

(42 U.S.C. 5170), including wildfires, and shall include the extent to which local technical memoranda, prepared by a local unit of government in consultation with the relevant State or Federal agencies, identified damaged underground water infrastructure that should be eligible for the public assistance grant program; and

“(2) provide 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 briefing on the review conducted under paragraph (1).

“(c) REPORT AND RECOMMENDATIONS.—The Administrator shall—

“(1) not later than 180 days after the date of enactment of this Act, issue a report on the review conducted under subsection (b)(1); and

“(2) not later than 180 days after the date on which the Administrator issues the report required under paragraph (1), initiate a rulemaking, if appropriate, to address any recommendations contained in the report.”

[For definition of “State” as used in section 1245 of Pub. L. 115-254, set out above, see section 1203 of Pub. L. 115-254, set out as a note under section 5122 of this title.]

### **§ 5173. Debris removal**

#### **(a) Presidential authority**

The President, whenever he determines it to be in the public interest, is authorized—

(1) through the use of Federal departments, agencies, and instrumentalities, to clear debris and wreckage resulting from a major disaster from publicly and privately owned lands and waters; and

(2) to make grants to any State or local government or owner or operator of a private nonprofit facility for the purpose of removing debris or wreckage resulting from a major disaster from publicly or privately owned lands and waters.

#### **(b) Authorization by State or local government; indemnification agreement**

No authority under this section shall be exercised unless the affected State or local government shall first arrange an unconditional authorization for removal of such debris or wreckage from public and private property, and, in the case of removal of debris or wreckage from private property, shall first agree to indemnify the Federal Government against any claim arising from such removal.

#### **(c) Rules relating to large lots**

The President shall issue rules which provide for recognition of differences existing among urban, suburban, and rural lands in implementation of this section so as to facilitate adequate removal of debris and wreckage from large lots.

#### **(d) Federal share**

The Federal share of assistance under this section shall be not less than 75 percent of the eligible cost of debris and wreckage removal carried out under this section.

#### **(e) Expedited payments**

##### **(1) Grant assistance**

In making a grant under subsection (a)(2), the President shall provide not less than 50 percent of the President's initial estimate of the Federal share of assistance as an initial payment in accordance with paragraph (2).

#### **(2) Date of payment**

Not later than 60 days after the date of the estimate described in paragraph (1) and not later than 90 days after the date on which the State or local government or owner or operator of a private nonprofit facility applies for assistance under this section, an initial payment described in paragraph (1) shall be paid.

(Pub. L. 93-288, title IV, § 407, formerly § 403, May 22, 1974, 88 Stat. 154; renumbered § 407 and amended Pub. L. 100-707, title I, § 106(c), Nov. 23, 1988, 102 Stat. 4701; Pub. L. 109-347, title VI, § 610, Oct. 13, 2006, 120 Stat. 1942.)

### **Editorial Notes**

#### **PRIOR PROVISIONS**

A prior section 407 of Pub. L. 93-288 was renumbered section 410 by Pub. L. 100-707 and is classified to section 5177 of this title.

#### **AMENDMENTS**

2006—Subsec. (e). Pub. L. 109-347 added subsec. (e).

1988—Subsec. (a)(2). Pub. L. 100-707, § 106(c)(2), inserted “or owner or operator of a private nonprofit facility” after “local government”.

Subsecs. (c), (d). Pub. L. 100-707, § 106(c)(3), added subsecs. (c) and (d).

### **§ 5174. Federal assistance to individuals and households**

#### **(a) In general**

##### **(1) Provision of assistance**

In accordance with this section, the President, in consultation with the Governor of a State, may provide financial assistance, and, if necessary, direct services, to individuals and households in the State who, as a direct result of a major disaster, have necessary expenses and serious needs in cases in which the individuals and households are unable to meet such expenses or needs through other means.

##### **(2) Relationship to other assistance**

Under paragraph (1), an individual or household shall not be denied assistance under paragraph (1), (3), or (4) of subsection (c) solely on the basis that the individual or household has not applied for or received any loan or other financial assistance from the Small Business Administration or any other Federal agency.

#### **(b) Housing assistance**

##### **(1) Eligibility**

The President may provide financial or other assistance under this section to individuals and households to respond to the disaster-related housing needs of individuals and households who are displaced from their predisaster primary residences or whose predisaster primary residences are rendered uninhabitable, or with respect to individuals with disabilities, rendered inaccessible or uninhabitable, as a result of damage caused by a major disaster.

##### **(2) Determination of appropriate types of assistance**

###### **(A) In general**

The President shall determine appropriate types of housing assistance to be provided