

118TH CONGRESS  
1ST SESSION

# S. 3071

To amend section 324 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to incentivize States, Indian Tribes, and Territories to close disaster recovery projects by authorizing the use of excess funds for management costs for other disaster recovery projects.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 18, 2023

Ms. HASSAN (for herself and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To amend section 324 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to incentivize States, Indian Tribes, and Territories to close disaster recovery projects by authorizing the use of excess funds for management costs for other disaster recovery projects.

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 Management  
5 Costs Modernization Act”.

1 **SEC. 2. USE OF EXCESS FUNDS FOR MANAGEMENT COSTS.**

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

5 (1) in subsection (b)(2)—

6 (A) by redesignating subparagraphs (A)  
7 and (B) as clauses (i) and (ii), respectively, and  
8 adjusting the margins accordingly; and

9 (B) in the matter preceding clause (i), as  
10 so redesignated, by striking “provide the fol-  
11 lowing percentage rates” and inserting “pro-  
12 vide—

13 “(A) excess funds for management costs as  
14 described in subsection (c); and

15 “(B) the following percentage rates”;

16 (2) by redesignating subsection (c) as sub-  
17 section (d); and

18 (3) by inserting after subsection (b) the fol-  
19 lowing:

20 “(c) USE OF EXCESS FUNDS FOR MANAGEMENT  
21 COSTS.—

22 “(1) DEFINITION.—In this subsection, the term  
23 ‘excess funds for management costs’ means the dif-  
24 ference between—

1 “(A) the amount of the applicable specific  
 2 management costs authorized under subsection  
 3 (b)(1) and subsection (b)(2)(B); and

4 “(B) as of the date on which the grant  
 5 award is closed, the amount of funding for  
 6 management costs activities expended by the  
 7 grantee or subgrantee receiving the financial as-  
 8 sistance for costs described in subparagraph  
 9 (A).

10 “(2) AVAILABILITY OF EXCESS FUNDS FOR  
 11 MANAGEMENT COSTS.—The President may make  
 12 available to a grantee or subgrantee receiving finan-  
 13 cial assistance under section 403, 404, 406, 407, or  
 14 502 any excess funds for management costs.

15 “(3) USE OF FUNDS.—Excess funds for man-  
 16 agement costs made available to a grantee or sub-  
 17 grantee under paragraph (2) may be used for—

18 “(A) activities associated with building ca-  
 19 pacity to prepare for, recover from, or mitigate  
 20 the impacts of a major disaster or emergency  
 21 declared under section 401 or 501, respectively;  
 22 and

23 “(B) management costs associated with  
 24 any—

25 “(i) major disaster;

1 “(ii) emergency;

2 “(iii) disaster preparedness measure;

3 or

4 “(iv) mitigation activity or measure

5 authorized under section 203, 204, 205, or

6 404.

7 “(4) AVAILABILITY.—Excess funds for manage-  
 8 ment costs made available to a grantee or sub-  
 9 grantee under paragraph (2) shall remain available  
 10 to the grantee or subgrantee until the date that is  
 11 5 years after the date on which the excess funds for  
 12 management costs are made available under para-  
 13 graph (2).”.

14 (b) APPLICABILITY.—The amendments made by sub-  
 15 section (a) shall apply with respect to any grant award  
 16 in relation to a major disaster or emergency declared  
 17 under section 401 or 501, respectively, of the Robert T.  
 18 Stafford Disaster Relief and Emergency Assistance Act  
 19 (42 U.S.C. 5170, 5191)—

20 (1) the declaration of which is open on, or made  
 21 on or after, the date of enactment of this Act; and

22 (2) that is funded with amounts appropriated  
 23 on or after the date of enactment of this Act.

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