

Calendar No. 482

117TH CONGRESS
2D SESSION**S. 3092****[Report No. 117–144]**

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to improve the provision of certain disaster assistance, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 27, 2021

Mr. PADILLA (for himself, Mr. WYDEN, Mr. MERKLEY, Mrs. FEINSTEIN, Mrs. MURRAY, Ms. ROSEN, Mr. HEINRICH, and Mr. LUJÁN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

SEPTEMBER 12, 2022

Reported by Mr. CARPER (for Mr. PETERS), with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to improve the provision of certain disaster assistance, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “FEMA Improvement,
3 Reform, and Efficiency Act of 2021” or the “FIRE Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act—

6 (1) the term “Administrator” means the Ad-
7 ministrator of the Agency;

8 (2) the term “Agency” means the Federal
9 Emergency Management Agency;

10 (3) the term “emergency” means an emergency
11 declared or determined to exist by the President
12 under section 501 of the Robert T. Stafford Disaster
13 Relief and Emergency Assistance Act (42 U.S.C.
14 5191);

15 (4) the terms “Indian tribal government”,
16 “local government”, and “State” have the meanings
17 given such terms in section 102 of the Robert T.
18 Stafford Disaster Relief and Emergency Assistance
19 Act (42 U.S.C. 5122); and

20 (5) the term “major disaster” means a major
21 disaster declared by the President under section 401
22 of the Robert T. Stafford Disaster Relief and Emer-
23 gency Assistance Act (42 U.S.C. 5170).

24 **SEC. 3. AUTHORITY FOR RELOCATION PROJECTS.**

25 (a) **ELIGIBILITY FOR ASSISTANCE.**—An eligible ap-
26 plicant seeking public mitigation assistance under section

1 406 of the Robert T. Stafford Disaster Relief and Emer-
 2 gency Assistance Act (42 U.S.C. 5172) or section 1366
 3 of the National Flood Insurance Act of 1968 (42 U.S.C.
 4 4104e) may be eligible to receive such assistance for the
 5 relocation of an eligible structure if the entity—

6 (1) demonstrates that—

7 (A) the structure is at risk from future
 8 damage, based on the most recently conducted
 9 hazard map or State or local expert risk assess-
 10 ment, regardless of whether the risk is of repet-
 11 itive or heavy damage;

12 (B) the overall relocation project reduces
 13 the risk to the structure and is cost effective;
 14 and

15 (C) the overall relocation project does not
 16 increase risk to adjacent structures;

17 (2) complies with all other eligibility require-
 18 ments for relocation projects; and

19 (3) complies with Federal requirements for the
 20 project.

21 (b) **APPLICABILITY.**—Subsection (a) shall apply to a
 22 major disaster declared by the President on or after the
 23 date of enactment of this Act.

1 **SEC. 4. RED FLAG WARNINGS AND PREDISASTER ACTIONS.**

2 Not later than 1 year after the date of enactment
3 of this Act, the Administrator, in coordination with the
4 National Weather Service of the National Oceanic and At-
5 mospheric Administration, shall—

6 (1) conduct a study of, develop recommenda-
7 tions for, and initiate a process for the use of Red
8 Flag Warnings and similar weather alert and notifi-
9 cation methods, including the use of emerging tech-
10 nologies, to establish—

11 (A) plans and actions, consistent with law,
12 that can be implemented prior to a wildfire
13 event, including pre-impact disaster declara-
14 tions and surge operations, that can limit the
15 impact, duration, or severity of the fire; and

16 (B) mechanisms to increase interagency
17 collaboration to expedite the delivery of disaster
18 assistance; and

19 (2) submit to the Committee on Homeland Se-
20 curity and Governmental Affairs of the Senate and
21 the Committee on Transportation and Infrastructure
22 of the House of Representatives a comprehensive re-
23 port regarding the study described in paragraph (1),
24 including any recommendations of the Adminis-
25 trator, and the activities of the Administrator to
26 carry out paragraph (1).

1 **SEC. 5. ASSISTANCE FOR WILDFIRE DAMAGE.**

2 Not later than 180 days after the date of enactment
3 of this Act, the Administrator shall brief the Committee
4 on Homeland Security and Governmental Affairs of the
5 Senate regarding—

6 (1) the application for assistance and consist-
7 ency of assistance provided by the Agency in re-
8 sponse to wildfires; and

9 (2) the kinds of damage that result from
10 wildfires.

11 **SEC. 6. GAO REPORT ON GAPS.**

12 Not later than 1 year after the date of enactment
13 of this Act, the Comptroller General of the United States
14 shall submit to the Committee on Homeland Security and
15 Governmental Affairs of the Senate and the Committee
16 on Transportation and Infrastructure of the House of
17 Representatives a report that examines—

18 (1) gaps in the policies of the Agency related to
19 wildfires; when compared to other hazards;

20 (2) disparities in regulations and guidance
21 issued by the Administrator, including any oversight
22 of the programs of the Agency, when addressing im-
23 pacts of wildfires and other hazards;

24 (3) ways to shorten the period of time between
25 the initiating of and the distribution of assistance,
26 reimbursements, and grants;

1 (4) the effectiveness of the programs of the
2 Agency in addressing wildfire hazards;

3 (5) ways to improve the ability of the Agency
4 to assist States, local governments, and Indian tribal
5 governments to prepare for, respond to, recover
6 from, and mitigate against wildfire hazards;

7 (6) revising the application process for assist-
8 ance relating to wildfires to more effectively assess
9 uninsured and underinsured losses and serious
10 needs; and

11 (7) with respect to the community development
12 block grant disaster recovery and mitigation pro-
13 grams authorized under title I of the Housing and
14 Community Development Act of 1974 (42 U.S.C.
15 5301 et seq.)—

16 (A) establishing clear triggers for the ap-
17 propriation of funds related to those programs
18 based on the declaration of a major disaster
19 that reaches identified thresholds; and

20 (B) amending title I of the Housing and
21 Community Development Act of 1974 (42
22 U.S.C. 5301 et seq.) to permanently establish
23 the requirements for those programs and allow
24 for the development of pre-disaster action plans.

1 **SEC. 7. CRISIS COUNSELING CULTURAL COMPETENCY.**

2 Section 416 of the Robert T. Stafford Disaster Relief
3 and Emergency Assistance Act (42 U.S.C. 5183) is
4 amended—

5 (1) by striking “The President” and inserting
6 the following:

7 “(a) IN GENERAL.—The President”; and

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

9 “(b) CULTURAL COMPETENCY.—The President shall,
10 in consultation with affected States, local governments,
11 and Indian tribal governments and cultural experts, en-
12 sure that any individual providing professional counseling
13 services to victims of a major disaster as authorized under
14 subsection (a), including those working for nonprofit part-
15 ners and recovery organizations, is appropriately trained
16 to address—

17 “(1) cultural competency and respectful care
18 practices; and

19 “(2) impacts from major disasters in commu-
20 nities, and to individuals, with socio-economically
21 disadvantaged backgrounds.”.

22 **SEC. 8. CASE MANAGEMENT CULTURAL COMPETENCY.**

23 Section 426 of the Robert T. Stafford Disaster Relief
24 and Emergency Assistance Act (42 U.S.C. 5189d) is
25 amended—

1 (1) by striking “The President” and inserting
2 the following:

3 “(a) ~~IN GENERAL.—~~The President”; and

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

5 “(b) ~~CULTURAL COMPETENCY.—~~The President shall,
6 in consultation with affected States, local governments,
7 and Indian tribal governments and cultural experts, en-
8 sure that any individual providing case management serv-
9 ices to victims of a major disaster as authorized under
10 subsection (a), including those working for nonprofit part-
11 ners and recovery organizations, is appropriately trained
12 to address—

13 “(1) cultural competency and respectful care
14 practices; and

15 “(2) impacts from major disasters in commu-
16 nities, and to individuals, with socio-economically
17 disadvantaged backgrounds.”.

18 **SEC. 9. STUDY AND PLAN FOR DISASTER HOUSING ASSIST-**
19 **ANCE.**

20 (a) ~~STUDY.—~~Not later than 180 days after the date
21 of enactment of this Act, the Administrator shall—

22 (1) conduct a study and develop a plan, con-
23 sistent with law, under which the Agency will ad-
24 dress providing housing assistance to survivors of

1 major disasters or emergencies when presented with
2 challenges such as—

3 (A) the lack of proof of ownership or own-
4 ership documentation;

5 (B) the presence of multiple families with-
6 in a single household; and

7 (C) the near loss of a community, with the
8 majority of homes destroyed in that community,
9 including as a result of a wildfire, earthquake,
10 or other event causing a major disaster; and

11 (2) make recommendations for legislative
12 changes needed to address—

13 (A) the unmet needs of survivors of major
14 disasters or emergencies who are unable to doc-
15 ument or prove ownership of the household;

16 (B) the presence of multiple families with-
17 in a single household; and

18 (C) the near loss of a community, with the
19 majority of homes destroyed in that community,
20 including as a result of a wildfire, earthquake,
21 or other event causing a major disaster.

22 (b) COMPREHENSIVE REPORT.—The Administrator
23 shall submit to the Committee on Homeland Security and
24 Governmental Affairs of the Senate and the Committee
25 on Transportation and Infrastructure of the House of

1 Representatives a report that provides a detailed discus-
 2 sion of the plans developed under subsection (a)(1) and
 3 the recommendations of the Administrator under sub-
 4 section (a)(2).

5 (c) BRIEFING.—Not later than 30 days after submis-
 6 sion of the report and recommendations under subsection
 7 (b), the Administrator shall brief the committees described
 8 in subsection (b) on the findings and any recommenda-
 9 tions made pursuant to this section.

10 **SEC. 10. REIMBURSEMENT.**

11 Not later than 180 days after the date of enactment
 12 of this Act, the Administrator shall brief the Committee
 13 on Homeland Security and Governmental Affairs of the
 14 Senate regarding the extent to which the Agency is using
 15 housing solutions proposed by a State or local government
 16 to reduce the time or cost required to implement housing
 17 solutions after a major disaster.

18 **SEC. 11. WILDFIRE INSURANCE STUDY BY THE NATIONAL** 19 **ACADEMIES.**

20 (a) STUDY.—

21 (1) IN GENERAL.—Not later than 180 days
 22 after the date of enactment of this Act, the Adminis-
 23 trator shall seek to enter into an agreement with the
 24 National Academy of Sciences to conduct a study
 25 of—

1 (A) potential solutions to address the avail-
2 ability and affordability of insurance for wild-
3 fire perils in all regions of the United States;
4 including consideration of a national all natural
5 hazards insurance program;

6 (B) the ability of States, communities, and
7 individuals to mitigate wildfire risks, including
8 the affordability and feasibility of such mitiga-
9 tion activities;

10 (C) the current and potential future effects
11 of land use policies and building codes on the
12 potential solutions;

13 (D) the reasons why many properties at
14 risk of wildfire lack insurance coverage;

15 (E) the role of insurers in providing incen-
16 tives for wildfire risk mitigation efforts;

17 (F) the state of catastrophic insurance and
18 reinsurance markets and the approaches in pro-
19 viding insurance protection to different sectors
20 of the population of the United States;

21 (G) the role of the Federal Government
22 and State and local governments in providing
23 incentives for feasible wildfire risk mitigation
24 efforts and the cost of providing assistance in
25 the absence of insurance;

1 (H) the state of modeling and mapping
2 wildfire risk and solutions for accurately and
3 adequately identifying future wildfire risk;

4 (I) approaches to insuring wildfire risk in
5 the United States; and

6 (J) such other issues that may be nec-
7 essary or appropriate for the report.

8 (2) CONSULTATION.—The agreement to con-
9 duct the study described in subsection (a), shall re-
10 quire that, in conducting the study, the National
11 Academy of Sciences shall consult with State insur-
12 ance regulators, consumer organizations, representa-
13 tives of the insurance and reinsurance industry, pol-
14 icyholders, and other organizations and experts, as
15 appropriate.

16 (b) SUBMISSION.—Not later than 2 years after the
17 date of enactment of this Act, the Administrator shall sub-
18 mit to Congress the results of the study commissioned
19 under subsection (a).

20 (c) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated such sums as are nec-
22 essary to carry out this section.

1 **SEC. 12. INCREASED CAP FOR EMERGENCY DECLARATIONS**
 2 **BASED ON REGIONAL COST OF LIVING.**

3 Not later than 180 days after the date of enactment
 4 of this Act, the Administrator shall brief the Committee
 5 on Homeland Security and Governmental Affairs of the
 6 Senate regarding the benefits and drawbacks of estab-
 7 lishing a maximum amount for assistance provided for an
 8 emergency that is based on the cost of living in the region
 9 in which the emergency occurs.

10 **SEC. 13. FACILITATING DISPOSAL OF TEMPORARY TRANS-**
 11 **PORTABLE HOUSING UNITS TO SURVIVORS.**

12 Section 408(d)(2)(B)(i) of the Robert T. Stafford
 13 Disaster Relief and Emergency Assistance Act (42 U.S.C.
 14 5174(d)(2)(B)(i)) is amended by inserting “, with priority
 15 given to a survivor of a major disaster who suffered a
 16 property loss as a result of the major disaster” after “any
 17 person”.

18 **SEC. 14. DEADLINE ON CODE ENFORCEMENT AND FLOOD-**
 19 **PLAIN MANAGEMENT COST ELIGIBILITY.**

20 Section 406(a)(2)(D) of the Robert T. Stafford Dis-
 21 aster Relief and Emergency Assistance Act (42 U.S.C.
 22 5172(a)(2)(D)) is amended—

23 (1) by striking “period of not more than 180
 24 days” and all that follows and inserting the fol-
 25 lowing: “period of—

1 “(i) except as provided in clause (ii);
 2 not more than 1 year after the major dis-
 3 aster is declared; or
 4 “(ii) for flooding and other natural
 5 catastrophes, including a major disaster
 6 declared in relation to a fire or earthquake;
 7 not more than 1 year after the date on
 8 which incident occurs or the major disaster
 9 is declared.”.

10 **SEC. 15. PERMIT APPLICATIONS FOR TRIBAL UPGRADES TO**
 11 **EMERGENCY OPERATIONS CENTERS.**

12 Section 614(a) of the Robert T. Stafford Disaster Re-
 13 lief and Emergency Assistance Act (42 U.S.C. 5196c(a))
 14 is amended by inserting “and Indian tribal governments”
 15 after “grants to States”.

16 **SECTION 1. SHORT TITLE.**

17 *This Act may be cited as the “FEMA Improvement,*
 18 *Reform, and Efficiency Act of 2022” or the “FIRE Act”.*

19 **SEC. 2. DEFINITIONS.**

20 *In this Act—*

21 (1) *the term “Administrator” means the Admin-*
 22 *istrator of the Agency;*

23 (2) *the term “Agency” means the Federal Emer-*
 24 *gency Management Agency;*

1 (3) the term “appropriate committees of Con-
2 gress” means—

3 (A) the Committee on Homeland Security
4 and Governmental Affairs and the Committee on
5 Appropriations of the Senate; and

6 (B) the Committee on Transportation and
7 Infrastructure and the Committee on Appropria-
8 tions of the House of Representatives;

9 (4) the term “emergency” means an emergency
10 declared or determined to exist by the President under
11 section 501 of the Robert T. Stafford Disaster Relief
12 and Emergency Assistance Act (42 U.S.C. 5191);

13 (5) the terms “Indian tribal government”, “local
14 government”, and “State” have the meanings given
15 such terms in section 102 of the Robert T. Stafford
16 Disaster Relief and Emergency Assistance Act (42
17 U.S.C. 5122); and

18 (6) the term “major disaster” means a major
19 disaster declared by the President under section 401
20 of the Robert T. Stafford Disaster Relief and Emer-
21 gency Assistance Act (42 U.S.C. 5170).

22 **SEC. 3. REPORT ON RELOCATION ASSISTANCE.**

23 (a) *IN GENERAL.*—Not later than 180 days after the
24 date of enactment of this Act, the Administrator shall sub-
25 mit a report regarding the use of relocation assistance

1 *under sections 203, 404, and 406 of the Robert T. Stafford*
2 *Disaster Relief and Emergency Assistance Act (42 U.S.C.*
3 *5133, 5170c, 5172) for wildfire risk to the appropriate com-*
4 *mittees of Congress.*

5 (b) *CONTENTS.—The report submitted under sub-*
6 *section (a) shall include the following:*

7 (1) *Any information on relocation projects that*
8 *have been carried out due to fire risks or denied by*
9 *the Agency, including the number and value of*
10 *projects either carried out or denied.*

11 (2) *A discussion of the possible benefits or dis-*
12 *advantages of providing relocation assistance that*
13 *may reduce, but not eliminate, the risk of loss due to*
14 *wildfires.*

15 (3) *A discussion of how the Agency may optimize*
16 *relocation assistance when entire States or geographic*
17 *areas are considered subject to a fire risk.*

18 (4) *An analysis of whether other mitigation*
19 *measures are more cost-effective than relocation assist-*
20 *ance when the applicant is applying to move from a*
21 *high-risk to a medium-risk or low-risk area with re-*
22 *spect to wildfires.*

23 (5) *An analysis of the need for the Federal Gov-*
24 *ernment to produce wildfire maps that identify high-*
25 *risk, moderate-risk, and low-risk wildfire zones.*

1 (6) *An analysis of whether other mitigation*
 2 *measures promote greater resilience to wildfires when*
 3 *compared to relocation or, if additional data is re-*
 4 *quired in order to carry out such an analysis, a dis-*
 5 *cussion of the additional data required.*

6 (7) *A discussion of the ability of States, local*
 7 *governments, and Indian tribal governments to dem-*
 8 *onstrate fire risk, and whether the level of this ability*
 9 *impacts the ability of States, local governments, or*
 10 *Indian tribal governments to access relocation assist-*
 11 *ance, including an assessment of existing fire map-*
 12 *ping products and capabilities and recommendations*
 13 *on redressing any gaps in the ability of the Agency*
 14 *to assist States, local governments, and Indian tribal*
 15 *governments in demonstrating fire risk.*

16 (8) *An evaluation of—*

17 (A) *the scope of the data available to the*
 18 *Agency regarding historical wildfire losses;*

19 (B) *how such data is utilized in benefit-cost*
 20 *analysis determinations by the Agency;*

21 (C) *what additional data, if any, may be*
 22 *pertinent to such determinations; and*

23 (D) *what, if any, alternative methods may*
 24 *be relevant to the determination of cost effective-*
 25 *ness.*

1 (9) *A discussion of the extent to which the deci-*
2 *sion process for relocation assistance appropriately*
3 *considers the change in future risks for wildfires due*
4 *to a changing climate.*

5 (10) *An analysis of whether statutes and regula-*
6 *tions regarding relocation assistance by the Agency*
7 *present barriers for States, local governments, or In-*
8 *dian tribal governments trying to access funding to*
9 *reduce wildfire risk.*

10 (11) *An analysis of—*

11 (A) *how, if at all, the Agency has modified*
12 *policies and procedures to determine the eligi-*
13 *bility of proposed relocation or mitigation*
14 *projects with respect to wildfires;*

15 (B) *the cost effectiveness of such projects, in*
16 *light of the increasing losses and obligations for*
17 *wildfires in recent years; and*

18 (C) *the effectiveness of any modifications*
19 *described in subparagraph (A).*

20 (12) *An analysis of how, if at all, recent changes*
21 *in the availability of fire insurance has resulted in*
22 *modifications of policy or procedure with respect to*
23 *determining the cost efficacy of relocation assistance*
24 *for wildfires.*

1 (13) *An analysis of how to define repetitive loss*
 2 *and repetitively damaged properties in the context of*
 3 *wildfires.*

4 (14) *A discussion of whether any legislative, reg-*
 5 *ulatory, or policy changes are necessary for the Agen-*
 6 *cy to better implement relocation assistance to reduce*
 7 *risk from wildfires.*

8 (15) *Other related issues that the Administrator*
 9 *determines appropriate.*

10 **SEC. 4. RED FLAG WARNINGS AND PREDISASTER ACTIONS.**

11 *Not later than 1 year after the date of enactment of*
 12 *this Act, the Administrator, in coordination with the Na-*
 13 *tional Weather Service of the National Oceanic and Atmos-*
 14 *pheric Administration, shall—*

15 (1) *conduct a study of, develop recommendations*
 16 *for, and initiate a process for the use of Red Flag*
 17 *Warnings and similar weather alert and notification*
 18 *methods, including the use of emerging technologies,*
 19 *to establish—*

20 (A) *plans and actions, consistent with law,*
 21 *that can be implemented prior to a wildfire*
 22 *event, including pre-impact disaster declarations*
 23 *and surge operations, that can limit the impact,*
 24 *duration, or severity of the fire; and*

1 *(B) mechanisms to increase interagency col-*
 2 *laboration to expedite the delivery of disaster as-*
 3 *sistance; and*

4 *(2) submit to the appropriate committees of Con-*
 5 *gress a comprehensive report regarding the study de-*
 6 *scribed in paragraph (1), including any recommenda-*
 7 *tions of the Administrator, and the activities of the*
 8 *Administrator to carry out paragraph (1).*

9 **SEC. 5. ASSISTANCE FOR WILDFIRE DAMAGE.**

10 *Not later than 180 days after the date of enactment*
 11 *of this Act, the Administrator shall brief the appropriate*
 12 *committees of Congress regarding—*

13 *(1) the application for assistance and consist-*
 14 *ency of assistance provided by the Agency in response*
 15 *to wildfires; and*

16 *(2) the kinds of damage that result from*
 17 *wildfires.*

18 **SEC. 6. GAO REPORT ON GAPS.**

19 *Not later than 1 year after the date of enactment of*
 20 *this Act, the Comptroller General of the United States shall*
 21 *submit to the appropriate committees of Congress a report*
 22 *that examines—*

23 *(1) gaps in the policies of the Agency related to*
 24 *wildfires, when compared to other hazards;*

1 (2) *disparities in regulations and guidance*
 2 *issued by the Administrator, including any oversight*
 3 *of the programs of the Agency, when addressing im-*
 4 *pacts of wildfires and other hazards;*

5 (3) *ways to shorten the period of time between*
 6 *the initiating of and the distribution of assistance, re-*
 7 *imbursements, and grants;*

8 (4) *the effectiveness of the programs of the Agen-*
 9 *cy in addressing wildfire hazards;*

10 (5) *ways to improve the ability of the Agency to*
 11 *assist States, local governments, and Indian tribal*
 12 *governments to prepare for, respond to, recover from,*
 13 *and mitigate against wildfire hazards;*

14 (6) *revising the application process for assistance*
 15 *relating to wildfires to more effectively assess unin-*
 16 *sured and underinsured losses and serious needs; and*

17 (7) *ways to improve the disaster assistance pro-*
 18 *grams of agencies other than the Agency.*

19 **SEC. 7. CRISIS COUNSELING CULTURAL COMPETENCY.**

20 *Section 416 of the Robert T. Stafford Disaster Relief*
 21 *and Emergency Assistance Act (42 U.S.C. 5183) is amend-*
 22 *ed—*

23 (1) *by striking “The President” and inserting*
 24 *the following:*

25 “(a) *IN GENERAL.—The President*”; and

1 (2) *by adding at the end the following:*

2 “(b) *CULTURAL COMPETENCY.—The President shall,*
 3 *in consultation with affected States, local governments, and*
 4 *Indian tribal governments and cultural experts, ensure that*
 5 *any individual providing professional counseling services*
 6 *to victims of a major disaster as authorized under sub-*
 7 *section (a), including those working for nonprofit partners*
 8 *and recovery organizations, is appropriately trained to ad-*
 9 *dress—*

10 “(1) *cultural competency and respectful care*
 11 *practices; and*

12 “(2) *impacts from major disasters in commu-*
 13 *nities, and to individuals, with socio-economically*
 14 *disadvantaged backgrounds.”.*

15 **SEC. 8. CASE MANAGEMENT CULTURAL COMPETENCY.**

16 *Section 426 of the Robert T. Stafford Disaster Relief*
 17 *and Emergency Assistance Act (42 U.S.C. 5189d) is amend-*
 18 *ed—*

19 (1) *by striking “The President” and inserting*
 20 *the following:*

21 “(a) *IN GENERAL.—The President*”; and

22 (2) *by adding at the end the following:*

23 “(b) *CULTURAL COMPETENCY.—The President shall,*
 24 *in consultation with affected States, local governments, and*
 25 *Indian tribal governments and cultural experts, ensure that*

1 *any individual providing case management services to vic-*
 2 *tims of a major disaster as authorized under subsection (a),*
 3 *including those working for nonprofit partners and recovery*
 4 *organizations, is appropriately trained to address—*

5 “(1) *cultural competency and respectful care*
 6 *practices; and*

7 “(2) *impacts from major disasters in commu-*
 8 *nities, and to individuals, with socio-economically*
 9 *disadvantaged backgrounds.”.*

10 **SEC. 9. STUDY AND PLAN FOR DISASTER HOUSING ASSIST-**
 11 **ANCE.**

12 (a) *STUDY.*—*Not later than 180 days after the date*
 13 *of enactment of this Act, the Administrator shall—*

14 (1) *conduct a study and develop a plan, con-*
 15 *sistent with law, under which the Agency will address*
 16 *providing housing assistance to survivors of major*
 17 *disasters or emergencies when presented with chal-*
 18 *lenges such as—*

19 (A) *the lack of proof of ownership or owner-*
 20 *ship documentation;*

21 (B) *the presence of multiple families within*
 22 *a single household; and*

23 (C) *the near loss of a community, with the*
 24 *majority of homes destroyed in that community,*

1 *including as a result of a wildfire, earthquake, or*
2 *other event causing a major disaster; and*

3 *(2) make recommendations for legislative changes*
4 *needed to address—*

5 *(A) the unmet needs of survivors of major*
6 *disasters or emergencies who are unable to docu-*
7 *ment or prove ownership of the household;*

8 *(B) the presence of multiple families within*
9 *a single household; and*

10 *(C) the near loss of a community, with the*
11 *majority of homes destroyed in that community,*
12 *including as a result of a wildfire, earthquake, or*
13 *other event causing a major disaster.*

14 *(b) COMPREHENSIVE REPORT.—The Administrator*
15 *shall submit to the appropriate committees of Congress a*
16 *report that provides a detailed discussion of the plans devel-*
17 *oped under subsection (a)(1) and the recommendations of*
18 *the Administrator under subsection (a)(2).*

19 *(c) BRIEFING.—Not later than 30 days after submis-*
20 *sion of the report and recommendations under subsection*
21 *(b), the Administrator shall brief the appropriate commit-*
22 *tees of Congress on the findings and any recommendations*
23 *made pursuant to this section.*

1 **SEC. 10. REIMBURSEMENT.**

2 *Not later than 180 days after the date of enactment*
 3 *of this Act, the Administrator shall brief the appropriate*
 4 *committees of Congress regarding the extent to which the*
 5 *Agency is using housing solutions proposed by a State or*
 6 *local government to reduce the time or cost required to im-*
 7 *plement housing solutions after a major disaster.*

8 **SEC. 11. WILDFIRE INSURANCE STUDY BY THE NATIONAL**
 9 **ACADEMIES.**

10 *(a) STUDY.—*

11 *(1) IN GENERAL.—Not later than 180 days after*
 12 *the date of enactment of this Act, the Administrator*
 13 *shall seek to enter into an agreement with the Na-*
 14 *tional Academy of Sciences to conduct a study of—*

15 *(A) potential solutions to address the avail-*
 16 *ability and affordability of insurance for wild-*
 17 *fire perils in all regions of the United States, in-*
 18 *cluding consideration of a national all natural*
 19 *hazards insurance program;*

20 *(B) the ability of States, communities, and*
 21 *individuals to mitigate wildfire risks, including*
 22 *the affordability and feasibility of such mitiga-*
 23 *tion activities;*

24 *(C) the current and potential future effects*
 25 *of land use policies and building codes on the po-*
 26 *tential solutions;*

1 (D) the reasons why many properties at
2 risk of wildfire lack insurance coverage;

3 (E) the role of insurers in providing incen-
4 tives for wildfire risk mitigation efforts;

5 (F) the state of catastrophic insurance and
6 reinsurance markets and the approaches in pro-
7 viding insurance protection to different sectors of
8 the population of the United States;

9 (G) the role of the Federal Government and
10 State and local governments in providing incen-
11 tives for feasible wildfire risk mitigation efforts
12 and the cost of providing assistance in the ab-
13 sence of insurance;

14 (H) the state of modeling and mapping
15 wildfire risk and solutions for accurately and
16 adequately identifying future wildfire risk;

17 (I) approaches to insuring wildfire risk in
18 the United States; and

19 (J) such other issues that may be necessary
20 or appropriate for the report.

21 (2) CONSULTATION.—The agreement to conduct
22 the study described in subsection (a) shall require
23 that, in conducting the study, the National Academy
24 of Sciences shall consult with State insurance regu-
25 lators, consumer organizations, representatives of the

1 *insurance and reinsurance industry, policyholders,*
 2 *and other organizations and experts, as appropriate.*

3 *(b) SUBMISSION.—Not later than 2 years after the date*
 4 *of enactment of this Act, the Administrator shall submit*
 5 *to Congress the results of the study commissioned under sub-*
 6 *section (a).*

7 **SEC. 12. INCREASED CAP FOR EMERGENCY DECLARATIONS**
 8 **BASED ON REGIONAL COST OF LIVING.**

9 *Not later than 180 days after the date of enactment*
 10 *of this Act, the Administrator shall brief the appropriate*
 11 *committees of Congress regarding the benefits and draw-*
 12 *backs of establishing a maximum amount for assistance*
 13 *provided for an emergency that is based on the cost of living*
 14 *in the region in which the emergency occurs.*

15 **SEC. 13. FACILITATING DISPOSAL OF TEMPORARY TRANS-**
 16 **PORTABLE HOUSING UNITS TO SURVIVORS.**

17 *Section 408(d)(2)(B)(i) of the Robert T. Stafford Dis-*
 18 *aster Relief and Emergency Assistance Act (42 U.S.C.*
 19 *5174(d)(2)(B)(i)) is amended by inserting “, with priority*
 20 *given to a survivor of a major disaster who suffered a prop-*
 21 *erty loss as a result of the major disaster” after “any per-*
 22 *son”.*

1 **SEC. 14. DEADLINE ON CODE ENFORCEMENT AND MANAGE-**
2 **MENT COST ELIGIBILITY.**

3 *Section 406(a)(2)(D) of the Robert T. Stafford Dis-*
4 *aster Relief and Emergency Assistance Act (42 U.S.C.*
5 *5172(a)(2)(D)) is amended by striking “180 days” and in-*
6 *serting “1 year”.*

7 **SEC. 15. PERMIT APPLICATIONS FOR TRIBAL UPGRADES TO**
8 **EMERGENCY OPERATIONS CENTERS.**

9 *Section 614(a) of the Robert T. Stafford Disaster Relief*
10 *and Emergency Assistance Act (42 U.S.C. 5196c(a)) is*
11 *amended by inserting “and Indian tribal governments”*
12 *after “grants to States”.*

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117TH CONGRESS
2^D Session

S. 3092

[Report No. 117-144]

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to improve the provision of certain disaster assistance, and for other purposes.

SEPTEMBER 12, 2022

Reported with an amendment