

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

# H. R. 1795

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to modify the terms of the community disaster loan program, to authorize assistance under that program for losses related to the terrorist attacks of September 11, 2001, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 21, 2005

Mrs. MALONEY (for herself, Mr. OWENS, Mr. ISRAEL, and Mr. SERRANO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to modify the terms of the community disaster loan program, to authorize assistance under that program for losses related to the terrorist attacks of September 11, 2001, 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 “‘Whatever It Takes’  
5       To Rebuild Act of 2005”.

6       **SEC. 2. FINDINGS.**

7       Congress finds the following:

1           (1) Major disasters, including disasters caused  
2 by terrorist acts, often result in a decline in eco-  
3 nomic activity in areas affected by the disaster and  
4 a reduction in tax collections by State and local gov-  
5 ernments serving those areas.

6           (2) A report of the General Accounting Office  
7 entitled “Review of the Estimates for the Impact of  
8 the September 11, 2001, Terrorist Attacks on New  
9 York Tax Revenues”, dated July 26, 2002, found  
10 the following estimates by the New York City and  
11 State budget offices to be reasonably approximate—

12                   (A) for fiscal year 2002, tax revenue losses  
13 for New York City will be \$1,600,000,000 and  
14 tax revenue losses for the State of New York  
15 will be \$1,600,000,000; and

16                   (B) for fiscal year 2003, tax revenue losses  
17 for New York City will be \$1,400,000,000 and  
18 tax revenue losses for the State of New York  
19 will be \$4,200,000,000.

20           (3) Under the community disaster loan program  
21 (in this section referred to as the “CDL program”),  
22 as authorized by the Robert T. Stafford Disaster  
23 Relief and Emergency Assistance Act, the President  
24 may make loans to a local government suffering a  
25 substantial loss of tax and other revenues as a result

1 of a major disaster, if the local government dem-  
2 onstrates a need for financial assistance in order to  
3 perform its governmental function.

4 (4) The President may cancel the repayment of  
5 all or any part of a loan made to a local government  
6 under the CDL program if revenues following the  
7 disaster are insufficient to meet the operating budg-  
8 et of that local government as a result of disaster-  
9 related revenue losses and additional unreimbursed  
10 disaster-related municipal operating expenses. In the  
11 case of a major disaster resulting from a terrorist  
12 attack, repayment of interest or principal on a loan  
13 made under the CDL program should not be re-  
14 quired.

15 (5) Assistance provided under the CDL pro-  
16 gram in the past has been instrumental in aiding the  
17 full recovery of local governments following a major  
18 disaster.

19 (6) The Disaster Mitigation Act of 2000 estab-  
20 lished a \$5,000,000 limitation on loans made to a  
21 local government under the CDL program in connec-  
22 tion with a major disaster. Before the date of enact-  
23 ment of that Act, there was not any limitation on  
24 the amount of such loans.

1           (7) The \$5,000,000 limitation is inequitable  
2 when applied to a local government serving a largely  
3 populated area, such as New York City, and is in-  
4 consistent with the objective of the CDL program to  
5 provide meaningful assistance to a local government  
6 recovering from a major disaster.

7           (8) Following the terrorist attacks of September  
8 11, 2001, President George W. Bush has been fre-  
9 quently quoted as directing the Federal Government  
10 to do “whatever it takes” to help New York City re-  
11 cover and rebuild. In this spirit of resolve, assistance  
12 should be provided to New York City and the State  
13 of New York for the loss of tax and other revenues  
14 as a direct result of these attacks.

15 **SEC. 3. COMMUNITY DISASTER LOANS.**

16           (a) ELIGIBILITY OF STATES.—Section 417 of the  
17 Robert T. Stafford Disaster Relief and Emergency Assist-  
18 ance Act (42 U.S.C. 5184) is amended by striking “local  
19 government” each place it appears and inserting “State  
20 or local government”.

21           (b) AMOUNT.—Section 417(b) of such Act (42 U.S.C.  
22 5184(b)) is amended—

23           (1) by striking “based on need, shall” and in-  
24 serting “based on need and shall”; and

1           (2) by striking “, and shall not exceed  
2       \$5,000,000”.

3           (c) MAJOR DISASTERS CAUSED BY TERRORIST AT-  
4 TACKS.—Section 417 of such Act (42 U.S.C. 5184) is  
5 amended by adding at the end the following:

6           “(e) MAJOR DISASTERS CAUSED BY TERRORIST AT-  
7 TACKS.—The President shall not require the payment of  
8 any interest or principal on a loan made under this section  
9 to a State or local government which may suffer a sub-  
10 stantial loss of tax and other revenues as a result of a  
11 major disaster caused by a terrorist attack.”.

12          (d) APPLICABILITY.—The amendments made by this  
13 section shall apply with respect to any major disaster oc-  
14 ccurring on or after October 30, 2000.

15 **SEC. 4. COMMUNITY DISASTER LOANS FOR LOSSES RE-**  
16 **LATED TO TERRORIST ATTACKS OF SEP-**  
17 **TEMBER 11, 2001.**

18          The President is authorized to make loans to New  
19 York City and the State of New York under section 417  
20 of the Robert T. Stafford Disaster Relief and Emergency  
21 Assistance Act (42 U.S.C. 5184), as amended by this Act,  
22 for losses of tax and other revenues as a result of the  
23 major disaster caused by the terrorist attacks of Sep-  
24 tember 11, 2001. Subject to the availability of appropria-  
25 tions, the total amount of such loans shall be

1 \$8,800,000,000 or such greater amount as is determined  
2 by the President to be necessary to cover such losses. In  
3 accordance with section 417(e) of such Act, as added by  
4 section 3(c) of this Act, the President shall not require  
5 the payment of any interest or principal on such loans.

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