

115TH CONGRESS
1ST SESSION

H. R. 4460

To improve the provision of disaster and mitigation assistance to eligible individuals and households and to eligible State, local, Tribal, and territorial governments and certain private nonprofit organizations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 28, 2017

Mr. BARLETTA (for himself and Mr. JOHNSON of Georgia) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To improve the provision of disaster and mitigation assistance to eligible individuals and households and to eligible State, local, Tribal, and territorial governments and certain private nonprofit organizations, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Disaster Recovery Reform Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—DISASTER MITIGATION

Sec. 101. National public infrastructure predisaster hazard mitigation.

Sec. 102. Additional mitigation activities.

Sec. 103. Wildfire prevention.

Sec. 104. Additional activities.

TITLE II—DISASTER RESPONSE AND RECOVERY

Sec. 201. Federal cost-share adjustments for repair, restoration, and replacement of damaged facilities.

Sec. 202. Eligibility for code implementation and enforcement.

Sec. 203. Program improvements.

Sec. 204. Prioritization of facilities.

Sec. 205. Guidance on evacuation routes.

Sec. 206. Proof of insurance.

Sec. 207. Duplication of benefits.

Sec. 208. State administration of assistance for direct temporary housing and permanent housing construction.

Sec. 209. Assistance to individuals and households.

Sec. 210. Multifamily lease and repair assistance.

Sec. 211. Federal disaster assistance nonprofit fairness.

Sec. 212. Management costs.

Sec. 213. Flexibility.

Sec. 214. Additional disaster assistance.

Sec. 215. National veterinary emergency teams.

TITLE III—AGENCY MANAGEMENT, OVERSIGHT, AND ACCOUNTABILITY

Sec. 301. Unified Federal environmental and historic preservation review.

Sec. 302. Closeout incentives.

Sec. 303. Performance of services.

Sec. 304. Study to streamline and consolidate information collection.

Sec. 305. Agency accountability.

Sec. 306. Audit of contracts.

3 **TITLE I—DISASTER MITIGATION**

4 **SEC. 101. NATIONAL PUBLIC INFRASTRUCTURE**

5 **PREDISASTER HAZARD MITIGATION.**

6 Section 203 of the Robert T. Stafford Disaster Relief
 7 and Emergency Assistance Act (42 U.S.C. 5133) is
 8 amended—

1 (1) in subsection (c) by inserting “Public” after
2 “the National”;

3 (2) in subsection (e)(1)(B)—

4 (A) by striking “or” at the end of clause
5 (ii);

6 (B) by striking the period at the end of
7 clause (iii) and inserting “; or”; and

8 (C) by adding at the end the following:

9 “(iv) to establish and carry out en-
10 forcement activities to implement the latest
11 published editions of relevant consensus-
12 based codes, specifications, and standards
13 that incorporate the latest hazard-resistant
14 designs and establish minimum acceptable
15 criteria for the design, construction, and
16 maintenance of residential structures and
17 facilities that may be eligible for assistance
18 under this Act for the purpose of pro-
19 tecting the health, safety, and general wel-
20 fare of the buildings’ users against disas-
21 ters.”;

22 (3) in subsection (f)—

23 (A) in paragraph (1) by inserting “for
24 mitigation activities that are cost effective”
25 after “competitive basis”; and

1 (B) by adding at the end the following:

2 “(3) REDISTRIBUTION OF UNOBLIGATED
3 AMOUNTS.—The President shall—

4 “(A) withdraw amounts of financial assist-
5 ance made available to a State (including
6 amounts made available to local governments of
7 a State) under this subsection that remain un-
8 obligated by the end of the third fiscal year
9 after the fiscal year for which the amounts were
10 allocated; and

11 “(B) in the fiscal year following a fiscal
12 year in which amounts were withdrawn under
13 subparagraph (A), add the amounts to any
14 other amounts available to be awarded on a
15 competitive basis pursuant to paragraph (1).”;
16 (4) in subsection (g)—

17 (A) in paragraph (9) by striking “and” at
18 the end;

19 (B) by redesignating paragraph (10) as
20 paragraph (12); and

21 (C) by adding after paragraph (9) the fol-
22 lowing:

23 “(10) the extent to which the State or local
24 government has facilitated the adoption and enforce-
25 ment of the latest published editions of relevant con-

1 sensus-based codes, specifications, and standards
2 that incorporate the latest hazard-resistant designs
3 and establish criteria for the design, construction,
4 and maintenance of residential structures and facili-
5 ties that may be eligible for assistance under this
6 Act for the purpose of protecting the health, safety,
7 and general welfare of the buildings' users against
8 disasters; and

9 “(11) the extent to which the assistance will
10 fund activities that increase the level of resiliency;
11 and”;

12 (5) by striking subsection (i) and inserting the
13 following:

14 “(i) NATIONAL PUBLIC INFRASTRUCTURE
15 PREDISASTER MITIGATION FUND.—

16 “(1) ESTABLISHMENT.—The President shall es-
17 tablish in the Treasury of the United States a sepa-
18 rate account called the National Public Infrastruc-
19 ture Predisaster Mitigation Fund (in this section re-
20 ferred to as the ‘Predisaster Mitigation Fund’),
21 which shall be used exclusively to carry out this sec-
22 tion, with amounts in such account to be available
23 until expended unless otherwise provided.

24 “(2) TRANSFERS TO PREDISASTER MITIGATION
25 FUND.—

1 “(A) IN GENERAL.—There shall be depos-
2 ited in the Predisaster Mitigation Fund with re-
3 spect to each disaster declared on or after Au-
4 gust 1, 2017, an additional amount equal to 6
5 percent of the estimated aggregate amount of
6 grants to be made pursuant to sections 403,
7 406, 407, 408, 410, and 416.

8 “(B) ESTIMATED AGGREGATE AMOUNT.—
9 Not later than 180 days after each major dis-
10 aster declaration, the estimated aggregate
11 amount of grants on which the amount cal-
12 culated in subparagraph (A) is based shall be
13 determined and need not be reduced, increased,
14 or changed due to variations in estimates.”; and
15 (6) by striking subsection (m) and redesign-
16 ating subsection (n) as subsection (m).

17 **SEC. 102. ADDITIONAL MITIGATION ACTIVITIES.**

18 (a) HAZARD MITIGATION CLARIFICATION.—Section
19 404(a) of the Robert T. Stafford Disaster Relief and
20 Emergency Assistance Act (42 U.S.C. 5170c(a)) is
21 amended by striking the first sentence and inserting the
22 following: “The President may contribute up to 75 percent
23 of the cost of hazard mitigation measures which the Presi-
24 dent has determined are cost effective and which substan-
25 tially reduce the risk of, or increase resilience to, future

1 damage, hardship, loss, or suffering in any area affected
2 by a major disaster.”.

3 (b) ELIGIBLE COST.—Section 406(e)(1)(A) of such
4 Act (42 U.S.C. 5172(e)(1)(A)) is amended—

5 (1) in the matter preceding clause (i), by insert-
6 ing after “section” the following: “for disasters de-
7 clared on or after August 1, 2017, or a disaster in
8 which a cost estimate has not yet been finalized for
9 a project,”;

10 (2) in clause (i), by striking “and”;

11 (3) in clause (ii)—

12 (A) by striking “codes, specifications, and
13 standards” and inserting “the latest published
14 editions of relevant consensus-based codes,
15 specifications, and standards that incorporate
16 the latest hazard-resistant designs and establish
17 minimum acceptable criteria for the design,
18 construction, and maintenance of residential
19 structures and facilities that may be eligible for
20 assistance under this Act for the purposes of
21 protecting the health, safety, and general wel-
22 fare of a facility’s users against disasters”;

23 (B) by striking “applicable at the time at
24 which the disaster occurred”; and

1 (C) by striking the period at the end and
2 inserting “; and”; and

3 (4) by adding at the end the following:

4 “(iii) in a manner that allows the fa-
5 cility to meet the definition of resilient de-
6 veloped pursuant to this subsection.”.

7 (c) NEW RULES.—Section 406(e) of such Act (42
8 U.S.C. 5172(e)) is further amended by adding at the end
9 the following:

10 “(5) NEW RULES.—

11 “(A) IN GENERAL.—Not later than 18
12 months after the date of enactment of this
13 paragraph, the President, acting through the
14 Administrator of the Federal Emergency Man-
15 agement Agency, shall issue a final rulemaking
16 that defines the terms ‘resilient’ and ‘resiliency’
17 for purposes of this subsection.

18 “(B) GUIDANCE.—Not later than 90 days
19 after the date on which the Administrator
20 issues the final rulemaking under this para-
21 graph, the Administrator shall issue any nec-
22 essary guidance related to the rulemaking.

23 “(C) REPORT.—Not later than 2 years
24 after the date of enactment of this paragraph,
25 the Administrator shall submit to Congress a

1 report summarizing the regulations and guid-
2 ance issued pursuant to this paragraph.”.

3 (d) CONFORMING AMENDMENT.—Section 205(d)(2)
4 of the Disaster Mitigation Act of 2000 (Public Law 106–
5 390) is amended by inserting “(B)” after “except that
6 paragraph (1)”.

7 **SEC. 103. WILDFIRE PREVENTION.**

8 (a) MITIGATION ASSISTANCE.—Section 420 of the
9 Robert T. Stafford Disaster Relief and Emergency Assist-
10 ance Act (42 U.S.C. 5187) is amended—

11 (1) by redesignating subsection (d) as sub-
12 section (e); and

13 (2) by inserting after subsection (c) the fol-
14 lowing:

15 “(d) HAZARD MITIGATION ASSISTANCE.—Whether
16 or not a major disaster is declared, the President may pro-
17 vide hazard mitigation assistance in accordance with sec-
18 tion 404 in any area affected by a fire for which assistance
19 was provided under this section.”.

20 (b) CONFORMING AMENDMENTS.—The Robert T.
21 Stafford Disaster Relief and Emergency Assistance Act
22 (42 U.S.C. 5121 et seq.) is amended—

23 (1) in section 404(a) (42 U.S.C. 5170c(a))—

1 (A) by inserting before the first period “,
2 or any area affected by a fire for which assist-
3 ance was provided under section 420”; and

4 (B) in the third sentence by inserting “or
5 event under section 420” after “major disaster”
6 each place it appears; and

7 (2) in section 322(e)(1) (42 U.S.C. 5165(e)(1)),
8 by inserting “or event under section 420” after
9 “major disaster” each place it appears.

10 (c) REPORTING REQUIREMENT.—Not later than 1
11 year after the date of enactment of this Act and annually
12 thereafter, the Administrator of the Federal Emergency
13 Management Agency shall submit to the Committee on
14 Homeland Security and Governmental Affairs of the Sen-
15 ate, the Committee on Transportation and Infrastructure
16 of the House of Representatives, and the Appropriations
17 Committees of the Senate and the House of Representa-
18 tives a report containing a summary of any projects car-
19 ried out, and any funding provided to those projects,
20 under subsection (d) of section 420 of the Robert T. Staf-
21 ford Disaster Relief and Emergency Assistance Act (42
22 U.S.C. 5187) (as amended by this section).

1 **SEC. 104. ADDITIONAL ACTIVITIES.**

2 Section 404 of the Robert T. Stafford Disaster Relief
3 and Emergency Assistance Act (42 U.S.C. 5170c) is
4 amended by adding at the end the following:

5 “(f) USE OF ASSISTANCE.—Recipients of hazard
6 mitigation assistance provided under this section and sec-
7 tion 203 may use the assistance to conduct activities to
8 help reduce the risk of future damage, hardship, loss, or
9 suffering in any area affected by a wildfire, including—

10 “(1) reseeded ground cover with quick-growing
11 or native species;

12 “(2) mulching with straw or chipped wood;

13 “(3) constructing straw, rock, or log dams in
14 small tributaries to prevent flooding;

15 “(4) placing logs and other erosion barriers to
16 catch sediment on hill slopes;

17 “(5) installing debris traps to modify road and
18 trail drainage mechanisms;

19 “(6) modifying or removing culverts to allow
20 drainage to flow freely;

21 “(7) adding drainage dips and constructing
22 emergency spillways to keep roads and bridges from
23 washing out during floods;

24 “(8) planting grass to prevent the spread of
25 noxious weeds;

26 “(9) installing warning signs;

1 “(iii) encouraging the adoption and
2 enforcement of the latest published edi-
3 tions of relevant consensus-based codes,
4 specifications, and standards that incor-
5 porate the latest hazard-resistant designs
6 and establish minimum acceptable criteria
7 for the design, construction, and mainte-
8 nance of residential structures and facili-
9 ties that may be eligible for assistance
10 under this Act for the purpose of pro-
11 tecting the health, safety, and general wel-
12 fare of the buildings’ users against disas-
13 ters;

14 “(iv) facilitating participation in the
15 community rating system; and

16 “(v) funding mitigation projects or
17 granting tax incentives for projects that re-
18 duce risk.

19 “(B) COMPREHENSIVE GUIDANCE.—Not
20 later than 1 year after the date of enactment of
21 this paragraph, the President, acting through
22 the Administrator, shall issue comprehensive
23 guidance to State and Tribal governments re-
24 garding the measures and investments that will

1 be recognized for the purpose of increasing the
2 Federal share under this section.

3 “(C) REPORT.—One year after the
4 issuance of the guidance required by subpara-
5 graph (B), the Administrator shall submit to
6 the Committee on Transportation and Infra-
7 structure of the House of Representatives and
8 the Committee on Homeland Security and Gov-
9 ernmental Affairs of the Senate a report re-
10 garding the analysis of the Federal cost shares
11 paid under this section.

12 “(D) SAVINGS CLAUSE.—Nothing in this
13 paragraph prevents the President from increas-
14 ing the Federal cost share above 85 percent.”.

15 **SEC. 202. ELIGIBILITY FOR CODE IMPLEMENTATION AND**
16 **ENFORCEMENT.**

17 Section 406(a)(2) of the Robert T. Stafford Disaster
18 Relief and Emergency Assistance Act (42 U.S.C.
19 5172(a)(2)) is amended—

20 (1) by striking “and” at the end of subpara-
21 graph (B);

22 (2) by striking the period at the end of sub-
23 paragraph (C) and inserting “; and”; and

24 (3) by adding at the end the following:

1 “(D) base and overtime wages for extra
2 hires to facilitate the implementation and en-
3 forcement of adopted building codes for a pe-
4 riod of not more than 180 days after the major
5 disaster is declared.”.

6 **SEC. 203. PROGRAM IMPROVEMENTS.**

7 (a) HAZARD MITIGATION.—Section 406(e) of the
8 Robert T. Stafford Disaster Relief and Emergency Assist-
9 ance Act (42 U.S.C. 5172(e)) is amended—

10 (1) in paragraph (1)(A), by striking “90 per-
11 cent of”; and

12 (2) in paragraph (2)(A), by striking “75 per-
13 cent of”.

14 (b) PARTICIPATION.—Section 428(d) of such Act (42
15 U.S.C. 5189f) is amended—

16 (1) by inserting “(1) IN GENERAL.—” before
17 “Participation in”; and

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

19 “(2) NO CONDITIONS.—The President may not
20 condition the provision of Federal assistance under
21 this Act on the election by a State, Tribal, or local
22 government, or owner or operator of a private non-
23 profit facility to participate in the alternative proce-
24 dures adopted under this section.”.

1 (c) CERTIFICATION.—Section 428(e)(1) of such Act
2 (42 U.S.C. 5189f(e)(1)) is amended—

3 (1) in subparagraph (E), by striking “and” at
4 the end;

5 (2) in subparagraph (F), by striking the period
6 and inserting “; and”; and

7 (3) by adding at the end the following:

8 “(G) COST ESTIMATES.—Once certified by
9 a professionally licensed engineer and accepted
10 by the Administrator, the estimates on which
11 grants made pursuant to this section are based
12 shall be presumed to be reasonable, eligible, and
13 actual costs as long as there is no evidence of
14 fraud.”.

15 **SEC. 204. PRIORITIZATION OF FACILITIES.**

16 Not later than 180 days after the date of enactment
17 of this Act, the Administrator of the Federal Emergency
18 Management Agency shall provide guidance and training
19 on an annual basis to State, Tribal, and local govern-
20 ments, first responders, and utility companies on—

21 (1) the need to prioritize assistance to hospitals,
22 nursing homes, and other long-term care facilities to
23 ensure that such health care facilities remain func-
24 tioning or return to functioning as soon as prac-

1 ticable during power outages caused by natural haz-
2 ards, including severe weather events; and

3 (2) how hospitals, nursing homes and other
4 long-term care facilities should adequately prepare
5 for power outages during a major disaster or emer-
6 gency.

7 **SEC. 205. GUIDANCE ON EVACUATION ROUTES.**

8 (a) IN GENERAL.—

9 (1) IDENTIFICATION.—The Administrator of
10 the Federal Emergency Management Agency, in co-
11 ordination with the Administrator of the Federal
12 Highway Administration, shall develop and issue
13 guidance for State, local, and Tribal governments re-
14 garding the identification of evacuation routes.

15 (2) GUIDANCE.—The Administrator of the Fed-
16 eral Highway Administration, in coordination with
17 the Administrator of the Federal Emergency Man-
18 agement Agency, shall revise existing guidance or
19 issue new guidance as appropriate for State, local,
20 and Tribal governments regarding the design, con-
21 struction, maintenance, and repair of evacuation
22 routes.

23 (b) CONSIDERATIONS.—

24 (1) IDENTIFICATION.—In developing the guid-
25 ance under subsection (a)(1), the Administrator of

1 the Federal Emergency Management Agency shall
2 consider—

3 (A) whether evacuation routes have re-
4 sisted impacts and recovered quickly from dis-
5 asters, regardless of cause;

6 (B) the need to evacuate special needs pop-
7 ulations, including—

8 (i) individuals with a physical or men-
9 tal disability;

10 (ii) individuals in schools, daycare
11 centers, mobile home parks, prisons, nurs-
12 ing homes and other long-term care facili-
13 ties, and detention centers;

14 (iii) individuals with limited-English
15 proficiency;

16 (iv) the elderly; and

17 (v) individuals who are tourists, sea-
18 sonal workers, or homeless;

19 (C) the sharing of information and other
20 public communications with evacuees during
21 evacuations;

22 (D) the sheltering of evacuees, including
23 the care, protection, and sheltering of animals;

24 (E) the return of evacuees to their homes;

25 and

1 (F) such other items the Administrator
2 considers appropriate.

3 (2) DESIGN, CONSTRUCTION, MAINTENANCE,
4 AND REPAIR.—In revising or issuing guidance under
5 (a)(2), the Administrator of the Federal Highway
6 Administration shall consider—

7 (A) methods that assist evacuation routes
8 to—

9 (i) withstand likely risks to viability,
10 including flammability and hydrostatic
11 forces;

12 (ii) improve durability, strength (in-
13 cluding the ability to withstand tensile
14 stresses and compressive stresses), and
15 sustainability; and

16 (iii) provide for long-term cost sav-
17 ings;

18 (B) the ability of evacuation routes to ef-
19 fectively manage contraflow operations;

20 (C) for evacuation routes on public lands,
21 the viewpoints of the applicable Federal Land
22 Management Agency regarding emergency oper-
23 ations, sustainability, and resource protection;
24 and

1 (D) such other items the Administrator
2 considers appropriate.

3 **SEC. 206. PROOF OF INSURANCE.**

4 A State shall be deemed to have proven that an appli-
5 cant has satisfied the purchase of insurance requirements
6 under the Robert T. Stafford Disaster Relief and Emer-
7 gency Assistance Act (42 U.S.C. 5121 et seq.) when an
8 encumbrance requiring the purchase and maintenance of
9 insurance has been placed on the title of the property re-
10 ceiving the benefit of the grant or assistance. This section
11 in no way removes or reduces the insurance requirements
12 on an applicant under the Act and in no way limits the
13 requirement that assistance provided under such Act be
14 reduced or eliminated when the requirements are not met.

15 **SEC. 207. DUPLICATION OF BENEFITS.**

16 (a) IN GENERAL.—Section 312(b) of the Robert T.
17 Stafford Disaster Relief and Emergency Assistance Act
18 (42 U.S.C. 5155(b)) is amended by adding at the end the
19 following:

20 “(4) WAIVER OF GENERAL PROHIBITION.—

21 “(A) IN GENERAL.—The President may
22 waive the general prohibition provided in sub-
23 section (a) upon request of a Governor on be-
24 half of the State or on behalf of a person, busi-
25 ness concern, or any other entity suffering

1 losses as a result of a major disaster or emer-
2 gency, if the President finds such waiver is in
3 the public interest and will not result in waste,
4 fraud, or abuse. In making this decision, the
5 President may consider the following:

6 “(i) The recommendations of the Ad-
7 ministrator of the Federal Emergency
8 Management Agency made in consultation
9 with the Federal agency or agencies ad-
10 ministering the duplicative program.

11 “(ii) If a waiver is granted, the assist-
12 ance to be funded is cost effective.

13 “(iii) Equity and good conscience.

14 “(iv) Other matters of public policy
15 considered appropriate by the President.

16 “(B) GRANT OR DENIAL OF WAIVER.—A
17 request under subparagraph (A) shall be grant-
18 ed or denied not later than 45 days after sub-
19 mission of such request.

20 “(C) PROHIBITION ON DETERMINATION
21 THAT LOAN IS A DUPLICATION.—Notwith-
22 standing subsection (c), in carrying out sub-
23 paragraph (A), the President may not deter-
24 mine that a loan is a duplication of assistance,
25 provided that all Federal assistance is used to-

1 ward a loss suffered as a result of the major
2 disaster or emergency.”.

3 (b) FUNDING OF A FEDERALLY AUTHORIZED WATER
4 RESOURCES DEVELOPMENT PROJECT.—

5 (1) ELIGIBLE ACTIVITIES.—Notwithstanding
6 section 312 of the Robert T. Stafford Disaster Relief
7 and Emergency Assistance Act (42 U.S.C. 5155)
8 and its implementing regulations, assistance pro-
9 vided pursuant to section 404 of such Act may be
10 used to fund activities authorized for construction
11 within the scope of a federally authorized water re-
12 sources development project of the Army Corps of
13 Engineers if such activities are also eligible activities
14 under such section.

15 (2) FEDERAL FUNDING.—All Federal funding
16 provided under section 404 pursuant to this sub-
17 section shall be applied toward the Federal share of
18 such project.

19 (3) NON-FEDERAL MATCH.—All non-Federal
20 matching funds required under section 404 pursuant
21 to this subsection shall be applied toward the non-
22 Federal share of such project.

23 (4) TOTAL FEDERAL SHARE.—Funding pro-
24 vided under section 404 pursuant to this subsection

1 may not exceed the total Federal share for such
2 project.

3 (5) NO EFFECT.—Nothing in this subsection
4 shall—

5 (A) affect the cost share requirement of a
6 hazard mitigation measure under section 404;

7 (B) affect the eligibility criteria for a haz-
8 ard mitigation measure under section 404;

9 (C) affect the cost share requirements of a
10 federally authorized water resources develop-
11 ment project; and

12 (D) affect the responsibilities of a non-
13 Federal interest with respect to the project, in-
14 cluding those related to the provision of lands,
15 easements, rights-of-way, dredge material dis-
16 posal areas, and necessary relocations.

17 **SEC. 208. STATE ADMINISTRATION OF ASSISTANCE FOR DI-**
18 **RECT TEMPORARY HOUSING AND PERMA-**
19 **NENT HOUSING CONSTRUCTION.**

20 Section 408(f) of the Robert T. Stafford Disaster Re-
21 lief and Emergency Assistance Act (42 U.S.C. 5174(f))
22 is amended—

23 (1) in paragraph (1), by striking the paragraph
24 heading and inserting “STATE-ADMINISTERED AS-
25 SISTANCE AND OTHER NEEDS ASSISTANCE.—”;

1 (2) in paragraph (1)(A)—

2 (A) by striking “financial”; and

3 (B) by striking “subsection (e)” and in-
4 serting “subsections (c)(1)(B), (c)(4), and (e) if
5 the President and the State comply, as deter-
6 mined by the Administrator, with paragraph
7 (3)”;

8 (3) in paragraph (1)(B)—

9 (A) by striking “financial”; and

10 (B) by striking “subsection (e)” and in-
11 serting “subsections (c)(1)(B), (c)(4), and (e)”;

12 and

13 (4) by adding at the end the following:

14 “(3) IN GENERAL.—

15 “(A) APPLICATION.—A State desiring to
16 provide assistance under subsections (c)(1)(B)
17 and (c)(4) shall submit to the President an ap-
18 plication for the delegation of the authority to
19 administer the program.

20 “(B) CRITERIA.—The President, in con-
21 sultation and coordination with States and local
22 governments, shall establish criteria for the ap-
23 proval of applications submitted under subpara-
24 graph (A). The criteria shall include, at a min-
25 imum—

1 “(i) the demonstrated ability of the
2 State to manage the program under this
3 section;

4 “(ii) there being in effect a plan ap-
5 proved by the President as to how the
6 State will comply with applicable Federal
7 laws and regulations and how the State
8 will provide assistance under its plan;

9 “(iii) a requirement that the State or
10 local government comply with rules and
11 regulations established pursuant to sub-
12 section (j); and

13 “(iv) a requirement that the Presi-
14 dent, or the designee of the President,
15 comply with subsection (i).

16 “(C) QUALITY ASSURANCE.—Before ap-
17 proving an application submitted under this
18 section, the President, or the designee of the
19 President, shall institute adequate policies, pro-
20 cedures, and internal controls to prevent waste,
21 fraud, abuse, and program mismanagement for
22 this program and for programs under sub-
23 sections (c)(1)(B) and (c)(4). The President
24 shall monitor and conduct quality assurance ac-
25 tivities on a State’s implementation of programs

1 under subsections (c)(1)(B) and (c)(4). If, after
2 approving an application of a State submitted
3 under this section, the President determines
4 that the State is not administering the program
5 established by this section in a manner satisfac-
6 tory to the President, the President shall with-
7 draw the approval.

8 “(D) AUDITS.—The Office of the inspector
9 general shall provide for periodic audits of the
10 programs administered by States under this
11 subsection.

12 “(E) APPLICABLE LAWS.—All Federal
13 laws applicable to the management, administra-
14 tion, or contracting of the programs by the
15 Federal Emergency Management Agency under
16 this section shall be applicable to the manage-
17 ment, administration, or contracting by a non-
18 Federal entity under this section.

19 “(F) REPORT.—Not later than 1 year
20 after the date of enactment of this paragraph,
21 the inspector general of the Department of
22 Homeland Security shall submit a report to the
23 Committee on Homeland Security and Govern-
24 mental Affairs of the Senate and the Committee
25 on Transportation and Infrastructure of the

1 House of Representatives a report on the State
2 role to provide assistance under this section.
3 The report shall contain an assessment of the
4 effectiveness of the State’s role to provide as-
5 sistance under this section, including—

6 “(i) whether the State’s role helped to
7 improve the general speed of disaster re-
8 covery;

9 “(ii) whether the States providing as-
10 sistance under this section had the capac-
11 ity to administer this section; and

12 “(iii) recommendations for changes to
13 improve the program if the State’s role to
14 administer the programs should be contin-
15 ued.

16 “(G) PROHIBITION.—The President may
17 not condition the provision of Federal assist-
18 ance under this Act by a State, Tribal, or local
19 government requesting a grant under this sec-
20 tion.

21 “(H) MISCELLANEOUS.—

22 “(i) NOTICE AND COMMENT.—The
23 Administrator may waive notice and com-
24 ment rulemaking, if the Administrator de-
25 termines doing so is necessary to expedi-

1 tiously implement this section, and may
2 carry out this section as a pilot program
3 until such regulations are promulgated.

4 “(ii) FINAL RULE.—Not later than 2
5 years after the date of enactment of this
6 paragraph, the Administrator shall issue
7 final regulations to implement this sub-
8 section as amended by the Disaster Recov-
9 ery Reform Act.

10 “(iii) WAIVER AND EXPIRATION.—The
11 authority under clause (i) and any pilot
12 program implemented pursuant to such
13 clause shall expire 2 years after date of en-
14 actment of this paragraph or upon
15 issuance of final regulations pursuant to
16 clause (ii), whichever occurs sooner.”.

17 **SEC. 209. ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS.**

18 Section 408(h) of the Robert T. Stafford Disaster
19 Relief and Emergency Assistance Act (42 U.S.C. 5174(h))
20 is amended—

21 (1) in paragraph (1), by inserting “, excluding
22 financial assistance to rent alternate housing accom-
23 modations under subsection (c)(1)(A)(i) and finan-
24 cial assistance to address other needs under sub-
25 section (e)” after “disaster”;

1 (2) by redesignating paragraph (2) as para-
2 graph (3);

3 (3) by inserting after paragraph (1) the fol-
4 lowing:

5 “(2) OTHER NEEDS ASSISTANCE.—The max-
6 imum financial assistance any individual or house-
7 hold may receive under subsection (e) shall be equiv-
8 alent to the amount set forth in paragraph (1) with
9 respect to a single major disaster.”;

10 (4) in paragraph (3) (as so redesignated), by
11 striking “paragraph (1)” and inserting “paragraphs
12 (1) and (2)”;

13 (5) by inserting after paragraph (3) (as so re-
14 designated) the following:

15 “(4) EXCLUSION OF NECESSARY EXPENSES FOR
16 INDIVIDUALS WITH DISABILITIES.—

17 “(A) The maximum amount of assistance
18 established under paragraph (1) shall exclude
19 expenses to repair or replace damaged accessi-
20 bility-related improvements under paragraphs
21 (2), (3), and (4) of subsection (c) for individ-
22 uals with disabilities.

23 “(B) The maximum amount of assistance
24 established under paragraph (2) shall exclude
25 expenses to repair or replace accessibility-re-

1 households eligible for assistance
2 under this section; and”.

3 (c) INSPECTOR GENERAL REPORT.—Not later than
4 2 years after the date of the enactment of this Act, the
5 inspector general of the Department of Homeland Security
6 shall assess the use of the authority provided under section
7 408(c)(1)(B) of the Robert T. Stafford Disaster Relief
8 and Emergency Assistance Act (42 U.S.C.
9 5174(c)(1)(B)), including the adequacy of any benefit-cost
10 analysis done to justify the use of this alternative, and
11 submit a report on the results of that review to the appro-
12 priate committees of Congress.

13 **SEC. 211. FEDERAL DISASTER ASSISTANCE NONPROFIT**
14 **FAIRNESS.**

15 (a) DEFINITION OF PRIVATE NONPROFIT FACIL-
16 ITY.—Section 102(11)(B) of the Robert T. Stafford Dis-
17 aster Relief and Emergency Assistance Act (42 U.S.C.
18 5122(11)(B)) is amended to read as follows:

19 “(B) ADDITIONAL FACILITIES.—In addi-
20 tion to the facilities described in subparagraph
21 (A), the term ‘private nonprofit facility’ in-
22 cludes any private nonprofit facility that pro-
23 vides essential services of a governmental na-
24 ture to the general public (including museums,
25 zoos, performing arts facilities, community arts

1 centers, community centers, houses of worship
2 exempt from taxation under section 501(c) of
3 the Internal Revenue Code of 1986, libraries,
4 homeless shelters, senior citizen centers, reha-
5 bilitation facilities, shelter workshops, and fa-
6 cilities that provide health and safety services of
7 a governmental nature), as defined by the
8 President.”.

9 (b) REPAIR, RESTORATION, AND REPLACEMENT OF
10 DAMAGED FACILITIES.—Section 406(a)(3) of the Robert
11 T. Stafford Disaster Relief and Emergency Assistance Act
12 (42 U.S.C. 5172(a)(3)) is amended by adding at the end
13 the following:

14 “(C) HOUSES OF WORSHIP.—A church,
15 synagogue, mosque, temple, or other house of
16 worship, and a private nonprofit facility oper-
17 ated by a religious organization, shall be eligible
18 for contributions under paragraph (1)(B), with-
19 out regard to the religious character of the fa-
20 cility or the primary religious use of the facil-
21 ity.”.

22 (c) APPLICABILITY.—This section and the amend-
23 ments made by this section shall apply to the provision
24 of assistance in response to a major disaster or emergency
25 declared on or after October 28, 2012.

1 **SEC. 212. MANAGEMENT COSTS.**

2 Section 324 of the Robert T. Stafford Disaster Relief
3 and Emergency Assistance Act (42 U.S.C. 5165b) is
4 amended—

5 (1) in subsection (a) by striking “any adminis-
6 trative expense, and any other expense not directly
7 chargeable to” and inserting “direct administrative
8 cost, and any other administrative expense associ-
9 ated with”; and

10 (2) in subsection (b)—

11 (A) by striking “Notwithstanding” and in-
12 serting the following:

13 “(1) IN GENERAL.—Notwithstanding”;

14 (B) by striking “establish” and inserting
15 the following: “implement the following.”; and

16 (C) by adding at the end the following:

17 “(2) SPECIFIC MANAGEMENT COSTS.—The Ad-
18 ministrator shall provide the following percentage
19 rates, in addition to the eligible project costs, to
20 cover direct and indirect costs of administering the
21 following programs:

22 “(A) HAZARD MITIGATION.—A grantee
23 under section 404 may be reimbursed not more
24 than 15 percent of the total amount of the
25 grant award under such section of which not
26 more than 10 percent may be used by the

1 grantee and 5 percent by the subgrantee for
2 such costs.

3 “(B) PUBLIC ASSISTANCE.—A grantee
4 under sections 403, 406, 407, and 502 may be
5 reimbursed not more than 12 percent of the
6 total award amount under such sections, of
7 which not more than 7 percent may be used by
8 the grantee and 5 percent by the subgrantee for
9 such costs.”.

10 **SEC. 213. FLEXIBILITY.**

11 (a) DEFINITION.—In this section, the term “covered
12 assistance” means assistance provided—

13 (1) under section 408 of the Robert T. Stafford
14 Disaster Relief and Emergency Assistance Act (42
15 U.S.C. 5174); and

16 (2) in relation to a major disaster or emergency
17 declared by the President under section 401 or 501
18 of the Robert T. Stafford Disaster Relief and Emer-
19 gency Assistance Act (42 U.S.C. 5170; 42 U.S.C.
20 5191) on or after October 28, 2012.

21 (b) WAIVER AUTHORITY.—Notwithstanding section
22 3716(e) of title 31, United States Code, the Administrator
23 of the Federal Emergency Management Agency—

1 (1) subject to paragraph (2), may waive a debt
2 owed to the United States related to covered assist-
3 ance provided to an individual or household if—

4 (A) the covered assistance was distributed
5 based on an error by the Federal Emergency
6 Management Agency;

7 (B) there was no fault on behalf of the
8 debtor; and

9 (C) the collection of the debt would be
10 against equity and good conscience; and

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

15 (c) MONITORING OF COVERED ASSISTANCE DISTRIB-
16 UTED BASED ON ERROR.—

17 (1) IN GENERAL.—The inspector general of the
18 Department of Homeland Security shall monitor the
19 distribution of covered assistance to individuals and
20 households to determine the percentage of such as-
21 sistance distributed based on an error.

22 (2) REMOVAL OF WAIVER AUTHORITY BASED
23 ON EXCESSIVE ERROR RATE.—If the inspector gen-
24 eral determines, with respect to any 12-month pe-
25 riod, that the amount of covered assistance distrib-

1 uted based on an error by the Federal Emergency
2 Management Agency exceeds 4 percent of the total
3 amount of covered assistance distributed—

4 (A) the inspector general shall notify the
5 Administrator and publish the determination in
6 the Federal Register; and

7 (B) with respect to any major disaster de-
8 clared by the President under section 401 of
9 the Robert T. Stafford Disaster Relief and
10 Emergency Assistance Act (42 U.S.C. 5170)
11 after the date of the determination, the author-
12 ity of the Administrator to waive debt under
13 subsection (b) shall no longer be effective.

14 **SEC. 214. ADDITIONAL DISASTER ASSISTANCE.**

15 (a) **DISASTER MITIGATION.**—Section 209 of the Pub-
16 lic Works and Economic Development Act of 1965 (42
17 U.S.C. 3149) is amended by adding at the end the fol-
18 lowing:

19 “(e) **DISASTER MITIGATION.**—In providing assist-
20 ance pursuant to subsection (c)(2), if appropriate and as
21 applicable, the Secretary may encourage hazard mitigation
22 in assistance provided pursuant to such subsection.”.

23 (b) **EMERGENCY MANAGEMENT ASSISTANCE COM-**
24 **PACT GRANTS.**—Section 661(d) of the Post-Katrina
25 Emergency Management Reform Act of 2006 (6 U.S.C.

1 761(d)) is amended by striking “for fiscal year 2008” and
2 inserting “for each of fiscal years 2018 through 2022”.

3 (c) EMERGENCY MANAGEMENT PERFORMANCE
4 GRANTS PROGRAM.—Section 662(f) of the Post-Katrina
5 Emergency Management Reform Act of 2006 (6 U.S.C.
6 762(f)) is amended by striking “the program” and all that
7 follows through “2012” and inserting “the program, for
8 each of fiscal years 2018 through 2022”.

9 (d) TECHNICAL AMENDMENT.—Section 403(a)(3) of
10 the Robert T. Stafford Disaster Relief and Emergency As-
11 sistance Act (42 U.S.C. 5170a) is amended by striking
12 the second subparagraph (J).

13 **SEC. 215. NATIONAL VETERINARY EMERGENCY TEAMS.**

14 (a) IN GENERAL.—The Administrator of the Federal
15 Emergency Management Agency may establish one or
16 more national veterinary emergency teams at accredited
17 colleges of veterinary medicine.

18 (b) RESPONSIBILITIES.—A national veterinary emer-
19 gency team shall—

20 (1) deploy with a team of the National Urban
21 Search and Rescue Response System to assist
22 with—

23 (A) veterinary care of canine search teams;

1 (B) locating and treating companion ani-
2 mals, service animals, livestock, and other ani-
3 mals; and

4 (C) surveillance and treatment of zoonotic
5 diseases;

6 (2) recruit, train, and certify veterinary profes-
7 sionals, including veterinary students, in accordance
8 with an established set of plans and standard oper-
9 ating guidelines to carry out the duties associated
10 with planning for and responding to emergencies as
11 described in paragraph (1);

12 (3) assist State, Tribal, and local governments
13 and nonprofit organizations in developing emergency
14 management and evacuation plans that account for
15 the care and rescue of animals and in improving
16 local readiness for providing veterinary medical re-
17 sponse during a disaster; and

18 (4) coordinate with the Department of Home-
19 land Security, the Department of Health and
20 Human Services, the Department of Agriculture,
21 State, Tribal, and local governments (including
22 State departments of animal and human health),
23 veterinary and health care professionals, and volun-
24 teers.

1 **TITLE III—AGENCY MANAGE-**
2 **MENT, OVERSIGHT, AND AC-**
3 **COUNTABILITY**

4 **SEC. 301. UNIFIED FEDERAL ENVIRONMENTAL AND HIS-**
5 **TORIC PRESERVATION REVIEW.**

6 (a) REVIEW AND ANALYSIS.—Not later than 180
7 days after the date of enactment of this Act, the Adminis-
8 trator of the Federal Emergency Management Agency
9 shall review the Unified Federal Environmental and His-
10 toric Preservation review process established pursuant to
11 section 429 of the Robert T. Stafford Disaster Relief and
12 Emergency Assistance Act (42 U.S.C. 5189g), and submit
13 a report to the Committee on Transportation and Infra-
14 structure of the House of Representatives and the Com-
15 mittee on Homeland Security and Governmental Affairs
16 of the Senate that includes the following:

17 (1) An analysis of whether and how the unified
18 process has expedited the interagency review process
19 to ensure compliance with the environmental and
20 historic requirements under Federal law relating to
21 disaster recovery projects.

22 (2) A survey and analysis of categorical exclu-
23 sions used by other Federal agencies that may be
24 applicable to any activity related to a Presidentially

1 declared major disaster or emergency under such
2 Act.

3 (3) Recommendations on any further actions,
4 including any legislative proposals, needed to expedite and streamline the review process.

6 (b) REGULATIONS.—After completing the review,
7 survey, and analyses under subsection (a), but not later
8 than 2 years after the date of enactment of this Act, and
9 after providing notice and opportunity for public comment,
10 the Administrator shall issue regulations to implement any
11 regulatory recommendations, including any categorical ex-
12 clusions identified under subsection (a), to the extent that
13 the categorical exclusions meet the criteria for a categor-
14 ical exclusion under section 1508.4 of title 40, Code of
15 Federal Regulations, and section II of DHS Instruction
16 Manual 023–01–001—01.

17 **SEC. 302. CLOSEOUT INCENTIVES.**

18 (a) FACILITATING CLOSEOUT.—Section 705 of the
19 Robert T. Stafford Disaster Relief and Emergency Assist-
20 ance Act (42 U.S.C. 5205) is amended by adding at the
21 end the following:

22 “(d) FACILITATING CLOSEOUT.—

23 “(1) INCENTIVES.—The Administrator may de-
24 velop incentives and penalties that encourage State,
25 Tribal, or local governments to close out expendi-

1 tures and activities on a timely basis related to dis-
2 aster or emergency assistance.

3 “(2) AGENCY REQUIREMENTS.—The Agency
4 shall, consistent with applicable regulations and re-
5 quired procedures, meet its responsibilities to im-
6 prove closeout practices and reduce the time to close
7 disaster program awards.”.

8 (b) REGULATIONS.—The Administrator shall issue
9 regulations to implement this section.

10 **SEC. 303. PERFORMANCE OF SERVICES.**

11 Section 306 of the Robert T. Stafford Disaster Relief
12 and Emergency Assistance Act (42 U.S.C. 5149) is
13 amended by adding at the end the following:

14 “(c) The Administrator of the Federal Emergency
15 Management Agency is authorized to appoint temporary
16 personnel, after serving continuously for 1 year, to posi-
17 tions in the Agency in the same manner that competitive
18 service employees are considered for transfer, reassign-
19 ment, or promotion to such positions. An individual ap-
20 pointed under this subsection shall become a career-condi-
21 tional employee, unless the employee has already com-
22 pleted the service requirements for career tenure.”.

1 **SEC. 304. STUDY TO STREAMLINE AND CONSOLIDATE IN-**
2 **FORMATION COLLECTION.**

3 Not later than 1 year after the date of enactment
4 of this Act, the Administrator of the Federal Emergency
5 Management Agency shall—

6 (1) in coordination with the Small Business Ad-
7 ministration, the Department of Housing and Urban
8 Development, and other appropriate agencies, con-
9 duct a study and develop a plan, consistent with law,
10 under which the collection of information from dis-
11 aster assistance applicants and grantees will be
12 modified, streamlined, expedited, efficient, flexible,
13 consolidated, and simplified to be less burdensome,
14 duplicative, and time consuming for applicants and
15 grantees; and

16 (2) submit the plan to the Committee on Trans-
17 portation and Infrastructure of the House of Rep-
18 resentatives and the Committee on Homeland Secu-
19 rity and Governmental Affairs of the Senate.

20 **SEC. 305. AGENCY ACCOUNTABILITY.**

21 Title IV of the Robert T. Stafford Disaster Relief and
22 Emergency Assistance Act is amended by adding at the
23 end the following:

24 **“SEC. 430. AGENCY ACCOUNTABILITY.**

25 “(a) PUBLIC ASSISTANCE.—Not later than 5 days
26 after an award of a public assistance grant is made under

1 section 406 that is in excess of \$1,000,000, the Adminis-
2 trator shall publish on the Agency’s website the specifics
3 of each such grant award, including—

4 “(1) identifying the Federal Emergency Man-
5 agement Agency Region;

6 “(2) the disaster or emergency declaration
7 number;

8 “(3) the State, county, and applicant name;

9 “(4) if the applicant is a private nonprofit;

10 “(5) the damage category code;

11 “(6) the amount of the Federal share obligated;

12 and

13 “(7) the date of the award.

14 “(b) MISSION ASSIGNMENTS.—

15 “(1) IN GENERAL.—Not later than 5 days after
16 the issuance of a mission assignment or mission as-
17 signment task order, the Administrator shall publish
18 on the Agency’s website any mission assignment or
19 mission assignment task order to another Federal
20 department or agency regarding a major disaster in
21 excess of \$1,000,000, including—

22 “(A) the name of the impacted State or
23 Tribe;

24 “(B) the disaster declaration for such
25 State or Tribe;

1 “(C) the assigned agency;

2 “(D) the assistance requested;

3 “(E) a description of the disaster;

4 “(F) the total cost estimate;

5 “(G) the amount obligated;

6 “(H) the State or Tribal cost share, if ap-
7 plicable;

8 “(I) the authority under which the mission
9 assignment or mission assignment task order
10 was directed; and

11 “(J) if applicable, the date a State or
12 Tribe requested the mission assignment.

13 “(2) RECORDING CHANGES.—Not later than 10
14 days after the last day of each month until a mission
15 assignment or mission assignment task order de-
16 scribed in paragraph (1) is completed and closed
17 out, the Administrator shall update any changes to
18 the total cost estimate and the amount obligated.

19 “(c) DISASTER RELIEF MONTHLY REPORT.—Not
20 later than 10 days after the first day of each month, the
21 Administrator shall publish on the Agency’s website re-
22 ports, including a specific description of the methodology
23 and the source data used in developing such reports, in-
24 cluding—

1 “(1) an estimate of the amounts for the fiscal
2 year covered by the President’s most recent budget
3 pursuant to section 1105(a) of title 31, United
4 States Code, including—

5 “(A) the unobligated balance of funds to
6 be carried over from the prior fiscal year to the
7 budget year;

8 “(B) the unobligated balance of funds to
9 be carried over from the budget year to the
10 budget year plus 1;

11 “(C) the amount of obligations for non-cat-
12 astrophic events for the budget year;

13 “(D) the amount of obligations for the
14 budget year for catastrophic events delineated
15 by event and by State;

16 “(E) the total amount that has been pre-
17 viously obligated or will be required for cata-
18 strophic events delineated by event and by State
19 for all prior years, the current fiscal year, the
20 budget year, and each fiscal year thereafter;

21 “(F) the amount of previously obligated
22 funds that will be recovered for the budget
23 year;

24 “(G) the amount that will be required for
25 obligations for emergencies, as described in sec-

1 tion 102(1), major disasters, as described in
2 section 102(2), fire management assistance
3 grants, as described in section 420, surge ac-
4 tivities, and disaster readiness and support ac-
5 tivities; and

6 “(H) the amount required for activities not
7 covered under section 251(b)(2)(D)(iii) of the
8 Balanced Budget and Emergency Deficit Con-
9 trol Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii));
10 and

11 “(2) an estimate or actual amounts, if available,
12 of the following for the current fiscal year shall be
13 submitted not later than the fifth day of each
14 month, published by the Administrator on the Agen-
15 cy’s website not later than the fifth day of each
16 month:

17 “(A) A summary of the amount of appro-
18 priations made available by source, the trans-
19 fers executed, the previously allocated funds re-
20 covered, and the commitments, allocations, and
21 obligations made.

22 “(B) A table of disaster relief activity de-
23 lineated by month, including—

24 “(i) the beginning and ending bal-
25 ances;

1 “(ii) the total obligations to include
2 amounts obligated for fire assistance,
3 emergencies, surge, and disaster support
4 activities;

5 “(iii) the obligations for catastrophic
6 events delineated by event and by State;
7 and

8 “(iv) the amount of previously obli-
9 gated funds that are recovered.

10 “(C) A summary of allocations, obligations,
11 and expenditures for catastrophic events delin-
12 eated by event.

13 “(D) The cost of the following categories
14 of spending:

15 “(i) Public assistance.

16 “(ii) Individual assistance.

17 “(iii) Mitigation.

18 “(iv) Administrative.

19 “(v) Operations.

20 “(vi) Any other relevant category (in-
21 cluding emergency measures and disaster
22 resources) delineated by disaster.

23 “(E) The date on which funds appro-
24 priated will be exhausted.

25 “(d) CONTRACTS.—

1 “(1) INFORMATION.—Not later than 10 days
2 after the first day of each month, the Administrator
3 shall publish on the Agency’s website the specifics of
4 each contract in excess of \$1,000,000 that the Agen-
5 cy enters into, including—

6 “(A) the name of the party;

7 “(B) the date the contract was awarded;

8 “(C) the amount of the contract, the scope
9 of the contract;

10 “(D) if the contract was awarded through
11 competitive bidding process;

12 “(E) if no competitive bidding process was
13 used, the reason why competitive bidding was
14 not used; and

15 “(F) the authority used to bypass the com-
16 petitive bidding process.

17 The information shall be delineated by disaster, if
18 applicable, and specify the damage category code, if
19 applicable.

20 “(2) REPORT.—Not later than 10 days after
21 the last day of the fiscal year, the Administrator
22 shall provide a report to the appropriate committees
23 of Congress summarizing the following information
24 for the preceding fiscal year:

1 “(A) The number of contracts awarded
2 without competitive bidding.

3 “(B) The reasons why a competitive bid-
4 ding process was not used.

5 “(C) The total amount of contracts award-
6 ed with no competitive bidding.

7 “(D) The damage category codes, if appli-
8 cable, for contracts awarded without competi-
9 tive bidding.”.

10 **SEC. 306. AUDIT OF CONTRACTS.**

11 Notwithstanding any other provision of law, the Ad-
12 ministrator of the Federal Emergency Management Agen-
13 cy shall not reimburse a State, Tribe, or local government
14 or the owner or operator of a private nonprofit facility for
15 any activities made pursuant to a contract entered into
16 after August 1, 2017, that prohibits the Administrator or
17 the Comptroller General of the United States from audit-
18 ing or otherwise reviewing all aspects relating to the con-
19 tract.

○