

118TH CONGRESS
1ST SESSION

S. 1528

To streamline the sharing of information among Federal disaster assistance agencies, to expedite the delivery of life-saving assistance to disaster survivors, to speed the recovery of communities from disasters, to protect the security and privacy of information provided by disaster survivors, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 10, 2023

Mr. PETERS (for himself, Mr. PAUL, and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To streamline the sharing of information among Federal disaster assistance agencies, to expedite the delivery of life-saving assistance to disaster survivors, to speed the recovery of communities from disasters, to protect the security and privacy of information provided by disaster survivors, 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.**

4 This Act may be cited as the “Disaster Assistance
5 Simplification Act”.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The disaster response and recovery frame-
4 work of the United States relies on a unified, inte-
5 grated, agile, and adaptable whole-of-community ef-
6 fort by Federal, State, and local disaster assistance
7 agencies, and by voluntary organizations, to respond
8 to any natural and man-made disasters that may
9 strike communities.

10 (2) Federal disaster assistance agencies must
11 be ready to support States, Indian Tribes, commu-
12 nities, and volunteer agencies immediately after un-
13 predictable catastrophic disasters that occur without
14 notice.

15 (3) The immediate sharing of information is es-
16 sential to an efficient and effective delivery of dis-
17 aster assistance—

18 (A) when lives and property are at risk;

19 and

20 (B) as communities seek to recover from
21 disasters as quickly as possible.

22 (4) Section 552a of title 5, United States Code
23 (commonly known as the “Privacy Act of 1974”),
24 and subchapter I of chapter 35 of title 44, United
25 States Code (commonly known as the “Paperwork
26 Reduction Act”), require multiple layers of review,

1 notice, and publication in the Federal Register be-
2 fore Federal disaster assistance agencies can amend
3 or adapt their information sharing practices.

4 (5) Such extended review processes can have
5 the effect of inhibiting efficiency, innovation, and
6 interoperability among Federal, State, Tribal, terri-
7 torial, local, private, and volunteer partners in deliv-
8 ering disaster assistance within a whole-of-commu-
9 nity disaster assistance effort.

10 (6) Legal, regulatory, and policy limitations on
11 the interagency sharing of information submitted by
12 applicants for disaster assistance may require those
13 applicants to submit separate applications to mul-
14 tiple Federal, State, Tribal, territorial, and local dis-
15 aster assistance agencies, which increases the burden
16 on those applicants, reduces the efficiency of disaster
17 assistance programs, and places additional costs on
18 taxpayers.

19 (b) PURPOSE.—The purposes of this Act are to—

20 (1) streamline the sharing of information
21 among Federal, State, Tribal, territorial, and local
22 disaster assistance agencies;

23 (2) modernize the legal safeguards against the
24 unauthorized disclosure or misuse of information
25 about applicants for disaster assistance; and

1 (3) modernize, streamline, and consolidate the
2 overlapping requirements of section 552a of title 5,
3 United States Code, subchapter I of chapter 35 of
4 title 44, United States Code, and the agency policies
5 that implement those authorities to improve the
6 speed, convenience, efficiency, and effectiveness of
7 disaster relief programs.

8 **SEC. 3. ESTABLISHMENT OF A UNIFIED DISASTER ASSIST-**
9 **ANCE INTAKE PROCESS AND SYSTEM.**

10 The Robert T. Stafford Disaster Relief and Emer-
11 gency Assistance Act (42 U.S.C. 5121 et seq.) is amended
12 by adding at the end the following:

13 **“SEC. 707. ESTABLISHMENT OF A UNIFIED DISASTER AS-**
14 **SISTANCE INTAKE PROCESS AND SYSTEM.**

15 “(a) DEFINITIONS.—In this section:

16 “(1) ADMINISTRATOR.—The term ‘Adminis-
17 trator’ means the Administrator of the Federal
18 Emergency Management Agency.

19 “(2) APPLICANT.—The term ‘applicant’
20 means—

21 “(A) an individual, business, or organiza-
22 tion that applies for disaster assistance from a
23 disaster assistance program;

24 “(B) an individual, business, or organiza-
25 tion on behalf of which an individual described

1 in subparagraph (A) applies for disaster assist-
2 ance from a disaster assistance program; and

3 “(C) an individual, business, or organiza-
4 tion that seeks assistance as a beneficiary of a
5 State, local government, or Indian Tribe that
6 received assistance under a disaster assistance
7 program.

8 “(3) DISASTER ASSISTANCE AGENCY.—The
9 term ‘disaster assistance agency’ means—

10 “(A) the Federal Emergency Management
11 Agency; and

12 “(B) any Federal agency that provides dis-
13 aster assistance to individuals, businesses, orga-
14 nizations, States, local governments, Indian
15 Tribes, communities, or organizations that the
16 Administrator certifies as a disaster assistance
17 agency in accordance with subsection (f) to
18 carry out the purposes of a disaster assistance
19 program.

20 “(4) DISASTER ASSISTANCE INFORMATION.—
21 The term ‘disaster assistance information’ includes
22 any personal, biographical, demographic, geo-
23 graphical, financial, application decision, or other in-
24 formation that a disaster assistance agency, or a re-
25 cipient of a Federal block grant from a disaster as-

1 sistance agency, is authorized to collect, maintain,
2 disclose, or use to—

3 “(A) process an application for disaster as-
4 sistance from a disaster assistance program; or

5 “(B) otherwise carry out the purpose of a
6 disaster assistance program.

7 “(5) DISASTER ASSISTANCE PROGRAM.—The
8 term ‘disaster assistance program’ means—

9 “(A) a program that provides disaster as-
10 sistance to individuals and households under
11 title IV or V in accordance with sections 408
12 and 502; or

13 “(B) any other assistance program author-
14 ized by a Federal statute or funded with Fed-
15 eral appropriations under which a disaster as-
16 sistance agency awards or distributes disaster
17 assistance to an individual, household, or orga-
18 nization, or provides a Federal block grant for
19 these purposes, that arises from a major dis-
20 aster or emergency declared under section 401
21 or 501, respectively, including—

22 “(i) disaster assistance;

23 “(ii) long-term disaster recovery as-
24 sistance;

1 “(iii) the post-disaster restoration of
2 infrastructure and housing;

3 “(iv) post-disaster economic revitaliza-
4 tion;

5 “(v) a loan authorized under section
6 7(b) of the Small Business Act (15 U.S.C.
7 636(b)); and

8 “(vi) food benefit allotments under
9 section 412 of this Act and section 5(h) of
10 the Food and Nutrition Act of 2008 (7
11 U.S.C. 2014(h)).

12 “(6) RECORD.—The term ‘record’ has the
13 meaning given the term in section 552a of title 5,
14 United States Code.

15 “(b) UNIFIED DISASTER ASSISTANCE INTAKE PROC-
16 ESS AND SYSTEM.—

17 “(1) IN GENERAL.—Not later than 360 days
18 after the date of enactment of the Disaster Assist-
19 ance Simplification Act, the Administrator shall, in
20 consultation with appropriate Federal, State, local,
21 and Tribal governments and entities, develop and es-
22 tablish a unified intake process and system for appli-
23 cants for disaster assistance provided by a disaster
24 assistance agency to—

1 “(A) facilitate a consolidated application
2 for any form of disaster assistance provided by
3 a disaster assistance agency when appropriate
4 to support the nature and purposes of the as-
5 sistance;

6 “(B) carry out the purposes of disaster as-
7 sistance programs swiftly, efficiently, equitably,
8 and in accordance with applicable laws and pri-
9 vacy and data protections; and

10 “(C) support the detection, prevention, and
11 investigation of waste, fraud, abuse, or discrimi-
12 nation in the administration of disaster assist-
13 ance programs.

14 “(2) CAPABILITIES OF THE CONSOLIDATED AP-
15 PPLICATION SYSTEM.—The unified intake and process
16 system established under paragraph (1) shall—

17 “(A) accept applications for disaster assist-
18 ance programs;

19 “(B) allow for applicants to receive status
20 updates on applications for disaster assistance
21 programs;

22 “(C) allow for applicants to update dis-
23 aster assistance information throughout the re-
24 covery journeys of those applicants;

1 “(D) allow for the distribution of informa-
2 tion on additional recovery resources to disaster
3 survivors that may be available in a disaster-
4 stricken jurisdiction in coordination with appro-
5 priate Federal, State, local, and Tribal part-
6 ners;

7 “(E) provide disaster survivors with infor-
8 mation and documentation on the applications
9 of those disaster survivors for a disaster assist-
10 ance program;

11 “(F) allow for the distribution of applica-
12 tion data to support faster and more effective
13 distribution of Federal disaster assistance, in-
14 cluding block grant assistance, for disaster re-
15 covery;

16 “(G) allow for disaster assistance agencies
17 to communicate directly with disaster survivors;
18 and

19 “(H) contain other capabilities determined
20 necessary by the heads of disaster assistance
21 agencies.

22 “(3) UPDATES.—Not later than 30 days after
23 the date on which the Administrator receives a re-
24 quest from a disaster assistance agency to update
25 questions in the consolidated application described in

1 paragraph (1) needed to administer the disaster as-
2 sistance programs of the disaster assistance agency,
3 the Administrator shall make those updates.

4 “(c) AUTHORITIES OF ADMINISTRATOR.—The Ad-
5 ministrator may—

6 “(1) collect, maintain, disclose, and use disaster
7 assistance information, including such information
8 received from any disaster assistance agency, with
9 any other disaster assistance agency for purposes of
10 subsection (b)(1); and

11 “(2) subject to subsection (d), authorize the col-
12 lection, sharing, and use of disaster assistance infor-
13 mation collected on or after the date of enactment
14 of the Disaster Assistance Simplification Act by pub-
15 lishing a notice on a public website that—

16 “(A) includes a detailed description of—

17 “(i) the specific disaster assistance in-
18 formation authorized to be collected, main-
19 tained, and disclosed;

20 “(ii) why the collection, maintenance,
21 or disclosure of the disaster assistance in-
22 formation is necessary to carry out the
23 purpose of a disaster assistance program;

24 “(iii) how the collection, maintenance,
25 and disclosure of disaster assistance infor-

1 mation incorporates fair information prac-
2 tices; and

3 “(iv) the disaster assistance agencies
4 that will be granted access to the disaster
5 assistance information to carry out the
6 purpose of any disaster assistance pro-
7 gram; and

8 “(B) provides that the submission of an
9 application through a unified disaster applica-
10 tion constitutes prior written consent to disclose
11 disaster assistance information to disaster as-
12 sistance agencies for the purpose of section
13 552a(b) of title 5, United States Code.

14 “(d) COLLECTION AND SHARING OF RECORDS AND
15 INFORMATION.—

16 “(1) EFFECT OF PUBLICATION OF NOTICE ON
17 PUBLIC WEBSITE.—The publication of a notice by
18 the Administrator on a public website of a revision
19 to the system of records of the uniform intake proc-
20 ess and system established under subsection (b)(1)
21 prior to any new collection, or uses, of records to
22 carry out the purposes of a disaster assistance pro-
23 gram with respect to a major disaster or emergency
24 declared by the President under section 401 or 501,
25 respectively, of this Act shall be deemed to satisfy

1 the notice and publication requirements of section
2 552a(e)(4) of title 5, United States Code, for the en-
3 tire period of performance for any assistance pro-
4 vided under a disaster assistance program.

5 “(2) PAPERWORK REDUCTION ACT WAIVER.—

6 “(A) IN GENERAL.—Upon the declaration
7 of a major disaster or emergency pursuant to
8 section 401 or 501, respectively, of this Act, the
9 Administrator may waive the requirements of
10 subchapter I of chapter 35 of title 44, United
11 States Code (commonly known as the ‘Paper-
12 work Reduction Act’), with respect to the vol-
13 untary collection of information specific to the
14 declared major disaster or emergency needed to
15 carry out the purposes of a disaster assistance
16 program.

17 “(B) DURATION.—A waiver described in
18 subparagraph (A) shall be in effect for the en-
19 tire period of performance for any assistance
20 provided under a disaster assistance program
21 with respect to a declared major disaster or
22 emergency.

23 “(C) TRANSPARENCY.—If the Adminis-
24 trator waives the requirements described in sub-
25 paragraph (A), the Administrator shall—

1 “(i) promptly post on a public
2 website—

3 “(I) a brief justification for the
4 waiver; and

5 “(II) the agencies and offices to
6 which the waiver shall apply;

7 “(ii) update the information posted
8 under clause (i), as applicable; and

9 “(iii) comply with the requirements of
10 subchapter I of chapter 35 of title 44,
11 United States Code (commonly known as
12 the ‘Paperwork Reduction Act’) upon the
13 expiration of the period of performance of
14 any assistance provided under a disaster
15 assistance program if the collection of in-
16 formation may be utilized for the purposes
17 of supporting the disaster assistance pro-
18 gram in future major disaster or emer-
19 gency declarations.

20 “(D) EFFECTIVENESS OF WAIVER.—Any
21 waiver under subparagraph (A) shall take effect
22 on the date on which the Administrator posts
23 information on the internet website as provided
24 for under subparagraph (C).

1 “(e) DATA SECURITY.—The Administrator shall fa-
2 cilitate the collection of disaster assistance information
3 into a unified application only after—

4 “(1) the Administrator certifies that the unified
5 application substantially complies with the data se-
6 curity standards established pursuant to subchapter
7 II of chapter 35 of title 44, United States Code, and
8 any other applicable Federal information security
9 policy;

10 “(2) the Secretary of Homeland Security pub-
11 lishes a privacy impact assessment for the unified
12 application that is similar to the privacy assessment
13 conducted under section 208(b)(1)(B) of the E-Gov-
14 ernment Act of 2002 (44 U.S.C. 3501 note); and

15 “(3) the Administrator, in consultation with
16 disaster assistance agencies, publishes standard
17 rules of behavior for disaster assistance agencies and
18 personnel granted access to disaster assistance infor-
19 mation to protect such information from improper
20 disclosure.

21 “(f) CERTIFICATION OF DISASTER ASSISTANCE
22 AGENCIES.—

23 “(1) IN GENERAL.—The Administrator may
24 certify a Federal agency as a disaster assistance
25 agency after posting an agreement between the Ad-

1 administrator and the Federal agency on a public
2 website that contains the detailed terms of the
3 agreement.

4 “(2) CONTENTS OF AGREEMENT.—An agree-
5 ment between the Administrator and a Federal
6 agency described in paragraph (1) shall state that
7 the Federal Emergency Management Agency and
8 the Federal agency will—

9 “(A) collect, disclose, maintain, and use
10 disaster assistance information in accordance
11 with—

12 “(i) this section; and

13 “(ii) subject to subsection (i)(2), any
14 existing policies of the Federal Emergency
15 Management Agency and the Federal
16 agency for information protection and use;

17 “(B) train any personnel granted access to
18 disaster assistance information on the rules of
19 behavior established by the Administrator under
20 subsection (e)(3);

21 “(C) in the event of any unauthorized dis-
22 closure of disaster assistance information—

23 “(i) not later than 24 hours after dis-
24 covering the unauthorized disclosure—

1 “(I) in the case of an unauthor-
2 ized disclosure by the Federal agency,
3 notify the Administrator of the disclo-
4 sure; and

5 “(II) in the case of an unauthor-
6 ized disclosure by the Federal Emer-
7 gency Management Agency, notify dis-
8 aster assistance agencies of the disclo-
9 sure;

10 “(ii) cooperate fully with the Adminis-
11 trator and disaster assistance agencies in
12 the investigation and remediation of the
13 disclosure; and

14 “(iii) cooperate fully in the prosecu-
15 tion of a person responsible for the disclo-
16 sure; and

17 “(D) assume responsibility for any com-
18 pensation, civil liability, or other remediation
19 measure awarded by a judgment of a court or
20 agreed upon as a compromise of any potential
21 claim by or on behalf of an applicant, including
22 by obtaining credit monitoring and remediation
23 services, for an improper disclosure of disaster
24 assistance information that is—

1 “(i) caused, directly or indirectly, by
2 the acts or omissions of an officer, em-
3 ployee, or contractor of the Federal agen-
4 cy; or

5 “(ii) from any electronic system of
6 records that was created or maintained by
7 the Federal agency pursuant to section
8 552a(e) of title 5, United States Code.

9 “(g) REPORTS.—

10 “(1) FEMA.—Not later than 1 year after the
11 date of enactment of this section, and every year
12 thereafter for 2 years, the Administrator, in coordi-
13 nation with the heads of disaster assistance agen-
14 cies, shall submit to Congress a report on the imple-
15 mentation of this section, including—

16 “(A) how disaster assistance agencies are
17 working together to implement the require-
18 ments under this section;

19 “(B) the effect of this section on disaster
20 survivor burden and the speed and efficiency of
21 delivering disaster assistance; and

22 “(C) a description of any other challenges
23 that require further legislative action.

24 “(2) GAO.—Not later than 3 years after the
25 date of enactment of this section, the Comptroller

1 General of the United States shall submit to Con-
2 gress a report on how the implementation of this
3 section has affected the disaster survivor experience,
4 and any recommendations for improvements to the
5 requirements under this section.

6 “(h) BRIEFINGS.—Not later than 90 days after the
7 date of enactment of this section, and again not later than
8 180 days after the date of enactment of this section, the
9 Administrator shall brief Congress on—

10 “(1) the status of the implementation of the re-
11 quirements under this section; and

12 “(2) how disaster assistance agencies are work-
13 ing together to implement the requirements under
14 this section.

15 “(i) RULES OF CONSTRUCTION.—

16 “(1) INAPPLICABILITY OF MATCHING PROGRAM
17 PROVISIONS.—The disclosure and use of disaster as-
18 sistance information subject to the requirements of
19 section 552a of title 5, United States Code, among
20 disaster assistance agencies or with State, local, or
21 Tribal governments carrying out disaster assistance
22 programs shall not—

23 “(A) be construed as a matching program
24 for the purpose of section 552a(a)(8) of title 5,
25 United States Code; or

1 “(B) be subject to subsection (e)(12), (o),
2 (p)(1)(A)(ii), (q), (r), or (u) of section 552a of
3 title 5, United States Code.

4 “(2) AUTHORITIES IN OTHER LAWS.—Nothing
5 in this section shall be construed to affect the au-
6 thority of an entity to share disaster assistance in-
7 formation regarding programs funded or facilitated
8 by the entity in accordance with any other law or
9 agency policy.

10 “(3) APPLYING TO MULTIPLE PROGRAMS.—
11 Nothing in this section shall be construed to require
12 an applicant to apply to more than 1 disaster assist-
13 ance program.”.

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