

Disaster Contract Improvement Act

[Public Law 118–153]

[This law has not been amended]

【Currency: This publication is a compilation of the text of Public Law 118–153. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To establish an advisory group to encourage and foster collaborative efforts among individuals and entities engaged in disaster recovery relating to debris removal, and for other purposes.

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

SECTION 1. [42 U.S.C. 5173 note] SHORT TITLE.

This Act may be cited as the “Disaster Contract Improvement Act”.

SEC. 2. OVERSIGHT ON DEBRIS REMOVAL.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Federal Emergency Management Agency.

(2) DEBRIS REMOVAL PROGRAM.—The term “debris removal program” means the program established under section 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5173).

(b) ADVISORY WORKING GROUP.—

(1) IN GENERAL.—The Administrator shall establish an advisory working group to encourage and foster collaborative efforts among individuals and entities engaged in disaster recovery relating to debris removal.

(2) MEMBERSHIP.—The advisory working group established under paragraph (1) shall be comprised of—

(A) representatives from the Federal Emergency Management Agency;

(B) representatives from the Army Corps of Engineers;

(C) representatives from the Natural Resources Conservation Service of the Department of Agriculture;

(D) representatives of States, Tribal governments, and units of local government; and

- (E) subject matter experts in debris removal, including not less than 1 representative from the debris services contractor industry.
- (c) **GUIDANCE.**—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with the advisory working group established under subsection (b)(1), shall—
- (1) determine whether guidance and procedures in effect as of the date of enactment of this Act with respect to the oversight and cost of debris removal contracts entered into under the debris removal program are sufficient; and
 - (2) if the Administrator, in consultation with the advisory working group established under subsection (b)(1), determines that the guidance and procedures described in paragraph (1) are insufficient, develop and implement additional such guidance and procedures, including—
 - (A) a requirement that each State, Tribal government, and unit of local government receiving a grant under the debris removal program take the primary role in the oversight function of debris removal;
 - (B) guidance for State, Tribal, and local debris monitors relating to debris removal operations, debris operations oversight, and contractor oversight, including contractor monitoring;
 - (C) guidance for streamlining the reimbursement of debris costs overall, including debris management planning and support for resilience in debris removal operations;
 - (D) checklists, job aids, eligibility requirements, contract requirements, debris management planning guidance, sample bids, and other items, as determined necessary by the Administrator, for State and local debris monitors;
 - (E) a list of the specific debris removal monitoring responsibilities expected to be completed by a State that receives a grant under the debris removal program;
 - (F) a list of the specific debris removal monitoring responsibilities expected to be completed by recipients of a grant under the debris removal program; and
 - (G) guidance for State and Tribal governments and units of local government to reduce duplication and inefficiency in debris removal contracting across the Federal Government, State and Tribal governments, and units of local government.
- (d) **TRAINING.**—The Administrator shall conduct outreach to States, Tribal governments, and units of local government with respect to any guidance or support materials developed under this section.
- (e) **GAO STUDY.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study that—
- (1) studies the use and adoption rate of advance contracts for debris removal by selected States, Tribal governments, and units of local government;

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- (2) identifies the benefits and challenges of advance contracts for debris removal;
- (3) with respect to the reporting and information sharing processes, as of the date of enactment of this Act, for advance contracts for debris removal between States and units of local government and Federal partners—
- (A) assesses those processes; and
 - (B) makes any necessary recommendations for those processes;
- (4) studies—
- (A) the process for setting Federal reimbursement rates for the debris removal program;
 - (B) the use of penalties, as of the date of enactment of this Act, for violations of law and regulations relating to debris removal; and
 - (C) fraud, waste, and abuse relating to the debris removal program, including case studies; and
- (5) makes any necessary recommendations for improvements to oversight and fraud prevention across the debris removal program.