

109TH CONGRESS
1ST SESSION

H. R. 1137

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to improve Federal response to disasters, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2005

Mr. HASTINGS of Florida (for himself, Mr. SHAW, Mr. MEEK of Florida, Ms. CORRINE BROWN of Florida, Mr. DAVIS of Florida, Ms. WASSERMAN SCHULTZ, Mr. BOYD, and Mr. WEXLER) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to improve Federal response to disasters, 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 “Responding Equitably,
5 Swiftly, Proportionally, and On-time to Natural Disasters
6 Act of 2005”.

1 **SEC. 2. ENSURING DECLARATION.**

2 Section 101(b) of the Robert T. Stafford Disaster Re-
3 lief and Emergency Assistance Act (42 U.S.C. 5121(b))
4 is amended—

5 (1) by striking “and” at the end of paragraph
6 (5);

7 (2) by striking the period at the end of para-
8 graph (6) and inserting a semicolon; and

9 (3) by inserting after paragraph (6) the fol-
10 lowing:

11 “(7) ensuring that Federal assistance is ade-
12 quate and allows individuals to maintain a quality of
13 life that is, to the extent possible and practicable,
14 similar to that before a disaster without adversely
15 affecting a State or local government’s ability to
16 provide the necessary services to its citizens; and

17 “(8) ensuring that minority and low-income in-
18 dividuals and households and those living in under-
19 served communities receive the equitable technical,
20 human, and financial assistance.”.

21 **SEC. 3. REIMBURSEMENT FOR DEBRIS REMOVAL IN PRI-
22 VATE COMMUNITIES.**

23 Section 407 of the Robert T. Stafford Disaster Relief
24 and Emergency Assistance Act (42 U.S.C. 5173) is
25 amended—

1 (1) by redesignating subsections (b), (c), and
2 (d) as subsections (c), (d), and (e), respectively; and

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

5 “(b) REIMBURSEMENT FOR DEBRIS REMOVAL ON
6 PRIVATE-LANDS AND COMMUNITIES.—

7 “(1) IN GENERAL.—A State or local govern-
8 ment shall be eligible for reimbursement under this
9 title for debris removal on private lands if the State
10 or local government maintains the roads utilized for
11 access to such lands, provides public safety services,
12 or provides individual and communal garbage re-
13 moval services to the residents of such lands.

14 “(2) SPECIAL RULE.—A State or local govern-
15 ment shall be eligible for reimbursement under this
16 title for debris removal on private lands in a commu-
17 nity if failure to remove debris in that community
18 places the lives, health, and safety of those living in
19 the community at immediate risk.

20 “(3) EFFECTIVE DATE.—This subsection shall
21 apply to all presidential disaster declarations issued
22 under this Act on or after August 11, 2004.”.

1 **SEC. 4. IMPROVING INDIVIDUAL AND HOUSEHOLD ASSIST-**
2 **ANCE.**

3 (a) **ELIGIBILITY FOR ASSISTANCE.**—Section 408(a)
4 of the Robert T. Stafford Disaster Relief and Emergency
5 Assistance Act (42 U.S.C. 5174(a)) is amended by insert-
6 ing after paragraph (2) the following:

7 “(3) **ELIGIBILITY FOR ASSISTANCE.**—Under
8 paragraph (1), an individual or household shall be
9 eligible to apply for assistance provided under this
10 section for a period of 18 months beginning on the
11 date of declaration of the major disaster by the
12 President. The President may extend such 18-month
13 period with respect to a major disaster if the Presi-
14 dent determines that due to extraordinary cir-
15 cumstances with respect to that major disaster an
16 extension would be in the public interest.”.

17 (b) **INCREASE IN INDIVIDUAL AND HOUSEHOLD AS-**
18 **SISTANCE.**—Section 408 of such Act is further amended—

19 (1) in subsection (c)(1)(A)(ii) by inserting “plus
20 25 percent of that fair market rent” after “pro-
21 vided”;

22 (2) in subsection (c)(2)(C) by striking “\$5,000”
23 and inserting “\$10,000”;

24 (3) in subsection (c)(3)(B) by striking
25 “\$10,000” and inserting “\$20,000”; and

1 (4) in subsection (h)(1) by striking “\$25,000”
2 and inserting “\$50,000”.

3 **SEC. 5. IMPROVING COORDINATION AND RESPONSE EF-**
4 **FORTS AT LOCAL EMERGENCY OPERATIONS**
5 **CENTERS.**

6 Section 302(b) of the Robert T. Stafford Disaster Re-
7 lief and Emergency Assistance Act (42 U.S.C. 5143(b))
8 is amended—

9 (1) by redesignating paragraph (4) as para-
10 graph (5);

11 (2) by striking “and” at the end of paragraph
12 (3);

13 (3) by and inserting after paragraph (3) the
14 following:

15 “(4) designate a local coordinating officer per
16 affected county for the duration of a major disaster
17 who is either an employee of the Federal Emergency
18 Management Agency or has significant experience in
19 administering Federal disaster assistance for the
20 purpose of maintaining consistent Federal represen-
21 tation in the affected county and assisting in the co-
22 ordination of State and local disaster assistance ef-
23 forts with those of the Federal Government; and”.

1 **SEC. 6. USE OF FEDERAL EMPLOYEES IN DETERMINING**
2 **AND ADMINISTERING FEDERAL DISASTER AS-**
3 **SISTANCE.**

4 (a) IN GENERAL.—Section 307 of the Robert T.
5 Stafford Disaster Relief and Emergency Assistance Act
6 (42 U.S.C. 5150) is amended—

7 (1) by inserting “(a) IN GENERAL” before “In
8 the”; and

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

10 “(b) SPECIAL RULE.—Notwithstanding subsection
11 (a), only employees of the Department of Homeland Secu-
12 rity or any other appropriate Federal department or agen-
13 cy may allocate, distribute, or approve Federal financial
14 assistance under this Act.”.

15 (b) REPORT TO CONGRESS.—

16 (1) PREPARATION.—The Under Secretary of
17 Homeland Security for Emergency Preparedness
18 and Response shall prepare a report on the role and
19 effectiveness of private organizations, firms, or indi-
20 viduals, in approving, coordinating and admin-
21 istering Federal emergency disaster assistance, in-
22 cluding the results of any internal or external audits
23 of private organizations, firms, or individuals on the
24 administration of disaster assistance by these private
25 organizations.

1 (2) DEADLINE FOR TRANSMITTAL.—The Under
2 Secretary shall transmit the report to the Committee
3 on Transportation and Infrastructure of the House
4 of Representatives and the Committee on Environ-
5 ment and Public Works of the Senate not later than
6 180 days after the date of enactment of this Act.

7 **SEC. 7. DISASTER EXPERT PROGRAM.**

8 (a) AUTHORIZATION OF PROGRAM.—Title VII of the
9 Robert T. Stafford Disaster Relief and Emergency Assist-
10 ance Act (42 U.S.C. 5201–5205) is amended by adding
11 at the end the following:

12 **“SEC. 706. DISASTER EXPERT PROGRAM.**

13 “(a) IN GENERAL.—The Under Secretary of Home-
14 land Security for Emergency Preparedness and Response
15 shall establish and carry out a disaster expert grant pro-
16 gram in accordance with this section. Grants under the
17 program shall be made on a competitive basis.

18 “(b) GRANT PURPOSES.—Under the grant program,
19 grants may only be made—

20 “(1) to establish and maintain a disaster strike
21 force team consisting of emergency planners, public
22 safety officers, administrators, and other State and
23 local officials with first-hand experience and knowl-
24 edge in the coordination and administration of Fed-
25 eral, State, and local emergency assistance that are

1 capable of providing the Federal Emergency Man-
2 agement Agency with timely on-the-ground assist-
3 ance in disaster areas;

4 “(2) to provide disaster response training for
5 members of such team, including training through
6 real life experience; and

7 “(3) to supplement the relief efforts of Federal,
8 State, and local officials in disaster areas with State
9 and local government disaster experts.

10 “(c) GRANT RECIPIENTS.—Under the grant pro-
11 gram, the Under Secretary may only make grants to units
12 of local government and Indian tribes (as defined in sec-
13 tion 4 of the Indian Self-Determination and Education As-
14 sistance Act (25 U.S.C. 450b)) that have first hand expe-
15 rience in coordinating, facilitating, and administering local
16 and Federal disaster assistance and that are able to co-
17 ordinate operations within a local emergency operations
18 center between Federal, State, and local emergency coordi-
19 nators.

20 “(d) LIMITATION.—Participation in the grant pro-
21 gram shall not adversely affect the ability of a unit of local
22 government or Indian tribe to conduct its normal day to
23 day business and respond to any natural disaster or emer-
24 gency within its own community.

1 “(e) FEDERAL SHARE.—The Federal share of the
2 cost of activities for which a grant is made under this sec-
3 tion shall be 100 percent.

4 “(f) ADMINISTRATIVE EXPENSES.—Not to exceed 5
5 percent of the amount of a grant under this section may
6 be used to pay the administrative expenses of the grant
7 recipient in carrying out the activities for which the grant
8 is made.”.

9 (b) PUBLISHING OF REGULATIONS.—Not later than
10 120 days after the date of enactment of this Act, the
11 Under Secretary of Homeland Security for Emergency
12 Preparedness and Response shall issue regulations for the
13 administering of the disaster expert grant program under
14 section 706 of the Robert T. Stafford Disaster Relief and
15 Emergency Assistance Act and publish those regulations
16 in the Federal Register.

17 (c) AUTHORIZATION OF FUNDS.—There is author-
18 ized to be appropriated to carry out this section
19 \$5,000,000 for each of fiscal years 2006 through 2012.
20 Such sums shall remain available until expended.

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