

116TH CONGRESS
1ST SESSION

H. R. 3060

To provide for reform and reorganization of the Federal Emergency
Management Agency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2019

Ms. JACKSON LEE (for herself, Mr. PAYNE, Ms. KAPTUR, and Mr. JOHNSON of Georgia) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Small Business, Energy and Commerce, Education and Labor, the Judiciary, Financial Services, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for reform and reorganization of the Federal
Emergency Management Agency, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “FEMA Modernization Act of 2019”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
 Sec. 2. Definitions.

TITLE I—DISASTER RESPONSE AND RECOVERY

- Sec. 101. Office of Disaster Response; Office of Disaster Recovery; Office of Long-Term Recovery.
 Sec. 102. Medical disaster response and recovery training facility.
 Sec. 103. Labor training program.
 Sec. 104. Disaster Emergency Housing Assistance Grant Program.
 Sec. 105. Housing post disaster stability.
 Sec. 106. Prohibition on enforcement of immigration.

TITLE II—REPORTS

- Sec. 201. Federal Emergency Management Agency reports.
 Sec. 202. Government Accountability Office.
 Sec. 203. Circumstances which may impact first responders during a terrorist event.

TITLE III—DISASTER RECOVERY SMALL BUSINESS GRANT PROGRAM

- Sec. 301. Short title.
 Sec. 302. Definitions.
 Sec. 303. Office of Disaster Recovery Small Business Grants.
 Sec. 304. Compensation for victims of a federally declared disaster.
 Sec. 305. Reports and audits.
 Sec. 306. Authorization of appropriations.
 Sec. 307. Termination of authority.

TITLE IV—ADMINISTRATIVE PROVISIONS

- Sec. 401. Extension of authorities for pandemic and all-hazards preparedness.
 Sec. 402. Transfer of the Surge Capacity Force.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ADMINISTRATOR.—The term “Adminis-
 4 trator” means the Administrator of FEMA.

5 (2) FEMA.—The term “FEMA” means the
 6 Federal Emergency Management Agency.

1 **TITLE I—DISASTER RESPONSE**
2 **AND RECOVERY**

3 **SEC. 101. OFFICE OF DISASTER RESPONSE; OFFICE OF DIS-**
4 **ASTER RECOVERY; OFFICE OF LONG-TERM**
5 **RECOVERY.**

6 (a) ESTABLISHMENT.—Not later than 1 year after
7 the date of enactment of this Act, the Administrator shall
8 take such actions as are necessary to ensure that the Of-
9 fice of Response and Recovery of the Agency is divided
10 into an Office of Disaster Response and an Office of Dis-
11 aster Recovery, subject to the requirements of this section.

12 (b) OFFICE OF DISASTER RESPONSE.—

13 (1) DUTIES.—The duties of the Office of Dis-
14 aster Response shall be as follows:

15 (A) Lead Federal disaster response.

16 (B) Prepare for, coordinate, and facilitate
17 Federal support for State managed and locally
18 executed multi-stakeholder engagement in plan-
19 ning and coordinating of disaster response.

20 (C) Coordinate and manage Federal Emer-
21 gency Management Agency assigned staff and
22 maintain awareness of other Federal agency
23 disaster response assigned staff or other per-
24 sonnel deployments to Tribal and Territorial,
25 State, or local government offices to better col-

1 laborate and coordinate Federal efforts in sup-
2 port of State managed and locally executed dis-
3 aster preparedness and response activities.

4 (D) Conduct public education on the dis-
5 aster response roles of Federal, Tribal and Ter-
6 ritorial, State, and local governments.

7 (E) Any other duty determined appropriate
8 by the Administrator.

9 (2) OFFICERS.—Not later than 1 year after the
10 date of enactment of this Act, the Administrator
11 shall appoint an Associate Administrator of the Of-
12 fice of Disaster Response and deputy associate ad-
13 ministrators, as determined appropriate.

14 (3) ADDITIONAL POSITIONS.—The Adminis-
15 trator may create, and appoint individuals to, such
16 positions as are considered necessary by the Admin-
17 istrator, including—

18 (A) a military liaison officer to work with
19 the defense coordinating officer; and

20 (B) a Liaison Officer for Asset Acquisition
21 and Deployment in Federal supported, State
22 managed, and locally executed plan to support
23 the delivery of funds, equipment, and resources
24 to local jurisdictions in advance of pending dis-
25 asters by facilitating engagement by the private

1 sector with Tribal and Territorial and State
2 and local governments in support of meeting
3 the pending disaster response needs.

4 (c) OFFICE OF DISASTER RECOVERY.—

5 (1) DUTIES.—The duties of the Office of Dis-
6 aster Recovery shall be as follows:

7 (A) Assess recovery following a disaster
8 and make recommendations on the estimated
9 time for recovery.

10 (B) Provide definitions of what constitutes
11 a short-term recovery and a long-term recovery,
12 and how this determination shall be made in as-
13 sessing post disaster recovery periods.

14 (C) Coordinate and manage Federal as-
15 signed staff from the Federal Emergency Man-
16 agement Agency to be sent to work in Tribal
17 and Territorial and State or local government
18 agencies.

19 (D) Carry out the accurate collection, re-
20 tention, and reporting of data related to Fed-
21 eral disaster recovery and shall act as a re-
22 source on post-disaster recovery efforts.

23 (E) Submit to the Committee on Oversight
24 and Government Reform of the House of Rep-
25 resentatives and the Committee on Homeland

1 Security and Governmental Affairs of the Sen-
2 ate an annual report on the status of all recov-
3 ery projects during the prior year, including
4 whether Federal projects are on time, within
5 cost, and meeting the needs and objectives of
6 recovery.

7 (F) Provide for civil engineers that make
8 recommendations to the Administrator and
9 partnering Federal agencies on the scope and
10 severity of damage, projections on rehabilita-
11 tion, demolition, repair, and reconstruction of
12 critical infrastructure deemed essential to Fed-
13 eral, Tribal and Territorial, State, and local
14 government, accessing impacted areas, or
15 achieving stability in the recovery process.

16 (G) Any other duty determined appropriate
17 by the Administrator.

18 (2) OFFICERS.—Not later than 1 year after the
19 date of enactment of this Act, the Administrator
20 shall appoint an Associate Administrator of the Of-
21 fice of Disaster Recovery and deputy associate ad-
22 ministrators, as determined appropriate.

23 (3) ADDITIONAL POSITIONS.—The Adminis-
24 trator may create, and appoint individuals to, such

1 positions as are considered necessary by the Admin-
2 istrator.

3 (d) OMBUDSMAN.—

4 (1) ESTABLISHMENT.—The Office of Disaster
5 Response and the Office of Disaster Recovery shall
6 each establish an office of a Federal ombudsman
7 that shall be an independent and impartial office
8 that examines complaints that arise from disaster
9 response or disaster assistance provided to individ-
10 uals, organizations, or local, State, Tribal or Terri-
11 torial governments the activities of which are funded
12 by the Federal Government.

13 (2) ANNUAL REPORT.—Not later than 360 days
14 after the date of enactment of this Act, and annually
15 thereafter, the ombudsman of each office described
16 in paragraph (1) shall submit to Congress a report
17 on the activities of the office, including—

18 (A) the number of complaints submitted to
19 the office;

20 (B) a description of any investigation con-
21 ducted pursuant to such complaints;

22 (C) the resolution of any such investiga-
23 tion;

1 (D) the disposition of matters found to not
2 be under the jurisdiction of the office or a De-
3 partment of Homeland Security component; and

4 (E) recommendations on best practices or
5 ways to improve the work of the office.

6 (e) OFFICE OF LONG-TERM RECOVERY.—Not later
7 than 18 months after the date of enactment of this Act,
8 the Administrator shall establish an Office of Long Term
9 Recovery. The duties of such Office shall be determined
10 by the Administrator.

11 **SEC. 102. MEDICAL DISASTER RESPONSE AND RECOVERY**
12 **TRAINING FACILITY.**

13 Section 303 of the Robert T. Stafford Disaster Relief
14 and Emergency Assistance Act (42 U.S.C. 5143) is
15 amended by adding at the end the following:

16 “(c) MEDICAL DISASTER RESPONSE AND RECOVERY
17 TRAINING FACILITY.—

18 “(1) ESTABLISHMENT.—Not later than 18
19 months after the date of enactment of the FEMA
20 Modernization Act of 2019, the President, acting
21 through the Secretary of Health and Human Serv-
22 ices in consultation with the Administrator of the
23 Federal Emergency Management Agency, shall es-
24 tablish a medical disaster response and recovery
25 training facility in accordance with this subsection.

1 “(2) MANAGEMENT.—The medical facility es-
2 tablished under paragraph (1) shall be managed by
3 the Secretary of Health and Human Services and in
4 consultation with the Administrator of the Federal
5 Emergency Management Agency.

6 “(3) CAPACITY.—The facility established under
7 this subsection shall have a capacity to train 800
8 medical personnel annually, which shall increase to
9 1,200 annually on the date that is 5 years after the
10 date of enactment of the FEMA Modernization Act
11 of 2019.

12 “(4) REPORT.—Not later than 240 days after
13 the date of enactment of the FEMA Modernization
14 Act of 2019 the Administrator shall submit to the
15 Committee on Homeland Security, the Committee on
16 Transportation and Infrastructure, the Committee
17 on Energy and Commerce, the Committee on Ways
18 and Means, and the Committee on Veterans’ Affairs
19 of the House of Representatives, the Committee on
20 Homeland Security and Government Affairs, the
21 Committee on Banking, Housing, and Urban Af-
22 fairs, and the Committee on Health, Education,
23 Labor, Pensions, and the Committee on Veterans’
24 Affairs of the Senate a report containing a plan to

1 engage local and State government partners in pro-
2 motion of the development of surge teams.

3 “(d) NATIONAL DISASTER MEDICAL TRIAGE.—

4 “(1) IN GENERAL.—The President, acting
5 through the Administrator of the Federal Emer-
6 gency Management Agency, in consultation with the
7 National Association of Emergency Medical Techni-
8 cians and the Military Health System, shall establish
9 a National Disaster Medical Triage capacity that
10 shall include the development of guidelines for Tac-
11 tical Disaster Casualty Care which shall be used for
12 medical evacuation protocols to be implemented by
13 local and State governments in advance of certain
14 major disasters, as designated by the Administrator
15 in consultation with the Secretary of Health and
16 Human Services and the Secretary of Veterans Af-
17 fairs to—

18 “(A) remove individuals with requisite
19 health conditions, including dialysis patients,
20 heart patients, diabetics, physically impaired in-
21 dividuals, pregnant individuals, those who have
22 recently delivered a child, and individuals recov-
23 ering from surgery, out of the path of danger;
24 and

1 “(B) establish medical priorities policies
2 for certain disaster situations, as determined by
3 the Administrator, to reduce loss of life and
4 human suffering.

5 “(2) LOCAL EFFORTS.—In carrying out this
6 subsection, the Administrator shall promote local ef-
7 forts to develop compacts with medical systems to
8 take patients for short-term disaster evacuation or
9 to host locations for field hospitals when needed.

10 “(3) LIABILITY PROTECTIONS.—

11 “(A) IN GENERAL.—Subject to this para-
12 graph, a covered person shall be immune from
13 suit and liability under Federal and State law
14 with respect to all claims for medical care by a
15 board certified or accredited practitioner arising
16 out of medical services provided to an individual
17 in the course of a medical evacuation protocol
18 described in paragraph (1).

19 “(B) COVERED PERSON.—The term ‘cov-
20 ered person’ means a person—

21 “(i) who is a health care provider li-
22 censed under the laws of the State in
23 which the action giving rise to the claim
24 described in subparagraph (A) occurred;

1 “(ii) who was providing medical serv-
2 ices that are within the scope of the per-
3 son’s license;

4 “(iii) was acting in accordance with a
5 protocol described in paragraph (1); and

6 “(iv) is acting in a volunteer capacity.

7 “(C) WILLFUL MISCONDUCT.—This para-
8 graph shall not apply in the case of willful mis-
9 conduct (as such term is defined in section
10 319F–3 of the Public Health Service Act (42
11 U.S.C. 247–6d).

12 “(e) INCIDENT MEDICAL RECOVERY MANAGEMENT
13 TEAM.—Not later than 18 months after the date of enact-
14 ment of the FEMA Modernization Act of 2019, the Presi-
15 dent, acting through the Administrator of the Federal
16 Emergency Management Agency and in consultation with
17 the American College of Surgeons and the Department of
18 Defense Health Agency, shall establish an Incident Med-
19 ical Recovery Management Team to determine best prac-
20 tices in implementing an Advanced Trauma Life Support
21 capabilities, to assess health impacts that result from fed-
22 erally declared disasters.”.

23 **SEC. 103. LABOR TRAINING PROGRAM.**

24 (a) ESTABLISHMENT.—The Administrator shall es-
25 tablish a program to provide education and job training

1 to those who become unemployed or underemployed due
2 to the effects of a federally declared disaster and who have
3 enrolled for disaster assistance through a federally created
4 or recognized program. To qualify for assistance under
5 this section, an individual shall have been employed, re-
6 ceiving government employment assistance or benefits, or
7 enrolled in a high school, college, or training program at
8 the time of the disaster. Such assistance may be in the
9 form of unemployment benefits, job training programs,
10 and displaced worker assistance.

11 (b) USE OF FUNDS.—Funds provided under the pro-
12 gram shall be used for—

13 (1) retraining or new employment skills train-
14 ing or education to fill positions that will transition
15 the person into new jobs; and

16 (2) providing incentives to employers who em-
17 ploy individuals who are receiving housing assistance
18 under section 102 or have filed a disaster claim
19 under the Robert T. Stafford Disaster Relief and
20 Emergency Assistance Act.

21 (c) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated to the Administrator to
23 carry out this section \$100,000,000, for each of fiscal
24 years 2020 through 2030.

1 **SEC. 104. DISASTER EMERGENCY HOUSING ASSISTANCE**
2 **GRANT PROGRAM.**

3 (a) ESTABLISHMENT.—There shall be established a
4 Disaster Emergency Housing Assistance Grant Program
5 under which Administrator of FEMA may authorize the
6 Secretary of Housing and Urban Development, pursuant
7 to the authority under section 408 of the Robert T. Staf-
8 ford Disaster Relief and Emergency Assistance Act (42
9 U.S.C. 5174) and according to the terms of such section,
10 to provide immediate housing and urban development as-
11 sistance that meets the particular housing needs of sur-
12 vivors of a federally declared disaster event.

13 (b) FUNDING.—There are authorized to be appro-
14 priated not more than \$300,000,000, for each of fiscal
15 years 2020 through 2030 to carry out the program under
16 this section.

17 (c) AUTHORITY.—The President may grant to the
18 Administrator of FEMA approval to activate a Disaster
19 Emergency Housing Assistance Grant Program.

20 (d) WAIVER.—The requirements of section 408 of
21 such Act may be waived for 180 days by the President
22 if a request for a waiver is made by the Administrator
23 and agreed to by the Secretary of Housing and Urban De-
24 velopment in the case of a federally declared major dis-
25 aster wherein 60 percent or more of the housing stock is
26 severely damaged, destroyed, or is otherwise render medi-

1 cally unsafe for human habitation, which shall include con-
2 dominiums and housing cooperatives.

3 **SEC. 105. HOUSING POST DISASTER STABILITY.**

4 (a) ESTABLISHMENT.—Not later than 365 days after
5 the date of enactment of this Act, the Administrator of
6 FEMA, in coordination with the Secretary of Housing and
7 Urban Development and with the advice of the Bureau
8 of Consumer Financial Protection, shall establish mecha-
9 nisms to stabilize housing economies within areas des-
10 ignated as Federal disasters for the period of 60 months
11 into a long-term recovery such that the available housing
12 designated as low- and moderate-income housing is main-
13 tained at a rate that meets 90 percent or more of the pre-
14 disaster low- to moderate-income housing levels for the
15 population impacted by the disaster.

16 (b) REQUIREMENTS.—In establishing the mecha-
17 nisms under subsection (a), the Secretary shall ensure the
18 following:

19 (1) Multi-unit housing owners or operators who
20 receive disaster-related loans provided by the Small
21 Business Administration, or provided with other
22 Federal funding to recover, rehabilitate, or construct
23 new housing, are prohibited from raising rents on
24 those multi-family housing units for the first 18

1 months of occupancy following the disaster-related
2 repairs or construction have ended.

3 (2) Beginning on the date that is 18 months
4 after a report of construction is completed and an
5 necessary inspections certify that a segment of mul-
6 tifamily housing is approved for occupancy, for a pe-
7 riod of 30 months after occupancy begins with re-
8 spect to each unit that was repaired or created using
9 Federal assistance, the cost of rent for such unit
10 shall not increase by more than 10 percent of the
11 rent charged for the month prior to the disaster.

12 (3) New multi-unit housing rental rates should
13 be comparable to the rents charged for similar rent-
14 als serving the market impacted by the disaster.

15 (4) With respect to any unit of housing des-
16 ignated as a single, individually owned housing unit
17 in a multi-unit building by local tax records at least
18 24 months prior to a Federally declared major dis-
19 aster—

20 (A) homeowners or purchasers of such a
21 unit shall qualify for housing repair and new
22 construction assistance under a loan program
23 carried out by the Secretary that provides for
24 Federal guaranteed loans at the 1.25 percent;
25 and

(B) owners or operators of such a multi-unit building shall qualify for assistance for reconstruction or repair of common areas under a loan program carried out by the Secretary that provides for Federal guaranteed loans at a rate of 4.5 percent.

SEC. 106. PROHIBITION ON ENFORCEMENT OF IMMIGRATION.

Notwithstanding any other provision of law, during a federally declared disaster, the Secretary of Homeland Security may not enforce the immigration laws (as such term is defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101)) with respect to any alien who is seeking assistance, including housing, as a result of such disaster.

TITLE II—REPORTS

SEC. 201. FEDERAL EMERGENCY MANAGEMENT AGENCY REPORTS.

(a) CASEWORK MANAGEMENT SYSTEM REPORT.—

Not later than 1 year after the date of enactment of this Act, the Administrator shall submit a report on the ability of FEMA to support a State managed and locally executed casework management system to coordinate and deliver direct assistance to disaster survivors in placing applications for Federal post disaster assistance to the following:

1 (1) The Committee on Homeland Security of
2 the House of Representatives.

3 (2) The Committee on Transportation and In-
4 frastructure of the House of Representatives.

5 (3) The Committee on Energy and Commerce
6 of the House of Representatives.

7 (4) The Committee on Ways and Means of the
8 House of Representatives.

9 (5) The Committee on Veterans' Affairs of the
10 House of Representatives.

11 (6) The Committee on House Administration of
12 the House of Representatives.

13 (7) The Committee on Homeland Security and
14 Government Affairs of the Senate.

15 (8) The Committee on Banking, Housing, and
16 Urban Affairs of the Senate.

17 (9) The Committee on Health, Education,
18 Labor, and Pensions of the Senate.

19 (10) The Committee on Veterans' Affairs of the
20 Senate.

21 (11) The Committee on Rules and Administra-
22 tion of the Senate.

23 (b) AFTER-ACTION REPORTS.—Not later than 2
24 years after the date of enactment of this Act, and annually
25 thereafter, the Administrator of FEMA shall submit to the

1 committees listed in subsection (a) an after-action report
2 on the activities of the Office of Disaster Response and
3 the Office of Disaster Recovery, including—

- 4 (1) the types of disasters responded to;
- 5 (2) the resources needed;
- 6 (3) strengths and weaknesses of the response or
7 mitigation effort;
- 8 (4) lessons learned; and
- 9 (5) recommendations on how to improve.

10 (c) CATASTROPHIC RESOURCE REPORTS.—

11 (1) IN GENERAL.—Not later than 1 year after
12 the date of enactment of this Act, and annually
13 thereafter, the Administrator of FEMA shall develop
14 and submit to the committees listed in subsection
15 (a) an estimate of the resources of FEMA and other
16 Federal agencies that are needed for and devoted
17 specifically to developing the disaster response capa-
18 bilities of Federal, State, local, and Tribal govern-
19 ments.

20 (2) CLASSIFIED ANNEX.—At the discretion of
21 the Secretary, the Administrator may include in the
22 estimate under paragraph (1) a classified annex that
23 reports on what the Federal Government has on
24 hand to meet a range of response or recovery needs
25 related to specific types of events, which may include

1 floods, wildfires, earth movements, windstorms, dis-
2 ease outbreaks, manmade disasters such as chemical
3 attacks, cyberattacks, or radiological incidents.

4 (3) CONTENTS.—Each estimate under para-
5 graph (1) shall include an estimate of the resources
6 both necessary for and devoted to—

7 (A) planning;

8 (B) training and exercises;

9 (C) Regional Office enhancements;

10 (D) staffing, including for surge capacity
11 during a catastrophic incident;

12 (E) additional logistics capabilities;

13 (F) other responsibilities under the cata-
14 strophic incident annex and the catastrophic in-
15 cident supplement of the National Response
16 Framework;

17 (G) reporting on the costs of support of
18 State, local, and Tribal governments' cata-
19 strophic incident preparedness planning; and

20 (H) covering increases in the fixed costs or
21 expenses of FEMA, including rent or property
22 acquisition costs or expenses, taxes, contribu-
23 tions to the working capital fund of the Depart-
24 ment of Homeland Security, and security costs

1 for the year after the year in which such esti-
2 mate is submitted.

3 (d) REPORT ON TECHNOLOGY.—Not later than 180
4 days after the date of enactment of this Act, the Adminis-
5 trator of FEMA shall submit to the appropriate congres-
6 sional committees a study on what technology may provide
7 better predictive information on the detection of pending
8 disasters and what technology may better measure the
9 scope of a disaster.

10 (e) VOLUNTEERS AND DISASTER RESPONSE RE-
11 PORT.—Not later than 180 days after the date of enact-
12 ment of this Act, the head of the Office of Disaster Re-
13 sponse shall submit to the appropriate congressional com-
14 mittees a volunteers and disaster response report that
15 specifies—

16 (1) the role that volunteers fill in disaster re-
17 sponse and rescue; and

18 (2) recommendations on the contributions of
19 volunteers and best practices for official disaster re-
20 sponse, without formalizing the role of volunteers in
21 disaster response.

22 (f) COMPILATION OF FATALITY AND MISSING PER-
23 SONS DATA.—Not later than 1 year after the date on
24 which the President declares a major disaster or emer-
25 gency under the Robert T. Stafford Disaster Relief and

1 Emergency Assistance Act (42 U.S.C. 5121 et seq.), the
2 Administrator of FEMA shall submit to the Committee
3 on Transportation and Infrastructure and the Committee
4 on Homeland Security of the House of Representatives
5 and the Committee on Homeland Security and Govern-
6 mental Affairs and the Committee on Commerce, Science,
7 and Transportation of the Senate a report that compiles
8 the number of fatalities and missing persons as a result
9 of such major disaster or emergency, including the causes
10 of such fatalities, based on data from—

11 (1) local and State jurisdictions;

12 (2) mortuary services that operated in the area
13 of such major disaster or emergency; and

14 (3) forensics experts, anthropologists, and other
15 resources the Administrator deems appropriate for
16 determining accurate and complete fatality and
17 missing persons data.

18 (g) FEDERAL REIMBURSEMENTS.—Not later than
19 240 days after the date of enactment of this Act, the Ad-
20 ministrator of FEMA shall submit to the Committee on
21 Transportation and Infrastructure and the Committee on
22 Homeland Security of the House of Representatives and
23 the Committee on Homeland Security and Governmental
24 Affairs and the Committee on Commerce, Science, and
25 Transportation of the Senate a report on the status of

1 Federal reimbursements owed to local and State govern-
2 ments for activities related to disaster recovery incurred
3 following a presidential declaration of a major disaster or
4 emergency under the Robert T. Stafford Disaster Relief
5 and Emergency Assistance Act (42 U.S.C. 5121 et seq.)
6 in the years 2010 through 2017.

7 (h) LONG-TERM RECOVERY.—

8 (1) IN GENERAL.—Not later than 240 days
9 after the date of enactment of this Act, the Adminis-
10 trator of FEMA, acting through the Office of Long-
11 Term Recovery, shall submit to the committees spec-
12 ified in paragraphs (1) through (9) of subsection (a)
13 a report that assesses the means of providing short-
14 and long-term housing for people impacted by feder-
15 ally declared disasters following September 11,
16 2001, Hurricanes Katrina, Sandy, Harvey, and
17 Maria, and the Camp Fire (Paradise, California).

18 (2) CONSIDERATIONS.—The report required
19 under paragraph (1) shall consider—

20 (A) how mucking out of homes or property
21 post disaster occurred;

22 (B) how long it took for construction re-
23 pairs to be performed; and

24 (C) the adequacy of labor and materials to
25 meet demand and note any challenges to a

1 rapid recovery of housing and critical infra-
2 structure posed by materials supply, labor sup-
3 ply or contracting expertise in the disaster area.

4 (3) ASSESSMENT.—The report required under
5 paragraph (1) shall—

6 (A) assess the feasibility and efficiency of
7 providing long-term housing at hotels or other
8 equivalent daily rate accommodation;

9 (B) consider alternatives that may include
10 private residences, mass construction of tem-
11 porary housing, Federal property, or planned
12 communities for occupancy for under 5 years in
13 the event of significant loss of housing stock;
14 and

15 (C) make recommendations on how best to
16 resettle individuals who will be displaced from
17 homes permanently or for a long-term recovery
18 that will last 3 or more years.

19 **SEC. 202. GOVERNMENT ACCOUNTABILITY OFFICE.**

20 (a) BIENNIAL REPORTS.—Not later than 3 years
21 after the date of enactment of this Act, and biennially
22 thereafter, the Comptroller General of the United States
23 shall submit to the appropriate congressional committees
24 a report on the activities of the Office of Disaster Re-
25 sponse and the Office of Disaster Recovery, including rec-

1 ommendations and assessments of the effectiveness of the
2 offices.

3 (b) OFFICE OF DISASTER RECOVERY EFFORTS RE-
4 PORT.—

5 (1) IN GENERAL.—Not later than 2 years after
6 the date of enactment of this Act, the Comptroller
7 General shall submit to the appropriate congres-
8 sional committees a report on long-term recovery ef-
9 forts following Hurricane Andrew, the attacks of
10 September 11, 2001, Hurricane Katrina, Hurricane
11 Ike, Hurricane Sandy, Hurricane Harvey, Hurricane
12 Maria, Hurricane Florence, and California wild fires.

13 (2) CONTENT OF REPORT.—The report shall
14 contain the following:

15 (A) Information on defining a long-term
16 recovery, the stages of a long-term recovery,
17 and the transition from Federal Government re-
18 sponsibilities for long-term recovery efforts to
19 State and local leadership.

20 (B) An assessment of the personnel need-
21 ed, and the types of expertise or certifications
22 required, to accomplish the administration and
23 management of recovery efforts for each of the
24 disasters described in subsection (a).

1 (C) An analysis of the success and effi-
2 ciency of the long-term disaster recovery, and
3 best practices learned that may be applied to
4 future long-term disaster recovery plans.

5 (D) Recommendations of the Comptroller
6 General for what should be defined as a long-
7 term disaster recovery project using existing au-
8 thority and responsibility of FEMA to advise
9 and make recommendations to the President re-
10 garding Presidential Disaster Declarations.

11 (E) Recommendations of FEMA on the ca-
12 pacity and competence of FEMA to manage
13 multiple major Presidential Disaster Declara-
14 tions simultaneously of the magnitude of 3, 4,
15 or all 5 of the disasters described in subsection
16 (a) occurring within weeks of each other.

17 (F) FEMA's capability (as such term is
18 defined in section 741 of title 6, United States
19 Code) and capacities of the Federal Govern-
20 ment to respond to a range of catastrophic
21 events occurring either singularly or concur-
22 rently, including an assessment of the capacities
23 of each Federal agency and the total capacity
24 of the Federal Government.

1 (c) PETS.—Not later than 180 days after the date
2 of enactment of this Act, the Comptroller General shall
3 submit to the appropriate congressional committees a re-
4 port assessing the activity of the Federal Government re-
5 lating to—

6 (1) the Pets Evacuation and Transportation
7 Standards Act of 2006 (Public Law 109–308);

8 (2) disaster response resources for pets; and

9 (3) the activity of the Federal Government dur-
10 ing the 2017 hurricane season with respect to—

11 (A) evacuation, rescue, and boarding facili-
12 ties for animals;

13 (B) feeding and housing of animals; and

14 (C) transition to post-disaster placement of
15 animals.

16 (d) NATIONAL ALL-HAZARDS DISASTER INSURANCE
17 PROGRAM.—Not later than 320 days after the date of en-
18 actment of this Act, the Comptroller General shall submit
19 to Congress a report on—

20 (1) the feasibility and design of a national all-
21 hazards disaster insurance program;

22 (2) the risk of property owners continuing to
23 underinsure or have no insurance on homes and the
24 implications of those actions on the financial sta-
25 bility of the housing market;

1 (3) the challenge of developing actuarial tables
2 to determine premiums and the setting options for
3 premium payments for disaster declaration policies
4 to be collected annual, quarterly, or monthly; and

5 (4) the challenges and feasibility of selling poli-
6 cies at the same time a property casualty policy is
7 purchased.

8 (e) HOMELESSNESS.—Not later than 12 months
9 after the date of enactment of this Act, and annually
10 thereafter, the Comptroller General shall submit to Con-
11 gress a report on homelessness that contains a collection
12 of data based upon registrations for disaster assistance,
13 information provided by National Voluntary Organizations
14 Active in Disaster, Bureau of the Census data, and other
15 sources that provide information on the state of homeless-
16 ness in an area impacted by a disaster. Such report
17 shall—

18 (1) include an analysis of individuals who were
19 housed or receiving housing assistance at the time of
20 the disaster and because of the disaster may be at
21 risk of homelessness;

22 (2) determine the best measures for assessing
23 the potential for homelessness during the long-term
24 recovery from a disaster; and

1 (3) make recommendations on how local and
2 State jurisdictions can identify the homeless during
3 disaster response and how to structure recovery ef-
4 forts to minimize homelessness.

5 (f) PEER-TO-PEER LODGING.—Not later than 240
6 days after the date of enactment of this Act, the Comp-
7 troller General shall submit to Congress a report on the
8 use of emergency disaster housing provided by peer-to-
9 peer lodging or short-term rental by FEMA staff and
10 other owners of peer-to-peer lodging who donate, rent, or
11 lease housing to individuals impacted by disasters during
12 2017 and 2018.

13 (g) POST-DISASTER CIVIC ENGAGEMENT.—Not later
14 than 8 months after the date of enactment of this Act,
15 the Comptroller General shall submit to Congress a report
16 on civic engagement following a disaster, including 9/11
17 and Hurricanes Katrina, Harvey, Michael, Marie, and
18 Florence. The report shall—

19 (1) analyze how jurisdictions provided support
20 for citizen voting after those events;

21 (2) include analysis of the role that Federal,
22 Tribal and Territorial, State, and local governments
23 play in facilitating disaster survivors' reconnection
24 with the public election voting process;

1 (3) state any actions governments have taken
2 that have impeded civic participation in the form of
3 registering to vote and casting a ballot in a public
4 election; and

5 (4) make recommendations on what can be
6 done to protect voting by persons impacted by disas-
7 ters.

8 **SEC. 203. CIRCUMSTANCES WHICH MAY IMPACT FIRST RE-**
9 **SPONDERS DURING A TERRORIST EVENT.**

10 (a) IN GENERAL.—Not later than 1 year after the
11 date of enactment of this Act, the Comptroller General
12 of the United States shall submit to the Committee on
13 Homeland Security and the Committee on Transportation
14 and Infrastructure of the House of Representatives and
15 the Committee on Homeland Security and Governmental
16 Affairs of the Senate a report that describes select State
17 and local programs and policies, as appropriate, related
18 to the preparedness and protection of first responders.
19 The report may include information on—

20 (1) the degree to which such programs and poli-
21 cies include consideration of the presence of a first
22 responder’s family in an area impacted by a terrorist
23 attack;

24 (2) the availability of personal protective equip-
25 ment for first responders;

1 (3) the availability of home Medkits for first re-
2 sponders and their families for biological incident re-
3 sponse; and

4 (4) other related factors.

5 (b) CONTEXT.—In preparing the report required
6 under subsection (a), the Comptroller General of the
7 United States may, as appropriate, provide information—

8 (1) in a format that delineates high risk urban
9 areas from rural communities; and

10 (2) on the degree to which the selected State
11 and local programs and policies included in such re-
12 port were developed or are being executed with fund-
13 ing from the Department of Homeland Security, in-
14 cluding grant funding from the State Homeland Se-
15 curity Grant Program or the Urban Area Security
16 Initiative under sections 2002 and 2003, respec-
17 tively, of the Homeland Security Act of 2002 (6
18 U.S.C. 603; 604).

19 (c) HOMELAND SECURITY CONSIDERATION.—After
20 issuance of the report required under subsection (a), the
21 Secretary of Homeland Security shall consider such re-
22 port’s findings and assess its applicability for Federal first
23 responders.

1 **TITLE III—DISASTER RECOVERY**
2 **SMALL BUSINESS GRANT**
3 **PROGRAM**

4 **SEC. 301. SHORT TITLE.**

5 This title may be cited as the “Disaster Recovery
6 Small Business Grant Act”.

7 **SEC. 302. DEFINITIONS.**

8 In this title, the following definitions apply:

9 (1) CLAIM.—The term “claim” means a claim
10 by an injured concern under this title for payment
11 for substantial economic injury suffered by the in-
12 jured concern as a result of a federally declared dis-
13 aster.

14 (2) CLAIMANT.—The term “claimant” means
15 an injured concern that submits a claim under sec-
16 tion 304(b).

17 (3) ADMINISTRATOR.—The term “Adminis-
18 trator” means the Administrator of the Small Busi-
19 ness Administration.

20 (4) INJURED CONCERN.—The term “injured
21 concern”—

22 (A) means a small business concern that is
23 located in an area that is a qualified disaster
24 area as a result of a federally declared disaster;
25 and

1 (B) does not include—

2 (i) a lender that holds a mortgage on
3 or security interest in real or personal
4 property affected by a federally declared
5 disaster; or

6 (ii) a person that holds a lien on real
7 or personal property affected by the a fed-
8 erally declared disaster.

9 (5) OFFICE.—The term “Office” means the Of-
10 fice of Disaster Recovery Small Business Grants es-
11 tablished by section 303.

12 **SEC. 303. OFFICE OF DISASTER RECOVERY SMALL BUSI-**
13 **NESS GRANTS.**

14 (a) IN GENERAL.—There is established within the
15 Small Business Administration an office to be known as
16 the “Office of Disaster Recovery Small Business Grants”.

17 (b) PURPOSE.—The Office shall receive, process, and
18 pay claims in accordance with section 304.

19 (c) FUNDING.—The Office—

20 (1) shall be funded from funds made available
21 under this title; and

22 (2) may reimburse any other Federal agency
23 for provision of assistance in the receipt and proc-
24 essing of claims.

25 (d) PERSONNEL.—

1 (1) IN GENERAL.—The Office may appoint and
2 fix the compensation of such temporary personnel as
3 are necessary to carry out the duties of the Office,
4 without regard to the provisions of title 5, United
5 States Code, governing appointments in the competi-
6 tive service.

7 (2) PERSONNEL FROM OTHER AGENCIES.—On
8 the request of the Administrator, the head of any
9 other Federal agency may detail, on a reimbursable
10 basis, any of the personnel of the agency to the Fed-
11 eral Emergency Management Agency to assist the
12 Office in carrying out the duties of the Office under
13 this title.

14 (3) EFFECT ON OTHER SBA DUTIES.—The es-
15 tablishment of the Office shall not diminish the au-
16 thority of, or funding available to, the Administrator
17 to carry out the responsibilities of the Small Busi-
18 ness Act.

19 **SEC. 304. COMPENSATION FOR VICTIMS OF A FEDERALLY**
20 **DECLARED DISASTER.**

21 (a) IN GENERAL.—Each injured concern may receive
22 compensation for substantial economic injury suffered as
23 a result of a federally declared disaster, as determined by
24 the Administrator.

1 (b) SUBMISSION OF CLAIMS.—Not later than 1 year
2 after the date on which interim final regulations are pro-
3 mulgated under subsection (h), an injured concern may
4 submit to the Administrator a written claim for compensa-
5 tion for substantial economic injury suffered as a result
6 of a federally declared disaster.

7 (c) HANDLING OF CLAIMS.—The Administrator shall
8 investigate, adjust, grant, deny, settle, or compromise any
9 claim submitted under subsection (b).

10 (d) AMOUNT OF GRANT.—

11 (1) IN GENERAL.—Any grant made to an in-
12 jured concern—

13 (A) shall be limited to the amount nec-
14 essary to compensate the injured concern for
15 substantial economic injury described in para-
16 graph (2) suffered as a result of a federally de-
17 clared disaster during the period beginning on
18 August 25, 2017, and ending on August 25,
19 2029;

20 (B) shall not include—

21 (i) interest on the amount of the pay-
22 ment before the date of settlement or pay-
23 ment of a claim; or

24 (ii) punitive damages or any other
25 form of noncompensatory damages; and

1 (C) shall not exceed \$100,000, except in
2 the case of a grant application for which the
3 Administrator determines that a greater
4 amount up to \$250,000 is appropriate.

5 (2) SUBSTANTIAL ECONOMIC INJURY.—Under
6 paragraph (1), an injured concern may receive pay-
7 ment for substantial economic injury consisting of 1
8 or more of the following:

9 (A) An uninsured or underinsured property
10 loss.

11 (B) Damage to or destruction of physical
12 infrastructure.

13 (C) Damage to or destruction of tangible
14 assets or inventory.

15 (D) A business interruption loss.

16 (E) Overhead costs.

17 (F) Employee wages for work not per-
18 formed.

19 (G) An insurance deductible.

20 (H) A temporary relocation expense.

21 (I) Debris removal and other cleanup
22 costs.

23 (J) Any other type of substantial economic
24 injury that the Administrator determines to be
25 appropriate.

1 (3) BURDEN OF PROOF.—

2 (A) IN GENERAL.—A claimant shall have
3 the burden of demonstrating substantial eco-
4 nomic injury.

5 (B) ABSENCE OF DOCUMENTS.—If docu-
6 mentary evidence substantiating substantial
7 economic injury is not reasonably available, the
8 Administrator may pay a claim based on an af-
9 fidavit or other documentation executed by the
10 claimant.

11 (e) PAYMENT OF CLAIMS.—

12 (1) DETERMINATION AND PAYMENT OF
13 AMOUNT.—

14 (A) IN GENERAL.—To the maximum ex-
15 tent practicable, not later than 180 days after
16 the date on which a claim is submitted under
17 subsection (b), the Administrator shall—

18 (i) determine the amount, if any, to
19 be paid for the claim; and

20 (ii) pay the amount.

21 (B) PRIORITY.—The Administrator may
22 establish priorities for processing and paying
23 claims based on—

24 (i) an assessment of the needs of the
25 claimants; and

1 (ii) any other criteria that the Admin-
2 istrator determines to be appropriate.

3 (C) PARAMETERS OF DETERMINATION.—

4 In determining and paying a claim, the Admin-
5 istrator shall determine only—

6 (i) whether the claimant is an injured
7 concern; and

8 (ii) whether the injuries that are the
9 subject of the claim resulted from a feder-
10 ally declared disaster.

11 (D) INSURANCE AND OTHER BENEFITS.—

12 (i) IN GENERAL.—Subject to clause
13 (ii), to prevent recovery by a claimant in
14 excess of the equivalent of actual amount
15 of the substantial economic injury suffered
16 by the claimant in accordance with sub-
17 section (d), the Administrator shall reduce
18 the amount to be paid for the claim by an
19 amount that is equal to the sum of the
20 payments or settlements of any kind that
21 were paid, or will be paid, with respect to
22 the claim, including payments by an insur-
23 ance company.

24 (ii) GOVERNMENT LOANS.—Clause (i)
25 shall not apply to the receipt by a claimant

1 of any Federal, Tribal and Territorial,
2 State, or local government loan that is re-
3 quired to be repaid by the claimant.

4 (2) ADVANCE OR PARTIAL PAYMENTS.—At the
5 request of a claimant, the Administrator may make
6 1 or more advance or partial payments before the
7 final approval of a grant.

8 (f) RECOVERY OF FUNDS IMPROPERLY PAID OR MIS-
9 USED.—The Administrator may recover any portion of a
10 payment on a grant that was improperly paid to the claim-
11 ant as a result of—

12 (1) fraud or misrepresentation on the part of
13 the claimant or a representative of the claimant;

14 (2) a material mistake on the part of the Ad-
15 ministrator;

16 (3) the payment of insurance or benefits de-
17 scribed in subsection (e)(1)(D) that were not taken
18 into account in determining the amount of the pay-
19 ment; or

20 (4) the failure of the claimant to cooperate in
21 an audit.

22 (g) APPEALS OF DECISIONS.—

23 (1) RIGHT OF APPEAL.—A claimant may appeal
24 a decision concerning payment of a claim by filing,
25 not later than 60 days after the date on which the

1 claimant is notified that the claim of the claimant
2 will or will not be paid, a notice of appeal in the case
3 of a decision on a claim relating to a business loss,
4 with the Administrator of the Federal Emergency
5 Management Administration.

6 (2) PERIOD FOR DECISION.—A decision con-
7 cerning an appeal under paragraph (1) shall be ren-
8 dered not later than 90 days after the date on which
9 the notice of appeal is received.

10 (h) REGULATIONS.—Notwithstanding any other pro-
11 vision of law, not later than 45 days after the date of en-
12 actment of this title—

13 (1) the Administrator shall promulgate and
14 publish in the Federal Register interim final regula-
15 tions for the processing and payment of claims; and

16 (2) the Administrator and the Administrator of
17 the Federal Emergency Management Agency shall
18 jointly promulgate and publish in the Federal Reg-
19 ister procedures under which a dispute concerning
20 payment of a claim may be settled through an ap-
21 peals process described in subsection (g).

22 (i) PUBLIC INFORMATION.—At the time of publica-
23 tion of interim final regulations under subsection (h), the
24 Administrator shall publish a clear, concise, and easily un-
25 derstandable explanation of the grant program established

1 under this title the procedural and other requirements of
2 the regulations promulgated under subsection (h). Such
3 explanation shall be—

4 (1) disseminated through brochures, pamphlets,
5 radio, television, the print news media, and such
6 other media as the Administrator determines to be
7 likely to reach prospective claimants; and

8 (2) provided in English, Spanish, and any other
9 language that the Administrator determines to be
10 appropriate.

11 (j) COORDINATION.—In carrying out this section, the
12 Administrator shall coordinate with the Administrator of
13 the Federal Emergency Management Agency, other Fed-
14 eral, State and local agencies, and any other individual
15 or entity, as the Administrator determines to be necessary
16 to ensure the efficient administration of the claims proc-
17 ess.

18 (k) APPLICABILITY OF DEBT COLLECTION REQUIRE-
19 MENTS.—

20 (1) IN GENERAL.—Section 3716 of title 31,
21 United States Code, shall not preclude any payment
22 on a claim.

23 (2) ASSIGNMENT AND EXEMPTION FROM
24 CLAIMS OF CREDITORS.—

1 (A) ASSIGNMENT.—No assignment, re-
2 lease, or commutation of a payment due or pay-
3 able under this title shall be valid.

4 (B) EXEMPTION.—

5 (i) IN GENERAL.—A payment under
6 this title shall be exempt from all claims of
7 creditors and from levy, execution, attach-
8 ment, or other remedy for recovery or col-
9 lection of a debt.

10 (ii) NONWAIVABLE EXEMPTION.—The
11 exemption provided by clause (i) may not
12 be waived.

13 **SEC. 305. REPORTS AND AUDITS.**

14 (a) REPORTS.—Not later than 1 year after the date
15 of promulgation of interim final regulations under section
16 304(h) and annually thereafter, the Administrator shall
17 submit to Congress a report that describes the claims sub-
18 mitted under section 304(b) during the year preceding the
19 date of submission of the report, including, with respect
20 to each claim—

21 (1) the amount claimed;

22 (2) a brief description of the nature of the
23 claim; and

24 (3) the status or disposition of the claim, in-
25 cluding the amount of any payment on the claim.

1 (b) AUDITS.—The Comptroller General of the United
2 States shall—

3 (1) conduct an annual audit of the payment of
4 all claims submitted under section 304(b); and

5 (2) not later than 120 days after the date on
6 which the Administrator submits the initial report
7 required by subsection (a) and annually thereafter,
8 submit to Congress a report on the results of the
9 audit.

10 **SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

11 (a) IN GENERAL.—There are authorized to be appro-
12 priated to carry out this title—

13 (1) to the Office of Disaster Recovery Small
14 Business Grants established under section 303 to
15 administer the claims process, \$25,000,000; and

16 (2) for payment of claims, \$975,000,000.

17 (b) AVAILABILITY.—Amounts made available under
18 subsection (a) shall remain available until expended.

19 **SEC. 307. TERMINATION OF AUTHORITY.**

20 The authority provided by this title terminates on the
21 date that is 20 years after the date of enactment of this
22 Act.

1 **TITLE IV—ADMINISTRATIVE**
2 **PROVISIONS**

3 **SEC. 401. EXTENSION OF AUTHORITIES FOR PANDEMIC**
4 **AND ALL-HAZARDS PREPAREDNESS.**

5 (a) TEMPORARY REASSIGNMENT OF STATE AND
6 LOCAL PERSONNEL DURING A PUBLIC HEALTH EMER-
7 GENCY.—Section 319(e)(8) of the Public Health Service
8 Act (42 U.S.C. 247d(e)(8)) is amended by striking
9 “2018” and inserting “2029”.

10 (b) EXEMPTION FROM CERTAIN DISCLOSURE RE-
11 QUIREMENTS.—Section 319L(e)(1)(C) of the Public
12 Health Service Act (42 U.S.C. 247d–7(e)(1)(C)) is
13 amended by striking “12 years after the date of enactment
14 of the Pandemic and All-Hazards Preparedness Act” and
15 inserting “12 years after the date of enactment of the
16 FEMA Modernization Act of 2019”.

17 **SEC. 402. TRANSFER OF THE SURGE CAPACITY FORCE.**

18 Section 303 of the Robert T. Stafford Disaster Relief
19 and Emergency Assistance Act (42 U.S.C. 5143) is fur-
20 ther amended by adding at the end the following:

21 “(d) SURGE CAPACITY FORCE.—

22 “(1) IN GENERAL.—The Administrator shall—

23 “(A) prepare and submit to the appro-
24 priate committees of Congress a plan to trans-
25 fer the authority of the Surge Capacity Force

1 for deployment of individuals to respond to nat-
2 ural disasters, acts of terrorism, and other
3 man-made disasters, including catastrophic inci-
4 dents; and

5 “(B) at such time as determined appro-
6 priate by the Administrator, transfer such au-
7 thority and continue the management and oper-
8 ation of the Surge Capacity Force.

9 “(2) EMPLOYEES DESIGNATED TO SERVE.—

10 The plan shall include procedures under which the
11 Administrator shall designate employees Executive
12 agencies, as appropriate, to serve on the Surge Ca-
13 pacity Force.

14 “(3) CAPABILITIES.—The plan shall ensure
15 that the surge capacity force—

16 “(A) includes a sufficient number of indi-
17 viduals credentialed in accordance with section
18 510 of the Post-Katrina Emergency Manage-
19 ment Reform Act of 2006 (6 U.S.C. 320) that
20 are capable of deploying rapidly and efficiently
21 after activation to prepare for, respond to, and
22 recover from natural disasters, acts of ter-
23 rorism, and other man-made disasters, includ-
24 ing catastrophic incidents; and

1 “(B) includes a sufficient number of full-
2 time, highly trained individuals credentialed in
3 accordance with such section to lead and man-
4 age the Surge Capacity Force.

5 “(4) TRAINING.—The plan shall ensure that
6 the Administrator provides appropriate and contin-
7 uous training to members of the Surge Capacity
8 Force to ensure such personnel are adequately
9 trained on the Agency’s programs and policies for
10 natural disasters, acts of terrorism, and other man-
11 made disasters.

12 “(5) NO IMPACT ON AGENCY PERSONNEL CEIL-
13 ING.—Surge Capacity Force members shall not be
14 counted against any personnel ceiling applicable to
15 the Federal Emergency Management Agency.

16 “(6) EXPENSES.—The Administrator may pro-
17 vide members of the Surge Capacity Force with
18 travel expenses, including per diem in lieu of subsist-
19 ence, at rates authorized for employees of agencies
20 under subchapter I of chapter 57 of title 5 for the
21 purpose of participating in any training that relates
22 to service as a member of the Surge Capacity Force.

23 “(7) IMMEDIATE IMPLEMENTATION OF SURGE
24 CAPACITY FORCE INVOLVING FEDERAL EMPLOY-
25 EES.—As soon as practicable, the Administrator

1 shall develop and implement any elements of the
2 plan needed to establish the portion of the Surge
3 Capacity Force consisting of individuals designated
4 under those procedures”.

○