

AMENDMENT TO H.R. _____

OFFERED BY MR. ROUZER OF NORTH CAROLINA

Add at the end the following:

1 **SEC. _____. NATURAL DISASTER RECOVERY PROGRAM.**

2 The Robert T. Stafford Disaster Relief and Emer-
3 gency Assistance Act (42 U.S.C. 5121 et seq.) is amended
4 by adding at the end of title IV the following:

5 **“SEC. 431. NATURAL DISASTER RECOVERY PROGRAM.**

6 “(a) **AUTHORITY; USE.**—The President may provide
7 assistance under this section to States and Indian Tribes
8 for unmet need, including necessary expenses for activities
9 related to disaster relief, resiliency, long-term recovery,
10 restoration of infrastructure and housing, mitigation, and
11 economic revitalization after a major disaster is declared
12 under section 401.

13 “(b) **COORDINATION OF DISASTER BENEFITS AND**
14 **DATA WITH OTHER FEDERAL AGENCIES.**—

15 “(1) **IN GENERAL.**—The President shall coordi-
16 nate with other agencies to obtain data on recovery
17 needs and unmet need, including the Administrator
18 of the Small Business Administration and other
19 agencies when necessary regarding disaster benefits.
20 Not later than 90 days after a major disaster is de-

1 clared, the President shall make publicly available all
2 data collected, possessed, or analyzed during the
3 course of a disaster recovery for which assistance is
4 provided under this section, including—

5 “(A) all data on damage caused by the dis-
6 aster;

7 “(B) information on how any Federal as-
8 sistance provided in connection with the dis-
9 aster is expended;

10 “(C) information regarding the effect of
11 the disaster on education, transportation capa-
12 bilities and dependence, housing needs, health
13 care capacity, and displacement of persons; and

14 “(D) the extent of the unmet need.

15 “(2) PROTECTION OF PERSONALLY IDENTIFI-
16 ABLE INFORMATION.—In carrying out this sub-
17 section, the President and the grantee shall take
18 such actions as may be necessary to ensure that per-
19 sonally identifiable information regarding recipients
20 of assistance provided under this section is not made
21 publicly available by any agency with which informa-
22 tion is shared pursuant to this subsection.

23 “(c) USE OF FUNDS.—

24 “(1) ADMINISTRATIVE COSTS.—

1 “(A) IN GENERAL.—A State or Indian
2 Tribe receiving a grant under this section may
3 use not more than 13 percent of the amount of
4 grant funds received, or within such other per-
5 centage as may be established pursuant to sub-
6 paragraph (B), for administrative costs, includ-
7 ing costs related to audits, reviews, oversight,
8 evaluation, and investigations.

9 “(B) DISCRETION TO ESTABLISH SLIDING
10 SCALE.—The President may establish a series
11 of percentage limitations on the amount of
12 grant funds received that may be used by a
13 grantee for administrative costs, but only if—

14 “(i) such percentage limitations are
15 based on the amount of grant funds re-
16 ceived by a grantee; and

17 “(ii) such series provides that the per-
18 centage that may be used is lower for
19 grantees receiving a greater amount of
20 grant funds and such percentage that may
21 be used is higher for grantees receiving a
22 lesser amount of grant funds.

23 “(2) CAPACITY BUILDING.—From funds made
24 available for use under this section, the President
25 shall provide necessary technical assistance to grant-

1 ees to ensure grantees are compliant with Federal
2 law, and capacity building and technical assistance,
3 including assistance regarding contracting and pro-
4 curement processes, including providing solicitation
5 and contractual templates that conform to Federal
6 requirements for use by grantees.

7 “(d) ALLOCATION, PROCESS, AND PROCEDURES; CO-
8 ORDINATION.—

9 “(1) ALLOCATION.—

10 “(A) IN GENERAL.—The President shall
11 allocate funds under this section proportionally
12 to grantees based on their level of unmet need
13 as determined pursuant to subsection (b).

14 “(B) GRANTEE USE OF FUNDS.—Each
15 grantee, not the President, shall be responsible
16 for determining how funds provided under this
17 section are prioritized and spent and a grantee
18 shall not be required to provide an action or
19 spending plan before or after funds are allo-
20 cated, except that the grantee shall use a por-
21 tion of these funds for cleaning and removing
22 debris from rivers, creeks, streams, and ditches.

23 “(C) LIMITATION.—Notwithstanding sec-
24 tion 312, a loan shall not be considered a dupli-

1 cation of benefits or otherwise impact the level
2 of unmet need under this section.

3 “(2) GRANTEE PROCESSES AND PROCE-
4 DURES.—

5 “(A) INITIAL GRANT FUNDS.—Initially,
6 grantees shall be awarded 50 percent of their
7 total allocation under paragraph (1). After ex-
8 penditure of such amount, a grantee shall sub-
9 mit a report, detailing how such grant funds
10 were spent, to the Committees on Appropria-
11 tions of the House of Representatives and the
12 Senate, the Committee on Transportation and
13 Infrastructure of the House of Representatives,
14 and the Committee on Homeland Security and
15 Governmental Affairs of the Senate. Such re-
16 port shall include a certification from the State
17 Auditor that none of the funds were wasted or
18 used inappropriately.

19 “(B) CONGRESSIONAL APPROVAL.—

20 “(i) APPROVAL.—Not later than 60
21 days after receipt of the report under sub-
22 paragraph (A), Congress shall approve or
23 disapprove the report. If the report is ap-
24 proved, or if 60 days has lapsed and Con-
25 gress has not commented on the report,

1 the remaining 50 percent of the allocation
2 under paragraph (1) shall be released to
3 the grantee.

4 “(ii) DISAPPROVAL.—If Congress dis-
5 approves the report, the grantee shall work
6 with Congress to address any and all con-
7 cerns regarding how the initial 50 percent
8 of the grant money was expended. Once
9 these concerns are resolved, the remaining
10 funds shall be released to the grantee.

11 “(iii) FRAUD OR ABUSE.—If Congress
12 determines that a grantee committed fraud
13 or abuse, Congress shall require the Presi-
14 dent to recover all funds provided to the
15 grantee under this section. Any amount re-
16 covered under this clause shall be redistrib-
17 uted to other grantees with approved re-
18 ports pursuant to clause (i).

19 “(3) REQUIREMENTS.—Each State and Indian
20 Tribe that receives funds under this section shall es-
21 tablish or adhere to existing guidelines for procure-
22 ment processes and procedures and require that sub-
23 grantees—

24 “(A) provide for full and open competition
25 and require cost or price analysis;

1 “(B) specify methods of procurement and
2 their applicability, but not allow cost-plus-a-per-
3 centage-of cost or percentage-of-construction-
4 cost methods of procurement;

5 “(C) include standards of conduct gov-
6 erning employees engaged in the award or ad-
7 ministration of contracts; and

8 “(D) ensure that all purchase orders and
9 contracts include any clauses required by Fed-
10 eral statute, Executive order, or implementing
11 regulation.

12 “(e) ENVIRONMENTAL REVIEW.—Recipients of funds
13 received under this section that use funds to supplement
14 funds provided under section 402, 403, 404, 406, 407,
15 408(c)(4), 428, or 502 may adopt, without review or pub-
16 lic comment, any environmental review, approval, or per-
17 mit performed by a Federal agency.

18 “(f) BEST PRACTICES.—The President shall identify
19 best practices for grantees on issues including developing
20 action plans, establishing financial controls, building
21 grantee technical and administrative capacity, procure-
22 ment, and use of grant funds as local match for other
23 sources of Federal funding. Not later than 1 year after
24 the date of enactment of this section, the President shall
25 publish a compilation of such identified best practices and

1 share with all relevant grantees to facilitate a more effi-
2 cient and effective disaster recovery process.

3 “(g) NATURAL DISASTER RECOVERY RESERVE
4 FUND.—

5 “(1) IN GENERAL.—There is established in the
6 Treasury of the United States an account to be
7 known as the Natural Disaster Recovery Reserve
8 Fund (in this section referred to as the ‘Fund’).

9 “(2) AMOUNTS.—The Fund shall consist of any
10 amounts appropriated to or deposited into the Fund,
11 including amounts deposited into the Fund pursuant
12 to paragraph (4).

13 “(3) USE OF FUNDS.—Amounts in the Fund
14 shall be available, pursuant to a declaration of a
15 major disaster, only for providing technical assist-
16 ance and capacity building in connection with sub-
17 section (c)(4) for grantees that have been allocated
18 assistance under this section in connection with such
19 disaster to facilitate planning and increase capacity
20 to administer assistance under this section.

21 “(4) UNUSED AMOUNTS.—If any amounts made
22 available for assistance under this section to grant-
23 ees remain unexpended on the earlier of—

1 “(A) the date that the grantee of such
2 amounts notifies the President that the grantee
3 has completed all activities; or

4 “(B) except as provided in paragraph (5),
5 the expiration of the 6-year period beginning
6 when the President obligates such amounts to
7 the grantee, the President shall transfer such
8 unexpended amounts to the Secretary of the
9 Treasury for deposit into the Fund, except that
10 the President may permit the grantee to retain
11 amounts needed to close out the grant.

12 “(5) EXTENSION OF PERIOD FOR USE OF
13 FUNDS.—The period under paragraph (4)(B) may
14 be extended by not more than 4 years if, before the
15 expiration of such 6-year period, the President
16 waives this requirement and submits a written jus-
17 tification for such waiver to the Committees on Ap-
18 propriations of the House of Representatives and the
19 Senate that specifies the period of such extension.

20 “(h) WAIVER AUTHORITY.—Until such time as the
21 President issues regulations to implement this section, the
22 President may—

23 “(1) waive notice and comment rulemaking, if
24 the President determines the waiver is necessary to

1 expeditiously implement the provisions of this sec-
2 tion; and

3 “(2) carry out the grant program under this
4 section as a pilot program.

5 “(i) DEFINITIONS.—For purposes of this section, the
6 following terms shall apply:

7 “(1) STATE AUDITOR.—The term ‘State audi-
8 tor’ means the individual selected by each State or
9 the Chief Executive to submit information pursuant
10 to subsection (c)(3) and a certification in accordance
11 with subsection (d)(2)(A).

12 “(2) UNMET NEED.—The term ‘unmet need’
13 means any unresourced item, support, or assistance
14 that has been assessed and verified as necessary for
15 a survivor to recover from a major disaster, includ-
16 ing food, clothing, shelter, first aid, emotional and
17 spiritual care, household items, home repair, or re-
18 building.”.

