

109TH CONGRESS
1ST SESSION

H. R. 2338

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to direct the President to designate a Small State Advocate in the Federal Emergency Management Agency.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2005

Mrs. CUBIN 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 direct the President to designate a Small State Advocate in the Federal Emergency Management Agency.

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 “Rural Disaster Assist-
5 ance Fairness Act of 2005”.

1 **SEC. 2. DESIGNATION OF SMALL STATE ADVOCATE.**

2 Title III of the Robert T. Stafford Disaster Relief
3 and Emergency Assistance Act (15 U.S.C. 5141 et seq.)
4 is amended by adding at the end the following:

5 **“SEC. 326. DESIGNATION OF SMALL STATE ADVOCATE.**

6 “(a) IN GENERAL.—The President shall designate in
7 the Federal Emergency Management Agency a Small
8 State Advocate.

9 “(b) RESPONSIBILITIES.—The Small State Advocate
10 shall be an advocate for the fair treatment of rural com-
11 munities in the provision of assistance under this Act.

12 “(c) DUTIES.—The Small State Advocate shall—

13 “(1) participate in the disaster declaration
14 process under section 401, and the emergency dec-
15 laration process under section 501, to ensure that
16 the needs of rural communities are being addressed;

17 “(2) assist small population States in the prep-
18 aration of requests for major disaster or emergency
19 declarations; and

20 “(3) conduct such other activities as the Under
21 Secretary for Emergency Preparedness and Re-
22 sponse of the Department of Homeland Security
23 considers appropriate.”.

24 **SEC. 3. REPORT TO CONGRESS.**

25 (a) IN GENERAL.—Not later than 180 days after the
26 date of enactment of this Act, the Under Secretary for

1 Emergency Preparedness and Response of the Depart-
2 ment of Homeland Security shall submit to the Committee
3 on Transportation and Infrastructure of the House of
4 Representatives and the Committee on Homeland Security
5 and Governmental Affairs of the Senate a report detailing
6 the extent to which existing disaster declaration regula-
7 tions—

8 (1) meet the particular needs of States with
9 populations of less than 1,000,000 individuals; and

10 (2) comply with existing statutory restrictions
11 on the use of arithmetic formulas and sliding scales
12 based on income or population.

13 (b) STATUTORY CONSTRUCTION.—Nothing in this
14 section may be construed to authorize major disaster or
15 emergency assistance that is not authorized as of the date
16 of enactment of this Act.

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