

114TH CONGRESS
1ST SESSION

H. R. 638

To prohibit the Federal Emergency Management Agency from recouping certain assistance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2015

Mr. MACARTHUR introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To prohibit the Federal Emergency Management Agency from recouping certain assistance, 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 “Disaster Assistance
5 Fairness and Accountability Act of 2015”.

6 **SEC. 2. RECOUPMENT OF CERTAIN ASSISTANCE PROHIB-**
7 **ITED.**

8 (a) IN GENERAL.—The Federal Emergency Manage-
9 ment Agency may not take any actions to recoup covered
10 assistance from a recipient of such assistance if—

1 (1) the—

2 (A) application of the recipient with re-
3 spect to such assistance was made in good faith
4 and provided accurate information; and

5 (B) receipt of such assistance could rea-
6 sonably have been expected by the recipient; or

7 (2) the receipt of such assistance occurred on a
8 date that is more than 3 years before the date on
9 which the Federal Emergency Management Agency
10 first provides to the recipient written notification of
11 an intent to recoup.

12 (b) DISCLOSURE OF FAULT.—In carrying out a
13 recoupment of covered assistance that is not prohibited
14 under subsection (a), the Federal Emergency Management
15 Agency shall provide to the relevant recipient documenta-
16 tion that demonstrates the manner in which the recipient
17 does not satisfy subsection (a)(1).

18 (c) COVERED ASSISTANCE DEFINED.—In this sec-
19 tion, the term “covered assistance” means assistance pro-
20 vided—

21 (1) under section 408 of the Robert T. Stafford
22 Disaster Relief and Emergency Assistance Act (42
23 U.S.C. 5174); and

1 (2) in relation to a major disaster declared by
2 the President under section 401 of such Act (42
3 U.S.C. 5170) on or after January 1, 2012.

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