

Calendar No. 545

117TH CONGRESS
2^D SESSION**H. R. 3709****[Report No. 117-194]**

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2021

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

NOVEMBER 14, 2022

Reported by Mr. PETERS, without amendment

AN ACT

To direct the Administrator of the Federal Emergency Management Agency to submit to Congress a report on preliminary damage assessments and make necessary improvements to processes in 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.**

4 This Act may be cited as the “Preliminary Damage
5 Assessment Improvement Act of 2021”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Preliminary damage assessments play a
4 critical role in assessing and validating the impact
5 and magnitude of a disaster.

6 (2) Through the preliminary damage assess-
7 ment process, representatives from the Federal
8 Emergency Management Agency validate informa-
9 tion gathered by State and local officials that serves
10 as the basis for disaster assistance requests.

11 (3) Various factors can impact the duration of
12 a preliminary damage assessment and the cor-
13 responding submission of a major disaster request,
14 however, the average time between when a disaster
15 occurs, and the submission of a corresponding dis-
16 aster request has been found to be approximately
17 twenty days longer for flooding disasters.

18 (4) With communities across the country facing
19 increased instances of catastrophic flooding and
20 other extreme weather events, accurate and efficient
21 preliminary damage assessments have become criti-
22 cally important to the relief process for impacted
23 States and municipalities.

24 **SEC. 3. REPORT TO CONGRESS.**

25 (a) IN GENERAL.—Not later than 90 days after the
26 date of enactment of this Act, the Administrator of the

1 Federal Emergency Management Agency shall submit to
2 Congress a report describing the preliminary damage as-
3 sessment process, as supported by the Federal Emergency
4 Management Agency in the 5 years before the date of en-
5 actment of this Act.

6 (b) CONTENTS.—The report described in subsection
7 (a) shall contain the following:

8 (1) The process of the Federal Emergency
9 Management Agency for deploying personnel to sup-
10 port preliminary damage assessments.

11 (2) The number of Agency staff participating
12 on disaster assessment teams.

13 (3) The training and experience of such staff
14 described in paragraph (2).

15 (4) A calculation of the average amount of time
16 disaster assessment teams described in paragraph
17 (1) are deployed to a disaster area.

18 (5) The efforts of the Agency to maintain a
19 consistent liaison between the Agency and State,
20 local, tribal, and territorial officials within a disaster
21 area.

22 **SEC. 4. PRELIMINARY DAMAGE ASSESSMENT.**

23 (a) IN GENERAL.—Not later than 6 months after the
24 date of enactment of this Act, the Administrator of the
25 Federal Emergency Management Agency shall convene an

1 advisory panel consisting of emergency management per-
2 sonnel employed by State, local, territorial, or tribal au-
3 thorities, and the representative organizations of such per-
4 sonnel to assist the Agency in improving critical compo-
5 nents of the preliminary damage assessment process.

6 (b) MEMBERSHIP.—

7 (1) IN GENERAL.—This advisory panel shall
8 consist of at least 2 representatives from national
9 emergency management organizations and at least 1
10 representative from each of the 10 regions of the
11 Federal Emergency Management Agency, selected
12 from emergency management personnel employed by
13 State, local, territorial, or tribal authorities within
14 each region.

15 (2) INCLUSION ON PANEL.—To the furthest ex-
16 tent practicable, representation on the advisory
17 panel shall include emergency management per-
18 sonnel from both rural and urban jurisdictions.

19 (c) CONSIDERATIONS.—The advisory panel convened
20 under subsection (a) shall—

21 (1) consider—

22 (A) establishing a training regime to en-
23 sure preliminary damage assessments are con-
24 ducted and reviewed under consistent guide-
25 lines;

1 (B) utilizing a common technological plat-
2 form to integrate data collected by State and
3 local governments with data collected by the
4 Agency; and

5 (C) assessing instruction materials pro-
6 vided by the Agency for omissions of pertinent
7 information or language that conflicts with
8 other statutory requirements; and

9 (2) identify opportunities for streamlining the
10 consideration of preliminary damage assessments by
11 the Agency, including eliminating duplicative paper-
12 work requirements and ensuring consistent commu-
13 nication and decision making among Agency staff.

14 (d) INTERIM REPORT.—Not later than 18 months
15 after the date of enactment of this Act, the Administrator
16 shall submit to Congress a report regarding the findings
17 of the advisory panel, steps that will be undertaken by the
18 Agency to implement the findings of the advisory panel,
19 and additional legislation that may be necessary to imple-
20 ment the findings of the advisory panel.

21 (e) RULEMAKING AND FINAL REPORT.—Not later
22 than 2 years after the date of enactment of this Act, the
23 Administrator shall issue such regulations as are nec-
24 essary to implement the recommendations of the advisory
25 panel and submit to Congress a report discussing—

1 (1) the implementation of recommendations
2 from the advisory panel;

3 (2) the identification of any additional chal-
4 lenges to the preliminary damage assessment proc-
5 ess, including whether specific disasters result in
6 longer preliminary damage assessments; and

7 (3) any additional legislative recommendations
8 necessary to improve the preliminary damage assess-
9 ment process.

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