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. Statute of limitations.
- Sec. 303. Action plan to improve field transition.
- Sec. 304. Simplified procedures.
- Sec. 305. Management costs.
- Sec. 306. Debts owed to the United States related to disaster assistance.
- Sec. 307. Statute of limitations for debts owed to the United States related to disaster assistance.
- Sec. 308. Technical assistance and recommendations.
- Sec. 309. Local impact.
- Sec. 310. Proof of insurance.
- Sec. 311. Authorities.
- Sec. 312. Responsibilities.
- Sec. 313. Earthquake and Tsunami Interagency Task Force.
- Sec. 314. Mitigation assistance.
- Sec. 315. Additional activities.

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
- and administration"; and
- (2) in paragraph (2), by striking "; and";
- 12 (3) in paragraph (3), by striking the period and
- inserting "; and"; and

1	(4) by adding at the end the following:
2	"(4) for fiscal year 2016, \$946,982,000;
3	"(5) for fiscal year 2017, \$946,982,000; and
4	"(6) for fiscal year 2018, \$946,982,000.".
5	TITLE II—COMPREHENSIVE
6	STUDY OF DISASTER COSTS
7	AND LOSSES
8	SEC. 201. COMPREHENSIVE STUDY OF DISASTER COSTS
9	AND LOSSES.
10	(a) Establishment.—Not later than 30 days after
11	the date of enactment of this Act, the Administrator of
12	the Federal Emergency Management Agency shall com-
13	mence, through the National Advisory Council, a com-
14	prehensive study related to disaster costs and losses (re-
15	ferred to in the subsection as the "Study").
16	(b) Additional Membership.—For the purposes of
17	the Study, as soon as practicable after the date of enact-
18	ment of this section, the Administrator shall appoint addi-
19	tional qualified members to the National Advisory Council
20	from the following:
21	(1) Individuals that have the requisite technical
22	knowledge and expertise on issues related to disaster
23	costs and losses.
24	(2) Representatives of the insurance industry.

1	(3) Experts in and representatives of the con-
2	struction and building industry.
3	(4) Individuals nominated by national organiza-
4	tions representing local governments and personnel.
5	(5) Academic experts.
6	(6) Vendors, developers, and manufacturers of
7	systems, facilities, equipment, and capabilities for
8	emergency management services.
9	(7) Representatives of such other stakeholders
10	and interested and affected parties as the Adminis-
11	trator considers appropriate.
12	(c) Consultation With Nonmembers.—The Na-
13	tional Advisory Council shall consult with other relevant
14	agencies and groups that are not represented on the Na-
15	tional Advisory Council to consider research, data, find-
16	ings, recommendations, innovative technologies and devel-
17	opments, including—
18	(1) entities engaged in federally funded re-
19	search; and
20	(2) academic institutions engaged in relevant
21	work and research.
22	(d) Recommendations.—Not later than 120 days
23	after the date of enactment of this Act, the National Advi-
24	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	"(4) Public safety officer claims.—Noth-
15	ing in this subsection shall be construed to bar any
16	claim by, or with respect to, any System member
17	who is a 'public safety officer', as defined in section
18	1204 of the Omnibus Crime Control and Safe
19	Streets Act of 1968, for any benefits authorized pur-
20	suant to section 1001(a)(4) of that Act.
21	"(5) TECHNICAL AMENDMENT.—Section
22	1086(d) of the National Defense Authorization Act
23	for Fiscal Year 2013 is amended as follows (which
24	amendments shall take effect as if enacted on Janu-
25	ary 2, 2013)—

1	"(A) in paragraph (1)—
2	"(i) by striking 'paragraph (1)' and
3	inserting 'paragraph (2)'; and
4	"(ii) in subparagraph (B) by striking
5	'filed or' and inserting 'filed (consistent
6	with pre-existing effective dates) or'; and
7	"(B) in paragraph (2)(A), by striking
8	'amendments made by this Act' and inserting
9	'amendments made to section 1204 of the Om-
10	nibus Crime Control and Safe Streets Act of
11	1968 (42 U.S.C. 3796b) by this Act'.
12	"(i) Liability.—A System member appointed into
13	Federal service under subsection $(f)(1)$, while acting with-
14	in the scope of the appointment, is deemed an employee
15	of the Federal Government under section 1346(b) of title
16	28, United States Code, and chapter 171 of that title, re-
17	lating to tort claims procedure.
18	"(j) Employment and Reemployment Rights.—
19	With respect to a System member who is not a regular
20	full-time employee of a sponsoring agency or participating
21	agency, the following terms and conditions apply:
22	"(1) Service.—Service as a System member is
23	deemed 'service in the uniformed services' for pur-
24	poses of chapter 43 of title 38, United States Code,
25	relating to employment and reemployment rights of

1	individuals who have performed service in the uni-
2	formed services (regardless of whether the individual
3	receives compensation for such participation). All
4	rights and obligations of such persons and proce-
5	dures for assistance, enforcement, and investigation
6	shall be as provided for in such chapter.
7	"(2) Preclusion.—Preclusion of giving notice
8	of service by necessity of appointment under this
9	section is deemed preclusion by 'military necessity'
10	for purposes of section 4312(b) of title 38, United
11	States Code, pertaining to giving notice of absence
12	from a position of employment. A determination of
13	such necessity shall be made by the Administrator
14	and shall not be subject to judicial review.
15	"(k) Licenses and Permits.—If a System member
16	holds a valid license, certificate, or other permit issued by
17	any State or other governmental jurisdiction evidencing
18	the member's qualifications in any professional, mechan-
19	ical, or other skill or type of assistance required by the
20	System, the System member is deemed to be performing
21	a Federal activity when rendering aid involving such skill
22	or assistance during a period of appointment into Federal
23	service under subsection $(f)(1)$.
24	"(1) Advisory Committee.—

1	"(1) IN GENERAL.—The Administrator shall es-
2	tablish and maintain an advisory committee to pro-
3	vide expert recommendations to the Administrator in
4	order to assist the Administrator in administering
5	the System.
6	"(2) Composition.—The advisory committee
7	shall be composed of members from geographically
8	diverse areas, and shall include—
9	"(A) the chief officer or senior executive
10	from at least three sponsoring agencies;
11	"(B) the senior emergency manager from
12	at least two States that include sponsoring
13	agencies; and
14	"(C) at least one representative rec-
15	ommended by the leaders of the task forces.
16	"(3) Inapplicability of termination re-
17	QUIREMENT.—Section 14(a)(2) of the Federal Advi-
18	sory Committee Act (5 U.S.C. App.) shall not apply
19	to the advisory committee under this subsection.
20	"(m) Preparedness Cooperative Agree-
21	MENTS.—
22	"(1) In general.—Subject to the availability
23	of appropriations for such purpose, the Adminis-
24	trator shall enter into an annual preparedness coop-
25	erative agreement with each sponsoring agency.

1	Amounts made available to a sponsoring agency
2	under such a preparedness cooperative agreement
3	shall be for the following purposes:
4	"(A) Training and exercises, including
5	training and exercises with other Federal,
6	State, and local government response entities.
7	"(B) Acquisition and maintenance of
8	equipment, including interoperable communica-
9	tions and personal protective equipment.
10	"(C) Medical monitoring required for re-
11	sponder safety and health in anticipation of and
12	following a major disaster, emergency, or other
13	hazard, as determined by the Administrator.
14	"(2) Availability of appropriations.—Not-
15	withstanding section 1552(b) of title 31, United
16	States Code, amounts made available for cooperative
17	agreements under this subsection that are not ex-
18	pended shall be deposited in an agency account and
19	shall remain available for such agreements without
20	fiscal year limitation.
21	"(n) RESPONSE COOPERATIVE AGREEMENTS.—The
22	Administrator shall enter into a response cooperative
23	agreement with each sponsoring agency, as appropriate,
24	under which the Administrator agrees to reimburse the

1	sponsoring agency for costs incurred by the sponsoring
2	agency in responding to a major disaster or emergency.
3	"(o) Obligations.—The Administrator may incur
4	all necessary obligations consistent with this section in
5	order to ensure the effectiveness of the System.
6	"(p) Authorization of Appropriations.—
7	"(1) In general.—There is authorized to be
8	appropriated to carry out the System and the provi-
9	sions of this section \$50,000,000 for each of fiscal
10	years 2016, 2017, and 2018.
11	"(2) Administrative expenses.—The Ad-
12	ministrator may use not to exceed 6 percent of the
13	funds appropriated for a fiscal year pursuant to
14	paragraph (1) for salaries, expenses, and other ad-
15	ministrative costs incurred by the Administrator in
16	carrying out this section.".
17	(b) Conforming Amendments.—
18	(1) Applicability of title 5, united
19	STATES CODE.—Section 8101(1) of title 5, United
20	States Code, is amended—
21	(A) in subparagraph (D) by striking "and"
22	at the end;
23	(B) by moving subparagraph (F) to appear
24	after subparagraph (E);
25	(C) in subparagraph (F)—

1	(i) by striking "United States Code,";
2	and
3	(ii) by adding "and" at the end; and
4	(D) by inserting after subparagraph (F)
5	the following:
6	"(G) an individual who is a System mem-
7	ber of the National Urban Search and Rescue
8	Response System during a period of appoint-
9	ment into Federal service pursuant to section
10	327 of the Robert T. Stafford Disaster Relief
11	and Emergency Assistance Act;".
12	(2) Inclusion as part of uniformed serv-
13	ices for purposes of userra.—Section 4303 of
14	title 38, United States Code, is amended—
15	(A) in paragraph (13) by inserting ", a pe-
16	riod for which a System member of the Na-
17	tional Urban Search and Rescue Response Sys-
18	tem is absent from a position of employment
19	due to an appointment into Federal service
20	under section 327 of the Robert T. Stafford
21	Disaster Relief and Emergency Assistance Act"
22	before ", and a period"; and
23	(B) in paragraph (16) by inserting after
24	"Public Health Service," the following: "System
25	members of the National Urban Search and

1	Rescue Response System during a period of ap-
2	pointment into Federal service under section
3	327 of the Robert T. Stafford Disaster Relief
4	and Emergency Assistance Act,".
5	SEC. 302. STATUTE OF LIMITATIONS.
6	(a) In General.—Section 705(a)(1) of the Robert
7	T. Stafford Disaster Relief and Emergency Assistance Act
8	(42 U.S.C. 5205) is amended—
9	(1) by striking "Except" and inserting "Not-
10	withstanding section 3716(e) of title 31, United
11	States Code, and except"; and
12	(2) by striking "report for the disaster or emer-
13	gency" and inserting "report for project completion
14	as certified by the grantee".
15	(b) Applicability.—
16	(1) In general.—With respect to disaster or
17	emergency assistance provided to a State or local
18	government on or after January 1, 2004—
19	(A) no administrative action may be taken
20	to recover a payment of such assistance after
21	the date of enactment of this Act if the action
22	is prohibited under section $705(a)(1)$ of the
23	Robert T. Stafford Disaster Relief and Emer-
24	gency Assistance Act (42 U.S.C. 5205(a)(1)),
25	as amended by subsection (a); and

1	(B) any administrative action to recover a
2	payment of such assistance that is pending on
3	such date of enactment shall be terminated if
4	the action is prohibited under section 705(a)(1)
5	of that Act, as amended by subsection (a).
6	(2) Limitation.—This section, including the
7	amendments made by this section, may not be con-
8	strued to invalidate or otherwise affect any adminis-
9	tration action completed before the date of enact-
10	ment of this Act.
11	SEC. 303. ACTION PLAN TO IMPROVE FIELD TRANSITION.
12	(a) In General.—Not later than 90 days after the
13	date of enactment of this Act, the Administrator of the
14	Federal Emergency Management Agency shall report to
15	the Committee on Transportation and Infrastructure of
16	the House of Representatives and the Committee on
17	Homeland Security and Governmental Affairs of the Sen-
18	ate regarding the plans the agency will undertake to pro-
19	vide the following:
20	(1) Consistent guidance to applicants on FEMA
21	disaster funding procedures during the response to
22	an emergency.
23	(2) Appropriate record maintenance and trans-
24	fer of documents to new teams during staff transi-
25	tions.

1	(3) Accurate assistance to applicants and grant-
2	ees to ease the administrative burden throughout the
3	process of obtaining and monitoring assistance.
4	(b) Maintaining Records.—The report shall also
5	include a plan for implementing operating procedures and
6	document retention requirements to ensure the mainte-
7	nance of appropriate records throughout the lifecycle of
8	the disaster.
9	(c) New Technologies.—Finally, the report shall
10	identify new technologies that further aid the disaster
11	workforce in partnering with State, local, and tribal gov-
12	ernments and private nonprofits in the wake of a disaster
13	or emergency to educate, assist, and inform applicants on
14	the status of their disaster assistance applications and
15	projects.
16	SEC. 304. SIMPLIFIED PROCEDURES.
17	Section 422(a) of the Robert T. Stafford Disaster Re-
18	lief and Emergency Assistance Act (42 U.S.C. 5189) is
19	amended—
20	(1) by striking "\$35,000" the first place it ap-
21	pears and inserting "\$1,000,000"; and
22	(2) by striking the second sentence.

1 SEC. 305. MANAGEMENT COSTS.

2		Section 324 of the Robert T. Stafford Disaster Relief
3	and	Emergency Assistance Act (42 U.S.C. 5165b) is
4	amer	nded—
5		(1) in subsection (a) by striking "any adminis-
6		trative expense, and any other expense not directly
7		chargeable to" and inserting "direct administrative
8		cost, and any other administrative expense associ-
9		ated with"; and
10		(2) in subsection (b)—
11		(A) by striking "Notwithstanding" and in-
12		serting the following:
13		"(1) In general.—Notwithstanding".
14		(B) by striking "establish" and inserting
15		the following: "implement the following:"; and
16		(C) by adding at the end the following:
17		"(2) Specific management costs.—The Ad-
18		ministrator shall provide the following percentage
19		rates, in addition to the eligible project costs, to
20		cover direct and indirect costs of administering the
21		following programs:
22		"(A) HAZARD MITIGATION.—A grantee
23		under section 404 may be reimbursed not more
24		than 15 percent of the total amount of the
25		grant award under such section of which not
26		more than 10 percent may be used by the

1	grantee and 5 percent by the subgrantee for
2	such costs.
3	"(B) Public Assistance.—A grantee
4	under sections 403, 406, 407, and 502, may be
5	reimbursed not more than 10 percent of the
6	total award amount under such sections, of
7	which not more than 6 percent may be used by
8	the grantee and 4 percent by the subgrantee for
9	such costs.".
10	SEC. 306. DEBTS OWED TO THE UNITED STATES RELATED
11	TO DISASTER ASSISTANCE.
12	(a) Definition.—In this section, the term "covered
13	assistance' means assistance provided—
14	(1) under section 408 of the Robert T. Stafford
15	Disaster Relief and Emergency Assistance Act (42
16	U.S.C. 5174); and
17	(2) in relation to a major disaster or emergency
18	declared by the President under section 401 or 501
19	of the Robert T. Stafford Disaster Relief and Emer-
20	gency Assistance Act (42 U.S.C. 5170; 42 U.S.C.
21	5191) on or after October 30, 2012.
22	(b) WAIVER AUTHORITY.—Notwithstanding section
23	3716(e) of title 31, United States Code, the Administrator

1	(1) subject to paragraph (2), may waive a debt
2	owed to the United States related to covered assist-
3	ance provided to an individual or household if—
4	(A) the covered assistance was distributed
5	based on an error by the Federal Emergency
6	Management Agency;
7	(B) there was no fault on behalf of the
8	debtor; and
9	(C) the collection of the debt would be
10	against equity and good conscience; and
11	(2) may not waive a debt under paragraph (1)
12	if the debt involves fraud, the presentation of a false
13	claim, or misrepresentation by the debtor or any
14	party having an interest in the claim.
15	(c) Monitoring of Covered Assistance Distrib-
16	UTED BASED ON ERROR.—
17	(1) In General.—The Inspector General shall
18	monitor the distribution of covered assistance to in-
19	dividuals and households to determine the percent-
20	age of such assistance distributed based on an error.
21	(2) Removal of Waiver Authority based
22	ON EXCESSIVE ERROR RATE.—If the Inspector Gen-
23	eral determines, with respect to any 12-month pe-
24	riod, that the amount of covered assistance distrib-
25	uted based on an error by the Federal Emergency

1	Management Agency exceeds 4 percent of the total
2	amount of covered assistance distributed—
3	(A) the Inspector General shall notify the
4	Administrator and publish the determination in
5	the Federal Register; and
6	(B) with respect to any major disaster de-
7	clared by the President under section 401 of
8	the Robert T. Stafford Disaster Relief and
9	Emergency Assistance Act (42 U.S.C. 5170)
10	after the date of the determination, the author-
11	ity of the Administrator to waive debt under
12	subsection (b) shall no longer be effective.
13	SEC. 307. STATUTE OF LIMITATIONS FOR DEBTS OWED TO
13	
14	THE UNITED STATES RELATED TO DISASTER
14	THE UNITED STATES RELATED TO DISASTER
14 15	THE UNITED STATES RELATED TO DISASTER ASSISTANCE.
14151617	THE UNITED STATES RELATED TO DISASTER ASSISTANCE. Notwithstanding section 3716(g) of title 31, United
14151617	THE UNITED STATES RELATED TO DISASTER ASSISTANCE. Notwithstanding section 3716(g) of title 31, United States Code, and unless there is evidence of civil or crimi-
14 15 16 17 18	THE UNITED STATES RELATED TO DISASTER ASSISTANCE. Notwithstanding section 3716(g) of title 31, United States Code, and unless there is evidence of civil or criminal fraud, the Administrator, on behalf of the President,
14 15 16 17 18 19	ASSISTANCE. Notwithstanding section 3716(g) of title 31, United States Code, and unless there is evidence of civil or criminal fraud, the Administrator, on behalf of the President, shall not initiate new administrative action in any forum
14 15 16 17 18 19 20	ASSISTANCE. Notwithstanding section 3716(g) of title 31, United States Code, and unless there is evidence of civil or criminal fraud, the Administrator, on behalf of the President, shall not initiate new administrative action in any forum to recover—
14 15 16 17 18 19 20 21	ASSISTANCE. Notwithstanding section 3716(g) of title 31, United States Code, and unless there is evidence of civil or criminal fraud, the Administrator, on behalf of the President, shall not initiate new administrative action in any forum to recover— (1) payments made to an individual or house-
14 15 16 17 18 19 20 21 22	ASSISTANCE. Notwithstanding section 3716(g) of title 31, United States Code, and unless there is evidence of civil or criminal fraud, the Administrator, on behalf of the President, shall not initiate new administrative action in any forum to recover— (1) payments made to an individual or household under section 408 of the Robert T. Stafford

1	(2) funds owed by an individual or household
2	for assistance provided under section 408 of the
3	Robert T. Stafford Disaster Relief and Emergency
4	Assistance Act (42 U.S.C. 5174) more than 3 years
5	after the last date on which such funds were deter-
6	mined to be owed.
7	SEC. 308. TECHNICAL ASSISTANCE AND RECOMMENDA-
8	TIONS.
9	(a) Technical Assistance.—The Administrator of
10	the Federal Emergency Management Agency shall provide
11	technical assistance to a common interest community that
12	provides essential services of a governmental nature on ac-
13	tions that a common interest community may take in
14	order to be eligible to receive reimbursement from a grant-
15	ee that receives funds from the Agency for certain activi-
16	ties performed after an event that results in a disaster
17	declaration.
18	(b) Recommendations.—Not later than 1 year
19	after the date of enactment of this Act, the Administrator
20	shall provide recommendations to the House Committee
21	on Transportation and Infrastructure and the Senate
22	Committee on Homeland Security and Governmental Af-
23	fairs on how common areas of condominiums and housing
24	cooperatives may be eligible for assistance, including any
25	progress the Agency has made in its explorations of this

- 1 issue and the potential challenges identified since the
- 2 Agency issued its report on May 22, 2014.

3 SEC. 309. LOCAL IMPACT.

- 4 In making recommendations to the President regard-
- 5 ing a major disaster declaration, the Administrator shall
- 6 give greater weight and consideration to severe localized
- 7 impact. Further, the Administrator shall make cor-
- 8 responding adjustments to the Agency's policies and regu-
- 9 lations. Not later than 1 year after the date of enactment
- 10 of this section, the Administrator shall report to the Com-
- 11 mittees on Transportation and Infrastructure of the
- 12 House of Representatives and the Committee on Home-
- 13 land Security and Governmental Affairs of the Senate on
- 14 the changes made to regulations and policies and the num-
- 15 ber of declarations that have been declared based on the
- 16 new criteria.

17 SEC. 310. PROOF OF INSURANCE.

- A State shall be deemed to have proven that an appli-
- 19 cant has satisfied the purchase of insurance requirements
- 20 under the Robert T. Stafford Disaster Relief and Emer-
- 21 gency Assistance Act (42 U.S.C. 5121 et. seq.) when an
- 22 encumbrance requiring the purchase and maintenance of
- 23 insurance has been placed on the title of the property re-
- 24 ceiving the benefit of the grant or assistance. This section
- 25 in no way removes or reduces the insurance requirements

- 1 on an applicant under the Act and in no way limits the
- 2 requirement that assistance provided under the Stafford
- 3 Act be reduced or eliminated when the requirements are
- 4 not met.

5 SEC. 311. AUTHORITIES.

- 6 The Federal Emergency Management Agency shall
- 7 not, pursuant to consultation with another Federal agency
- 8 or otherwise, expand its statutory authorities as they re-
- 9 late to floodplain management or floodplain mapping un-
- 10 less the requirement to do so is explicitly and specifically
- 11 stated in statute, nor shall the Agency's authorities be
- 12 construed to impute the privately-funded actions of private
- 13 parties on private land to such Agency for the purpose
- 14 of extending the requirements of any Federal law applica-
- 15 ble to Federal agencies to such actions.

16 SEC. 312. RESPONSIBILITIES.

- 17 The Administrator of the Federal Emergency Man-
- 18 agement Agency shall be responsible for the Nation's ef-
- 19 forts to reduce the loss of life and property and to protect
- 20 the Nation from an earthquake, tsunami or a combined
- 21 earthquake and tsunami event by developing the ability
- 22 to prepare and plan for, mitigate against, respond to, re-
- 23 cover from, and more successfully adapt to such an event.

1	SEC. 313. EARTHQUAKE AND TSUNAMI INTERAGENCY TASK
2	FORCE.
3	(a) In General.—The President shall establish a
4	Federal Interagency Task Force for the purpose of devel-
5	oping a comprehensive strategy and recommendations on
6	how the Nation should prepare and plan for, mitigate
7	against, respond to, recover from, and more successfully
8	adapt to an earthquake, tsunami or a combined earth-
9	quake and tsunami event in the Cascadia Subduction
10	Zone, including identifying potential administrative or leg-
11	islative changes required to implement the strategy, the
12	funding required to implement the strategy and rec-
13	ommendations, and the priority in which the strategy
14	should be implemented.
15	(b) Chairperson.—The Administrator of the Fed-
16	eral Emergency Management Agency, or his designee,
17	shall serve as the chairperson of the Task Force.
18	(c) Membership.—The membership of the Task
19	Force shall include a cross section of subject matter ex-
20	perts representing the following:
21	(1) Relevant Federal agencies.
22	(2) The States of Oregon, Washington, and
23	California.
24	(3) Indian tribes, local governments, and pri-
25	vate sector representatives that may be impacted by
26	a mega-thrust earthquake, tsunami or a combined

1	earthquake and tsunamı event ın the Cascadıa
2	Subduction Zone.
3	(4) Universities, academia and research institu-
4	tions with expertise in topics relevant to the work of
5	the Task Force.
6	(d) Detailed Employees.—Members of the Task
7	Force may detail employees to assist the Administrator,
8	or his designee, in fulfilling the responsibilities of the Task
9	Force.
10	(e) Cascadia Subduction Zone.—The term
11	"Cascadia Subduction Zone" means the approximately
12	684 miles long landward-dipping fault that separates the
13	Juan de Fuca and North America plates and that
14	stretches along a portion of the western coast of the
15	United States beginning off Cape Mendocino, California,
16	along the State of Oregon, the State of Washington, to
17	Northern Vancouver Island, British Columbia.
18	(f) Strategy.—The comprehensive strategy, which
19	may build upon existing plans, studies, or other resources,
20	shall include the following:
21	(1) Define how Federal agencies will coordinate
22	to develop the ability to prepare and plan for, miti-
23	gate against, respond to, recover from, and more
24	successfully adapt to the impacts of a mega-thrust

- earthquake, tsunami, or a combined earthquake and tsunami event in the Cascadia Subduction Zone.
 - (2) Ensure collaboration between the Department of Transportation, the Department of Energy, the United States Coast Guard, the United States Army Corps of Engineers, and other Federal agencies as appropriate to complete a needs assessment of Federal facilities in need of hardening for an event and develop a strategic plan to mitigate and retrofit Federal, State, tribal, and local critical assets for freight, energy, and transit purposes to withstand an event and to help save lives during and immediately after an event.
 - (3) Assist State, tribal, and local governments in developing and implementing a coordinated and comprehensive plan to prioritize Federal, State, tribal, local, and private investments and activities to develop the ability to prepare and plan for, mitigate against, respond to, recover from, and more successfully adapt to the impacts of a mega-thrust earthquake, tsunami, or a combined earthquake and tsunami event in the Cascadia Subduction Zone, and to link to any existing State-wide mitigation plan, including examining the feasibility of the public and

1 private sector and individuals to acquire earthquake 2 insurance. Identify existing funding opportunities 3 (4)4 across Federal agencies and other sources to imple-5 ment the comprehensive strategy and any rec-6 ommendations made by the Task Force and make 7 recommendations for new funding opportunities. 8 (5) Identify barriers to obtaining funding and 9 implementing the comprehensive strategy and to de-10 velop recommendations on how to remove such bar-11 riers. 12 (6) Collaborate with and assist State, tribal, 13 and local governments in developing recommenda-14 tions for cost-effective mitigation alternatives for 15 aging State, tribal, or locally owned critical infra-16 structure. 17 (7) Assist State, tribal, and local governments 18 with developing a recovery plan prior to an earth-19 quake, tsunami, or combined earthquake and tsu-20 nami event in the Cascadia Subduction Zone as to 21 how State, tribal, and local governments may want 22 to rebuild after the event; 23 (8) Identify steps taken to date to develop an 24 onshore and offshore earthquake early warning sys-

1 tem and define the purpose and scope of an onshore 2 and offshore earthquake early warning system. 3 (9) Evaluate types of offshore earthquake early 4 warning systems and provide recommendations and 5 a cost estimate for an earthquake early warning sys-6 tem appropriate for the Cascadia Subduction Zone. 7 (10) Make recommendations about how an 8 earthquake early warning system should operate, in-9 cluding whether and how a system should interface 10 with the private sector. 11 (11) Define appropriate roles and responsibil-12 ities for Federal, State, local, and tribal govern-13 ments, including who should operate and maintain 14 an earthquake early warning system, the cost of a 15 system, and possible funding sources for a system. 16 (12) Develop a plan on how to integrate an 17 earthquake early warning system into existing and 18 new public alert warning systems and technologies, 19 including mobile systems. 20 (g) Collaboration.—The Task Force shall work si-21 multaneously and collaboratively with the National Acad-22 emies. 23 (h) National Academies.—The Task Force shall enter into an agreement with the National Academies under which the National Academies shall develop rec-

1	ommendations for a Federal research strategy to advance
2	scientific understanding of a Cascadia Subduction Zone
3	earthquake and resulting tsunami preparedness, including
4	the following:
5	(1) Geologic conditions, ground motions, and
6	tsunami hazard.
7	(2) Implications of an effective automated early
8	warning system.
9	(3) Effects of mega-earthquake and tsunami
10	events on the built and natural environment.
11	(4) Social and behavioral factors for effective
12	disaster preparedness and response.
13	(5) Cost-effective mitigation alternatives for leg-
14	acy and aging infrastructure.
15	(6) Strategic planning for freight, energy, and
16	transit network robustness.
17	(7) Tools that help communities invest its re-
18	sources for the greatest benefit.
19	(8) Any other topics identified as necessary by
20	the Task Force or the National Academies.
21	(i) Report.—Not later than 18 months after the
22	date of enactment of this Act, the Administrator of the
23	Federal Emergency Management Agency shall submit to
24	the Committee on Transportation and Infrastructure of
25	the House of Representatives and the Committee on

Homeland Security and Government Affairs of the Senate a report of the Task Force that provides the following: 3 (1) The comprehensive strategy identified in subsection (f). 4 (2) Recommendations on administrative actions 6 that may be taken to further the strategy. 7 (3) Recommendations for legislative changes that may be necessary to further the strategy. 8 9 (4) Recommendations on funding necessary to 10 carry out the strategy. SEC. 314. MITIGATION ASSISTANCE. 12 (a) In General.—Section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act 13 (42 U.S.C. 5187) is amended— 14 15 (1) by redesignating subsection (d) as sub-16 section (e); and 17 (2) by inserting after subsection (c) the fol-18 lowing: 19 "(d) HAZARD MITIGATION ASSISTANCE.—Whether or not a major disaster is declared, the President may pro-20 21 vide hazard mitigation assistance in accordance with section 404 in any area affected by a fire for which assistance

23 was provided under this section.".

1	(b) Conforming Amendments.—The Robert T.
2	Stafford Disaster Relief and Emergency Assistance Act
3	(42 U.S.C. 5121 et seq.) is amended—
4	(1) in section 404(a) (42 U.S.C. 5170c(a))—
5	(A) by inserting before the first period ",
6	or any area affected by a fire for which assist-
7	ance was provided under section 420"; and
8	(B) in the third sentence by inserting "or
9	event under section 420" after "major disaster"
10	each place it appears; and
11	(2) in section $322(e)(1)$ (42 U.S.C. $5165(e)(1)$),
12	by inserting "or event under section 420" after
13	"major disaster" each place it appears.
14	SEC. 315. ADDITIONAL ACTIVITIES.
15	Section 404 of the Robert T. Stafford Disaster Relief
16	and Emergency Assistance Act (42 U.S.C. 5170c) is
17	amended by adding at the end the following:
18	"(f) Use of Assistance.—Recipients of hazard
19	mitigation assistance provided under this section and sec-
20	
20	tion 203 may use the assistance to conduct the following
20	tion 203 may use the assistance to conduct the following activities to help reduce the risk of future damage, hard-
21	activities to help reduce the risk of future damage, hard-
21 22	activities to help reduce the risk of future damage, hard- ship, loss, or suffering in any area affected by—

1	"(B) mulching with straw or chipped wood;
2	"(C) constructing straw, rock, or log dams
3	in small tributaries to prevent flooding;
4	"(D) placing logs and other erosion bar-
5	riers to catch sediment on hill slopes;
6	"(E) installing debris traps to modify road
7	and trail drainage mechanisms;
8	"(F) modifying or removing culverts to
9	allow drainage to flow freely;
10	"(G) adding drainage dips and con-
11	structing emergency spillways to keep roads
12	and bridges from washing out during floods;
13	"(H) planting grass to prevent the spread
14	of noxious weeds;
15	"(I) installing warning signs;
16	"(J) establishing defensible space meas-
17	ures; and
18	"(K) reducing hazardous fuels; and
19	"(2) earthquake hazards, including—
20	"(A) improvements to regional seismic net-
21	works in support of building a capability for
22	earthquake early warning;
23	"(B) improvements to geodetic networks in
24	support of building a capability for earthquake
25	early warning; or

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1	"(C) seismometers, GPS receivers, and as-
2	sociated infrastructure in support of building a
3	capability for earthquake early warning.".