

# Legislation

**PUBLIC LAW 105-261 (H.R. 3616, 105<sup>th</sup> Congress, 2<sup>nd</sup> Session) (October 17, 1998)**

## **An Act**

**To authorize appropriations for fiscal year 1999 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.**

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### **SECTION 1. SHORT TITLE; FINDINGS.**

**(a) SHORT TITLE-** This Act may be cited as the `Strom Thurmond National Defense Authorization Act for Fiscal Year 1999'.

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### **SEC. 1405. ADVISORY PANEL TO ASSESS DOMESTIC RESPONSE CAPABILITIES FOR TERRORISM INVOLVING WEAPONS OF MASS DESTRUCTION.**

**(a) REQUIREMENT FOR PANEL-** The Secretary of Defense, in consultation with the Attorney General, the Secretary of Energy, the Secretary of Health and Human Services, and the Director of the Federal Emergency Management Agency, shall enter into a contract with a federally funded research and development center to establish a panel to assess the capabilities for domestic response to terrorism involving weapons of mass destruction.

**(b) COMPOSITION OF PANEL; SELECTION-** (1) The panel shall be composed of members who shall be private citizens of the United States with knowledge and expertise in emergency response matters.

(2) Members of the panel shall be selected by the federally funded research and development center in accordance with the terms of the contract established pursuant to subsection (a).

**(c) PROCEDURES FOR PANEL-** The federally funded research and development center shall be responsible for establishing appropriate procedures for the panel, including procedures for selection of a panel chairman.

**(d) DUTIES OF PANEL-** The panel shall--

**(1) assess Federal agency efforts to enhance domestic preparedness for incidents involving weapons of mass destruction;**

**(2) assess the progress of Federal training programs for local emergency responses to incidents involving weapons of mass destruction;**

**(3) assess deficiencies in programs for response to incidents involving weapons of mass destruction, including a review of unfunded communications, equipment, and planning requirements, and the needs of maritime regions;**

**(4) recommend strategies for ensuring effective coordination with respect to Federal agency weapons of mass destruction response efforts, and for ensuring fully effective local response capabilities for weapons of mass destruction incidents; and**

**(5) assess the appropriate roles of State and local government in funding effective local response capabilities.**

**(e) DEADLINE TO ENTER INTO CONTRACT-** The Secretary of Defense shall enter into the contract required under subsection (a) not later than 60 days after the date of the enactment of this Act.

**(f) DEADLINE FOR SELECTION OF PANEL MEMBERS-** Selection of panel members shall be made not later than 30 days after the date on which the Secretary enters into the contract required by subsection (a).

**(g) INITIAL MEETING OF THE PANEL-** The panel shall conduct its first meeting not later than 30 days after the date that all the selections to the panel have been made.

**(h) REPORTS-** (1) Not later than 6 months after the date of the first meeting of the panel, the panel shall submit to the President and to Congress an initial report setting forth its findings, conclusions, and recommendations for improving Federal, State, and local domestic emergency preparedness to respond to incidents involving weapons of mass destruction.

(2) Not later than December 15 of each year, beginning in 1999 and ending in 2001, the panel shall submit to the President and to the Congress a report setting forth its findings, conclusions, and recommendations for improving Federal, State, and local domestic emergency preparedness to respond to incidents involving weapons of mass destruction.

**(i) COOPERATION OF OTHER AGENCIES-** (1) The panel may secure directly from the Department of Defense, the Department of Energy, the Department of Health and Human Services, the Department of Justice, and the Federal Emergency Management Agency, or any other Federal department or agency information that the panel considers necessary for the panel to carry out its duties.

(2) The Attorney General, the Secretary of Defense, the Secretary of Energy, the Secretary of Health and Human Services, the Director of the Federal Emergency Management Agency, and any other official of the United States shall provide the panel with full and timely cooperation in carrying out its duties under this section.