

Suspend the Rules and Pass the Bill, H.R. 1471, With An Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

114TH CONGRESS
1ST SESSION

H. R. 1471

To reauthorize the programs and activities of the Federal Emergency Management Agency.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2015

Mr. BARLETTA (for himself, Mr. CARSON of Indiana, Mr. SHUSTER, and Mr. DEFAZIO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To reauthorize the programs and activities of the Federal Emergency Management Agency.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “FEMA Disaster Assistance Reform Act of 2015”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—FEMA REAUTHORIZATION

Sec. 101. Reauthorization of Federal Emergency Management Agency.

TITLE II—COMPREHENSIVE STUDY OF DISASTER COSTS AND LOSSES

Sec. 201. Comprehensive study of disaster costs and losses.

TITLE III—STAFFORD ACT AND OTHER PROGRAMS

Sec. 301. Reauthorization of urban search and rescue response system.

Sec. 302. Reauthorization of emergency management assistance compact grants.

Sec. 303. Nonprofit facilities.

Sec. 304. Statute of limitations.

Sec. 305. Action plan to improve field transition.

Sec. 306. Simplified procedures.

Sec. 307. Management costs.

Sec. 308. Debts owed to the United States related to disaster assistance.

Sec. 309. Statute of limitations for debts owed to the United States related to disaster assistance.

Sec. 310. Technical assistance and recommendations.

Sec. 311. Local impact.

Sec. 312. Proof of insurance.

TITLE IV—WILDFIRE PREVENTION AND MITIGATION

Sec. 401. Wildfire mitigation assistance.

Sec. 402. Additional activities.

Sec. 403. Wildfire on Federal lands.

Sec. 404. Declaration of a major disaster for wildfire on Federal lands.

Sec. 405. Prohibition on transfers.

1 **TITLE I—FEMA**
2 **REAUTHORIZATION**
3 **SEC. 101. REAUTHORIZATION OF FEDERAL EMERGENCY**
4 **MANAGEMENT AGENCY.**

5 Section 699 of the Post-Katrina Emergency Manage-
6 ment Reform Act of 2006 (Public Law 109–295; 6 U.S.C.
7 811) is amended—

8 (1) by striking “administration and operations”
9 each place it appears and inserting “management
10 and administration”; and

11 (2) in paragraph (2), by striking “; and”;

1 (3) in paragraph (3), by striking the period and
2 inserting “; and”; and

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

4 “(4) for fiscal year 2016, \$946,982,000;

5 “(5) for fiscal year 2017, \$946,982,000; and

6 “(6) for fiscal year 2018, \$946,982,000.”.

7 **TITLE II—COMPREHENSIVE**
8 **STUDY OF DISASTER COSTS**
9 **AND LOSSES**

10 **SEC. 201. COMPREHENSIVE STUDY OF DISASTER COSTS**
11 **AND LOSSES.**

12 (a) ESTABLISHMENT.—Not later than 30 days after
13 the date of enactment of this Act, the Administrator of
14 the Federal Emergency Management Agency shall com-
15 mence, through the National Advisory Council, a com-
16 prehensive study related to disaster costs and losses (re-
17 ferred to in the subsection as the “Study”).

18 (b) ADDITIONAL MEMBERSHIP.—For the purposes of
19 the Study, as soon as practicable after the date of enact-
20 ment of this section, the Administrator shall appoint addi-
21 tional qualified members to the National Advisory Council
22 from the following:

23 (1) Individuals that have the requisite technical
24 knowledge and expertise on issues related to disaster
25 costs and losses.

1 (2) Representatives of the insurance industry.

2 (3) Experts in and representatives of the con-
3 struction and building industry.

4 (4) Individuals nominated by national organiza-
5 tions representing local governments and personnel.

6 (5) Academic experts.

7 (6) Vendors, developers, and manufacturers of
8 systems, facilities, equipment, and capabilities for
9 emergency management services.

10 (7) Representatives of such other stakeholders
11 and interested and affected parties as the Adminis-
12 trator considers appropriate.

13 (c) CONSULTATION WITH NONMEMBERS.—The Na-
14 tional Advisory Council shall consult with other relevant
15 agencies and groups that are not represented on the Na-
16 tional Advisory Council to consider research, data, find-
17 ings, recommendations, innovative technologies and devel-
18 opments, including—

19 (1) entities engaged in federally funded re-
20 search; and

21 (2) academic institutions engaged in relevant
22 work and research.

23 (d) RECOMMENDATIONS.—Not later than 120 days
24 after the date of enactment of this Act, the National Advi-
25 sory Council shall convene to evaluate the following topics

1 and develop recommendations for reducing disaster costs
2 and losses:

3 (1) DISASTER LOSSES.—

4 (A) COST TRENDS.—Trends in disaster
5 costs including loss of life and injury, property
6 damage to individuals, the private sector, and
7 each level of government (State, local and trib-
8 al) since the enactment of the Robert T. Staf-
9 ford Disaster Relief and Emergency Assistance
10 Act (42 U.S.C. 5121 et seq.), to the extent data
11 is available.

12 (B) CONTRIBUTING FACTORS.—Contrib-
13 uting factors such as shifting demographics and
14 aging infrastructure and their impacts on the
15 trends in disaster losses and costs.

16 (2) DISASTER COSTS.—

17 (A) TRENDS IN DECLARATIONS.—Trends
18 in disaster declarations, including factors con-
19 tributing to the trends.

20 (B) DISASTER ASSISTANCE.—Disaster as-
21 sistance available from all Federal sources, in-
22 cluding descriptions of programs, eligibility and
23 authorities, where assistance has been used geo-
24 graphically, how quickly the funds are used,
25 how that assistance is coordinated among the

1 various agencies and departments, and rec-
2 ommendations for ways to improve the effec-
3 tiveness and efficiency of the delivery of such
4 assistance.

5 (C) COSTS.—Disaster costs borne by the
6 private sector and individuals.

7 (3) DISASTER ROLES AND RESPONSIBILITY.—
8 Fundamental principles that should drive national
9 disaster assistance decision making, including the
10 appropriate roles for each level of government, the
11 private sector and individuals.

12 (4) REDUCTION OF COSTS AND LOSSES.—

13 (A) MECHANISMS AND INCENTIVES.—
14 Mechanisms and incentives, including tax incen-
15 tives, to promote disaster cost reduction, miti-
16 gation, and recovery, including cost data, pro-
17 jections for the return on investment, and
18 measures of effectiveness.

19 (B) IDENTIFICATION OF CHALLENGES.—
20 Identify fundamental legal, societal, geographic
21 and technological challenges to implementation.

22 (5) LEGISLATIVE PROPOSALS.—Legislative pro-
23 posals for implementing the recommendations in the
24 report compiled pursuant to the requirement in sec-

1 tion 1111 of the Sandy Recovery Improvement Act
2 of 2013 (Public Law 113–2).

3 (e) REPORT TO ADMINISTRATOR AND CONGRESS.—
4 Not later than 1 year after the date of enactment of this
5 section, the National Advisory Council shall submit a re-
6 port containing the data, analysis, and recommendations
7 developed under subsection (d) to—

8 (1) the Administrator of the Federal Emer-
9 gency Management Agency;

10 (2) the Committee on Transportation and In-
11 frastructure of the House of Representatives; and

12 (3) the Committee on Homeland Security and
13 Governmental Affairs of the Senate.

14 The Administrator shall make the data collected pursuant
15 to this section publically available on the Agency’s website.

16 **TITLE III—STAFFORD ACT AND**
17 **OTHER PROGRAMS**

18 **SEC. 301. REAUTHORIZATION OF URBAN SEARCH AND RES-**
19 **CUE RESPONSE SYSTEM.**

20 (a) IN GENERAL.—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. NATIONAL URBAN SEARCH AND RESCUE RE-**
2 **SPONSE SYSTEM.**

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

5 “(1) ADMINISTRATOR.—The term ‘Adminis-
6 trator’ means the Administrator of the Federal
7 Emergency Management Agency.

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

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

12 “(4) NONEMPLOYEE SYSTEM MEMBER.—The
13 term ‘nonemployee System member’ means a System
14 member not employed by a sponsoring agency or
15 participating agency.

16 “(5) PARTICIPATING AGENCY.—The term ‘par-
17 ticipating agency’ means a State or local govern-
18 ment, nonprofit organization, or private organization
19 that has executed an agreement with a sponsoring
20 agency to participate in the System.

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

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

4 “(8) SYSTEM MEMBER.—The term ‘System
5 member’ means an individual who is not a full-time
6 employee of the Federal Government and who serves
7 on a task force or on a System management or other
8 technical team.

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

12 “(b) GENERAL AUTHORITY.—Subject to the require-
13 ments of this section, the Administrator shall continue to
14 administer the emergency response system known as the
15 National Urban Search and Rescue Response System.

16 “(c) FUNCTIONS.—In administering the System, the
17 Administrator shall provide for a national network of
18 standardized search and rescue resources to assist States
19 and local governments in responding to hazards.

20 “(d) TASK FORCES.—

21 “(1) DESIGNATION.—The Administrator shall
22 designate task forces to participate in the System.
23 The Administration shall determine the criteria for
24 such participation.

1 “(2) SPONSORING AGENCIES.—Each task force
2 shall have a sponsoring agency. The Administrator
3 shall enter into an agreement with the sponsoring
4 agency with respect to the participation of each task
5 force in the System.

6 “(3) COMPOSITION.—

7 “(A) PARTICIPATING AGENCIES.—A task
8 force may include, at the discretion of the spon-
9 soring agency, one or more participating agen-
10 cies. The sponsoring agency shall enter into an
11 agreement with each participating agency with
12 respect to the participation of the participating
13 agency on the task force.

14 “(B) OTHER INDIVIDUALS.—A task force
15 may also include, at the discretion of the spon-
16 soring agency, other individuals not otherwise
17 associated with the sponsoring agency or a par-
18 ticipating agency. The sponsoring agency of a
19 task force may enter into a separate agreement
20 with each such individual with respect to the
21 participation of the individual on the task force.

22 “(e) MANAGEMENT AND TECHNICAL TEAMS.—The
23 Administrator shall maintain such management teams and
24 other technical teams as the Administrator determines are
25 necessary to administer the System.

1 “(f) APPOINTMENT OF SYSTEM MEMBERS INTO
2 FEDERAL SERVICE.—

3 “(1) IN GENERAL.—The Administrator may ap-
4 point a System member into Federal service for a
5 period of service to provide for the participation of
6 the System member in exercises, preincident staging,
7 major disaster and emergency response activities,
8 and training events sponsored or sanctioned by the
9 Administrator.

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

15 “(3) RELATIONSHIP TO OTHER AUTHORI-
16 TIES.—The authority of the Administrator to make
17 appointments under this subsection shall not affect
18 any other authority of the Administrator under this
19 Act.

20 “(4) LIMITATION.—A System member who is
21 appointed into Federal service under paragraph (1)
22 shall not be considered an employee of the United
23 States for purposes other than those specifically set
24 forth in this section.

25 “(g) COMPENSATION.—

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

5 “(A) to reimburse each employer of a Sys-
6 tem member on the task force for compensation
7 paid by the employer to the System member for
8 any period during which the System member is
9 appointed into Federal service under subsection
10 (f)(1); and

11 “(B) to make payments directly to a non-
12 employee System member on the task force for
13 any period during which the non-employee Sys-
14 tem member is appointed into Federal service
15 under subsection (f)(1).

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

18 “(A) IN GENERAL.—Subject to such terms
19 and conditions as the Administrator may im-
20 pose by regulation, the Administrator shall
21 make payments to the sponsoring agency of a
22 task force to reimburse each employer of a Sys-
23 tem member on the task force for compensation
24 paid by the employer to an employee filling a
25 position normally filled by the System member

1 for any period during which the System mem-
2 ber is appointed into Federal service under sub-
3 section (f)(1).

4 “(B) LIMITATION.—Costs incurred by an
5 employer shall be eligible for reimbursement
6 under subparagraph (A) only to the extent that
7 the costs are in excess of the costs that would
8 have been incurred by the employer had the
9 System member not been appointed into Fed-
10 eral service under subsection (f)(1).

11 “(3) METHOD OF PAYMENT.—A System mem-
12 ber shall not be entitled to pay directly from the
13 Agency for a period during which the System mem-
14 ber is appointed into Federal service under sub-
15 section (f)(1).

16 “(h) PERSONAL INJURY, ILLNESS, DISABILITY, OR
17 DEATH.—

18 “(1) IN GENERAL.—A System member who is
19 appointed into Federal service under subsection
20 (f)(1) and who suffers personal injury, illness, dis-
21 ability, or death as a result of a personal injury sus-
22 tained while acting in the scope of such appointment
23 shall, for the purposes of subchapter I of chapter 81
24 of title 5, United States Code, be treated as though
25 the member were an employee (as defined by section

1 8101 of that title) who had sustained the injury in
2 the performance of duty.

3 “(2) ELECTION OF BENEFITS.—

4 “(A) IN GENERAL.—If a System member
5 (or, in the case of the death of the System
6 member, the System member’s dependent) is
7 entitled—

8 “(i) under paragraph (1) to receive
9 benefits under subchapter I of chapter 81
10 of title 5, United States Code, by reason of
11 personal injury, illness, disability, or death,
12 and

13 “(ii) to receive benefits from a State
14 or local government by reason of the same
15 personal injury, illness, disability, or death,
16 the System member or dependent shall elect to
17 receive either the benefits referred to in clause
18 (i) or (ii).

19 “(B) DEADLINE.—A System member or
20 dependent shall make an election of benefits
21 under subparagraph (A) not later than 1 year
22 after the date of the personal injury, illness,
23 disability, or death that is the reason for the
24 benefits or until such later date as the Sec-

1 retary of Labor may allow for reasonable cause
2 shown.

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

6 “(3) REIMBURSEMENT FOR STATE OR LOCAL
7 BENEFITS.—Subject to such terms and conditions as
8 the Administrator may impose by regulation, in the
9 event that a System member or dependent elects
10 benefits from a State or local government under
11 paragraph (2)(A), the Administrator shall reimburse
12 the State or local government for the value of those
13 benefits.

14 “(i) CERTAIN BENEFITS.—In the case of a death or
15 disability, a System member (or in the case of the death
16 of the System member, the System member’s dependent)
17 shall be able to apply for the Public Safety Officers’ Bene-
18 fits program (as described in subpart 1 of part L of title
19 I of the Omnibus Crime Control and Safe Streets Act of
20 1968 (42 U.S.C. chapter 46, subchapter XII) if the Sys-
21 tem member meets the requirements of a ‘public safety
22 officer’ as defined in section 1204 of the Omnibus Crime
23 Control and Safe Streets Act of 1968 (42 U.S.C. 3796b).

24 “(j) LIABILITY.—A System member appointed into
25 Federal service under subsection (f)(1), while acting with-

1 in the scope of the appointment, is deemed an employee
2 of the Federal Government under section 1346(b) of title
3 28, United States Code, and chapter 171 of that title, re-
4 lating to tort claims procedure.

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

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

19 “(2) PRECLUSION.—Preclusion of giving notice
20 of service by necessity of appointment under this
21 section is deemed preclusion by ‘military necessity’
22 for purposes of section 4312(b) of title 38, United
23 States Code, pertaining to giving notice of absence
24 from a position of employment. A determination of

1 such necessity shall be made by the Administrator
2 and shall not be subject to judicial review.

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

12 “(m) ADVISORY COMMITTEE.—

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

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

21 “(A) the chief officer or senior executive
22 from at least three sponsoring agencies;

23 “(B) the senior emergency manager from
24 at least two States that include sponsoring
25 agencies; and

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

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

7 “(n) PREPAREDNESS COOPERATIVE AGREEMENTS.—

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

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

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

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

1 “(2) AVAILABILITY OF APPROPRIATIONS.—Not-
2 withstanding section 1552(b) of title 31, United
3 States Code, amounts made available for cooperative
4 agreements under this subsection that are not ex-
5 pended shall be deposited in an agency account and
6 shall remain available for such agreements without
7 fiscal year limitation.

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

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

17 “(q) AUTHORIZATION OF APPROPRIATIONS.—

18 “(1) IN GENERAL.—There is authorized to be
19 appropriated to carry out the System and the provi-
20 sions of this section \$50,000,000 for each of fiscal
21 years 2016, 2017, and 2018.

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)—

12 (i) by striking “United States Code,”;

13 and

14 (ii) by adding “and” at the end; and

15 (D) by inserting after subparagraph (F)
16 the following:

17 “(G) an individual who is a System mem-
18 ber of the National Urban Search and Rescue
19 Response System during a period of appoint-
20 ment into Federal service pursuant to section
21 327 of the Robert T. Stafford Disaster Relief
22 and Emergency Assistance Act;”.

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

1 (A) in paragraph (13) by inserting “, a pe-
2 riod for which a System member of the Na-
3 tional Urban Search and Rescue Response Sys-
4 tem is absent from a position of employment
5 due to an appointment into Federal service
6 under section 327 of the Robert T. Stafford
7 Disaster Relief and Emergency Assistance Act”
8 before “, and a period”; and

9 (B) in paragraph (16) by inserting after
10 “Public Health Service,” the following: “System
11 members of the National Urban Search and
12 Rescue Response System during a period of ap-
13 pointment into Federal service under section
14 327 of the Robert T. Stafford Disaster Relief
15 and Emergency Assistance Act,”.

16 **SEC. 302. REAUTHORIZATION OF EMERGENCY MANAGE-**
17 **MENT ASSISTANCE COMPACT GRANTS.**

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

22 **“SEC. 617. EMERGENCY MANAGEMENT ASSISTANCE COM-**
23 **PACT GRANTS.**

24 “(a) IN GENERAL.—The Administrator of the Fed-
25 eral Emergency Management Agency may make grants to

1 provide for implementation of the Emergency Manage-
2 ment Assistance Compact consented to by Congress in the
3 joint resolution entitled ‘Joint resolution granting the con-
4 sent of Congress to the Emergency Management Assist-
5 ance Compact’ (Public Law 104–321; 110 Stat. 3877).

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

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

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

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

19 “(3) to continue coordination with the Federal
20 Emergency Management Agency and appropriate
21 Federal agencies;

22 “(4) to continue coordination with States and
23 local governments and their respective national orga-
24 nizations; and

1 “(5) to assist State and local governments,
2 emergency response providers, and organizations
3 representing such providers with credentialing the
4 providers and the typing of emergency response re-
5 sources.

6 “(d) COORDINATION.—The Administrator of the
7 Federal Emergency Management Agency shall consult
8 with the Administrator of the Emergency Management
9 Assistance Compact to ensure effective coordination of ef-
10 forts in responding to requests for assistance.

11 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
12 is authorized to be appropriated to carry out this section
13 \$2,000,000 for each of the fiscal years 2016, 2017, and
14 2018. Such sums shall remain available until expended.”.

15 (b) REPEAL.—Section 661 of the Post-Katrina
16 Emergency Management Reform Act of 2006 (Public Law
17 109–295; 6 U.S.C. 761) is repealed.

18 **SEC. 303. NONPROFIT FACILITIES.**

19 (a) DEFINITION OF PRIVATE NONPROFIT FACIL-
20 ITY.—Section 102(11)(B) of the Robert T. Stafford Dis-
21 aster Relief and Emergency Assistance Act (42 U.S.C.
22 5122(11)(B)) is amended to read as follows:

23 “(B) ADDITIONAL FACILITIES.—In addi-
24 tion to the facilities described in subparagraph
25 (A), the term ‘private nonprofit facility’ in-

1 cludes any private nonprofit facility that pro-
2 vides essential services of a governmental na-
3 ture to the general public (including museums,
4 zoos, performing arts facilities, community arts
5 centers, libraries, homeless shelters, senior cit-
6 izen centers, rehabilitation facilities, shelter
7 workshops, public broadcasting facilities, and
8 facilities that provide health and safety services
9 of a governmental nature), as defined by the
10 President.”.

11 (b) REPAIR, RESTORATION, AND REPLACEMENT OF
12 DAMAGED FACILITIES.—Section 406(a)(3)(B) of the Rob-
13 ert T. Stafford Disaster Relief and Emergency Assistance
14 Act (42 U.S.C. 5172(a)(3)) is amended by striking “com-
15 munications,” and inserting “communications (including
16 public broadcasting),”.

17 **SEC. 304. STATUTE OF LIMITATIONS.**

18 (a) IN GENERAL.—Section 705(a)(1) of the Robert
19 T. Stafford Disaster Relief and Emergency Assistance Act
20 (42 U.S.C. 5205) is amended—

21 (1) by striking “Except” and inserting “Not-
22 withstanding section 3716(e) of title 31, United
23 States Code, and except”; and

1 (2) by striking “report for the disaster or emer-
2 gency” and inserting “report for project completion
3 as certified by the grantee”.

4 (b) APPLICABILITY.—

5 (1) IN GENERAL.—With respect to disaster or
6 emergency assistance provided to a State or local
7 government on or after January 1, 2004—

8 (A) no administrative action may be taken
9 to recover a payment of such assistance after
10 the date of enactment of this Act if the action
11 is prohibited under section 705(a)(1) of the
12 Robert T. Stafford Disaster Relief and Emer-
13 gency Assistance Act (42 U.S.C. 5205(a)(1)),
14 as amended by subsection (a); and

15 (B) any administrative action to recover a
16 payment of such assistance that is pending on
17 such date of enactment shall be terminated if
18 the action is prohibited under section 705(a)(1)
19 of that Act, as amended by subsection (a).

20 (2) LIMITATION.—This section, including the
21 amendments made by this section, may not be con-
22 strued to invalidate or otherwise affect any adminis-
23 tration action completed before the date of enact-
24 ment of this Act.

1 **SEC. 305. ACTION PLAN TO IMPROVE FIELD TRANSITION.**

2 (a) IN GENERAL.—Not later than 90 days after the
3 date of enactment of this Act, the Administrator of the
4 Federal Emergency Management Agency shall report to
5 the Committee on Transportation and Infrastructure of
6 the House of Representatives and the Committee on
7 Homeland Security and Governmental Affairs of the Sen-
8 ate regarding the plans the agency will undertake to pro-
9 vide the following:

10 (1) Consistent guidance to applicants on FEMA
11 disaster funding procedures during the response to
12 an emergency.

13 (2) Appropriate record maintenance and trans-
14 fer of documents to new teams during staff transi-
15 tions.

16 (3) Accurate assistance to applicants and grant-
17 ees to ease the administrative burden throughout the
18 process of obtaining and monitoring assistance.

19 (b) MAINTAINING RECORDS.—The report shall also
20 include a plan for implementing operating procedures and
21 document retention requirements to ensure the mainte-
22 nance of appropriate records throughout the lifecycle of
23 the disaster.

24 (c) NEW TECHNOLOGIES.—Finally, the report shall
25 identify new technologies that further aid the disaster
26 workforce in partnering with State, local, and tribal gov-

1 ernments and private nonprofits in the wake of a disaster
2 or emergency to educate, assist, and inform applicants on
3 the status of their disaster assistance applications and
4 projects.

5 **SEC. 306. SIMPLIFIED PROCEDURES.**

6 Section 422(a) of the Robert T. Stafford Disaster Re-
7 lief and Emergency Assistance Act (42 U.S.C. 5189) is
8 amended—

9 (1) by striking “\$35,000” the first place it ap-
10 pears and inserting “\$1,000,000”; and

11 (2) by striking the second sentence.

12 **SEC. 307. MANAGEMENT COSTS.**

13 Section 324 of the Robert T. Stafford Disaster Relief
14 and Emergency Assistance Act (42 U.S.C. 5165b) is
15 amended—

16 (1) in subsection (a) by striking “any adminis-
17 trative expense, and any other expense not directly
18 chargeable to” and inserting “direct administrative
19 cost, and any other administrative expense associ-
20 ated with”; and

21 (2) in subsection (b)—

22 (A) by striking “Notwithstanding” and in-
23 serting the following:

24 “(1) IN GENERAL.—Notwithstanding”.

1 (B) by striking “establish” and inserting
2 the following: “implement the following:”; and

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

4 “(2) SPECIFIC MANAGEMENT COSTS.—The Ad-
5 ministrator shall provide the following percentage
6 rates, in addition to the eligible project costs, to
7 cover direct and indirect costs of administering the
8 following programs:

9 “(A) HAZARD MITIGATION.—A grantee
10 under section 404 may be reimbursed not more
11 than 15 percent of the total amount of the
12 grant award under such section of which not
13 more than 10 percent may be used by the
14 grantee and 5 percent by the subgrantee for
15 such costs.

16 “(B) PUBLIC ASSISTANCE.—A grantee
17 under sections 403, 406, 407, and 502, may be
18 reimbursed not more than 10 percent of the
19 total award amount under such sections, of
20 which not more than 6 percent may be used by
21 the grantee and 4 percent by the subgrantee for
22 such costs.”.

1 **SEC. 308. DEBTS OWED TO THE UNITED STATES RELATED**
2 **TO DISASTER ASSISTANCE.**

3 (a) DEFINITION.—In this section, the term “covered
4 assistance” means assistance provided—

5 (1) under section 408 of the Robert T. Stafford
6 Disaster Relief and Emergency Assistance Act (42
7 U.S.C. 5174); and

8 (2) in relation to a major disaster or emergency
9 declared by the President under section 401 or 501
10 of the Robert T. Stafford Disaster Relief and Emer-
11 gency Assistance Act (42 U.S.C. 5170; 42 U.S.C.
12 5191) on or after October 30, 2012.

13 (b) WAIVER AUTHORITY.—Notwithstanding section
14 3716(e) of title 31, United States Code, the Administrator
15 of the Federal Emergency Management Agency—

16 (1) subject to paragraph (2), may waive a debt
17 owed to the United States related to covered assist-
18 ance provided to an individual or household if—

19 (A) the covered assistance was distributed
20 based on an error by the Federal Emergency
21 Management Agency;

22 (B) there was no fault on behalf of the
23 debtor; and

24 (C) the collection of the debt would be
25 against equity and good conscience; and

1 (2) may not waive a debt under paragraph (1)
2 if the debt involves fraud, the presentation of a false
3 claim, or misrepresentation by the debtor or any
4 party having an interest in the claim.

5 (c) MONITORING OF COVERED ASSISTANCE DISTRIB-
6 UTED BASED ON ERROR.—

7 (1) IN GENERAL.—The Inspector General shall
8 monitor the distribution of covered assistance to in-
9 dividuals and households to determine the percent-
10 age of such assistance distributed based on an error.

11 (2) REMOVAL OF WAIVER AUTHORITY BASED
12 ON EXCESSIVE ERROR RATE.—If the Inspector Gen-
13 eral determines, with respect to any 12-month pe-
14 riod, that the amount of covered assistance distrib-
15 uted based on an error by the Federal Emergency
16 Management Agency exceeds 4 percent of the total
17 amount of covered assistance distributed—

18 (A) the Inspector General shall notify the
19 Administrator and publish the determination in
20 the Federal Register; and

21 (B) with respect to any major disaster de-
22 clared by the President under section 401 of
23 the Robert T. Stafford Disaster Relief and
24 Emergency Assistance Act (42 U.S.C. 5170)
25 after the date of the determination, the author-

1 ity of the Administrator to waive debt under
2 subsection (b) shall no longer be effective.

3 **SEC. 309. STATUTE OF LIMITATIONS FOR DEBTS OWED TO**
4 **THE UNITED STATES RELATED TO DISASTER**
5 **ASSISTANCE.**

6 Notwithstanding section 3716(g) of title 31, United
7 States Code, and unless there is evidence of civil or crimi-
8 nal fraud, the Administrator, on behalf of the President,
9 shall not initiate new administrative action in any forum
10 to recover—

11 (1) payments made to an individual or house-
12 hold under section 408 of the Robert T. Stafford
13 Disaster Relief and Emergency Assistance Act (42
14 U.S.C. 5174) more than 3 years after the last date
15 on which such payments were made; or

16 (2) funds owed by an individual or household
17 for assistance provided under section 408 of the
18 Robert T. Stafford Disaster Relief and Emergency
19 Assistance Act (42 U.S.C. 5174) more than 3 years
20 after the last date on which such funds were deter-
21 mined to be owed.

22 **SEC. 310. TECHNICAL ASSISTANCE AND RECOMMENDA-**
23 **TIONS.**

24 (a) **TECHNICAL ASSISTANCE.**—The Administrator of
25 the Federal Emergency Management Agency shall provide

1 technical assistance to a common interest community that
2 provides essential services of a governmental nature on ac-
3 tions that a common interest community may take in
4 order to be eligible to receive reimbursement from a grant-
5 ee that receives funds from the Agency for certain activi-
6 ties performed after an event that results in a disaster
7 declaration.

8 (b) RECOMMENDATIONS.—Not later than 1 year
9 after the date of enactment of this Act, the Administrator
10 shall provide recommendations to the House Committee
11 on Transportation and Infrastructure and the Senate
12 Committee on Homeland Security and Governmental Af-
13 fairs on how common areas of condominiums and housing
14 cooperatives may be eligible for assistance, including any
15 progress the Agency has made in its explorations of this
16 issue and the potential challenges identified since the
17 Agency issued its report on May 22, 2014.

18 **SEC. 311. LOCAL IMPACT.**

19 In making recommendations to the President regard-
20 ing a major disaster declaration, the Administrator shall
21 give greater weight and consideration to severe localized
22 impact. Further, the Administrator shall make cor-
23 responding adjustments to the Agency's policies and regu-
24 lations. Not later than 1 year after the date of enactment
25 of this section, the Administrator shall report to the Com-

1 mittees on Transportation and Infrastructure of the
2 House of Representatives and the Committee on Home-
3 land Security and Governmental Affairs of the Senate on
4 the changes made to regulations and policies and the num-
5 ber of declarations that have been declared based on the
6 new criteria.

7 **SEC. 312. PROOF OF INSURANCE.**

8 A State shall be deemed to have proven that an appli-
9 cant has satisfied the purchase of insurance requirements
10 under the Robert T. Stafford Disaster Relief and Emer-
11 gency Assistance Act (42 U.S.C. 5121 et. seq.) when an
12 encumbrance requiring the purchase and maintenance of
13 insurance has been placed on the title of the property re-
14 ceiving the benefit of the grant or assistance. This section
15 in no way removes or reduces the insurance requirements
16 on an applicant under the Act and in no way limits the
17 requirement that assistance provided under the Stafford
18 Act be reduced or eliminated when the requirements are
19 not met.

20 **TITLE IV—WILDFIRE**
21 **PREVENTION AND MITIGATION**

22 **SEC. 401. WILDFIRE MITIGATION ASSISTANCE.**

23 (a) IN GENERAL.—Section 420 of the Robert T.
24 Stafford Disaster Relief and Emergency Assistance Act
25 (42 U.S.C. 5187) is amended—

1 (1) by redesignating subsection (d) as sub-
2 section (e); and

3 (2) by inserting after subsection (c) the fol-
4 lowing:

5 “(d) HAZARD MITIGATION ASSISTANCE.—Whether
6 or not a major disaster is declared, the President may pro-
7 vide hazard mitigation assistance in accordance with sec-
8 tion 404 in any area affected by a fire for which assistance
9 was provided under this section.”.

10 (b) CONFORMING AMENDMENTS.—The Robert T.
11 Stafford Disaster Relief and Emergency Assistance Act
12 (42 U.S.C. 5121 et seq.) is amended—

13 (1) in section 404(a) (42 U.S.C. 5170c(a))—

14 (A) by inserting before the first period “,
15 or any area affected by a fire for which assist-
16 ance was provided under section 420”; and

17 (B) in the third sentence by inserting “or
18 event under section 420” after “major disaster”
19 each place it appears; and

20 (2) in section 322(e)(1) (42 U.S.C. 5165(e)(1)),
21 by inserting “or event under section 420” after
22 “major disaster” each place it appears.

1 **SEC. 402. ADDITIONAL ACTIVITIES.**

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

5 “(f) USE OF ASSISTANCE.—Recipients of hazard
6 mitigation assistance provided under this section and sec-
7 tion 203 may use the assistance to conduct the following
8 activities to help reduce the risk of future damage, hard-
9 ship, loss, or suffering in any area affected by—

10 “(1) a wildfire, including—

11 “(A) reseeding ground cover with quick-
12 growing or native species;

13 “(B) mulching with straw or chipped wood;

14 “(C) constructing straw, rock, or log dams
15 in small tributaries to prevent flooding;

16 “(D) placing logs and other erosion bar-
17 riers to catch sediment on hill slopes;

18 “(E) installing debris traps to modify road
19 and trail drainage mechanisms;

20 “(F) modifying or removing culverts to
21 allow drainage to flow freely;

22 “(G) adding drainage dips and con-
23 structing emergency spillways to keep roads
24 and bridges from washing out during floods;

25 “(H) planting grass to prevent the spread
26 of noxious weeds;

1 “(I) installing warning signs;

2 “(J) establishing defensible space meas-
3 ures; and

4 “(K) reducing hazardous fuels; and

5 “(2) earthquake hazards, including—

6 “(A) improvements to regional seismic net-
7 works in support of building a capability for
8 earthquake early warning;

9 “(B) improvements to geodetic networks in
10 support of building a capability for earthquake
11 early warning; or

12 “(C) seismometers, GPS receivers, and as-
13 sociated infrastructure in support of building a
14 capability for earthquake early warning.”.

15 **SEC. 403. WILDFIRE ON FEDERAL LANDS.**

16 Section 102(2) of the Robert T. Stafford Disaster
17 Relief and Emergency Assistance Act (42 U.S.C. 5122(2))
18 is amended—

19 (1) by striking “(2)” and all that follows
20 through “means” and inserting the following:

21 “(2) MAJOR DISASTER.—

22 “(A) MAJOR DISASTER.—The term ‘major
23 disaster’ means”; and

24 (2) by adding at the end the following:

1 “(B) MAJOR DISASTER FOR WILDFIRE ON
2 FEDERAL LANDS.—The term ‘major disaster
3 for wildfire on Federal lands’ means any wild-
4 fire or wildfires, which in the determination of
5 the President under section 802 warrants as-
6 sistance under section 803 to supplement the
7 efforts and resources of the Department of the
8 Interior or the Department of Agriculture—

9 “(i) on Federal lands; or

10 “(ii) on non-Federal lands pursuant
11 to a fire protection agreement or coopera-
12 tive agreement.”.

13 **SEC. 404. DECLARATION OF A MAJOR DISASTER FOR WILD-**
14 **FIRE ON FEDERAL LANDS.**

15 The Robert T. Stafford Disaster Relief and Emer-
16 gency Assistance Act (42 U.S.C. 5170 et seq.) is amended
17 by adding at the end the following:

18 **“TITLE VIII—MAJOR DISASTER**
19 **FOR WILDFIRE ON FEDERAL**
20 **LAND**

21 **“SEC. 801. DEFINITIONS.**

22 “As used in this title—

23 “(1) FEDERAL LAND.—The term ‘Federal land’
24 means—

1 “(A) any land under the jurisdiction of the
2 Department of the Interior; and

3 “(B) any land under the jurisdiction of the
4 United States Forest Service.

5 “(2) FEDERAL LAND MANAGEMENT AGEN-
6 CIES.—The term ‘Federal land management agen-
7 cies’ means—

8 “(A) the Bureau of Land Management;

9 “(B) the National Park Service;

10 “(C) the Bureau of Indian Affairs;

11 “(D) the United States Fish and Wildlife
12 Service; and

13 “(E) the United States Forest Service.

14 “(3) WILDFIRE SUPPRESSION OPERATIONS.—
15 The term ‘wildfire suppression operations’ means the
16 emergency and unpredictable aspects of wildland
17 firefighting, including support, response, emergency
18 stabilization activities, and other emergency manage-
19 ment activities of wildland firefighting on Federal
20 lands (or on non-Federal lands pursuant to a fire
21 protection agreement or cooperative agreement) by
22 the Federal land management agencies covered by
23 the wildfire suppression subactivity of the Wildland
24 Fire Management account or the FLAME Wildfire

1 Suppression Reserve Fund account of the Federal
2 land management agencies.

3 **“SEC. 802. PROCEDURE FOR DECLARATION OF A MAJOR**
4 **DISASTER FOR WILDFIRE ON FEDERAL**
5 **LANDS.**

6 “(a) IN GENERAL.—The Secretary of the Interior or
7 the Secretary of Agriculture may submit a request to the
8 President consistent with the requirements of this title for
9 a declaration by the President that a major disaster for
10 wildfire on Federal lands exists.

11 “(b) REQUIREMENTS.—A request for a declaration
12 by the President that a major disaster for wildfire on Fed-
13 eral lands exists shall—

14 “(1) be made in writing by the respective Sec-
15 retary;

16 “(2) certify that the amount appropriated in
17 the current fiscal year for wildfire suppression oper-
18 ations of the Federal land management agencies
19 under the jurisdiction of the respective Secretary,
20 net of any concurrently enacted rescissions of wild-
21 fire suppression funds, increases the total unobli-
22 gated balance of amounts available for wildfire sup-
23 pression by an amount equal to or greater than the
24 average total costs incurred by the Federal land
25 management agencies per year for wildfire suppres-

1 sion operations, including the suppression costs in
2 excess of appropriated amounts, over the previous
3 ten fiscal years;

4 “(3) certify that the amount available for wild-
5 fire suppression operations of the Federal land man-
6 agement agencies under the jurisdiction of the re-
7 spective Secretary will be obligated not later than 30
8 days after such Secretary notifies the President that
9 wildfire suppression funds will be exhausted to fund
10 ongoing and anticipated wildfire suppression oper-
11 ations related to the wildfire on which the request
12 for the declaration of a major disaster for wildfire
13 on Federal lands pursuant to this title is based; and

14 “(4) specify the amount required in the current
15 fiscal year to fund wildfire suppression operations
16 related to the wildfire on which the request for the
17 declaration of a major disaster for wildfire on Fed-
18 eral lands pursuant to this title is based.

19 “(c) DECLARATION.—Based on the request of the re-
20 spective Secretary under this title, the President may de-
21 clare that a major disaster for wildfire on Federal lands
22 exists.

23 **“SEC. 803. WILDFIRE ON FEDERAL LANDS ASSISTANCE.**

24 “(a) IN GENERAL.—In a major disaster for wildfire
25 on Federal lands, the President may transfer funds, only

1 from the account established pursuant to subsection (b),
2 to the Secretary of the Interior or the Secretary of Agri-
3 culture to conduct wildfire suppression operations on Fed-
4 eral lands (and non-Federal lands pursuant to a fire pro-
5 tection agreement or cooperative agreement).

6 “(b) WILDFIRE SUPPRESSION OPERATIONS AC-
7 COUNT.—The President shall establish a specific account
8 for the assistance available pursuant to a declaration
9 under section 802. Such account may only be used to fund
10 assistance pursuant to this title.

11 “(c) LIMITATION.—

12 “(1) LIMITATION OF TRANSFER.—The assist-
13 ance available pursuant to a declaration under sec-
14 tion 802 is limited to the transfer of the amount re-
15 quested pursuant to section 802(b)(4). The assist-
16 ance available for transfer shall not exceed the
17 amount contained in the wildfire suppression oper-
18 ations account established pursuant to subsection
19 (b).

20 “(2) TRANSFER OF FUNDS.—Funds under this
21 section shall be transferred from the wildfire sup-
22 pression operations account to the wildfire suppres-
23 sion subactivity of the Wildland Fire Management
24 Account.

1 “(d) PROHIBITION OF OTHER TRANSFERS.—Except
2 as provided in this section, no funds may be transferred
3 to or from the account established pursuant to subsection
4 (b) to or from any other fund or account.

5 “(e) REIMBURSEMENT FOR WILDFIRE SUPPRESSION
6 OPERATIONS ON NON-FEDERAL LAND.—If amounts
7 transferred under subsection (c) are used to conduct wild-
8 fire suppression operations on non-Federal land, the re-
9 spective Secretary shall—

10 “(1) secure reimbursement for the cost of such
11 wildfire suppression operations conducted on the
12 non-Federal land; and

13 “(2) transfer the amounts received as reim-
14 bursement to the wildfire suppression operations ac-
15 count established pursuant to subsection (b).

16 “(f) ANNUAL ACCOUNTING AND REPORTING RE-
17 QUIREMENTS.—Not later than 90 days after the end of
18 each fiscal year for which assistance is received pursuant
19 to this section, the respective Secretary shall submit to
20 the Committees on Agriculture, Appropriations, the Budg-
21 et, Natural Resources, and Transportation and Infrastruc-
22 ture of the House of Representatives and the Committees
23 on Agriculture, Nutrition, and Forestry, Appropriations,
24 the Budget, Energy and Natural Resources, Homeland
25 Security and Governmental Affairs, and Indian Affairs of

1 the Senate, and make available to the public, a report that
2 includes the following:

3 “(1) The risk-based factors that influenced
4 management decisions regarding wildfire suppression
5 operations of the Federal land management agencies
6 under the jurisdiction of the Secretary concerned.

7 “(2) Specific discussion of a statistically signifi-
8 cant sample of large fires, in which each fire is ana-
9 lyzed for cost drivers, effectiveness of risk manage-
10 ment techniques, resulting positive or negative im-
11 pacts of fire on the landscape, impact of investments
12 in preparedness, suggested corrective actions, and
13 such other factors as the respective Secretary con-
14 siders appropriate.

15 “(3) Total expenditures for wildfire suppression
16 operations of the Federal land management agencies
17 under the jurisdiction of the respective Secretary,
18 broken out by fire sizes, cost, regional location, and
19 such other factors as the such Secretary considers
20 appropriate.

21 “(4) Lessons learned.

22 “(5) Such other matters as the respective Sec-
23 retary considers appropriate.

24 “(g) SAVINGS PROVISION.—Nothing in this title shall
25 limit the Secretary of the Interior, the Secretary of Agri-

1 culture, Indian tribe, or a State from receiving assistance
2 through a declaration made by the President under this
3 Act when the criteria for such declaration have been
4 met.”.

5 **SEC. 405. PROHIBITION ON TRANSFERS.**

6 No funds may be transferred to or from the Federal
7 land management agencies’ wildfire suppression oper-
8 ations accounts referred to in section 801(3) of the Robert
9 T. Stafford Disaster Relief and Emergency Assistance Act
10 to or from any account or subactivity of the Federal land
11 management agencies, as defined in section 801(2) of such
12 Act, that is not used to cover the cost of wildfire suppres-
13 sion operations.