

DISASTER CONTRACT IMPROVEMENT ACT

NOVEMBER 26, 2024.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GRAVES of Missouri, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 6997]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 6997) to establish an advisory group to encourage and foster collaborative efforts among individuals and entities engaged in disaster recovery relating to debris removal, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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## PURPOSE OF LEGISLATION

The purpose of H.R. 6997, the *Disaster Contract Improvement Act*, is to establish an advisory group to encourage and foster collaborative efforts among individuals and entities engaged in disaster recovery relating to debris removal, and for other purposes.

## BACKGROUND AND NEED FOR LEGISLATION

H.R. 6997, the *Disaster Contract Improvement Act*, strengthens oversight of debris removal following a disaster by directing the Administrator of the Federal Emergency Management Agency (FEMA) to establish a working group to encourage and foster collaborative efforts related to disaster debris removal.

The working group would be composed of representatives from FEMA; the Army Corps of Engineers; the Natural Resources Conservation Service of the Department of Agriculture; representatives of states, tribal governments, and local governments; and subject matter experts in debris removal. H.R. 6997 would require the FEMA Administrator to consult with the working group and determine if changes are needed to guidance and procedures around debris removal to improve oversight and reduce costs.

H.R. 6997 also requires the Government Accountability Office (GAO) to study the use and effectiveness of advance contracts for debris removal.

## HEARINGS

For the purposes of rule XIII, clause 3(c)(6)(A) of the 118th Congress, the following hearing was used to develop or consider H.R. 6997:

On September 19, 2023, the Subcommittee on Economic Development, Public Buildings and Emergency Management of the Committee on Transportation and Infrastructure held a hearing entitled, “*FEMA: The Current State of Disaster Readiness, Response, and Recovery*.”<sup>1</sup> The Subcommittee received testimony from the Honorable Deanne Criswell, Administrator, FEMA.

## LEGISLATIVE HISTORY AND CONSIDERATION

H.R. 6997 was introduced in the United States House of Representatives on January 16, 2024, by Mr. Nick LaLota of New York and referred to the Committee on Transportation and Infrastructure. Within the Committee on Transportation and Infrastructure, H.R. 6997 was referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management. The Subcommittee on Economic Development, Public Buildings, and Emergency Management was discharged from further consideration of H.R. 6997 on September 18, 2024.

The Committee considered H.R. 6997 on September 18, 2023, and ordered the measure to be reported to the House with a favorable recommendation, without amendment, by unanimous consent.

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<sup>1</sup> *FEMA: The Current State of Disaster Readiness, Response, and Recovery: Hearing Before the H. Comm. On Transp. And Infrastructure*, 118th Cong. (Sept. 19, 2023).

## COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against.

No recorded votes were requested during consideration of H.R. 6997.

## COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

## NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the *Congressional Budget Act of 1974* has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the *Congressional Budget Act of 1974*, the Committee has received the enclosed cost estimate for H.R. 6997 from the Director of the Congressional Budget Office:

| <b>H.R. 6997, Disaster Contract Improvement Act</b>                                                    |      |                                           |               |
|--------------------------------------------------------------------------------------------------------|------|-------------------------------------------|---------------|
| As ordered reported by the House Committee on Transportation and Infrastructure on September 18, 2024  |      |                                           |               |
| By Fiscal Year, Millions of Dollars                                                                    | 2025 | 2025-2029                                 | 2025-2034     |
| Direct Spending (Outlays)                                                                              | 0    | 0                                         | 0             |
| Revenues                                                                                               | 0    | 0                                         | 0             |
| Increase or Decrease (-) in the Deficit                                                                | 0    | 0                                         | 0             |
| Spending Subject to Appropriation (Outlays)                                                            | 1    | 1                                         | not estimated |
| Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2035? | No   | Statutory pay-as-you-go procedures apply? | No            |
|                                                                                                        |      | <b>Mandate Effects</b>                    |               |
| Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2035?  | No   | Contains intergovernmental mandate?       | No            |
|                                                                                                        |      | Contains private-sector mandate?          | No            |

H.R. 6997 would direct the Federal Emergency Management Agency (FEMA) to establish an advisory working group, consisting of representatives from FEMA, the Army Corps of Engineers, the Department of Agriculture, state and local governments, and the debris services contractor industry. The working group would review current agency guidance on debris removal and implement revisions designed to streamline the contracting and debris removal process. Under the bill, FEMA also would disseminate the mate-

rials developed by the working group to state and local governments.

The bill also would require the Government Accountability Office (GAO) to examine the use and adoption rate of advance contracts for debris removal and recommend ways to improve the contracting process.

Using information from FEMA and GAO about the cost of similar activities, CBO estimates that implementing H.R. 6997 would cost \$1 million over the 2025–2029 period, most of which would be incurred in 2025. Any spending would be subject to the availability of appropriated funds.

On April 10, 2023, CBO transmitted a cost estimate for S. 310, the Disaster Contract Improvement Act, as ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on March 29, 2023. The two bills are similar, and CBO’s estimates of their budgetary effects are the same.

The CBO staff contact for this estimate is Jon Sperl. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,  
*Director, Congressional Budget Office.*

#### PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to establish an advisory working group to encourage and foster collaborative efforts among individuals and entities engaged in disaster recovery relating to debris removal.

#### DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 6997 establishes or reauthorizes a program of the Federal government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with clause 9 of rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the rule XXI.

#### FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the *Unfunded Mandates Reform Act* (Public Law 104–4).

## PREEMPTION CLARIFICATION

Section 423 of the *Congressional Budget Act of 1974* requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee finds that H.R. 6997 does not preempt any state, local, or tribal law.

## ADVISORY COMMITTEE STATEMENT

No advisory committees within the definition of Section 5(b) of the appendix to Title 5, United States Code, are created by this legislation.

## APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the *Congressional Accountability Act* (Public Law 104–1).

## SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

*Section 1. Short title*

This section provides that this bill may be cited as the “Disaster Contract Improvement Act”.

*Section 2. Oversight on debris removal*

Subsection (a) provides definitions for the Act.

Subsection (b) directs FEMA to establish an advisory working group to encourage and foster collaboration related to debris removal. This subsection also establishes the membership to include FEMA; the Army Corps of Engineers; the Natural Resources Conservation Service of the Department of Agriculture; state, tribal, and local officials; and subject matter experts in debris removal.

Subsection (c) directs FEMA, not later than one year after enactment, to consult with the working group to determine whether guidance and procedures with respect to debris removal are sufficient and, if not, develop and implement additional guidance and procedures.

Subsection (d) directs FEMA to conduct outreach to states, tribal, and local governments with respect to guidance or support material development pursuant to the Act.

Subsection (e) directs GAO to conduct a study, not later than one year after enactment of the Act, on the use of advance contracts for debris removal.

## CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

As reported by the Committee, H.R. 6997 makes no changes in existing law.