

111TH CONGRESS
1ST SESSION

H. R. 3635

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to improve Federal assistance with respect to disasters, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 2009

Mr. CAO 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 improve Federal assistance with respect 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 “Disaster Relief and
5 Recovery Development Act of 2009”.

1 **SEC. 2. ABILITY TO PROVIDE DISASTER INFORMATION TO**
2 **INDIVIDUALS WITH LIMITED ENGLISH PRO-**
3 **FICIENCY.**

4 (a) STUDY.—The Comptroller General of the United
5 States shall conduct a study on the ability of existing alert
6 and warning systems to provide information relating to
7 disasters to individuals with limited English proficiency.

8 (b) REPORT.—Not later than one year after the date
9 of enactment of this Act, the Comptroller General shall
10 submit to Congress a report on the results of the study
11 conducted under subsection (a). The report shall include
12 recommendations with respect to any additional resources
13 necessary to adequately provide information relating to
14 disasters to individuals with limited English proficiency.

15 **SEC. 3. REVIEW OF REGULATIONS AND POLICIES.**

16 (a) IN GENERAL.—Not later than one year after the
17 date of enactment of this Act, the President shall review
18 regulations and policies relating to Federal disaster assist-
19 ance to eliminate regulations the President determines are
20 no longer relevant, to harmonize contradictory regulations,
21 and to simplify and expedite disaster recovery and assist-
22 ance.

23 (b) REPORT.—Not later than 18 months after the
24 date of enactment of this Act, the President shall transmit
25 to Congress a report describing changes made to regula-
26 tions as a result of the review required under subsection

1 (a), together with any legislative recommendations relat-
2 ing thereto.

3 **SEC. 4. ISSUANCE OF REGULATIONS RELATING TO ELIGI-**
4 **BLE COST.**

5 Not later than six months after the date of enactment
6 of this Act, the President shall issue and begin implemen-
7 tation of the regulations required under section
8 406(e)(3)(C) of the Robert T. Stafford Disaster Relief and
9 Emergency Assistance Act (42 U.S.C. 5172(e)(3)(C)) to
10 provide for cost estimation procedures that expedite recov-
11 ery and to reduce the costs and time for completion of
12 recovery projects through the creation of financial and
13 performance incentives.

14 **SEC. 5. USE OF FINANCIAL ASSISTANCE TO DISSEMINATE**
15 **INFORMATION REGARDING COST-EFFECTIVE**
16 **MITIGATION TECHNOLOGIES.**

17 Section 203(e)(2) of the Robert T. Stafford Disaster
18 Relief and Emergency Assistance Act (42 U.S.C.
19 5133(e)(2)) is amended by striking “10 percent” and in-
20 serting “15 percent”.

21 **SEC. 6. RECOVERY RESPONSIBILITIES.**

22 (a) FUNCTIONS OF FEDERAL COORDINATING OFFI-
23 CER.—Section 302(b) of the Robert T. Stafford Disaster
24 Relief and Emergency Assistance Act (42 U.S.C. 5143(b))
25 is amended—

1 (1) in paragraph (3) by striking “and” at the
2 end;

3 (2) by redesignating paragraph (4) as para-
4 graph (6); and

5 (3) by inserting after paragraph (3) the fol-
6 lowing:

7 “(4) not later than one month after the date of
8 the declaration of a major disaster or emergency,
9 make an initial appraisal of the types of recovery as-
10 sistance needed;

11 “(5) coordinate with State government officials
12 the establishment of detailed short-term and long-
13 term recovery plans and methods for implementation
14 of such plans; and”.

15 (b) EMERGENCY SUPPORT, RESPONSE, AND RECOV-
16 ERY TEAMS.—Section 303 of such Act (42 U.S.C. 5144)
17 is amended—

18 (1) in the section heading by striking “**SUP-**
19 **PORT AND RESPONSE**” and inserting “**SUPPORT,**
20 **RESPONSE, AND RECOVERY**”; and

21 (2) by adding at the end the following:

22 “(c) EMERGENCY RECOVERY TEAMS.—

23 “(1) ESTABLISHMENT.—In carrying out sub-
24 section (a), the President, acting through the Ad-

1 administrator of the Federal Emergency Management
2 Agency, shall establish—

3 “(A) at a minimum 3 national recovery
4 teams;

5 “(B) sufficient regional recovery teams, in-
6 cluding Regional Office strike teams under sec-
7 tion 507 of the Homeland Security Act of 2002;
8 and

9 “(C) other recovery teams as may be nec-
10 essary to meet the incident management re-
11 sponsibilities of the Federal Government.

12 “(2) TARGET CAPABILITY LEVEL.—The Admin-
13 istrator shall ensure that specific target capability
14 levels, as defined pursuant to the guidelines estab-
15 lished under section 646(a) of the Post-Katrina
16 Emergency Management Reform Act of 2006, are
17 established for Federal emergency recovery teams.

18 “(3) PERSONNEL.—The President, acting
19 through the Administrator, shall ensure that the
20 Federal emergency recovery teams consist of ade-
21 quate numbers of properly planned, organized,
22 equipped, trained, and exercised personnel to achieve
23 the established target capability levels. Each emer-
24 gency recovery team shall work in coordination with

1 State and local officials and onsite personnel associ-
 2 ated with a particular incident.

3 “(4) READINESS REPORTING.—The Adminis-
 4 trator shall evaluate team readiness on a regular
 5 basis and report team readiness levels in the report
 6 required under section 652(a) of the Post-Katrina
 7 Emergency Management Reform Act of 2006.”.

8 **SEC. 7. FEDERAL INTERAGENCY DISASTER RECOVERY**
 9 **TASK FORCE.**

10 Title III of the Robert T. Stafford Disaster Relief
 11 and Emergency Assistance Act (42 U.S.C. 5141 et seq.)
 12 is amended by adding at the end the following:

13 **“SEC. 327. FEDERAL INTERAGENCY DISASTER RECOVERY**
 14 **TASK FORCE.**

15 “(a) ESTABLISHMENT.—The President shall estab-
 16 lish a Federal interagency disaster recovery task force
 17 (hereinafter referred to in this section as the ‘task force’)
 18 to carry out the following:

19 “(1) Identify, maintain a catalogue of, and sub-
 20 mit to Congress at least twice each year a report de-
 21 scribing the Federal programs that may be used to
 22 assist in recovery efforts after a major disaster or
 23 emergency.

24 “(2) Ensure communication, before and after
 25 major disasters and emergencies, between the Fed-

1 eral departments and agencies determined by the
 2 President to administer the Federal programs re-
 3 ferred to in paragraph (1).

4 “(b) CHAIRPERSON.—The Administrator of the Fed-
 5 eral Emergency Management Agency shall serve as the
 6 chairperson of the task force.

7 “(c) MEMBERSHIP.—The task force shall include a
 8 representative of each Federal department and agency de-
 9 termined by the President to administer a program that
 10 may be used to assist in recovery efforts after a major
 11 disaster or emergency.

12 “(d) MEETING FREQUENCY.—The task force shall
 13 meet at least four times each year.”.

14 **SEC. 8. REPAIR, RESTORATION, AND REPLACEMENT OF**
 15 **DAMAGED FACILITIES.**

16 Section 406(a) of the Robert T. Stafford Disaster Re-
 17 lief and Emergency Assistance Act (42 U.S.C. 5172(a))
 18 is amended—

19 (1) in paragraph (4) by striking “\$20,000,000”
 20 and inserting “\$5,000,000”; and

21 (2) by adding at the end the following:

22 “(5) CONTRIBUTION STATUS REPORTS.—Not
 23 less frequently than every 180 days, the President
 24 shall transmit to Congress a report on the status of
 25 applications, obligations, and contributions under

1 this section with respect to each major disaster for
2 which, on the date of the transmission of such re-
3 port, a contribution is eligible to be requested or
4 made under this section.”.

5 **SEC. 9. SPECIAL RULE FOR CERTAIN MAJOR DISASTERS.**

6 Section 406 of the Robert T. Stafford Disaster Relief
7 and Emergency Assistance Act (42 U.S.C. 5172) is
8 amended by adding at the end the following:

9 “(f) SPECIAL RULE FOR CERTAIN MAJOR DISAS-
10 TERS.—

11 “(1) CONSOLIDATION OF FUNDS.—Notwith-
12 standing subsection (a)(1), if the President deter-
13 mines that there is extensive and widespread damage
14 and destruction resulting from a major disaster, the
15 President may allow a State or local government or
16 a private nonprofit facility, as the case may be, to
17 consolidate contributions received as a lump sum
18 payment to repair, restore, reconstruct, or replace
19 more than one public facility. A State or local gov-
20 ernment and a private nonprofit facility may choose
21 whether or not to repair, restore, reconstruct, or re-
22 place one or more of such facilities after assessing
23 the need for such facilities after such major disaster.

24 “(2) FEDERAL SHARE.—Notwithstanding sub-
25 section (c)(1)(A), the Federal share for a public fa-

1 cility shall be an amount equal to 100 percent of the
2 Federal estimate of the cost of repairing, restoring,
3 reconstructing, or replacing the facilities and of
4 management expenses.”.

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