

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

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## 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

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## 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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