 - 7 ½ % for amounts more than \$10,000,000 and not more than \$35,333,000,000.
 - Does not change the 20% for those with an enhanced plan.
- Requires FEMA to allow rental assistance to be used for utility payments.
- Creates guidelines for accessibility of shelters and disaster-related services and improves planning and services necessary to assist those with special needs during and after disasters. Requires FEMA to appoint Disability Coordinator.
- Establishes a Public Assistance pilot program.
- Establishes within the National Center for Missing and Exploited Children a center for locating children separated from families after a disaster.
- Establishes a pilot program relating to rehabilitating rental units in disaster areas.
- Establishes a small state and rural communities advocate in FEMA to assist these areas through the process of obtaining disaster declarations.
- Directs FEMA to submit a plan for surge capacity.