

109TH CONGRESS
1ST SESSION

H. R. 4611

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to strengthen the participation of small businesses in recovery efforts following a major disaster, emergency, or terrorist event.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2005

Mr. THOMPSON of Mississippi 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 strengthen the participation of small businesses in recovery efforts following a major disaster, emergency, or terrorist event.

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 “Small Business Dis-
5 aster Relief and Recovery Participation Act of 2005”.

1 **SEC. 2. USE OF LOCAL CONTRACTORS AND NON-**
2 **DISCRIMINATION IN MAJOR DISASTER RE-**
3 **LIEF AND RECOVERY.**

4 The Robert T. Stafford Disaster Relief and Emer-
5 gency Assistance Act (42 U.S.C. 5121 et seq.) is amended
6 by striking sections 307 and 308 and inserting the fol-
7 lowing:

8 **“SEC. 307. USE OF LOCAL FIRMS AND INDIVIDUALS.**

9 “(a) IN GENERAL.—In the expenditure of Federal
10 funds for debris clearance, distribution of supplies, recon-
11 struction, and other major disaster or emergency assist-
12 ance activities, that may be carried out by contract or
13 agreement with private organizations, firms, or individ-
14 uals, a preference shall be given, to the maximum extent
15 feasible and practicable, to an organization, firm, or indi-
16 vidual residing or doing business primarily in the area af-
17 fected by the major disaster, emergency, or terrorist event
18 by reason of which the assistance activities are provided.

19 “(b) CONTRACTING GOAL.—The Government shall
20 set a goal of not less than 10 percent of the total dollar
21 value of the contracts or agreements described in sub-
22 section (a) to be awarded to firms that are located in a
23 county, parish, or equivalent division of general local gov-
24 ernment within the area for which the President declares
25 a major disaster, emergency, or terrorist event, or in a

1 county, parish or division that is adjacent to such an area,
2 during the period for which such designation is in effect.

3 “(c) DEPARTMENT OF DEFENSE RESOURCES.—This
4 section does not restrict the use of Department of Defense
5 resources in the provision of major disaster assistance
6 under this Act.

7 **“SEC. 308. NONDISCRIMINATION IN ASSISTANCE AFTER**
8 **MAJOR DISASTERS, EMERGENCIES, AND TER-**
9 **RORIST EVENTS.**

10 “(a) IN GENERAL.—The President shall issue, and
11 may alter and amend, such regulations as may be nec-
12 essary for the guidance of personnel carrying out Federal
13 assistance functions at the site of a major disaster, emer-
14 gency, or terrorist event. Such regulations shall include
15 provisions for ensuring that the distribution of supplies,
16 the processing of applications, and other relief and assist-
17 ance activities shall be accomplished in an equitable and
18 impartial manner, without discrimination on the grounds
19 of race, color, religion, nationality, sex, age, or economic
20 status.

21 “(b) ENTITIES PROVIDING DISASTER ASSISTANCE.—

22 “(1) IN GENERAL.—As a condition of participa-
23 tion in the distribution of assistance or supplies
24 under this Act or of receiving assistance under this
25 Act, entities of State and local government, non-gov-

1 ernmental organizations, quasi-governmental organi-
2 zations, and other organizations, shall be required to
3 comply with any regulations relating to non-
4 discrimination that are promulgated by the Presi-
5 dent under subsection (a) and any such other regu-
6 lations applicable to activities carried out within an
7 area affected by a major disaster, emergency, or ter-
8 rorist event as the President determines may be nec-
9 essary for the effective coordination of relief efforts.

10 “(2) SMALL BUSINESS CONCERNS.—In award-
11 ing contracts or agreements for debris clearance,
12 distribution of supplies, reconstruction, and other as-
13 sistance activities relating to a major disaster, emer-
14 gency, or terrorist event, a Government agency, enti-
15 ty of State or local government, non-governmental
16 organization, quasi-governmental organization, or
17 other organization shall fully consider utilizing expe-
18 dited procurement tools for small business concerns,
19 socially and economically disadvantaged small busi-
20 ness concerns, small business concerns owned and
21 controlled by service-disabled veterans, and
22 HUBZone small business concerns (as those terms
23 are defined in the Small Business Act (15 U.S.C.
24 631 et seq.)).”.

○