

This is a straightforward, good-governance step that will benefit disaster survivors; therefore, I urge my colleagues to join me in passing this bill, which the Senate previously passed by unanimous consent in the 118th Congress.

Mr. President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to the immediate consideration of the following bills en bloc: Calendar No. 252, S. 594; Calendar No. 253, S. 727; and Calendar No. 264, S. 861.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. PETERS. Mr. President, I further ask that the bills be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was passed, as follows:

DISASTER ASSISTANCE SIMPLIFICATION ACT

The bill (S. 861) to streamline the sharing of information among Federal disaster assistance agencies, to expedite the delivery of life-saving assistance to disaster survivors, to speed the recovery of communities from disasters, to protect the security and privacy of information provided by disaster survivors, and for other purposes, was ordered to be engrossed for the third reading, was read the third time and passed as follows:

S. 861

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Disaster Assistance Simplification Act”.

SEC. 2. ESTABLISHMENT OF A UNIFIED DISASTER ASSISTANCE INTAKE PROCESS AND SYSTEM.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended by adding at the end the following:

“SEC. 707. ESTABLISHMENT OF A UNIFIED DISASTER ASSISTANCE INTAKE PROCESS AND SYSTEM.

“(a) DEFINITIONS.—In this section:

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

“(2) APPLICANT.—The term ‘applicant’ means—

“(A) an individual, business, or organization that applies for disaster assistance from a disaster assistance program;

“(B) an individual, business, or organization on behalf of which an individual described in subparagraph (A) applies for disaster assistance from a disaster assistance program; and

“(C) an individual, business, or organization that seeks assistance as a beneficiary of a State, local government, or Indian tribal government that received assistance under a disaster assistance program.

“(3) DISASTER ASSISTANCE AGENCY.—The term ‘disaster assistance agency’ means—

“(A) the Federal Emergency Management Agency; and

“(B) any Federal agency that provides disaster assistance to individuals, businesses, organizations, States, local governments, Indian tribal governments, communities, or organizations that the Administrator certifies as a disaster assistance agency in accordance with subsection (f) to carry out the purposes of a disaster assistance program.

“(4) DISASTER ASSISTANCE INFORMATION.—The term ‘disaster assistance information’ includes any personal, biographical, demographic, geographical, financial, application decision, or other information that a disaster assistance agency, or a recipient of a Federal block grant from a disaster assistance agency, is authorized to collect, maintain, disclose, or use to—

“(A) process an application for disaster assistance from a disaster assistance program; or

“(B) otherwise carry out the purpose of a disaster assistance program.

“(5) DISASTER ASSISTANCE PROGRAM.—The term ‘disaster assistance program’ means—

“(A) a program that provides disaster assistance to individuals and households under title IV or V in accordance with sections 408 and 502; or

“(B) any other assistance program authorized by a Federal statute or funded with Federal appropriations under which a disaster assistance agency awards or distributes disaster assistance to an individual, household, or organization, or provides a Federal block grant for these purposes, that arises from a major disaster or emergency declared under section 401 or 501, respectively, including—

“(i) disaster assistance;

“(ii) long-term disaster recovery assistance;

“(iii) the post-disaster restoration of infrastructure and housing;

“(iv) post-disaster economic revitalization;

“(v) a loan authorized under section 7(b) of the Small Business Act (15 U.S.C. 636(b)); and

“(vi) food benefit allotments under section 412 of this Act and section 5(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(h)).

“(6) RECORD.—The term ‘record’ has the meaning given the term in section 552a of title 5, United States Code.

“(b) UNIFIED DISASTER ASSISTANCE INTAKE PROCESS AND SYSTEM.—

“(1) IN GENERAL.—Not later than 360 days after the date of enactment of the Disaster Assistance Simplification Act, the Administrator shall, in consultation with appropriate Federal, State, local, and Indian tribal governments and entities, develop and establish a unified intake process and system for applicants for disaster assistance provided by a disaster assistance agency to—

“(A) facilitate a consolidated application for any form of disaster assistance provided by a disaster assistance agency when appropriate to support the nature and purposes of the assistance;

“(B) carry out the purposes of disaster assistance programs swiftly, efficiently, fairly, and in accordance with applicable laws and privacy and data protections; and

“(C) support the detection, prevention, and investigation of waste, fraud, abuse, or discrimination in the administration of disaster assistance programs.

“(2) CAPABILITIES OF THE CONSOLIDATED APPLICATION SYSTEM.—The unified intake process and system established under paragraph (1) shall—

“(A) accept applications for disaster assistance programs;

“(B) allow for applicants to receive status updates on applications for disaster assistance programs;

“(C) allow for applicants to update disaster assistance information throughout the recovery journeys of those applicants;

“(D) allow for the distribution of information on additional recovery resources to disaster survivors that may be available in a disaster-stricken jurisdiction, in coordination with appropriate Federal, State, local, and Tribal partners;

“(E) provide disaster survivors with information and documentation on the applications of those disaster survivors for a disaster assistance program;

“(F) allow for the distribution of application data to support faster and more effective distribution of Federal disaster assistance, including block grant assistance, for disaster recovery;

“(G) allow for disaster assistance agencies to communicate directly with disaster survivors; and

“(H) contain other capabilities determined necessary by the heads of disaster assistance agencies.

“(3) UPDATES.—Not later than 30 days after the date on which the Administrator receives a request from a disaster assistance agency to update questions in the consolidated application described in paragraph (1) needed to administer the disaster assistance programs of the disaster assistance agency, the Administrator shall make those updates.

“(c) AUTHORITIES OF ADMINISTRATOR.—The Administrator may—

“(1) collect, maintain, disclose, and use disaster assistance information, including such information received from any disaster assistance agency, with any other disaster assistance agency for purposes of subsection (b)(1); and

“(2) subject to subsection (d), authorize the collection, maintenance, disclosure, and use of disaster assistance information collected on or after the date of enactment of the Disaster Assistance Simplification Act by publishing a notice on a public website that—

“(A) includes a detailed description of—

“(i) the specific disaster assistance information authorized to be collected, maintained, disclosed, and used;

“(ii) why the collection, maintenance, disclosure, or use of the disaster assistance information is necessary to carry out the purpose of a disaster assistance program;

“(iii) how the collection, maintenance, disclosure, and use of disaster assistance information incorporates fair information practices; and

“(iv) the disaster assistance agencies that will be granted access to the disaster assistance information to carry out the purpose of any disaster assistance program; and

“(B) provides that the submission of an application through a unified disaster application constitutes prior written consent to disclose disaster assistance information to disaster assistance agencies for the purpose of section 552a(b) of title 5, United States Code.

“(d) COLLECTION AND SHARING OF RECORDS AND INFORMATION.—

“(1) EFFECT OF PUBLICATION OF NOTICE ON PUBLIC WEBSITE.—The publication of a notice by the Administrator on a public website of a revision to the system of records of the unified intake process and system established under subsection (b)(1) prior to any new collection, maintenance, disclosure, or use of records to carry out the purposes of a disaster assistance program with respect to a major disaster or emergency declared by the President under section 401 or 501, respectively, of this Act shall be deemed to satisfy the notice and publication requirements of section 552a(e)(4) of title 5, United States Code, for the entire period of performance for any assistance provided under a disaster assistance program.

“(2) PAPERWORK REDUCTION ACT WAIVER.—

“(A) IN GENERAL.—Upon the declaration of a major disaster or emergency pursuant to section 401 or 501, respectively, of this Act,

the Administrator may waive the requirements of subchapter I of chapter 35 of title 44, United States Code (commonly known as the 'Paperwork Reduction Act'), with respect to the voluntary collection of information specific to the declared major disaster or emergency needed to carry out the purposes of a disaster assistance program.

“(B) DURATION.—A waiver described in subparagraph (A) shall be in effect for the entire period of performance for any assistance provided under a disaster assistance program with respect to a declared major disaster or emergency.

“(C) TRANSPARENCY.—If the Administrator waives the requirements described in subparagraph (A), the Administrator shall—

“(i) promptly post on a public website—

“(I) a brief justification for the waiver; and

“(II) the agencies and offices to which the waiver shall apply;

“(ii) update the information posted under clause (i), as applicable; and

“(iii) comply with the requirements of subchapter I of chapter 35 of title 44, United States Code (commonly known as the 'Paperwork Reduction Act') upon the expiration of the period of performance of any assistance provided under a disaster assistance program if the collection of information may be utilized for the purposes of supporting the disaster assistance program in future major disaster or emergency declarations.

“(D) EFFECTIVENESS OF WAIVER.—Any waiver under subparagraph (A) shall take effect on the date on which the Administrator posts information on the internet website as provided for under subparagraph (C).

“(e) DATA SECURITY.—The Administrator shall facilitate the collection of disaster assistance information into a unified application only after—

“(1) the Administrator certifies that the unified application substantially complies with the data security standards established pursuant to subchapter II of chapter 35 of title 44, United States Code, and any other applicable Federal information security policy;

“(2) the Secretary of Homeland Security publishes a privacy impact assessment for the unified application that is similar to the privacy assessment conducted under section 208(b)(1)(B) of the E-Government Act of 2002 (44 U.S.C. 3501 note); and

“(3) the Administrator, in consultation with disaster assistance agencies, publishes standard rules of behavior for disaster assistance agencies and personnel granted access to disaster assistance information to protect such information from improper disclosure.

“(f) CERTIFICATION OF DISASTER ASSISTANCE AGENCIES.—

“(1) IN GENERAL.—The Administrator may certify a Federal agency as a disaster assistance agency after posting an agreement between the Administrator and the Federal agency on a public website that contains the detailed terms of the agreement.

“(2) CONTENTS OF AGREEMENT.—An agreement between the Administrator and a Federal agency described in paragraph (1) shall state that the Federal Emergency Management Agency and the Federal agency will—

“(A) collect, disclose, maintain, and use disaster assistance information in accordance with—

“(i) this section; and

“(ii) subject to subsection (i)(2), any existing policies of the Federal Emergency Management Agency and the Federal agency for information protection and use;

“(B) train any personnel granted access to disaster assistance information on the rules of behavior established by the Administrator under subsection (e)(3);

“(C) in the event of any unauthorized disclosure of disaster assistance information—

“(i) not later than 24 hours after discovering the unauthorized disclosure—

“(I) in the case of an unauthorized disclosure by the Federal agency, notify the Administrator of the disclosure; and

“(II) in the case of an unauthorized disclosure by the Federal Emergency Management Agency, notify disaster assistance agencies of the disclosure;

“(i) cooperate fully with the Administrator and disaster assistance agencies in the investigation and remediation of the disclosure; and

“(iii) cooperate fully in the prosecution of a person responsible for the disclosure; and

“(D) assume responsibility for any compensation, civil liability, or other remediation measure awarded by a judgment of a court or agreed upon as a compromise of any potential claim by or on behalf of an applicant, including by obtaining credit monitoring and remediation services, for an improper disclosure of disaster assistance information that is—

“(i) caused, directly or indirectly, by the acts or omissions of an officer, employee, or contractor of the Federal agency; or

“(ii) from any electronic system of records that was created or maintained by the Federal agency pursuant to section 552a(e) of title 5, United States Code.

“(g) REPORTS.—

“(1) FEMA.—Not later than 1 year after the date of enactment of this section, and every year thereafter for 2 years, the Administrator, in coordination with the heads of disaster assistance agencies, shall submit to Congress a report on the implementation of this section, including—

“(A) how disaster assistance agencies are working together to implement the requirements under this section;

“(B) the effect of this section on disaster survivor burden and the speed and efficiency of delivering disaster assistance; and

“(C) a description of any other challenges that require further legislative action.

“(2) GAO.—Not later than 3 years after the date of enactment of this section, the Comptroller General of the United States shall submit to Congress a report on how the implementation of this section has affected the disaster survivor experience, and any recommendations for improvements to the requirements under this section.

“(h) BRIEFINGS.—Not later than 90 days after the date of enactment of this section, and again not later than 180 days after the date of enactment of this section, the Administrator shall brief Congress on—

“(1) the status of the implementation of the requirements under this section; and

“(2) how disaster assistance agencies are working together to implement the requirements under this section.

“(i) RULES OF CONSTRUCTION.—

“(1) INAPPLICABILITY OF MATCHING PROGRAM PROVISIONS.—The disclosure and use of disaster assistance information subject to the requirements of section 552a of title 5, United States Code, among disaster assistance agencies or with State, local, or Tribal governments carrying out disaster assistance programs shall not—

“(A) be construed as a matching program for the purpose of section 552a(a)(8) of title 5, United States Code; or

“(B) be subject to subsection (e)(12), (o), (p)(1)(A)(ii), (q), (r), or (u) of section 552a of title 5, United States Code.

“(2) AUTHORITIES IN OTHER LAWS.—Nothing in this section shall be construed to affect the authority of an entity to share disaster assistance information regarding programs funded or facilitated by the entity in accordance with any other law or agency policy.

“(3) APPLYING TO MULTIPLE PROGRAMS.—Nothing in this section shall be construed to

require an applicant to apply to more than 1 disaster assistance program.

“(4) PROGRAM AUTHORIZATION.—Nothing in this section shall be construed to authorize a program that is not authorized by law as of the date of enactment of this section.”

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, notwithstanding the passage of Calendar Nos. 252 and 253, I ask unanimous consent that the committee-reported substitute amendments be agreed to; that the bills as amended be considered read a third time and passed; and that the motions to reconsider be considered made and laid upon the table, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bills considered and passed are as follows:

HELPING ELIMINATE LIMITATIONS FOR PROMPT RESPONSE AND RECOVERY ACT

The Senate proceeded to consider the bill (S. 594) to amend the Post-Katrina Management Reform Act of 2006 to repeal certain obsolete requirements, and for other purposes, which had been reported from the Committee on Homeland Security and Governmental Affairs with an amendment to strike all after the enacting clause and insert the part printed in italic, as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Helping Eliminate Limitations for Prompt Response and Recovery Act” or the “HELP Response and Recovery Act”.

SEC. 2. REPEAL OF OBSOLETE DHS CONTRACTING REQUIREMENTS.

The Post-Katrina Emergency Management Reform Act of 2006 (Public Law 109-295; 120 Stat. 1394) is amended by striking section 695 (6 U.S.C. 794).

SEC. 3. REPORTS.

(a) COVERED PERIOD DEFINED.—*In this section, the term “covered period” means—*

(1) *with respect to an initial report required under subsection (b), the period between the date of enactment of this Act and the date of the report; and*

(2) *with respect to any succeeding report required under subsection (b), the period between the date of the most recent report and the succeeding report.*

(b) REQUIREMENT.—*Not later than 2 years after the date of enactment of this Act, and annually thereafter until the date that is 5 years thereafter, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—*

(1) *reviews how the repeal under section 2*

has—

(A) *prevented waste, fraud, and abuse; and*

(B) *promoted taxpayer savings; and*

(2) *includes, with respect to a contract entered into or extended by the Administrator of the Federal Emergency Management Agency under urgent and compelling circumstances during the covered period for which the Administrator did not solicit bids—*

(A) *the number of those contracts;*

(B) *the subject of each contract;*

(C) *the amounts obligated by the Administrator for each contract;*

(D) *if applicable, the State benefitted by each contract; and*