§ 5165c. Public notice, comment, and consultation requirements

(a) Public notice and comment concerning new or modified policies
   (1) In general
       The President shall provide for public notice and opportunity for comment before adopting any
       new or modified policy that—
       (A) governs implementation of the public assistance program administered by the Federal
           Emergency Management Agency under this chapter; and
       (B) could result in a significant reduction of assistance under the program.
   (2) Application
       Any policy adopted under paragraph (1) shall apply only to a major disaster or emergency declared
       on or after the date on which the policy is adopted.

(b) Consultation concerning interim policies
   (1) In general
       Before adopting any interim policy under the public assistance program to address specific
       conditions that relate to a major disaster or emergency that has been declared under this chapter,
       the President, to the maximum extent practicable, shall solicit the views and recommendations of
       grantees and subgrantees with respect to the major disaster or emergency concerning the potential
       interim policy, if the interim policy is likely—
       (A) to result in a significant reduction of assistance to applicants for the assistance with
           respect to the major disaster or emergency; or
       (B) to change the terms of a written agreement to which the Federal Government is a party
           concerning the declaration of the major disaster or emergency.
   (2) No legal right of action
       Nothing in this subsection confers a legal right of action on any party.

(c) Public access
       The President shall promote public access to policies governing the implementation of the public
       assistance program.


References in Text

This chapter, referred to in subsecs. (a)(1)(A) and (b)(1), was in the original “this Act”, meaning Pub. L. 93–288, May
22, 1974, 88 Stat. 143. For complete classification of this Act to the Code, see Short Title note set out under section
5121 of this title and Tables.

Transfer of Functions

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal
Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management
relating thereto, to the Federal Emergency Management Agency, see section 315 (a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including
the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of
Homeland Security, and for treatment of related references, see former section 313 (1) and sections 551 (d), 552 (d),