

S 3721

Post-Katrina Emergency Management Reform Act of 2006

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Emergency Management

Introduced: Jul 25, 2006

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 582.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 582. (Aug 3, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/3721>

Sponsor

Name: Sen. Collins, Susan M. [R-ME]

Party: Republican • State: ME • Chamber: Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Lieberman, Joseph I. [D-CT]	D · CT		Jul 25, 2006
Sen. Salazar, Ken [D-CO]	D · CO		Jul 25, 2006

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Reported By	Aug 3, 2006

Subjects & Policy Tags

Policy Area:

Emergency Management

Related Bills

Bill	Relationship	Last Action
109 S 3595	Related bill	Jun 28, 2006: Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (text of measure as introduced: CR S6717-6721)

Post-Katrina Emergency Management Reform Act of 2006 - **Title I: National Preparedness and Response** - (Sec. 101) Amends the Homeland Security Act of 2002 (the Act) to make extensive revisions to emergency response provisions while keeping the Federal Emergency Management Agency (FEMA) within the Department of Homeland Security (DHS).

Sets forth provisions regarding FEMA's mission, which shall include: (1) leading the nation's efforts to prepare for, respond to, recover from, and mitigate the risks of, any natural and man-made disaster, including catastrophic incidents; (2) implementing a risk-based, all hazards plus strategy for preparedness; and (3) promoting and planning for the protection, security, resiliency, and post-disaster restoration of critical infrastructure and key resources, including cyber and communications assets.

Sets forth provisions regarding the role, qualifications, authority, and responsibilities of the Administrator of FEMA, who shall: (1) have not less than five years of executive leadership and management experience, significant experience in crisis management or another relevant field, and a demonstrated ability to manage a substantial staff and budget; (2) report to the Secretary of Homeland Security (the Secretary) without being required to report through any other DHS official; (3) be the principal emergency preparedness and response advisor to the President, the Homeland Security Council, and the Secretary; (4) provide federal leadership necessary to mitigate, prepare for, respond to, and recover from a disaster; (5) develop a national emergency management system capable of responding to catastrophic incidents; and (6) develop and submit to Congress annually an estimate of the resources needed for developing the capabilities of federal, state, and local governments necessary to respond to a catastrophic incident.

Directs the Comptroller General to report to Congress on the amount of increase in the fixed costs or expenses of FEMA during the period of January 1, 2000, through this Act's enactment.

Transfers to FEMA all functions of the Under Secretary for Federal Emergency Management and of the Directorate of Preparedness. Requires FEMA to be maintained as a distinct entity within DHS.

Establishes within FEMA a Director for Preparedness and a Director for Response and Recovery.

Requires: (1) the Administrator to establish 10 regional offices and area offices for the Pacific, for the Caribbean, and in Alaska; (2) each Regional Administrator to establish multi-agency strike teams to respond to disasters, including catastrophic incidents; and (3) the Secretary to establish a National Advisory Council on Preparedness and Response.

Establishes within FEMA a National Incident Management System Integration Center, a Chief Medical Officer, a National Search and Rescue Response System, and an Office of Emergency Communications. Continues the Metropolitan Medical Response System and the National Infrastructure Simulation and Analysis Center. Establishes within DHS a National Operations Center, a System Assessment and Validation for Emergency Responders Program, an Office for the Prevention of Terrorism, and an Assistant Secretary for Cybersecurity and Telecommunications.

Authorizes grants for administering and improving the Emergency Management Assistance Compact. Provides for the credentialing of DHS personnel and assets likely to be used to respond to major disasters.

Directs the Administrator to: (1) provide technical assistance to states and local governments that experience severe weather events, including the preparation of hurricane evacuation studies and plans assessing storm surge estimates, evacuation zones, evacuation clearance times, transportation capacity, and shelter capacity; and (2) ensure state, regional, and local emergency preparedness by establishing minimum performance requirements for public and

community preparedness.

Requires the Administrator, acting through the Director for Emergency Communications, to: (1) develop a National Emergency Communications Strategy to achieve national emergency communications capabilities and interoperable emergency communications; (2) conduct a baseline operability and interoperability assessment; (3) evaluate the feasibility and desirability of DHS developing a mobile communications capability to support emergency communications at the site of a disaster; and (4) review federal emergency communications grants and standards programs.

Directs: (1) the Secretary to establish a comprehensive research and development program to promote communications capabilities and interoperability among emergency response providers; (2) the Administrator to establish at least two pilot projects to develop and evaluate strategies and technologies for such capabilities in a disaster in which there is significant damage to critical infrastructure; and (3) the Administrator, through the Office of Grants and Training, to make grants to states and eligible regions for initiatives to improve emergency communications and interoperability.

Establishes an International Border Community Interoperable Communications Demonstration Project.

Title II: Stafford Act Amendments - (Sec. 201) Amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) to authorize the President, in a major disaster, to: (1) authorize precautionary evacuations; and (2) provide accelerated federal support in the absence of a specific request and expanded assistance to state and local governments in recovery.

Directs the President to promulgate guidelines to assist governors in requesting the declaration of a major disaster in advance of a disaster.

(Sec. 202) Directs the Administrator to develop a National Disaster Recovery Strategy, which shall promote the use of the most appropriate and cost-effective building materials in any area affected by a major disaster, aimed at encouraging the construction of disaster-resistant buildings.

(Sec. 203) Requires state mitigation plans to identify the natural hazards, risks, and vulnerabilities of areas which substantially increase the risk of damage, hardship, loss, or suffering in the event of an emergency or major disaster.

(Sec. 204) Directs the Administrator to develop a National Disaster Housing Strategy.

(Sec. 205) Authorizes the President, in an emergency or major disaster, to use federal equipment, personnel, and other non-monetary resources to assist an essential service provider, in exchange for reasonable compensation. Requires the President to establish a mechanism to set reasonable compensation.

(Sec. 206) Increases the authorized percentage of federal contributions for a major disaster under the hazard mitigation grant program.

(Sec. 207) Directs the President to seek the consent of each individual or household before providing a direct housing assistance option. Authorizes making semi-permanent housing units a part of Stafford Act assistance. Allows temporary housing units purchased by the President to house disaster victims to be made available to a state or other governmental entity or voluntary organization for providing temporary housing to disaster victims.

(Sec. 208) Repeals maximum amounts authorized for repair of owner-occupied private residences, utilities, and residential infrastructure, and for replacement of owner-occupied private residences, damaged by a major disaster.

(Sec. 209) Requires federal coordinating officers, within areas affected by a major disaster or emergency, to serve as a primary point of contact for, and provide situational awareness to, the Secretary. Authorizes the President, where the affected area includes parts of more than one state, to appoint: (1) a single federal coordinating officer for the entire affected area; and (2) deputy federal coordinating officers.

(Sec. 210) Modifies the definition of "major disaster" under the Stafford Act to include acts of terrorism, outbreaks of infectious disease, and chemical releases that cause damage. Expands the scope of "private nonprofit facility" to include museums, zoos, libraries, performing arts facilities, senior citizen centers, and homeless shelters.

(Sec. 211) Sets forth provisions governing catastrophic damage assistance. Authorizes the President, following a declaration of a major disaster in which an assessment indicates that damages qualify as catastrophic, to provide or alter assistance as specified.

Directs the President to promulgate regulations establishing a threshold for a catastrophic determination that greatly exceeds the threshold for the declaration of a major disaster and which includes consideration of: (1) the dollar amount per capita of damage to the state, its political subdivisions, or a region; (2) the impact on the areas's ability to perform response and recovery activities and to provide basic services; (3) the estimated impact of revenue loss; (4) the number of displaced individuals and households; (5) the severity of loss of housing stock, utility services, and alternative living accommodations and of the impact on employment rates; and (6) the anticipated length and difficulty of the recovery process.

Authorizes the President, in the event of a catastrophic damages determination, to: (1) provide to an individual or household assistance authorized in a major disaster; (2) increase the maximum amount of such assistance to not more than twice the maximum authorized for a major disaster; and (3) increase the federal share of the costs to not more than 100% for assistance provided during the three-month period beginning on the date the President declared the major disaster and not more than 90% for the next nine months.

Authorizes the President to provide specified: (1) mortgage and rental assistance; and (2) unemployment assistance (limited to 39 weeks after the date on which the President declared the major disaster causing catastrophic damages).

Authorizes the President to provide to a local government in an area that the President has determined has suffered catastrophic damages specified loan assistance, which may not exceed 50% of the annual operating budget of that local government, to be used for employee salaries.

Authorizes the President to: (1) reimburse a community for each purchase of supplies distributed to survivors; and (2) establish and operate long-term recovery offices.

Directs the Administrator to develop guidelines for accommodating individuals with disabilities, including for: (1) accessibility and communications in shelters; and (2) devices used in connection with disaster operations, including first aid stations, mass feeding areas, portable pay-phone stations, portable toilets, and temporary housing.

Requires the President to issue regulations that prohibit discrimination based on disability in disaster assistance.

Includes durable medical equipment among essential assistance that federal agencies may distribute, at the President's direction. Authorizes the provision of rescue, care, shelter, and essential needs to individuals with household pets and service animals and to such animals.

Requires the President's estimate of the eligible cost of repairing, restoring, reconstructing, or replacing a public or

nonprofit facility to be made in conformity with applicable disability accessibility requirements.

Authorizes the President to provide assistance to individuals with disabilities who are displaced or whose predisaster primary residences are rendered inaccessible as a result of a major disaster. Directs: (1) the President to ensure that temporary public transportation services are provided to individuals with disabilities and others with special needs; and (2) the Administrator to include individuals with disabilities in preparedness and planning activities.

(Sec. 213) Amends the Stafford Act to direct the Administrator to appoint a Disability Coordinator to ensure that the needs of individuals with disabilities are being properly addressed in emergency preparedness and disaster relief.

(Sec. 214) Modifies requirements regarding temporary housing assistance to require that not less than: (1) 7% of the housing units provided for a major disaster be made accessible for persons with mobility impairments; (2) an additional 2% of such units be made accessible for persons with hearing or vision impairments; and (3) 1% of such units be made accessible for persons with mobility and hearing or vision impairments. Permits any federal, state, or local agency to request an increase in such percentage based upon need or data on the location of persons with disabilities.

(Sec. 215) Directs the Comptroller General to study and report to Congress on the extent to which emergency shelters for use in response to a major disaster are accessible to individuals with disabilities.

(Sec. 216) Requires the Administrator, in coordination with the Attorney General, to establish within the National Center for Missing and Exploited Children the National Emergency Child Locator Center (NECLC) to facilitate the expeditious identification and reunification of children with their families. Includes among NECLC responsibilities to: (1) establish a toll-free telephone number to receive reports of displaced children and information about displaced adults; (2) create a website to provide information about displaced children; (3) refer reports of displaced adults to an entity designated by the Attorney General and to the National Emergency Family Registry and Locator System (NEFRLS); (4) enter into cooperative agreements to implement its mission; and (5) develop an emergency response plan to prepare for its activation.

(Sec. 217) Directs the Administrator to establish NEFRLS to help reunify families separated after an emergency or major disaster. Requires such system to: (1) allow a displaced adult to voluntarily register; (2) include a means of providing information submitted to individuals named by a displaced individual and to law enforcement officials; (3) be accessible through the Internet and through a toll-free number to receive reports of displaced individuals; and (4) include a means of referring displaced children to the NECLC.

(Sec. 218) Amends the Stafford Act to prohibit the President from denying housing assistance to a displaced individual or household because a member of the predisaster household has already received assistance if such individual or household: (1) has evacuated the predisaster residence and resides in a different location than such member of the predisaster household; (2) is a victim of domestic violence and resides in a different residence than such member of the predisaster household; or (3) has other good cause for maintaining a separate household.

Provides that temporary housing assistance may include the payment of utilities, excluding telephone service, and that security deposits may be taken into consideration in determining the amount of assistance. Directs the President to provide assistance in an amount up to 120% of fair market rent plus specified costs if the President determines that, as a result of rental market changes caused by the major disaster and its consequences, the fair market rent does not accurately reflect the reasonable cost of rental units available. Permits the President to provide assistance over that percentage in extraordinary circumstances.

Directs the President to issue public guidance in simple terms explaining the types of housing assistance available under the Stafford Act to individuals and households affected by a major disaster, eligibility requirements, application procedures, relevant local conditions, and modifications of previous policies or procedures.

(Sec. 219) Amends the Stafford Act to expand the authorization for professional counseling services to victims of major disasters to include substance abuse and mental health counseling. Requires federal agencies providing mental health or substance abuse services, in coordination with state and local officials, to: (1) survey mental health or substance abuse services available to individuals affected by, and emergency responders to, major disasters; and (2) develop a strategy for the adequate provision of such services.

(Sec. 220) Requires the President, with respect to people with limited English proficiency or individuals with disabilities, to: (1) ensure that all federal entities that provide assistance under the Stafford Act maintain the capability to administer competent interpretation and translation services; and (2) maintain an informational clearinghouse of model language assistance programs and best practices for state and local governments in providing disaster and emergency related services. Requires the President's technical assistance to states in developing comprehensive plans and practicable programs for preparation against disasters to include assistance to individuals with and without English proficiency, disabilities, or other special needs.

(Sec. 221) Directs the Administrator: (1) in approving standards for state and local emergency preparedness plans, to ensure that such plans take into account the needs of individuals with special needs and individuals with pets; (2) to ensure that each state, in its Homeland Security Strategy or other homeland security plan, provides comprehensive predisaster and postdisaster plans for individuals with special needs and their care givers and that such plans address the evacuation planning needs of those unable to evacuate themselves; and (3) to ensure that state and local emergency preparedness, evacuation, and sheltering plans take into account the needs of individuals with household pets prior to, during, and following a major disaster or emergency.

Authorizes the Administrator to provide financial and technical support to states and local governments to develop and implement plans for individuals with special needs and requirements, including procuring facilities, medical equipment, and supplies for the care of such individuals. Requires training programs for the instruction of emergency preparedness and response officials in the organization, operation, and techniques of emergency preparedness and response, including planning for and responding to individuals with special needs.

(Sec. 222) Authorizes the President to provide: (1) transportation assistance to relocate displaced individuals to and from alternative locations for short or long-term accommodation or to return an individual or household to their predisaster primary residence or alternative location; and (2) case management services to state or local government agencies or qualified private organizations to address unmet needs of victims of major disasters.

(Sec. 223) Authorizes the President to accept and use gifts from foreign organizations and governments in coordination with the Secretaries of Defense and State with respect to the identification of emergency requirements for which such gifts are appropriate.

(Sec. 224) Requires the Administrator to develop policies and procedures regarding effective coordination of disaster assistance from nonfederal entities.

(Sec. 225) Provides that in any case in which a state or local government determines that the public welfare would not best be served by repairing, restoring, reconstructing, or replacing any public facility because soil instability or another condition in the disaster area makes such action unfeasible, the state or local government may elect to receive a

contribution equal to 90% of the federal share of the estimated cost of such action and management expenses.

(Sec. 226) Authorizes the President to make contributions to state or local governments for expenses associated with housing volunteers who are assisting the response and recovery efforts in an area affected by a major disaster.

(Sec. 227) Amends the Stafford Act to include within the provision of temporary housing units authorization to use repaired existing rental units. Authorizes providing funds to state and local governments to contract with owners of private rental housing to provide temporary housing to eligible individuals and households for up to 18 months at a specified rent.

(Sec. 228) Directs the Administrator to: (1) review all regulations and procedures related to contracting for debris removal; (2) provide additional incentives to recycle debris cleared from a disaster area; and (3) identify any obstacles to increasing the amount of debris recycled following a major disaster.

(Sec. 229) Directs the Administrator, upon request on behalf of an individual displaced by Hurricanes Katrina or Rita, to place a FEMA manufactured home in a floodway or coastal high hazard area; or in a flood plain without elevating such home up to the base flood level or without complying with specified decision-making process and mitigation requirements. Prohibits the Administrator from making such a placement without having received an evacuation plan for the placement area. Shields the Administrator from liability for damages related to the flooding of such a manufactured home. Requires the Administrator to provide written notice of the potential risks associated with such placement and such limitations on liability.

Title III: Staffing Improvements - (Sec. 301) Directs the Administrator to submit to Congress a strategic human capital plan to shape and improve FEMA's workforce, including: (1) a workforce gap analysis; (2) an action plan to address gaps in critical skills and competencies; and (3) a discussion of the number, qualifications, and training of DHS employees and individuals not employed by FEMA serving in the Surge Capacity Force that states where the Force is able to adequately prepare for, respond to, and recover from a disaster and that describes any additional authorities or resources necessary to address any deficiencies in the Force.

(Sec. 302) Directs the Administrator to: (1) identify and publish appropriate career paths for personnel, including the education, training, experience, and assignments necessary for career progression within FEMA; (2) provide personnel the opportunity to qualify for promotion; and (3) establish a position assignment policy that balances the need to serve in career enhancing positions and the need for a sufficient period of service to provide the stability, responsibility, and accountability necessary.

(Sec. 303) Directs the Secretary to establish the National Homeland Security Academy, which shall include a National Homeland Security Education and Strategy Center, to provide strategic education and training to carry out DHS missions. Requires: (1) the Academy's Executive Director to appoint a Director of Admissions and a National Homeland Security Education Network; and (2) the Secretary to establish a Board of Visitors and appoint a State and Local Education and Training Coordinator.

(Sec. 304) Directs the Administrator to establish a Surge Capacity Force for deployment of individuals to disasters, including catastrophic incidents. Sets forth provisions regarding capabilities and training of the Force. Requires the Administrator to establish and maintain a database regarding Force members, including the skills, qualifications, and disaster management experience of such members.

(Sec. 305) Directs the Secretary to establish the Homeland Security Rotation Program for DHS employees, with goals to: (1) expand the knowledge base of DHS; and (2) invigorate the workforce with exciting and professionally rewarding

opportunities. Includes among the responsibilities of the Chief Human Capital Officer (who shall administer the Program) establishing a framework that promotes cross-disciplinary rotational opportunities.

(Sec. 306) Requires: (1) the Administrator to report to Congress on FEMA vacancies; and (2) the Inspector General of DHS to report to Congress evaluating the implications of converting some portion of FEMA's temporary workforce into permanent full-time positions.

Title IV: Planning, Preparedness, and Training - (Sec. 402) Directs the Secretary, acting through the Administrator, to employ the National Incident Management System (NIMS) and the National Response Plan (NRP) as the framework for emergency response and domestic incident management. Provides that: (1) the NRP shall be the governing plan for any federal involvement or assistance in a disaster or other Incident of National Significance declared by the Secretary under the NRP; and (2) NIMS shall be the incident management system for any federal involvement or assistance in a disaster or other Incident of National Significance declared by the Secretary under the NRP.

(Sec. 403) Requires the Secretary, by May 1, 2007, acting through the Administrator in conjunction with the federal agencies and nongovernmental organizations that are signatories to the NRP and with the National Advisory Council, to: (1) conduct a comprehensive review of the adequacy of the NRP, incorporating lessons learned from Hurricane Katrina; and (2) update the NRP to incorporate findings.

Requires that review and update to ensure that the position of Principal Federal Official under the NRP is eliminated. Requires the NRP to provide for a clear chain of command to lead and coordinate the federal response to any disaster. Authorizes the President or the Secretary to designate a federal coordinating officer for Incidents of National Significance or other domestic incidents not considered an emergency or major disaster.

Requires the NRP to: (1) include measures to reunify families separated after a major disaster or catastrophic event; (2) address the public health and medical needs of evacuees, special needs populations, and the general population affected and to assign the responsibility for mortuary activities; (3) address the full range of search and rescue requirements and environments for disasters and designate coordinating, primary, and supporting agencies; and (4) clearly describe the roles and responsibilities of the Senior Federal Law Enforcement Officer.

Requires: (1) the need for an additional emergency support function annex within the NRP focused on the identification, protection, resiliency, and restoration of critical infrastructure and key resources to be considered; and (2) the NRP to assign a single federal agency to coordinate maritime-salvage needs; (3) the Secretary and the Administrator to consult with state and local government officials in reviewing and revising the NRP; and (4) the Secretary (acting through the Administrator) to ensure that the NRP is written in a manner that provides clear, unambiguous, and accessible guidance and information in revising or updating the NRP.

(Sec. 404) Directs the Secretary, acting through the Administrator, to develop a unified system of strategic and operational plans to respond effectively to disasters, in support of the NRP, which shall include: (1) plans for specific geographic regions and for specific types of high-risk events; and (2) such elements as concepts of operation for appropriate disasters, critical tasks and department and agency responsibilities, and provision for special needs populations in all planning.

Requires the Administrator to: (1) develop comprehensive operational plans to respond to catastrophic incidents; and (2) provide clear standardization, guidance, and assistance to ensure a common terminology, approach, and framework for all strategic and operational planning and consideration of natural and man-made threats.

Sets forth required elements of planning, including: (1) preparedness and deployment of health and medical resources; (2) operational plans for the expeditious location of missing children and family reunification; (3) development of a National Search and Rescue Plan; (4) plans to support mass evacuations; (5) plans for military support of civilian authorities under the NRP; (6) incorporation of the use of the Department of Defense (DOD), the National Air and Space Administration (NASA), the National Oceanic and Atmospheric Administration (NOAA), and commercial aircraft and satellite remotely sensed imagery to ensure timely situational awareness; (7) incorporation of coordination with and integration of support from the private sector and nongovernmental organizations during response efforts; (8) plans to allow salvage to proceed in a timely manner during a disaster; and (9) coordination and delineation of primary and supporting responsibilities by the Environmental Protection Agency (EPA) and other agencies under the NRP's Public Works and Engineering Emergency Support Function Annex provisions for the safe handling and sorting of debris.

Directs the Secretary, acting through the Administrator, to ensure: (1) the development of an inventory of federal resources available for deployment and employment in response to disasters; (2) the development of pre-scripted mission assignments in conjunction with the appropriate federal agencies and departments with coordinating, primary, and supporting responsibilities under the NRP; and (3) the determination of appropriate representatives of DHS to the U.S. Northern Command and the U.S. Pacific Command and the integration of such representatives into national planning, training, exercising, and responses to a disaster to promote better coordination.

Directs the Secretary and the Secretary of the Department of Health and Human Services (HHS), by March 1, 2007, to: (1) establish a memorandum of understanding defining their roles and responsibilities in providing for public health and medical care under the NRP or in a public health emergency and for coordinating activities in such an event, including deployment, operational control, and resupply of National Disaster Medical System and Metropolitan Medical Response System assets; and (2) create a pilot project for establishing special needs registries for use by emergency and evacuation personnel and transportation providers in an emergency to best meet the needs of special needs individuals and seniors in the community.

Directs the Secretary, acting through the Administrator, by May 1, 2007 and annually thereafter until May 1, 2017, to report to Congress on all federal planning and preparedness efforts relating to the NRP, including an evaluation of the status of national disaster planning, particularly for catastrophic incidents.

(Sec. 405) Requires the Administrator, in conjunction with other federal agencies with NRP functions, the National Homeland Security Academy, and the National Incident Management System Integration Center, to ensure that planning and preparedness requirements are effectively trained and exercised to provide for a fully coordinated national response to disasters.

(Sec. 406) Requires each NRP primary or support agency for any emergency support function to provide the coordinating organization with a detailed description of its plan to fulfill its NRP responsibilities for the current year and the succeeding year, including: (1) a certification that it is capable and prepared to fulfill its responsibilities; or (2) a remedial plan.

Requires: (1) each NRP coordinating agency to evaluate plans submitted by the primary and support agencies; and (2) each NRP coordinating organization for an emergency support function to provide the Administrator with a detailed description of its coordinated plan for the relevant emergency support function for the current year and the succeeding year, including a certification that it is capable and prepared to fulfill its responsibilities or a remedial plan.

Requires the Administrator to ensure that each NRP coordinating, primary, or support agency is capable and prepared to carry out its responsibilities and to report annually to Congress.

Title V: Prevention of Fraud, Waste, and Abuse - (Sec. 501) Directs the Administrator for Federal Procurement Policy to prescribe regulations prohibiting excessive pass-through charges on executive agency contracts, subcontracts, or task or delivery orders that are in excess of the simplified acquisition threshold. Makes such regulations inapplicable to any firm, fixed-price contract, subcontract, or task or delivery order that is: (1) awarded on the basis of adequate price competition; or (2) for the acquisition of a commercial item.

(Sec. 502) Directs the Comptroller General to report to Congress with an analysis of fraud prevention programs used by DHS in connection with assistance programs, including: (1) an assessment of the effectiveness of, and adherence to, the fraud prevention controls for registration and payment processes; and (2) recommendations for additional fraud prevention controls, including requiring that data provided by registrants be validated against other federal government or third-party sources to determine the accuracy of identification and residence information.

Directs the Secretary to conduct training on fraud awareness for key DHS personnel, including contracting officers and the Surge Capacity Force for the purpose of preventing fraud in DHS assistance programs.

(Sec. 503) Authorizes the Director of the Office of Management and Budget (OMB) to establish a Contingency Contracting Corps, composed of executive agency contracting officers who are trained and available to perform on a temporary and volunteer basis services necessary to assist agencies with contracting activities during unplanned events.

Requires an executive agency employee to receive the agency's approval prior to performing services for the Corps that substantially reduce the amount of time such employee is able to perform normal functions. Allows the employee to perform such services for at least 30 days but not more than one year. Prohibits removal from employment of an employee performing such services for the Corps.

Requires: (1) members of the Corps to receive training on contingency contracting from the Federal Acquisition Institute or other appropriate entity, using available funds in the Acquisition Workforce Training Fund; and (2) each member of the Corps to be provided all necessary forms and regulations in a portable, electronic format to facilitate compliance with all relevant laws and to be familiar with such forms and regulations.

(Sec. 504) Directs the Administrator to establish an identity verification process for the Individuals and Households Program registrants applying via the Internet or by telephone to provide reasonable assurance that disaster assistance payments are made only to qualified individuals.

(Sec. 505) Directs the Secretary to ensure that DHS information technology systems ensure the validity of claims for assistance under the Stafford Act to deter waste, fraud, and abuse.

(Sec. 506) Directs the Administrator to create a registry of contractors who are capable of performing debris removal, distribution of supplies, reconstruction, and other disaster or emergency relief activities, to be available on FEMA's Internet site.

(Sec. 507) Authorizes the Administrator to provide for the use by state or local governments of GSA federal supply schedules for procurement of supplies or services to be used to prepare for or respond to a presidentially declared emergency or major disaster.

(Sec. 508) Amends the Stafford Act to require any expenditure of federal funds for major disaster or emergency assistance activities which may be carried out by a contract or agreement with private organizations, firms, or individuals that is not awarded to an entity residing or doing business primarily in the area affected to be justified in writing. Requires

an agency performing response, relief, and reconstruction activities, to the maximum extent feasible, to transition work performed under contracts in effect on the date the President declares the emergency or major disaster to such an entity residing or doing business primarily in the affected area. Provides that nothing herein shall be construed to require any federal agency to breach or renegotiate any contract in effect before the occurrence of a major disaster or emergency.

(Sec. 509) Requires the Administrator to report to Congress identifying: (1) recurring disaster response requirements for which FEMA can and cannot contract in advance of disasters in a cost-effective manner; and (2) a contracting strategy that maximizes the use of advance contracts. Directs the Administrator to: (1) enter into such contracts through competitive procedures; and (2) maintain contracts for appropriate levels of goods and services.

(Sec. 510) Requires the Director of OMB to issue guidelines to assist executive agencies in improving the management of the use of the government-wide commercial purchase card for making micropurchases. Directs the Administrator of General Services to: (1) continue efforts to improve reporting by financial institutions that issue such cards so GSA has the data needed to identify opportunities for achieving savings; and (2) actively pursue point-of-sale discounts with major vendors accepting the card. Requires: (1) the senior procurement executive for each agency to report to the Director on actions taken under the guidelines; (2) the Director to report to Congress summarizing progress made; (3) GSA to develop procedures to subject purchase card payments to federal contractors to the Federal Payment Levy Program; and (4) the Administrator to report annually on first class and business class travel by executive agency employees.

(Sec. 511) Requires the head of each executive agency that uses purchase cards and convenience checks to implement safeguards and internal controls.

(Sec. 512) Directs the Comptroller General to report to Congress on: (1) DHS compliance with the Single Audit Act of 1984; (2) DHS's ability to comply with the Improper Payments Information Act of 2002 regarding disasters similar to Hurricane Katrina; and (3) the number of contracts and subcontracts entered into during the previous two years to carry out the Stafford Act or relating to Hurricane Katrina between DHS and small businesses and small businesses owned and controlled by socially and economically disadvantaged individuals, by women, and by service-disabled veterans.

(Sec. 515) Directs the President, in the event of a catastrophic incident or when the President has elected to establish and operate long-term recovery offices for any other emergency, to: (1) establish an Office of Catastrophic Incident or Long-term Recovery in the Executive Office of the President; and (2) appoint a Chief Financial Officer to head the Office and to be responsible for the efficient and effective use of federal funds in all activities relating to the recovery from a catastrophic incident or other emergency.

Title VI: Miscellaneous Provisions - Authorizes appropriations for FY2007-FY2010, including for Administrative and Regional Operations, for Readiness, Mitigation, Response, and Recovery, and for the Office for Emergency Communications.

Actions Timeline

- **Aug 3, 2006:** Committee on Homeland Security and Governmental Affairs. Reported by Senator Collins with an amendment in the nature of a substitute and an amendment to the title. Without written report.
- **Aug 3, 2006:** Committee on Homeland Security and Governmental Affairs. Reported by Senator Collins with an amendment in the nature of a substitute and an amendment to the title. Without written report.
- **Aug 3, 2006:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 582.
- **Jul 27, 2006:** Committee on Homeland Security and Governmental Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jul 25, 2006:** Introduced in Senate
- **Jul 25, 2006:** Sponsor introductory remarks on measure. (CR S8197-8198)
- **Jul 25, 2006:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.