To direct the President to forgo recoupment of liabilities relating to assistance provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 2011

Mr. RICHMOND (for himself and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

A BILL

To direct the President to forgo recoupment of liabilities relating to assistance provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “FEMA Recoupment Fairness Act of 2011”.

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SEC. 2. RECOUPMENT OF LIABILITIES.

(a) IN GENERAL.—The President shall forgo recoupment of liabilities to the United States relating to covered assistance provided to an individual or household if—

(1) the covered assistance was provided based on an error by the Federal Emergency Management Agency; and

(2) there was no fault on behalf of the recipient with respect to the error, including that fraud, the presentation of a false claim, or misrepresentation by the recipient or any party having an interest in the claim was not involved.

(b) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, and every 180 days thereafter during the 18-month period beginning on such date, the Inspector General of the Department of Homeland Security shall submit to the appropriate congressional committees a report that assesses the cost-effectiveness of the efforts of the Federal Emergency Management Agency to recoup erroneous assistance.

(c) DEFINITIONS.—In this section, the following definitions apply:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the—

•HR 2265 IH
(A) Committee on Transportation and Infrastructure of the House of Representatives;

(B) Committee on Homeland Security of the House of Representatives; and

(C) Committee on Homeland Security and Governmental Affairs of the Senate.

(2) COVERED ASSISTANCE.—The term “covered assistance” means assistance provided—

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

(B) in relation to a major disaster declared by the President under section 401 of such Act (42 U.S.C. 5170) during the period beginning on August 28, 2005, and ending on December 31, 2010.

(3) ERRONEOUS ASSISTANCE.—The term “erroneous assistance” means assistance subject to recoupment by the Federal Emergency Management Agency provided—

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

(B) in relation to a major disaster declared by the President under section 401 of such Act.
(42 U.S.C. 5170) during the period beginning on August 28, 2005, and ending on December 31, 2010; or