

112TH CONGRESS  
1ST SESSION

# S. 792

To authorize the waiver of certain debts relating to assistance provided to individuals and households since 2005.

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IN THE SENATE OF THE UNITED STATES

APRIL 12, 2011

Mr. PRYOR introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To authorize the waiver of certain debts relating to assistance provided to individuals and households since 2005.

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 Assistance  
5       Recoupment Fairness Act of 2011”.

6       **SEC. 2. DEBTS SINCE 2005.**

7       (a) DEFINITIONS.—In this section—

8               (1) the term “covered area” means an area—

9                       (A) located in an area that has been iden-

10                      tified by the Administrator of the Federal

1           Emergency Management Agency as an area  
2           having special flood hazards under the National  
3           Flood Insurance Act of 1968 (42 U.S.C. 4001  
4           et seq.); and

5                   (B) located in a community that does not  
6           participate in the national flood insurance pro-  
7           gram under the National Flood Insurance Act  
8           of 1968; and

9           (2) the term “covered assistance” means assist-  
10          ance provided—

11                   (A) under section 408 of the Robert T.  
12          Stafford Disaster Relief and Emergency Assist-  
13          ance Act (42 U.S.C. 5174); and

14                   (B) in relation to a major disaster declared  
15          by the President under section 401 of the Rob-  
16          ert T. Stafford Disaster Relief and Emergency  
17          Assistance Act (42 U.S.C. 5170) during the pe-  
18          riod beginning on August 28, 2005, and ending  
19          on December 31, 2011.

20          (b) WAIVER AUTHORITY.—The Administrator of the  
21          Federal Emergency Management Agency—

22                   (1)(A) may waive a debt owed to the United  
23          States relating to covered assistance provided to an  
24          individual or household if the covered assistance was

1 distributed based on an error by the Federal Emer-  
2 gency Management Agency; and

3 (B) shall waive a debt owed to the United  
4 States relating to covered assistance provided to an  
5 individual or household located in a covered area if  
6 the reason for the debt relates to a failure to partici-  
7 pate in the national flood insurance program under  
8 the National Flood Insurance Act of 1968; and

9 (2) may not waive a debt under paragraph (1)  
10 if the debt involves fraud, the presentation of a false  
11 claim, or misrepresentation by the debtor or any  
12 party having an interest in the claim.

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