

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from North Carolina (Mr. ROUZER) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 1869, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia? There was no objection.

□ 1615

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 1869, the Secure Federal Leases from Espionage and Suspicious Entanglement Act, or the Secure Federal LEASES Act, introduced by Senator PETERS from Michigan.

In 2017, the Government Accountability Office published a report that found that several Federal agencies were unknowingly leasing office space in foreign-owned properties, some of which were used for high-security purposes. While the General Services Administration subsequently implemented some policies to improve this lack of awareness, more needs to be done.

S. 1869, the Secure Federal LEASES Act, requires agencies to verify the identity of a property's immediate or highest level owners if the space will be used for high-security purposes. It does this by requiring a property's owner to identify and disclose whether they are a foreign person or entity, or if they are financed by foreign persons or entities, before the Federal agency enters into a new or amended lease agreement.

The bill also requires GSA and other agencies to include provisions in future leases for high-security spaces that will require owners to agree to having limited access, except where allowed by the tenant agency.

To tackle the issue of foreign beneficial owners, this bill also directs GSA to develop a governmentwide system that will enable Federal property managers to collect individual information about each beneficial owner of a property—including name, address, and some government-issued identification—within 2 years of passage. This would allow for the identification and disclosure of foreign ownership that might otherwise elude detection under GSA's current system.

GSA has made some positive changes in response to the 2017 GAO report on this issue, but this legislation ensures that their best-practice policies are followed uniformly by all agencies, particularly those with independent leasing authority, and improved going forward.

While a lessor may be approved by the Federal Government, it may not be appropriate for an agency to lease a high-security space from the lessor. This legislation will require agencies to evaluate the risks of doing so. By developing a new, more rigorous beneficial owner identification system, the Federal Government can be more vigilant in ensuring that foreign governments do not have access to our most sensitive leased properties.

Mr. Speaker, I support this legislation and urge my colleagues to do the same, and I reserve the balance of my time.

Mr. ROUZER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 1869, the Secure Federal LEASES Act, would require entities that lease commercial space to high-security Federal agencies to identify any foreign ownership interest in the property.

In 2017, the General Accountability Office issued a report revealing that there was insufficient information on the ownership of certain high-security federally leased buildings.

The GAO recommended additional information be collected and reported to tenant Federal agencies to determine if security precautions are necessary. The General Services Administration, GSA, has already taken steps to address the vulnerabilities raised by GAO, and this bill will help support those efforts.

S. 1869 would require Federal agencies with leasing authority to collect this information to improve the security of Federal facilities.

I thank the sponsors of this legislation for working with us on amendments to this bill that will help to ensure its effectiveness.

Mr. Speaker, S. 1869 will help identify any foreign ownership interest in proposed leases for high-security agencies and improve the security of sensitive Federal facilities.

Mr. Speaker, I urge support for this legislation, and I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, S. 1869, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PREVENTING DISASTER  
REVICTIMIZATION ACT

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5953) to amend the Disaster Recovery Reform Act of 2018 to require

the Administrator of the Federal Emergency Management Agency to waive certain debts owed to the United States related to covered assistance provided to an individual or household, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5953

*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 "Preventing Disaster Revictimization Act".

**SEC. 2. FLEXIBILITY.**

Section 1216(a) of the Disaster Recovery Reform Act of 2018 (42 U.S.C. 5174a(a)) is amended—

(1) by amending paragraph (2)(A) to read as follows:

“(A) except as provided in subparagraph (B), shall—

“(i) waive a debt owed to the United States related to covered assistance provided to an individual or household if the covered assistance was distributed based on an error by the Agency and such debt shall be construed as a hardship; and

“(ii) waive a debt owed to the United States related to covered assistance provided to an individual or household if such assistance is subject to a claim or legal action, including in accordance with section 317 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5160); and”;

and

(2) in paragraph (3)(B)—

(A) by striking “REMOVAL OF” and inserting “REPORT ON”; and

(B) in clause (ii) by striking “the authority of the Administrator to waive debt under paragraph (2) shall no longer be effective” and inserting “the Administrator shall report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate actions that the Administrator will take to reduce the error rate”.

**SEC. 3. REPORT TO CONGRESS.**

The Administrator of the Federal Emergency Management Agency shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report containing a description of the internal processes used to make decisions regarding the distribution of covered assistance under section 1216 of the Disaster Recovery and Reform Act of 2018 (42 U.S.C. 5174a) and any changes made to such processes.

**SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.**

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5953, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia? There was no objection.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5953, the Preventing Disaster Revictimization Act, introduced by Committee on Transportation and Infrastructure Ranking Member GRAVES from Missouri, Representative HUFFMAN, Representative THOMPSON, Representative LAMALFA from California, and Congresswoman PLASKETT from the U.S. Virgin Islands.

This legislation is designed to ensure disaster survivors are not revictimized by recoupment—or clawbacks—of Federal disaster assistance they have received from the Federal Emergency Management Agency.

Unfortunately, FEMA has repeatedly instructed disaster survivors to register for individual assistance for which they were ultimately not eligible or granted qualified survivors more assistance than they qualified for. However, once FEMA identifies its error, it forces these survivors into a bureaucratic nightmare to appeal the debt that they now owe as a result of FEMA's error.

I am not surprised this still goes on, but I am disappointed that, given the technology and data we have at our fingertips, we have not been able to improve this system for survivors, more so given how small a piece of the Federal disaster recovery apparatus this is.

H.R. 5953 would waive survivors' debt owed to the Federal Government in instances where FEMA erroneously distributed assistance.

This bill would also provide a similar waiver to disaster survivors who may be involved in legal action against a party deemed responsible for a disaster event. While this scenario is less common, it is currently playing out in California and jeopardizing disaster relief for tens of thousands of families displaced by unprecedented wildfires of the last few years.

Survivors have already been traumatized by a disaster. The Federal Government should not force them to endure a convoluted process to correct FEMA's mistake or decision to pursue legal action years after the event against a liable party.

Mr. Speaker, I support this legislation and ask my colleagues to do the same, and I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am the proud sponsor of H.R. 5953, the Preventing Disaster Revictimization Act. In the 2018 Disaster Recovery Reform Act, Congress made the recovery process fairer and

more equitable for most communities. This bill builds upon those efforts by ensuring that spent funds aren't clawed back.

When a disaster victim applies in good faith to FEMA for assistance and receives it from the Agency, we fully expect those individuals need to move quickly to use the assistance for eligible expenses, like home repairs, to speed up recovery, to begin rebuilding their lives. These victims should never expect FEMA to come back weeks or months or sometimes even years later and say: Sorry, we made a mistake. Now, you, the victim, have to give back those funds that we have already distributed to you and that you have already put to good use.

To add insult to injury, FEMA's information on how disaster victims can appeal these decisions is incredibly confusing, and it is insufficient. Through no fault of their own, many disaster victims are faced with debt collectors and the full force of the Federal Government seeking repayment.

People acting in good faith to rebuild should not be revictimized because they relied upon FEMA's determination that they were qualified for assistance that they did receive.

Unfortunately, disaster victims have experienced this recently in my own district in a few of my communities, and one in particular, Craig, Missouri, and in other communities all across the country.

One constituent in my district was awarded just over \$12,000 only to have FEMA show up after the money was spent to say that they messed up, that that individual didn't actually qualify for the money, in their determination, and that it needed to be paid back. That is simply wrong, and it can devastate someone who is already facing some very difficult circumstances.

H.R. 5953 is going to clarify that if FEMA makes an error and there is no evidence of fraud, the victim will not be revictimized, and their debt is automatically viewed as a hardship and waived.

In addition, the bill would also require FEMA to report back to Congress on its error rates and tell us what they are doing to be more accountable.

Mr. Speaker, I urge support for this legislation to ensure that the government does not revictimize disaster victims, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN).

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, I thank the Committee on Transportation and Infrastructure Ranking Member SAM GRAVES for leading this bill to prevent the Federal Emergency Management Agency from being able to collect disaster assistance funds that it has previously awarded to individuals and

families who applied for Federal funding after they were affected by natural disasters.

I think this bill, H.R. 5953, the Preventing Disaster Revictimization Act, is more important than ever with the history we have in the past, with hurricanes and earthquakes here in the Nation as well. And we are experiencing all of those examples that he just mentioned.

□ 1630

This legislation is the result of the management of funding and poor recordkeeping practices, which are not the fault of those affected by natural disasters. I truly believe that FEMA should be there to support individuals and families when they need it most, not revictimize them when they are starting over.

As an example, in Puerto Rico, the island was devastated by hurricanes in 2017, then again by earthquakes earlier this year. We received more than \$60 billion in disaster recovery funding that has been awarded to Puerto Rico and my constituents. How, now, can we tell those rebuilding that some of the funding that was given to them was by mistake? How does the Federal Government re-collect funding that was already used to buy materials to rebuild a home? It can't.

I think this legislation makes sure our constituents and our people are not on the hook for FEMA's mistakes. I think this is a great opportunity to use those funds wisely. That is the reason I want to say thank you, again, to Representative SAM GRAVES for leading this issue, protecting those who have already become victims, and I urge its passage.

Ms. NORTON. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, in closing, this bill, H.R. 5953, is going to ensure that disaster victims applying for FEMA assistance in good faith are not revictimized by the Agency if it realizes that it did make an error.

Residents in north Missouri and across this country need to be able to rely on FEMA's determination on eligibility for assistance and not have to look over their shoulder as they rebuild, wondering if they are going to have to give back money sometime down the road.

This bill also ensures that FEMA is working to prevent such errors in the future, making it a much better steward of the taxpayers' dollars and vital disaster funding.

Mr. Speaker, I urge support for this very important piece of legislation, and I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of

Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 5953, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### PRELIMINARY DAMAGE ASSESSMENT IMPROVEMENT ACT OF 2020

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4358) to direct the Administrator of the Federal Emergency Management Agency to submit to Congress a report on preliminary damage assessment and to establish damage assessment teams in the Federal Emergency Management Agency, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4358

*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 "Preliminary Damage Assessment Improvement Act of 2020".*

#### SEC. 2. FINDINGS.

*Congress finds the following:*

(1) Preliminary damage assessments play a critical role in assessing and validating the impact and magnitude of a disaster.

(2) Through the preliminary damage assessment process, representatives from the Federal Emergency Management Agency validate information gathered by State and local officials that serves as the basis for disaster assistance requests.

(3) Various factors can impact the duration of a preliminary damage assessment and the corresponding submission of a major disaster request, however, the average time between when a disaster occurs, and the submission of a corresponding disaster request has been found to be approximately twenty days longer for flooding disasters.

(4) With communities across the country facing increased instances of catastrophic flooding and other extreme weather events, accurate and efficient preliminary damage assessments have become critically important to the relief process for impacted states and municipalities.

#### SEC. 3. REPORT TO CONGRESS.

(a) *IN GENERAL.*—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit to Congress a report describing the preliminary damage assessment process, as supported by the Federal Emergency Management Agency in the 5 years before the date of enactment of this Act.

(b) *CONTENTS.*—The report described in subsection (a) shall contain the following:

(1) The process of the Federal Emergency Management Agency for deploying personnel to support preliminary damage assessments.

(2) The number of Agency staff participating on disaster assessment teams.

(3) The training and experience of such staff described in paragraph (2).

(4) A calculation of the average amount of time disaster assessment teams described in paragraph (1) are deployed to a disaster area.

(5) The efforts of the Agency to maintain a consistent liaison between the Agency and State, local, Tribal, and territorial officials within a disaster area.

#### SEC. 4. PRELIMINARY DAMAGE ASSESSMENT.

(a) *IN GENERAL.*—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency shall establish a training regime under section 206.33(b) of title 44, Code of Federal Regulations, within the Federal Emergency Management Agency to ensure preliminary damage assessments are conducted and reviewed under consistent guidelines.

(b) *ANNUAL REPORT.*—The Administrator shall annually submit to Congress a report on the number and type of instances under which Federal Emergency Management Agency personnel have overturned decisions made by personnel in the field.

(c) *REPORT TO CONGRESS.*—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress a report—

(1) describing the establishment of disaster guidelines from Federal Emergency Management Agency personnel described under subsection (a);

(2) assessing whether the duration of the deployment of Federal Emergency Management Agency personnel to conduct a preliminary damage assessment is longer based on specific disaster conditions; and

(3) containing legislative recommendations to improve the operation, deployment, and staffing of disaster personnel.

(d) *DEFINITION OF STATE AND LOCAL GOVERNMENT.*—For purposes of this Act, the terms "State" and "local government" have the meanings given such terms in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

#### GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4358, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 4358, as amended, the Preliminary Damage Assessment Improvement Act of 2020, introduced by Mr. KATKO from New York.

H.R. 4358, as amended, would direct the Federal Emergency Management Agency to produce a report examining the preliminary damage assessment, or PDA, process and establish a more consistent training regime for FEMA personnel to effectively support these assessments at State, local, Tribal, and territorial units of government.

FEMA uses PDA findings in the wake of a disaster to determine the extent of damage and the subsequent unmet needs of individuals, businesses, and the public sector in the affected community.

This bill would ensure greater consistency for PDAs across FEMA's 10 regions by creating a training program with a goal of ensuring that data col-

lected and reviewed is done in a more consistent manner.

As communities across the country experience more extreme weather events, timely and consistent PDAs have never been more important to the recovery process of disaster-declared areas.

Mr. Speaker, I support this legislation and ask my colleagues to do the same, and I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4358 is going to improve consistency in FEMA's preliminary damage assessments to better help communities hit by disaster.

Inconsistencies in FEMA training and personnel on the ground following a disaster often slow the recovery process down dramatically. This bill is going to help ensure that there is more consistency within FEMA to support State and local communities as they navigate the preliminary damage assessment process to determine eligibility for assistance.

Ultimately, the bill is about helping Americans impacted by disasters to get the help that they need sooner and more reliably.

I want to thank Ranking Member KATKO for his leadership and work on this piece of legislation.

I urge support for the bill, and I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I reserve the balance of my time.

Mr. GRAVES of Missouri. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. KATKO).

Mr. KATKO. Mr. Speaker, I am honored to be the sponsor of H.R. 4358, the Preliminary Damage Assessment Improvement Act, along with the gentleman from South Carolina (Mr. CUNNINGHAM).

Preliminary damage assessments, or PDAs, play a critical role in assessing and validating the impact of a disaster. PDAs establish a foundation for further assistance requests and are essential to the overall disaster relief process.

Inaccurate PDAs can impact the types of Federal Emergency Management Agency, or FEMA, assistance available to communities following a disaster.

Although FEMA is currently required to designate officials to support States and local communities in the PDA process, inconsistencies and turnovers in staffing can endanger access to critical relief. H.R. 4358 requires FEMA to report on FEMA's role in the PDA process, including staffing and training.

The bill also directs FEMA to take measures to ensure FEMA teams involved in damage assessments are appropriately trained and consistent. Whether FEMA is responding to flooding in my district on Lake Ontario's southern shore, which happens often,