

FEMA Establishes Emergency Management Priorities and Allocations System

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WASHINGTON - FEMA recently published a [final rule in the Federal Register](#) to prioritize and allocate contracts for health and medical resources in response to the coronavirus (COVID-19) pandemic. This finalizes the [interim rule](#) from May 13, 2020 and enables FEMA to provide for the continued supply of critical medical resources to the American public.

The rule establishes the Emergency Management Priorities and Allocations System (EMPAS), which will become part of the Federal Priorities and Allocations System (FPAS) body of regulations that establish standards under Section 101 of the Defense Production Act (DPA). The DPA, signed into law in 1950, allows the government to direct private companies to meet the needs of the national defense.

EMPAS has two principal components: priorities and allocations. Under priorities, contracts or orders necessary for national defense are given preference over other contracts or orders. Under the allocation component, materials, services and facilities may be allocated for domestic use to promote national defense.

This rule is one of several previously published under the Defense Production Act. The following agencies with existing DPA Section 101 authority includes the departments of Commerce, Energy, Health and Human Services, Transportation and Agriculture. The regulations from these agencies currently constitute the FPAS. FEMA's EMPAS provisions are consistent with FPAS regulations issued by sister agencies.

