

110TH CONGRESS
2D SESSION

H. R. 6658

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to enhance the Nation’s disaster preparedness, response, recovery, and mitigation capabilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2008

Mr. OBERSTAR (for himself, Ms. NORTON, Mr. FILNER, Mrs. TAUSCHER, Mr. BOSWELL, Mr. BISHOP of New York, Mr. CARNAHAN, Mrs. NAPOLITANO, Mr. BRALEY of Iowa, Mr. COHEN, Mr. CARNEY, Ms. MATSUI, and Ms. EDDIE BERNICE JOHNSON of Texas) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to enhance the Nation’s disaster preparedness, response, recovery, and mitigation capabilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Disaster Response, Re-
5 covery, and Mitigation Enhancement Act of 2008”.

6 **SEC. 2. TABLE OF CONTENTS.**

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—MAJOR DISASTER AND EMERGENCY ASSISTANCE
ADMINISTRATION

Sec. 101. Pre-disaster hazard mitigation.
 Sec. 102. Integrated public alert and warning system modernization.
 Sec. 103. Health benefits for temporary employees.
 Sec. 104. Disposal of excess property to assist other disaster victims.
 Sec. 105. National Urban Search and Rescue Response System.
 Sec. 106. Disaster Relief Fund.

TITLE II—MAJOR DISASTER AND EMERGENCY ASSISTANCE
PROGRAMS

Sec. 201. Additional mitigation assistance.
 Sec. 202. Temporary mortgage and rental payments.
 Sec. 203. Clarification of grant authority.
 Sec. 204. Household pets and service animals.
 Sec. 205. Storage, sale, transfer, and disposal of housing units.

TITLE III—OTHER MATTERS

Sec. 301. Community preparedness.
 Sec. 302. Emergency management assistance compact grants.
 Sec. 303. Authority to accept and use gifts.
 Sec. 304. Individual assistance factors.
 Sec. 305. Technical corrections to references.

1 **TITLE I—MAJOR DISASTER AND**
 2 **EMERGENCY ASSISTANCE AD-**
 3 **MINISTRATION**

4 **SEC. 101. PRE-DISASTER HAZARD MITIGATION.**

5 (a) ALLOCATION OF FUNDS.—Section 203(f) of the
 6 Robert T. Stafford Disaster Relief and Emergency Assist-
 7 ance Act (42 U.S.C. 5133(f)) is amended to read as fol-
 8 lows:

9 “(f) ALLOCATION OF FUNDS.—

10 “(1) IN GENERAL.—The President shall award
 11 financial assistance under this section on a competi-
 12 tive basis and in accordance with the criteria in sub-
 13 section (g).

1 “(2) MINIMUM AND MAXIMUM AMOUNTS.—In
2 providing financial assistance under this section, the
3 President shall ensure that the amount of financial
4 assistance made available to a State (including
5 amounts made available to local governments of the
6 State) for a fiscal year—

7 “(A) is not less than the lesser of—

8 “(i) \$575,000; or

9 “(ii) the amount that is equal to one
10 percent of the total funds appropriated to
11 carry out this section for the fiscal year;
12 and

13 “(B) does not exceed the amount that is
14 equal to 15 percent of the total funds appro-
15 priated to carry out this section for the fiscal
16 year.”.

17 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
18 203(m) of such Act (42 U.S.C. 5133(m)) is amended to
19 read as follows:

20 “(m) AUTHORIZATION OF APPROPRIATIONS.—There
21 is authorized to be appropriated to carry out this section
22 \$250,000,000 for each of fiscal years 2009, 2010, and
23 2011.”.

24 (c) REFERENCES.—Section 203 of such Act (42
25 U.S.C. 5133) is amended—

1 (1) in the section heading by striking
2 “**PREDISASTER**” and inserting “**PRE-DISASTER**”;

3 (2) in the subsection heading for subsection (i)
4 by striking “PREDISASTER” and inserting “PRE-
5 DISASTER”;

6 (3) by striking “Predisaster” each place it ap-
7 pears and inserting “Pre-Disaster”; and

8 (4) by striking “predisaster” each place it ap-
9 pears and inserting “pre-disaster”.

10 **SEC. 102. INTEGRATED PUBLIC ALERT AND WARNING SYS-**
11 **TEM MODERNIZATION.**

12 (a) IN GENERAL.—Section 202 of the Robert T.
13 Stafford Disaster Relief and Emergency Assistance Act
14 (42 U.S.C. 5132) is amended by adding at the end the
15 following:

16 “(e) INTEGRATED PUBLIC ALERT AND WARNING
17 SYSTEM MODERNIZATION.—

18 “(1) IN GENERAL.—To provide timely and ef-
19 fective disaster warnings under this section, the
20 President, acting through the Administrator of the
21 Federal Emergency Management Agency, shall—

22 “(A) modernize the integrated public alert
23 and warning system of the United States (in
24 this section referred to as the ‘public alert and
25 warning system’) to ensure that the President

1 under all conditions can alert and warn govern-
2 mental authorities and the civilian population in
3 areas endangered by disasters; and

4 “(B) implement the public alert and warn-
5 ing system.

6 “(2) IMPLEMENTATION REQUIREMENTS.—In
7 carrying out paragraph (1), the Administrator shall,
8 consistent with the recommendations in the final re-
9 port of the Integrated Public Alert and Warning
10 System Advisory Committee—

11 “(A) establish or adopt, as appropriate,
12 common alerting and warning protocols, stand-
13 ards, terminology, and operating procedures for
14 the public alert and warning system;

15 “(B) include in the public alert and warn-
16 ing system the capability to adapt the distribu-
17 tion and content of communications on the
18 basis of geographic location, risks, or personal
19 user preferences, as appropriate;

20 “(C) include in the public alert and warn-
21 ing system the capability to alert and warn in-
22 dividuals with disabilities and individuals with
23 limited English proficiency; and

1 “(D) ensure the conduct of training, tests,
2 and exercises for the public alert and warning
3 system.

4 “(3) SYSTEM REQUIREMENTS.—The public
5 alert and warning system shall—

6 “(A) incorporate multiple communications
7 technologies;

8 “(B) be designed to adapt to, and incor-
9 porate, future technologies for communicating
10 directly with the public;

11 “(C) be designed to provide alerts to the
12 largest portion of the affected population fea-
13 sible, including nonresident visitors and tour-
14 ists, and improve the ability of remote areas to
15 receive alerts;

16 “(D) promote local and regional public and
17 private partnerships to enhance community pre-
18 paredness and response; and

19 “(E) provide redundant alert mechanisms
20 where practicable so as to reach the greatest
21 number of people regardless of whether they
22 have access to, or utilize, any specific medium
23 of communication or any particular device.

24 “(4) PILOT PROGRAMS.—

1 “(A) IN GENERAL.—The Administrator
2 may conduct pilot programs for the purpose of
3 demonstrating the feasibility of using a variety
4 of methods for achieving the system require-
5 ments specified in paragraph (3).

6 “(B) REPORT.—Not later than 6 months
7 after the date of enactment of this subsection,
8 and annually thereafter for the duration of the
9 pilot programs, the Administrator shall submit
10 to the Committee on Transportation and Infra-
11 structure of the House of Representatives and
12 the Committee on Homeland Security and Gov-
13 ernmental Affairs of the Senate a report con-
14 taining—

15 “(i) a description and assessment of
16 the effectiveness of the pilot programs;

17 “(ii) any recommendations of the Ad-
18 ministrator for additional authority to con-
19 tinue the pilot programs or make any of
20 the programs permanent; and

21 “(iii) any other findings and conclu-
22 sions of the Administrator with respect to
23 the pilot programs.

24 “(5) IMPLEMENTATION PLAN.—Not later than
25 6 months after the date of submission of the final

1 report of the Integrated Public Alert and Warning
2 System Advisory Committee, the Administrator shall
3 submit to the Committee on Transportation and In-
4 frastructure of the House of Representatives and the
5 Committee on Homeland Security and Governmental
6 Affairs of the Senate a detailed plan for imple-
7 menting this subsection. The plan shall include a
8 timeline for implementation, a spending plan, and
9 recommendations for any additional authority that
10 may be necessary to fully implement this subsection.

11 “(6) AUTHORIZATION OF APPROPRIATIONS.—
12 There is authorized to be appropriated to carry out
13 this subsection \$37,000,000 for fiscal year 2009 and
14 such sums as may be necessary for each fiscal year
15 thereafter.”.

16 (b) INTEGRATED PUBLIC ALERT AND WARNING SYS-
17 TEM MODERNIZATION ADVISORY COMMITTEE.—

18 (1) ESTABLISHMENT.—Not later than 60 days
19 after the date of enactment of this Act, the Adminis-
20 trator of the Federal Emergency Management Agen-
21 cy shall establish an advisory committee to be known
22 as the Integrated Public Alert and Warning System
23 Advisory Committee (in this subsection referred to
24 as the “Advisory Committee”).

1 (2) MEMBERSHIP.—The Advisory Committee
2 shall be composed of the following members, to be
3 appointed by the Administrator as soon as prac-
4 ticable after the date of enactment of this Act—

5 (A) The Chairman of the Federal Commu-
6 nications Commission (or the Chairman’s des-
7 ignee).

8 (B) The Administrator of the National
9 Oceanic and Atmospheric Administration of the
10 Department of Commerce (or the Administra-
11 tor’s designee).

12 (C) The Assistant Secretary for Commu-
13 nications and Information of the Department of
14 Commerce (or the Assistant Secretary’s des-
15 ignee).

16 (D) Representatives of State and local gov-
17 ernments, representatives of emergency man-
18 agement agencies, and representatives of emer-
19 gency response providers, selected from among
20 individuals nominated by national organizations
21 representing governments and personnel.

22 (E) Representatives from federally recog-
23 nized Indian tribes and national Indian organi-
24 zations.

1 (F) Individuals who have the requisite
2 technical knowledge and expertise to serve on
3 the Advisory Committee, including representa-
4 tives of—

5 (i) communications service providers;

6 (ii) vendors, developers, and manufac-
7 turers of systems, facilities, equipment,
8 and capabilities for the provision of com-
9 munications services;

10 (iii) third-party service bureaus;

11 (iv) the broadcasting industry;

12 (v) the national organization rep-
13 resenting the licensees and permittees of
14 noncommercial broadcast television sta-
15 tions;

16 (vi) the cellular industry;

17 (vii) the cable industry;

18 (viii) the satellite industry; and

19 (ix) national organizations rep-
20 resenting individuals with special needs, in-
21 cluding individuals with disabilities and the
22 elderly.

23 (G) Qualified representatives of such other
24 stakeholders and interested and affected parties
25 as the Administrator considers appropriate.

1 (3) CHAIRPERSON.—The Administrator (or the
2 Administrator’s designee) shall serve as the Chair-
3 person of the Advisory Committee.

4 (4) MEETINGS.—

5 (A) INITIAL MEETING.—The initial meet-
6 ing of the Advisory Committee shall take place
7 not later than 60 days after the date of enact-
8 ment of this Act.

9 (B) OTHER MEETINGS.—After the initial
10 meeting, the Advisory Committee shall meet at
11 the call of the Chairperson.

12 (C) NOTICE; OPEN MEETINGS.—Meetings
13 held by the Advisory Committee shall be duly
14 noticed at least 14 days in advance and shall be
15 open to the public.

16 (5) RULES.—

17 (A) QUORUM.—One-third of the members
18 of the Advisory Committee shall constitute a
19 quorum for conducting business of the Advisory
20 Committee.

21 (B) SUBCOMMITTEES.—To assist the Advi-
22 sory Committee in carrying out its functions,
23 the Chairperson may establish appropriate sub-
24 committees composed of members of the Advi-

1 sory Committee and other subject matter ex-
2 perts as the Chairperson considers necessary.

3 (C) ADDITIONAL RULES.—The Advisory
4 Committee may adopt such other rules as are
5 necessary to carry out its duties.

6 (6) RECOMMENDATIONS.—The Advisory Com-
7 mittee shall develop and submit in its final report
8 recommendations for an integrated public alert and
9 warning system, including—

10 (A) recommendations for common alerting
11 and warning protocols, standards, terminology,
12 and operating procedures for the public alert
13 and warning system;

14 (B) recommendations to provide for a pub-
15 lic alert and warning system that—

16 (i) has the capability to adapt the dis-
17 tribution and content of communications
18 on the basis of geographic location, risks,
19 or personal user preferences, as appro-
20 priate;

21 (ii) has the capability to alert and
22 warn individuals with disabilities and indi-
23 viduals with limited English proficiency;

24 (iii) incorporates multiple communica-
25 tions technologies;

1 (iv) is designed to adapt to, and incor-
2 porate, future technologies for commu-
3 nicating directly with the public;

4 (v) is designed to provide alerts to the
5 largest portion of the affected population
6 feasible, including nonresident visitors and
7 tourists, and improve the ability of remote
8 areas to receive alerts;

9 (vi) promotes local and regional public
10 and private partnerships to enhance com-
11 munity preparedness and response; and

12 (vii) provides redundant alert mecha-
13 nisms where practicable so as to reach the
14 greatest number of people regardless of
15 whether they have access to, or utilize, any
16 specific medium of communication or any
17 particular device.

18 (7) FINAL REPORT.—Not later than one year
19 after the date of enactment of this Act, the Advisory
20 Committee shall submit to the Administrator, the
21 Committee on Transportation and Infrastructure of
22 the House of Representatives, and the Committee on
23 Homeland Security and Governmental Affairs of the
24 Senate a report containing the recommendations of
25 the Advisory Committee.

1 (8) FEDERAL ADVISORY COMMITTEE ACT.—
2 Neither the Federal Advisory Committee Act (5
3 U.S.C. App.) nor any rule, order, or regulation pro-
4 mulgated under that Act shall apply to the Advisory
5 Committee.

6 (9) TERMINATION.—The Advisory Committee
7 shall terminate not later than 60 days following the
8 submission of its final report.

9 (c) TECHNICAL CORRECTION.—Section 202(c) of the
10 Robert T. Stafford Disaster Relief and Emergency Assist-
11 ance Act (42 U.S.C. 5132(c)) is amended by striking “sec-
12 tion 611(c)” and inserting “section 611(d)”.

13 (d) LIMITATION ON STATUTORY CONSTRUCTION.—
14 Nothing in this section (including the amendment made
15 by this section) shall be construed to affect the authority
16 of the Department of Commerce or the Federal Commu-
17 nications Commission.

18 **SEC. 103. HEALTH BENEFITS FOR TEMPORARY EMPLOY-**
19 **EES.**

20 Section 306 of the Robert T. Stafford Disaster Relief
21 and Emergency Assistance Act (42 U.S.C. 5149) is
22 amended by adding at the end the following:

23 “(c) HEALTH BENEFITS.—

24 “(1) IN GENERAL.—Notwithstanding any provi-
25 sion of title 5, United States Code, or related regula-

1 tions limiting or prohibiting the provision of health
2 benefits for temporary or intermittent employees,
3 personnel appointed under subsection (b)(1) shall be
4 eligible to enroll in the Federal Employees Health
5 Benefits plan or any successor health benefits plan
6 approved and administered by the Office of Per-
7 sonnel Management under terms and conditions set
8 by the agency appointing the temporary personnel.

9 “(2) ANNUAL REPORT.—Not later than one
10 year after the date of enactment of this subsection,
11 and annually thereafter, the President shall submit
12 to the Committee on Transportation and Infrastruc-
13 ture of the House of Representatives and the Com-
14 mittee on Homeland Security and Governmental Af-
15 fairs of the Senate a report on the implementation
16 of this subsection.”.

17 **SEC. 104. DISPOSAL OF EXCESS PROPERTY TO ASSIST**
18 **OTHER DISASTER VICTIMS.**

19 (a) DISPOSAL OF EXCESS MATERIALS, SUPPLIES,
20 AND EQUIPMENT.—Title III of the Robert T. Stafford
21 Disaster Relief and Emergency Assistance Act (42 U.S.C.
22 5141 et seq.) is amended by adding at the end the fol-
23 lowing:

1 **“SEC. 327. DISPOSAL OF EXCESS MATERIALS, SUPPLIES,**
2 **AND EQUIPMENT.**

3 “(a) IN GENERAL.—Notwithstanding any other pro-
4 vision of law, if the President determines that materials,
5 supplies, or equipment acquired by the President pursuant
6 to title IV or V for response or recovery efforts in connec-
7 tion with a major disaster or emergency are in excess of
8 the amount needed for those efforts, the President may
9 transfer the excess materials, supplies, or equipment, by
10 sale, at a price that is fair and equitable, directly to a
11 State, local government, or relief or disaster assistance or-
12 ganization for the purpose of—

13 “(1) assisting disaster victims in other major
14 disasters and emergencies; and

15 “(2) assisting victims in incidents caused by a
16 hazard that do not result in a declaration of a major
17 disaster or emergency if—

18 “(A) the Governor of the affected State
19 certifies that—

20 “(i) there is an urgent need for the
21 materials, supplies, or equipment; and

22 “(ii) the State is unable to provide the
23 materials, supplies, or equipment in a
24 timely manner; and

25 “(B) the President determines that the
26 materials, supplies, or equipment are not read-

1 ily available from commercial sources, except
2 that this subparagraph shall not apply in the
3 case of a transfer of perishable supplies.

4 “(b) DEPOSIT OF PROCEEDS.—Notwithstanding any
5 other provision of law, any proceeds received under sub-
6 section (a) shall be deposited in the appropriate Disaster
7 Relief Fund account.

8 “(c) HAZARD DEFINED.—In this section, the term
9 ‘hazard’ has the meaning given that term by section
10 602.”.

11 (b) DISPOSAL OF TEMPORARY HOUSING UNITS.—

12 (1) DISPOSAL.—Section 408(d)(2)(B)(ii) of the
13 Robert T. Stafford Disaster Relief and Emergency
14 Assistance Act (42 U.S.C. 5174(d)(2)(B)(ii)) is
15 amended by striking “victims in major disasters and
16 emergencies” and inserting “victims in major disas-
17 ters and emergencies and in incidents caused by a
18 hazard that do not result in a declaration of a major
19 disaster or emergency”.

20 (2) LIMITATION.—Section 408(d)(2) of such
21 Act (42 U.S.C. 5174(d)(2)) is amended by adding at
22 the end the following:

23 “(C) LIMITATION.—In the case of an inci-
24 dent caused by a hazard that does not result in
25 a declaration of a major disaster or emergency,

1 the President may make temporary housing
2 units available under subparagraph (B)(ii) only
3 if—

4 “(i) the Governor of the affected State
5 certifies that—

6 “(I) there is an urgent need for
7 the temporary housing units; and

8 “(II) the State is unable to pro-
9 vide the temporary housing units in a
10 timely manner; and

11 “(ii) the President determines that
12 the temporary housing units are not read-
13 ily available from commercial sources.

14 “(D) HAZARD DEFINED.—In this para-
15 graph, the term ‘hazard’ has the meaning given
16 that term by section 602.”.

17 (3) SPECIAL RULE.—In the case of an unused
18 temporary housing unit described in section 689k of
19 the Post-Katrina Emergency Management Reform
20 Act of 2006 (Public Law 109–295; 120 Stat. 1456),
21 the President may dispose of the unit in accordance
22 with the requirements of that section or in accord-
23 ance with section 408(d)(2)(B)(ii) of the Robert T.
24 Stafford Disaster Relief and Emergency Assistance

1 Act (42 U.S.C. 5174(d)(2)(B)(ii)), as amended by
2 this section.

3 **SEC. 105. NATIONAL URBAN SEARCH AND RESCUE RE-**
4 **SPONSE SYSTEM.**

5 (a) IN GENERAL.—Title III of the Robert T. Stafford
6 Disaster Relief and Emergency Assistance Act (42 U.S.C.
7 5141 et seq.) is amended by adding at the end the fol-
8 lowing:

9 **“SEC. 328. NATIONAL URBAN SEARCH AND RESCUE RE-**
10 **SPONSE SYSTEM.**

11 “(a) DEFINITIONS.—In this section, the following
12 definitions apply:

13 “(1) ADMINISTRATOR.—The term ‘Adminis-
14 trator’ means the Administrator of the Federal
15 Emergency Management Agency.

16 “(2) AGENCY.—The term ‘Agency’ means the
17 Federal Emergency Management Agency.

18 “(3) HAZARD.—The term ‘hazard’ has the
19 meaning given that term by section 602.

20 “(4) NON-EMPLOYEE SYSTEM MEMBER.—The
21 term ‘non-employee System member’ means a Sys-
22 tem member not employed by a sponsoring agency
23 or participating agency.

24 “(5) PARTICIPATING AGENCY.—The term ‘par-
25 ticipating agency’ means a State or local govern-

1 ment, nonprofit organization, or private organization
2 that has executed an agreement with a sponsoring
3 agency to participate in the System.

4 “(6) SPONSORING AGENCY.—The term ‘spon-
5 soring agency’ means a State or local government
6 that is the sponsor of a task force designated by the
7 Administrator to participate in the System.

8 “(7) SYSTEM.—The term ‘System’ means the
9 National Urban Search and Rescue Response Sys-
10 tem to be administered under this section.

11 “(8) SYSTEM MEMBER.—The term ‘System
12 member’ means an individual who is not a full-time
13 employee of the Federal Government, who serves on
14 a task force or on a System management or other
15 technical team.

16 “(9) TASK FORCE.—The term ‘task force’
17 means an urban search and rescue team designated
18 by the Administrator to participate in the System.

19 “(b) GENERAL AUTHORITY.—Subject to the require-
20 ments of this section, the Administrator shall continue to
21 administer the emergency response system known as the
22 ‘National Urban Search and Rescue Response System’.

23 “(c) FUNCTIONS.—In administering the System, the
24 Administrator shall provide for a national network of

1 standardized search and rescue resources to assist States
2 and local governments in responding to hazards.

3 “(d) TASK FORCES.—

4 “(1) DESIGNATION.—The Administrator shall
5 designate task forces to participate in the System.
6 The Administrator shall determine the criteria for
7 such participation.

8 “(2) SPONSORING AGENCIES.—Each task force
9 shall have a sponsoring agency. The Administrator
10 shall enter into an agreement with the sponsoring
11 agency of each task force with respect to the partici-
12 pation of the task force in the System.

13 “(3) COMPOSITION.—

14 “(A) PARTICIPATING AGENCIES.—A task
15 force may include, at the discretion of the spon-
16 soring agency of the task force, one or more
17 participating agencies. The sponsoring agency
18 of a task force shall enter into an agreement
19 with each participating agency of the task force
20 with respect to the participation of the partici-
21 pating agency on the task force.

22 “(B) OTHER INDIVIDUALS.—A task force
23 may also include, at the discretion of the spon-
24 soring agency of the task force, other individ-
25 uals not otherwise associated with the spon-

1 soring agency or a participating agency of the
2 task force. The sponsoring agency of a task
3 force may enter into a separate agreement with
4 each such individual with respect to the partici-
5 pation of the individual on the task force.

6 “(e) MANAGEMENT AND TECHNICAL TEAMS.—The
7 Administrator shall maintain such management teams and
8 other technical teams as the Administrator determines are
9 necessary to administer the System.

10 “(f) APPOINTMENT OF SYSTEM MEMBERS INTO
11 FEDERAL SERVICE.—

12 “(1) IN GENERAL.—The Administrator may ap-
13 point a System member into Federal service for a
14 period of service to provide for the participation of
15 the System member in exercises, preincident staging,
16 major disaster and emergency response activities,
17 and training events sponsored or sanctioned by the
18 Administrator.

19 “(2) NONAPPLICABILITY OF CERTAIN CIVIL
20 SERVICE LAWS.—The Administrator may make ap-
21 pointments under paragraph (1) without regard to
22 the provisions of title 5, United States Code, gov-
23 erning appointments in the competitive service.

24 “(3) RELATIONSHIP TO OTHER AUTHORI-
25 TIES.—The authority of the Administrator to make

1 appointments under this subsection shall not affect
2 any other authority of the Administrator under this
3 Act.

4 “(4) LIMITATION.—A System member who is
5 appointed into Federal service under paragraph (1)
6 shall not be deemed an employee of the United
7 States for purposes other than those specifically set
8 forth in this section.

9 “(g) COMPENSATION.—

10 “(1) PAY OF SYSTEM MEMBERS.—Subject to
11 such terms and conditions as the Administrator may
12 impose by regulation, the Administrator shall make
13 payments to the sponsoring agency of a task force—

14 “(A) to reimburse each employer of a Sys-
15 tem member on the task force for compensation
16 paid by the employer to the System member for
17 any period during which the System member is
18 appointed into Federal service under subsection
19 (f)(1); and

20 “(B) to make payments directly to a non-
21 employee System member on the task force for
22 any period during which the non-employee Sys-
23 tem member is appointed into Federal service
24 under subsection (f)(1).

1 “(2) REIMBURSEMENT FOR EMPLOYEES FILL-
2 ING POSITIONS OF SYSTEM MEMBERS.—

3 “(A) IN GENERAL.—Subject to such terms
4 and conditions as the Administrator may im-
5 pose by regulation, the Administrator shall
6 make payments to the sponsoring agency of a
7 task force to reimburse each employer of a Sys-
8 tem member on the task force for compensation
9 paid by the employer to an employee filling a
10 position normally filled by the System member
11 for any period during which the System mem-
12 ber is appointed into Federal service under sub-
13 section (f)(1).

14 “(B) LIMITATION.—Costs incurred by an
15 employer shall be eligible for reimbursement
16 under subparagraph (A) only to the extent that
17 the costs are in excess of the costs that would
18 have been incurred by the employer had the
19 System member not been appointed into Fed-
20 eral service under subsection (f)(1).

21 “(3) METHOD OF PAYMENT.—A System mem-
22 ber shall not be entitled to pay directly from the
23 Agency for a period during which the System mem-
24 ber is appointed into Federal service under sub-
25 section (f)(1).

1 “(h) PERSONAL INJURY, ILLNESS, DISABILITY, OR
2 DEATH.—

3 “(1) IN GENERAL.—A System member who is
4 appointed into Federal service under subsection
5 (f)(1) and who suffers personal injury, illness, dis-
6 ability, or death as a result of a personal injury sus-
7 tained while acting in the scope of such appointment
8 shall, for the purposes of subchapter I of chapter 81
9 of title 5, United States Code, be treated as though
10 the member were an employee (as defined by section
11 8101 of that title) who had sustained the injury in
12 the performance of duty.

13 “(2) ELECTION OF BENEFITS.—

14 “(A) IN GENERAL.—If a System member
15 (or, in the case of the death of the System
16 member, the System member’s dependent) is
17 entitled—

18 “(i) under paragraph (1) to receive
19 benefits under subchapter I of chapter 81
20 of title 5, United States Code, by reason of
21 personal injury, illness, disability, or death,
22 and

23 “(ii) to receive benefits from a State
24 or local government by reason of the same
25 personal injury, illness, disability, or death,

1 the System member or dependent shall elect to
2 receive either the benefits referred to in clause
3 (i) or (ii).

4 “(B) DEADLINE.—A System member or
5 dependent shall make an election of benefits
6 under subparagraph (A) not later than one year
7 after the date of the personal injury, illness,
8 disability, or death that is the reason for the
9 benefits or until such later date as the Sec-
10 retary of Labor may allow for reasonable cause
11 shown.

12 “(C) EFFECT OF ELECTION.—An election
13 of benefits made under this paragraph is irrev-
14 ocable unless otherwise provided by law.

15 “(3) REIMBURSEMENT FOR STATE OR LOCAL
16 BENEFITS.—Subject to such terms and conditions as
17 the Administrator may impose by regulation, in the
18 event that a System member or dependent elects
19 benefits from a State or local government under
20 paragraph (2)(A), the Administrator shall reimburse
21 the State or local government for the value of those
22 benefits.

23 “(i) LIABILITY.—A System member appointed into
24 Federal service under subsection (f)(1), while acting with-
25 in the scope of the appointment, is deemed an employee

1 of the Government under section 1346(b) of title 28,
2 United States Code, and chapter 171 of that title, relating
3 to tort claims procedure.

4 “(j) EMPLOYMENT AND REEMPLOYMENT RIGHTS.—
5 With respect to a System member who is not a regular
6 full-time employee of a sponsoring agency or participating
7 agency, the following terms and conditions apply:

8 “(1) Service as a System member shall be
9 deemed ‘service in the uniformed services’ for pur-
10 poses of chapter 43 of title 38, United States Code,
11 relating to employment and reemployment rights of
12 individuals who have performed service in the uni-
13 formed services (regardless of whether the individual
14 receives compensation for such participation). All
15 rights and obligations of such persons and proce-
16 dures for assistance, enforcement, and investigation
17 shall be as provided for in such chapter.

18 “(2) Preclusion of giving notice of service by
19 necessity of appointment under this section shall be
20 deemed preclusion by ‘military necessity’ for pur-
21 poses of section 4312(b) of title 38, United States
22 Code, pertaining to giving notice of absence from a
23 position of employment. A determination of such ne-
24 cessity shall be made by the Administrator and shall
25 not be subject to judicial review.

1 “(k) LICENSES AND PERMITS.—If a System member
2 holds a valid license, certificate, or other permit issued by
3 any State or other governmental jurisdiction evidencing
4 the member’s qualifications in any professional, mechan-
5 ical, or other skill or type of assistance required by the
6 System, the System member shall be deemed to be per-
7 forming a Federal activity when rendering aid involving
8 such skill or assistance during a period of appointment
9 into Federal service under subsection (f)(1).

10 “(l) ADVISORY COMMITTEE.—

11 “(1) IN GENERAL.—The Administrator shall es-
12 tablish and maintain an advisory committee to pro-
13 vide expert recommendations to the Administrator in
14 order to assist the Administrator in administering
15 the System.

16 “(2) COMPOSITION.—The advisory committee
17 shall be composed of members from geographically
18 diverse areas, and shall include—

19 “(A) the chief officer or senior executive
20 from at least 3 sponsoring agencies;

21 “(B) the senior emergency manager from
22 at least 2 States that include sponsoring agen-
23 cies; and

24 “(C) at least one representative rec-
25 ommended by the leaders of the task forces.

1 “(3) INAPPLICABILITY OF TERMINATION RE-
2 QUIREMENT.—Section 14(a)(2) of the Federal Advi-
3 sory Committee Act (5 U.S.C. App.) shall not apply
4 to the advisory committee under this subsection.

5 “(m) PREPAREDNESS COOPERATIVE AGREE-
6 MENTS.—

7 “(1) IN GENERAL.—Subject to the availability
8 of appropriations for such purpose, the Adminis-
9 trator shall enter into an annual preparedness coop-
10 erative agreement with each sponsoring agency.
11 Amounts made available to a sponsoring agency
12 under such a preparedness cooperative agreement
13 shall be for the following purposes:

14 “(A) Training and exercises, including
15 training and exercises with other Federal,
16 State, and local government response entities.

17 “(B) Acquisition and maintenance of
18 equipment, including interoperable communica-
19 tions and personal protective equipment.

20 “(C) Medical monitoring required for re-
21 sponder safety and health in anticipation of and
22 following a major disaster, emergency, or other
23 hazard, as determined by the Administrator.

24 “(2) AVAILABILITY OF APPROPRIATIONS.—Not-
25 withstanding section 1552(b) of title 31, United

1 States Code, amounts made available for cooperative
2 agreements under this subsection that are not ex-
3 pended shall be deposited in an Agency account and
4 shall remain available for such agreements without
5 fiscal year limitation.

6 “(n) RESPONSE COOPERATIVE AGREEMENTS.—The
7 Administrator shall enter into a response cooperative
8 agreement with each sponsoring agency, as appropriate,
9 under which the Administrator agrees to reimburse the
10 sponsoring agency for costs incurred by the sponsoring
11 agency in responding to a major disaster or emergency.

12 “(o) OBLIGATIONS.—The Administrator may incur
13 all necessary obligations consistent with this section in
14 order to ensure the effectiveness of the System.

15 “(p) AUTHORIZATION OF APPROPRIATIONS.—

16 “(1) IN GENERAL.—There is authorized to be
17 appropriated to carry out this section \$52,000,000
18 for each of fiscal years 2009, 2010, and 2011. Such
19 sums shall be in addition to amounts made available
20 from the Disaster Relief Fund for response coopera-
21 tive agreements entered into under subsection (n).

22 “(2) ADMINISTRATIVE EXPENSES.—The Ad-
23 ministrator may use not to exceed 6 percent of the
24 funds appropriated for a fiscal year pursuant to
25 paragraph (1) for salaries, expenses, and other ad-

1 ministrative costs incurred by the Administrator in
2 carrying out this section.”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) APPLICABILITY OF TITLE 5, UNITED
5 STATES CODE.—Section 8101(1) of title 5, United
6 States Code, is amended—

7 (A) in subparagraph (D) by striking “and”
8 at the end;

9 (B) by moving subparagraph (F) to appear
10 after subparagraph (E);

11 (C) in subparagraph (F) by adding “and”
12 at the end; and

13 (D) by inserting after subparagraph (F)
14 the following:

15 “(G) an individual who is a System mem-
16 ber of the National Urban Search and Rescue
17 Response System during a period of appoint-
18 ment into Federal service pursuant to section
19 328 of the Robert T. Stafford Disaster Relief
20 and Emergency Assistance Act;”.

21 (2) INCLUSION AS PART OF UNIFORMED SERV-
22 ICES FOR PURPOSES OF USERRA.—Section 4303 of
23 title 38, United States Code, is amended—

24 (A) in paragraph (13) by inserting “, a pe-
25 riod for which a System member of the Na-

1 tional Urban Search and Rescue Response Sys-
2 tem is absent from a position of employment
3 due to an appointment into Federal service
4 under section 328 of the Robert T. Stafford
5 Disaster Relief and Emergency Assistance Act”
6 before “, and a period”; and

7 (B) in paragraph (16) by inserting after
8 “Public Health Service,” the following: “System
9 members of the National Urban Search and
10 Rescue Response System during a period of ap-
11 pointment into Federal service under section
12 328 of the Robert T. Stafford Disaster Relief
13 and Emergency Assistance Act,”.

14 **SEC. 106. DISASTER RELIEF FUND.**

15 Title III of the Robert T. Stafford Disaster Relief
16 and Emergency Assistance Act (42 U.S.C. 5141 et seq.)
17 is further amended by adding at the end the following:

18 **“SEC. 329. DISASTER RELIEF FUND.**

19 “(a) IN GENERAL.—There is in the Treasury a fund
20 known as the Disaster Relief Fund.

21 “(b) DEPOSITS AND CREDITS.—The Fund shall con-
22 sist of amounts appropriated and credited to the Fund
23 pursuant to this Act.

1 “(c) ELIGIBLE USES OF FUND.—Amounts in the
2 Fund shall be available to the President, as provided in
3 advance in appropriations Acts—

4 “(1) to provide assistance in response to a
5 major disaster or emergency pursuant to titles IV
6 and V; and

7 “(2) for programs and activities of the Federal
8 Emergency Management Agency that support the
9 provision of such assistance, including programs and
10 activities that are not readily attributable to a single
11 major disaster or emergency.

12 “(d) SUPPORT PROGRAMS.—The programs and ac-
13 tivities referred to in subsection (c)(2) include the pro-
14 grams and activities authorized by sections 302, 303, and
15 306(b).

16 “(e) LIMITATION.—Amounts made available from the
17 Fund for programs and activities referred to in subsection
18 (c)(2) may not exceed \$300,000,000 in any fiscal year.

19 “(f) ANNUAL REPORT.—On or before the date on
20 which the President submits the budget of the United
21 States to the Congress under section 1105 of title 31,
22 United States Code, the President shall submit each year
23 to the Committee on Transportation and Infrastructure
24 of the House of Representatives and the Committee on
25 Homeland Security and Governmental Affairs of the Sen-

1 ate a report on the uses of the Fund in the previous fiscal
2 year.

3 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
4 is authorized to be appropriated to the Fund such sums
5 as may be necessary.

6 “(h) AVAILABILITY OF AMOUNTS.—Amounts in the
7 Fund shall remain available until expended.”.

8 **TITLE II—MAJOR DISASTER AND** 9 **EMERGENCY ASSISTANCE** 10 **PROGRAMS**

11 **SEC. 201. ADDITIONAL MITIGATION ASSISTANCE.**

12 Section 404 of the Robert T. Stafford Disaster Relief
13 and Emergency Assistance Act (42 U.S.C. 5170c) is
14 amended by adding at the end the following:

15 “(d) ADDITIONAL MITIGATION ASSISTANCE.—

16 “(1) IN GENERAL.—If, at the time of a declara-
17 tion of a major disaster, the affected State has in
18 effect and is actively enforcing throughout the State
19 an approved State building code, the President may
20 increase the maximum total of contributions under
21 this section for the major disaster, as specified in
22 subsection (a), by an amount equal to 4 percent of
23 the estimated aggregate amount of grants to be
24 made (less any associated administrative costs)
25 under this Act with respect to the major disaster.

1 “(2) SUBMISSION.—To be eligible for an in-
2 creased Federal share under paragraph (1), a State,
3 at least once every 6 years, shall submit its State
4 building code to the President for approval.

5 “(3) APPROVAL.—The President shall approve
6 a State building code submitted under paragraph (2)
7 if the President determines that the building code—

8 “(A) is consistent with the most recent
9 version of a nationally recognized model build-
10 ing code;

11 “(B) has been adopted by the State within
12 6 years of the most recent version of the na-
13 tionally recognized model building code; and

14 “(C) uses the nationally recognized model
15 building code as a minimum standard.

16 “(4) DEFINITIONS.—In this subsection, the fol-
17 lowing definitions apply:

18 “(A) ACTIVELY ENFORCING.—The term
19 ‘actively enforcing’ means effective jurisdic-
20 tional execution of all phases of a State building
21 code in the process of examination and approval
22 of construction plans, specifications, and tech-
23 nical data and the inspection of new construc-
24 tion or renovation.

1 “(B) NATIONALLY RECOGNIZED MODEL
2 BUILDING CODE.—The term ‘nationally recog-
3 nized model building code’ means a building
4 code for residential and commercial construc-
5 tion and construction materials that—

6 “(i) has been developed and published
7 by a code organization in an open con-
8 sensus type forum with input from na-
9 tional experts; and

10 “(ii) is based on national structural
11 design standards that establish minimum
12 acceptable criteria for the design, construc-
13 tion, and maintenance of residential and
14 commercial buildings for the purpose of
15 protecting the health, safety, and general
16 welfare of the building’s users against nat-
17 ural disasters.

18 “(C) STATE BUILDING CODE.—The term
19 ‘State building code’ means requirements and
20 associated standards for residential and com-
21 mercial construction and construction materials
22 that are implemented on a statewide basis by
23 ordinance, resolution, law, housing or building
24 code, or zoning ordinance. At a minimum, such

1 requirements and associated standards shall
 2 apply—

3 “(i) to construction-related activities
 4 of residential building contractors applica-
 5 ble to single-family and 2-family residential
 6 structures; and

7 “(ii) to construction-related activities
 8 of engineers, architects, designers, and
 9 commercial building contractors applicable
 10 to the structural safety, design, and con-
 11 struction of commercial, industrial, and
 12 multifamily structures.

13 “(5) REGULATIONS.—Not later than 180 days
 14 after the date of enactment of this subsection, the
 15 President, acting through the Administrator of the
 16 Federal Emergency Management Agency, shall issue
 17 such regulations as may be necessary to carry out
 18 this subsection.”.

19 **SEC. 202. TEMPORARY MORTGAGE AND RENTAL PAY-**
 20 **MENTS.**

21 Section 408(c) of the Robert T. Stafford Disaster Re-
 22 lief and Emergency Assistance Act (42 U.S.C. 5174(c))
 23 is amended by adding at the end the following:

24 “(5) TEMPORARY MORTGAGE AND RENTAL PAY-
 25 MENTS.—The President may provide assistance on a

1 temporary basis in the form of mortgage or rental
 2 payments to or on behalf of individuals and families
 3 who, as a result of financial hardship caused by a
 4 major disaster, are at imminent risk of dispossession
 5 or eviction from a residence by reason of foreclosure
 6 of any mortgage or lien, cancellation of any contract
 7 for sale, or termination of any lease, entered into
 8 prior to such disaster. Such assistance shall be pro-
 9 vided for the duration of the period of financial
 10 hardship, but not to exceed 18 months of assistance
 11 or the maximum amount of assistance that is au-
 12 thorized to be provided pursuant to subsection (h).”.

13 **SEC. 203. CLARIFICATION OF GRANT AUTHORITY.**

14 (a) SECTION 418.—Section 418 of the Robert T.
 15 Stafford Disaster Relief and Emergency Assistance Act
 16 (42 U.S.C. 5185) is amended—

17 (1) by inserting “(a) IN GENERAL.—” before
 18 “The President”;

19 (2) by inserting “to provide assistance, includ-
 20 ing grants, equipment, supplies, and personnel, in
 21 order” before “to establish”; and

22 (3) by adding at the end the following:

23 “(b) FEDERAL SHARE.—The Federal share of assist-
 24 ance under this section shall be not less than 75 percent
 25 of the eligible cost of such assistance.”.

1 (b) SECTION 419.—Section 419 of the Robert T.
2 Stafford Disaster Relief and Emergency Assistance Act
3 (42 U.S.C. 5186) is amended—

4 (1) by inserting “(a) IN GENERAL.—” before
5 “The President”;

6 (2) by inserting “to provide assistance, includ-
7 ing grants, equipment, supplies, and personnel, in
8 order” before “to provide” the first place it appears;
9 and

10 (3) by adding at the end the following:

11 “(b) FEDERAL SHARE.—The Federal share of assist-
12 ance under this section shall be not less than 75 percent
13 of the eligible cost of such assistance.”.

14 (c) SECTION 309.—Section 309(b) of the Robert T.
15 Stafford Disaster Relief and Emergency Assistance Act is
16 amended by adding “, including grant agreements,” after
17 “agreements”.

18 **SEC. 204. HOUSEHOLD PETS AND SERVICE ANIMALS.**

19 (a) EMERGENCY ASSISTANCE.—Section 502(a) of
20 Robert T. Stafford Disaster Relief and Emergency Assist-
21 ance Act (42 U.S.C. 5192(a)) is amended—

22 (1) by striking “and” at the end of paragraph
23 (7);

24 (2) by striking the period at the end of para-
25 graph (8) and inserting “; and”; and

1 (3) by adding at the end the following:

2 “(9) provide assistance for rescue, care, shelter,
3 and essential needs—

4 “(A) to individuals with household pets
5 and service animals; and

6 “(B) to such pets and animals.”.

7 (b) TECHNICAL CORRECTIONS.—Section 403(a)(3) of
8 such Act (42 U.S.C. 5170b(a)(3)) is amended—

9 (1) in subparagraph (B) by striking “medical
10 equipment,” and inserting “medical equipment,”;
11 and

12 (2) by striking the second subparagraph (J), as
13 added by section 4 of Public Law 109–308.

14 **SEC. 205. STORAGE, SALE, TRANSFER, AND DISPOSAL OF**
15 **HOUSING UNITS.**

16 (a) IN GENERAL.—Not later than 3 months after the
17 date of enactment of this Act, the Administrator of the
18 Federal Emergency Management Agency shall complete
19 an assessment of the number of temporary housing units
20 purchased by the Agency that the Administrator finds nec-
21 essary to stock to respond to major disasters and emer-
22 gencies under the Robert T. Stafford Disaster Relief and
23 Emergency Assistance Act (42 U.S.C. 5121 et seq.) occur-
24 ring after the date of enactment of this Act.

25 (b) PLAN.—

1 (1) IN GENERAL.—Not later than 6 months
2 after the date of enactment of this Act, the Adminis-
3 trator shall establish a plan for—

4 (A) permanently storing the temporary
5 housing units that the Administrator finds nec-
6 essary to stock under subsection (a);

7 (B) selling, transferring, or otherwise dis-
8 posing of the temporary housing units that the
9 Administrator finds are in excess of the number
10 that the Administrator finds necessary to stock
11 under subsection (a) and are in usable condi-
12 tion; and

13 (C) disposing of the temporary housing
14 units that the Administrator finds are not in
15 usable condition.

16 (2) EXCEPTION.—

17 (A) IN GENERAL.—If the Administrator
18 submits to Congress a written certification that
19 the Administrator is unable to determine the
20 safe level of exposure to formaldehyde for pur-
21 poses of travel trailers, the Administrator may
22 exclude from the plan established under para-
23 graph (1) any travel trailer that the Adminis-
24 trator determines may contain formaldehyde.

1 (B) DURATION.—The authority to exclude
2 travel trailers under this paragraph shall termi-
3 nate on the date on which the Environmental
4 Protection Agency or other appropriate depart-
5 ment or agency promulgates regulations regard-
6 ing exposure levels for formaldehyde that are
7 applicable to travel trailers.

8 (3) APPLICABILITY OF DISPOSAL REQUIRE-
9 MENTS.—The plan established under paragraph (1)
10 shall be subject to—

11 (A) the requirements of section 408(d)(2)
12 of the Robert T. Stafford Disaster Relief and
13 Emergency Assistance Act (42 U.S.C.
14 5174(d)(2)), as amended by this Act;

15 (B) the special rule contained in section
16 103(b)(3) of this Act; and

17 (C) any other applicable provision of law.

18 (c) IMPLEMENTATION.—Not later than 9 months
19 after the date of enactment of this Act, the Administrator
20 shall implement the plan described in subsection (b).

21 (d) REPORT.—Not later than one year after the date
22 of enactment of this Act, the Administrator shall submit
23 to the Committee on Transportation and Infrastructure
24 of the House of Representatives and the Committee on
25 Homeland Security and Governmental Affairs of the Sen-

1 ate a report on the status of the distribution, sale, trans-
 2 fer, or other disposal of the unused temporary housing
 3 units purchased by the Agency.

4 **TITLE III—OTHER MATTERS**

5 **SEC. 301. COMMUNITY PREPAREDNESS.**

6 Subtitle A of title VI of the Robert T. Stafford Dis-
 7 aster Relief and Emergency Assistance Act (42 U.S.C.
 8 5196 et seq.) is amended by adding at the end the fol-
 9 lowing:

10 **“SEC. 617. COMMUNITY PREPAREDNESS.**

11 “(a) CITIZEN CORPS.—The Administrator shall con-
 12 tinue to administer the citizen preparedness program
 13 known as the ‘Citizen Corps’.

14 “(b) ACTIVITIES.—In carrying out the program, the
 15 Administrator may—

16 “(1) collaborate with community leaders to co-
 17 ordinate and leverage efforts to strengthen commu-
 18 nity involvement in preparedness, planning, mitiga-
 19 tion, response, and recovery for hazards;

20 “(2) educate and train citizens in emergency
 21 preparedness and mitigation; and

22 “(3) train citizens in basic response skills, in-
 23 cluding fire safety, light search and rescue, and
 24 medical operations in preparation for hazards.

1 “(c) COMMUNITY EMERGENCY RESPONSE TEAM
2 PROGRAM.—In carrying out the program, the Adminis-
3 trator shall continue to administer the Community Emer-
4 gency Response Team Program.

5 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
6 is authorized to be appropriated to carry out this section—

7 “(1) \$30,000,000 for fiscal year 2009;

8 “(2) \$35,000,000 for fiscal year 2010; and

9 “(3) \$40,000,000 for fiscal year 2011.

10 “(e) ALLOCATION OF FUNDS.—Of the amounts ap-
11 propriated to carry out this section for a fiscal year, not
12 to exceed \$2,000,000 may be used to carry out the Com-
13 munity Emergency Response Team Program.”.

14 **SEC. 302. EMERGENCY MANAGEMENT ASSISTANCE COM-**
15 **PACT GRANTS.**

16 (a) IN GENERAL.—Subtitle A of title VI of the Rob-
17 ert T. Stafford Disaster Relief and Emergency Assistance
18 Act (42 U.S.C. 5196 et seq.) is further amended by adding
19 at the end the following:

20 **“SEC. 618. EMERGENCY MANAGEMENT ASSISTANCE COM-**
21 **PACT GRANTS.**

22 “(a) IN GENERAL.—The Administrator may make
23 grants to provide for implementation of the Emergency
24 Management Assistance Compact consented to by Con-
25 gress in the joint resolution entitled ‘Joint resolution

1 granting the consent of Congress to the Emergency Man-
2 agement Assistance Compact’ (Public Law 104–321; 110
3 Stat. 3877).

4 “(b) ELIGIBLE GRANT RECIPIENTS.—States and the
5 Administrator of the Emergency Management Assistance
6 Compact shall be eligible to receive grants under sub-
7 section (a).

8 “(c) USE OF FUNDS.—A grant received under this
9 section shall be used—

10 “(1) to carry out recommendations identified in
11 the Emergency Management Assistance Compact
12 after-action reports for the 2004 and 2005 hurricane
13 seasons;

14 “(2) to administer compact operations on behalf
15 of States, as such term is defined in the compact,
16 that have enacted the compact;

17 “(3) to continue coordination with the Agency
18 and appropriate Federal agencies;

19 “(4) to continue coordination with States and
20 local governments and their respective national orga-
21 nizations; and

22 “(5) to assist State and local governments,
23 emergency response providers, and organizations
24 representing such providers with credentialing the

1 providers and the typing of emergency response re-
2 sources.

3 “(d) COORDINATION.—The Administrator shall con-
4 sult with the Administrator of the Emergency Manage-
5 ment Assistance Compact to ensure effective coordination
6 of efforts in responding to requests for assistance.

7 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
8 is authorized to be appropriated to carry out this section
9 \$4,000,000 for each of fiscal years 2009, 2010, and 2011.
10 Such sums shall remain available until expended.”.

11 (b) REPEAL.—Section 661 of the Post-Katrina
12 Emergency Management Reform Act of 2006 (6 U.S.C.
13 761) is repealed.

14 **SEC. 303. AUTHORITY TO ACCEPT AND USE GIFTS.**

15 The first sentence of section 701(b) of the Robert T.
16 Stafford Disaster Relief and Emergency Assistance Act
17 (42 U.S.C. 5201(b)) is amended by inserting “, through
18 any means including grants,” before “bequests”.

19 **SEC. 304. INDIVIDUAL ASSISTANCE FACTORS.**

20 In order to provide more objective criteria for evalu-
21 ating the need for assistance to individuals and to speed
22 a declaration of a major disaster or emergency under the
23 Robert T. Stafford Disaster Relief and Emergency Assist-
24 ance Act (42 U.S.C. 5121 et seq.), not later than one year
25 after the date of enactment of this Act, the Administrator

1 of the Federal Emergency Management Agency, in co-
2 operation with representatives of State and local emer-
3 gency management agencies, shall review, update, and re-
4 vise through rulemaking the factors considered under sec-
5 tion 206.48 of title 44, Code of Federal Regulations, to
6 measure the severity, magnitude, and impact of a disaster.

7 **SEC. 305. TECHNICAL CORRECTIONS TO REFERENCES.**

8 The Robert T. Stafford Disaster Relief and Emer-
9 gency Assistance Act (42 U.S.C. 5121 et seq.) is amend-
10 ed—

11 (1) in section 602(a) by striking paragraph (7)
12 and inserting the following:

13 “(7) ADMINISTRATOR.—The term ‘Adminis-
14 trator’ means the Administrator of the Federal
15 Emergency Management Agency.”; and

16 (2) by striking “Director” each place it appears
17 and inserting “Administrator”, except—

18 (A) the second and fourth places it appears
19 in section 622(c); and

20 (B) in section 626(b).

○