

## Union Calendar No.

117<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3709

[Report No. 117-]

To direct the Administrator of the Federal Emergency Management Agency to submit to Congress a report on preliminary damage assessments and make necessary improvements to processes in the Federal Emergency Management Agency, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2021

Mr. KATKO (for himself and Mr. DELGADO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

AUGUST --, 2021

Committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

# **A BILL**

To direct the Administrator of the Federal Emergency Management Agency to submit to Congress a report on preliminary damage assessments and make necessary improvements to processes in the Federal Emergency Management Agency, and for other purposes.

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.**

4        This Act may be cited as the “Preliminary Damage  
5 Assessment Improvement Act of 2021”.

6 **SEC. 2. FINDINGS.**

7        Congress finds the following:

8            (1) Preliminary damage assessments play a  
9            critical role in assessing and validating the impact  
10           and magnitude of a disaster.

11           (2) Through the preliminary damage assess-  
12           ment process, representatives from the Federal  
13           Emergency Management Agency validate informa-  
14           tion gathered by State and local officials that serves  
15           as the basis for disaster assistance requests.

16           (3) Various factors can impact the duration of  
17           a preliminary damage assessment and the cor-  
18           responding submission of a major disaster request,  
19           however, the average time between when a disaster  
20           occurs, and the submission of a corresponding dis-  
21           aster request has been found to be approximately  
22           twenty days longer for flooding disasters.

23           (4) With communities across the country facing  
24           increased instances of catastrophic flooding and  
25           other extreme weather events, accurate and efficient

1 preliminary damage assessments have become criti-  
2 cally important to the relief process for impacted  
3 States and municipalities.

4 **SEC. 3. REPORT TO CONGRESS.**

5 (a) IN GENERAL.—Not later than 90 days after the  
6 date of enactment of this Act, the Administrator of the  
7 Federal Emergency Management Agency shall submit to  
8 Congress a report describing the preliminary damage as-  
9 sessment process, as supported by the Federal Emergency  
10 Management Agency in the 5 years before the date of en-  
11 actment of this Act.

12 (b) CONTENTS.—The report described in subsection  
13 (a) shall contain the following:

14 (1) The process of the Federal Emergency  
15 Management Agency for deploying personnel to sup-  
16 port preliminary damage assessments.

17 (2) The number of Agency staff participating  
18 on disaster assessment teams.

19 (3) The training and experience of such staff  
20 described in paragraph (2).

21 (4) A calculation of the average amount of time  
22 disaster assessment teams described in paragraph  
23 (1) are deployed to a disaster area.

24 (5) The efforts of the Agency to maintain a  
25 consistent liaison between the Agency and State,

1 local, tribal, and territorial officials within a disaster  
2 area.

3 **SEC. 4. PRELIMINARY DAMAGE ASSESSMENT.**

4 (a) IN GENERAL.—Not later than 6 months after the  
5 date of enactment of this Act, the Administrator of the  
6 Federal Emergency Management Agency shall convene an  
7 advisory panel consisting of emergency management per-  
8 sonnel employed by State, local, territorial, or tribal au-  
9 thorities, and the representative organizations of such per-  
10 sonnel to assist the Agency in improving critical compo-  
11 nents of the preliminary damage assessment process.

12 (b) MEMBERSHIP.—

13 (1) IN GENERAL.—This advisory panel shall  
14 consist of at least 2 representatives from national  
15 emergency management organizations and at least 1  
16 representative from each of the 10 regions of the  
17 Federal Emergency Management Agency, selected  
18 from emergency management personnel employed by  
19 State, local, territorial, or tribal authorities within  
20 each region.

21 (2) INCLUSION ON PANEL.—To the furthest ex-  
22 tent practicable, representation on the advisory  
23 panel shall include emergency management per-  
24 sonnel from both rural and urban jurisdictions.

1 (c) CONSIDERATIONS.—The advisory panel convened  
2 under subsection (a) shall—

3 (1) consider—

4 (A) establishing a training regime to en-  
5 sure preliminary damage assessments are con-  
6 ducted and reviewed under consistent guide-  
7 lines;

8 (B) utilizing a common technological plat-  
9 form to integrate data collected by State and  
10 local governments with data collected by the  
11 Agency; and

12 (C) assessing instruction materials pro-  
13 vided by the Agency for omissions of pertinent  
14 information or language that conflicts with  
15 other statutory requirements; and

16 (2) identify opportunities for streamlining the  
17 consideration of preliminary damage assessments by  
18 the Agency, including eliminating duplicative paper-  
19 work requirements and ensuring consistent commu-  
20 nication and decision making among Agency staff.

21 (d) INTERIM REPORT.—Not later than 18 months  
22 after the date of enactment of this Act, the Administrator  
23 shall submit to Congress a report regarding the findings  
24 of the advisory panel, steps that will be undertaken by the  
25 Agency to implement the findings of the advisory panel,

1 and additional legislation that may be necessary to imple-  
2 ment the findings of the advisory panel.

3 (e) RULEMAKING AND FINAL REPORT.—Not later  
4 than 2 years after the date of enactment of this Act, the  
5 Administrator shall issue such regulations as are nec-  
6 essary to implement the recommendations of the advisory  
7 panel and submit to Congress a report discussing—

8 (1) the implementation of recommendations  
9 from the advisory panel;

10 (2) the identification of any additional chal-  
11 lenges to the preliminary damage assessment proc-  
12 ess, including whether specific disasters result in  
13 longer preliminary damage assessments; and

14 (3) any additional legislative recommendations  
15 necessary to improve the preliminary damage assess-  
16 ment process.