

Calendar No. 313114TH CONGRESS
1ST SESSION**S. 2109****[Report No. 114-173]**

To direct the Administrator of the Federal Emergency Management Agency to develop an integrated plan to reduce administrative costs under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30, 2015

Mr. JOHNSON introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

DECEMBER 7, 2015

Reported by Mr. JOHNSON, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]

A BILL

To direct the Administrator of the Federal Emergency Management Agency to develop an integrated plan to reduce administrative costs under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Directing Dollars to
3 Disaster Relief Act of 2015”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act—

6 (1) the term “administrative cost” means a cost
7 incurred by the Agency in support of the delivery of
8 disaster assistance for a major disaster;

9 (2) the term “Administrator” means the Ad-
10 ministrator of the Agency;

11 (3) the term “Agency” means the Federal
12 Emergency Management Agency;

13 (4) the term “direct administrative cost” means
14 a cost incurred by a grantee or subgrantee of a pro-
15 gram authorized by the Robert T. Stafford Disaster
16 Relief and Emergency Assistance Act (42 U.S.C.
17 5121 et seq.) that can be identified separately and
18 assigned to a specific project;

19 (5) the term “hazard mitigation program”
20 means the hazard mitigation grant program author-
21 ized under section 404 of the Robert T. Stafford
22 Disaster Relief and Emergency Assistance Act (42
23 U.S.C. 5170e);

24 (6) the term “individual assistance program”
25 means the individual assistance grant program au-
26 thorized under sections 408, 410, 415, 416, 426,

1 and 502(a) of the Robert T. Stafford Disaster Relief
 2 and Emergency Assistance Act (42 U.S.C. 5174,
 3 5177, 5182, 5183, 5189d, and 5192(a));

4 (7) the term “major disaster” means a major
 5 disaster declared by the President under section 401
 6 of the Robert T. Stafford Disaster Relief and Emer-
 7 gency Assistance Act (42 U.S.C. 5170);

8 (8) the term “mission assignment” has the
 9 meaning given the term in section 641 of the Post-
 10 Katrina Emergency Management Reform Act of
 11 2006 (6 U.S.C. 741); and

12 (9) the term “public assistance program”
 13 means the public assistance grant program author-
 14 ized under sections 403(a)(3), 406, 418, 419, 428,
 15 and 502(a) of the Robert T. Stafford Disaster Relief
 16 and Emergency Assistance Act (42 U.S.C.
 17 5170b(a)(3), 5172, 5185, 5186, 5189f, and
 18 5192(a)).

19 **SEC. 3. INTEGRATED PLAN FOR ADMINISTRATIVE COST RE-**
 20 **DUCTION.**

21 (a) **IN GENERAL.**—Not later than 365 days after the
 22 date of enactment of this Act, the Administrator shall—

23 (1) develop and implement an integrated plan
 24 to control and reduce administrative costs for major
 25 disasters, which shall include—

1 (A) steps the Agency will take to reduce
2 administrative costs;

3 (B) milestones needed for accomplishing
4 the reduction of administrative costs;

5 (C) the assignment of clear roles and re-
6 sponsibilities, including the designation of offi-
7 cials responsible for monitoring and measuring
8 performance; and

9 (D) a timetable for implementation;

10 (2) compare the costs and benefits of tracking
11 the administrative cost data for major disasters by
12 the public assistance, individual assistance, hazard
13 mitigation, and mission assignment programs, and if
14 feasible, track this information; and

15 (3) clarify Agency guidance and minimum docu-
16 mentation requirements for a direct administrative
17 cost claimed by a grantee or subgrantee of a public
18 assistance grant program.

19 (b) CONGRESSIONAL UPDATE.—Not later than 90
20 days after the date of enactment of this Act, the Adminis-
21 trator shall brief the Committee on Homeland Security
22 and Governmental Affairs of the Senate and the Com-
23 mittee on Transportation and Infrastructure of the House
24 of Representatives on the plan required to be developed
25 under subsection (a)(1).

1 (c) **UPDATES.**—If the Administrator modifies the
2 plan or the timetable under subsection (a), the Adminis-
3 trator shall submit to Congress a report notifying Con-
4 gress of the modification, which shall include the details
5 of the modification.

6 **SEC. 4. LIMITATIONS FOR ADMINISTRATIVE COSTS.**

7 (a) **IN GENERAL.**—Except as provided in subsection
8 (b), of the total amount obligated for major disasters by
9 the Agency from the Disaster Relief Fund for a fiscal
10 year, the amount obligated for administrative costs shall
11 not exceed the milestones set by the Agency in the plan
12 developed under section 3(a)(1).

13 (b) **WAIVER.**—

14 (1) **IN GENERAL.**—The Administrator may
15 waive a requirement described in subsection (a) if
16 the Administrator—

17 (A) has completed an assessment described
18 in paragraph (3); and

19 (B) submits to the appropriate committees
20 of Congress a written explanation as to why the
21 Agency exceeded the milestones set by the
22 Agency in the plan developed under section
23 3(a)(1) for administrative costs of major disas-
24 ters for the specified fiscal year.

1 ~~(2) PUBLIC AVAILABILITY.—~~Not later than 30
2 days after the date on which the Administrator sub-
3 mits the written explanation to Congress under
4 paragraph ~~(1)~~; the Administrator shall make the ex-
5 planation publicly available on the website of the
6 Agency.

7 ~~(3) ASSESSMENT.—~~Not later than 60 days
8 after the last day of a fiscal year, the Administrator
9 shall conduct an assessment of the administrative
10 costs of major disasters for the fiscal year in order
11 to determine whether a waiver is needed under this
12 subsection.

13 **SECTION 1. SHORT TITLE.**

14 *This Act may be cited as the “Directing Dollars to Dis-*
15 *aster Relief Act of 2015”.*

16 **SEC. 2. DEFINITIONS.**

17 *In this Act—*

18 (1) *the term “administrative cost”—*

19 (A) *means a cost incurred by the Agency in*
20 *support of the delivery of disaster assistance for*
21 *a major disaster; and*

22 (B) *does not include a cost incurred by a*
23 *grantee or subgrantee;*

24 (2) *the term “Administrator” means the Admin-*
25 *istrator of the Agency;*

1 (3) the term “Agency” means the Federal Emer-
2 gency Management Agency;

3 (4) the term “direct administrative cost” means
4 a cost incurred by a grantee or subgrantee of a pro-
5 gram authorized by the Robert T. Stafford Disaster
6 Relief and Emergency Assistance Act (42 U.S.C. 5121
7 et seq.) that can be identified separately and assigned
8 to a specific project;

9 (5) the term “hazard mitigation program”
10 means the hazard mitigation grant program author-
11 ized under section 404 of the Robert T. Stafford Dis-
12 aster Relief and Emergency Assistance Act (42 U.S.C.
13 5170c);

14 (6) the term “individual assistance program”
15 means the individual assistance grant program au-
16 thorized under sections 408, 410, 415, 416, 426, and
17 502(a) of the Robert T. Stafford Disaster Relief and
18 Emergency Assistance Act (42 U.S.C. 5174, 5177,
19 5182, 5183, 5189d, and 5192(a));

20 (7) the term “major disaster” means a major
21 disaster declared by the President under section 401
22 of the Robert T. Stafford Disaster Relief and Emer-
23 gency Assistance Act (42 U.S.C. 5170);

24 (8) the term “mission assignment” has the
25 meaning given the term in section 641 of the Post-

1 *Katrina Emergency Management Reform Act of 2006*
 2 *(6 U.S.C. 741); and*

3 *(9) the term “public assistance program” means*
 4 *the public assistance grant program authorized under*
 5 *sections 403(a)(3), 406, 418, 419, 428, and 502(a) of*
 6 *the Robert T. Stafford Disaster Relief and Emergency*
 7 *Assistance Act (42 U.S.C. 5170b(a)(3), 5172, 5185,*
 8 *5186, 5189f, and 5192(a)).*

9 **SEC. 3. INTEGRATED PLAN FOR ADMINISTRATIVE COST RE-**
 10 **DUCTION.**

11 *(a) IN GENERAL.—Not later than 365 days after the*
 12 *date of enactment of this Act, the Administrator shall—*

13 *(1) develop and implement an integrated plan to*
 14 *control and reduce administrative costs for major dis-*
 15 *asters, which shall include—*

16 *(A) steps the Agency will take to reduce ad-*
 17 *ministrative costs;*

18 *(B) milestones needed for accomplishing the*
 19 *reduction of administrative costs;*

20 *(C) strategic goals for the average annual*
 21 *percentage of administrative costs of major dis-*
 22 *asters for each fiscal year;*

23 *(D) the assignment of clear roles and re-*
 24 *sponsibilities, including the designation of offi-*

1 *cials responsible for monitoring and measuring*
2 *performance; and*

3 *(E) a timetable for implementation;*

4 *(2) compare the costs and benefits of tracking the*
5 *administrative cost data for major disasters by the*
6 *public assistance, individual assistance, hazard miti-*
7 *gation, and mission assignment programs, and if fea-*
8 *sible, track this information; and*

9 *(3) clarify Agency guidance and minimum docu-*
10 *mentation requirements for a direct administrative*
11 *cost claimed by a grantee or subgrantee of a public*
12 *assistance grant program.*

13 *(b) CONGRESSIONAL UPDATE.—Not later than 90 days*
14 *after the date of enactment of this Act, the Administrator*
15 *shall brief the Committee on Homeland Security and Gov-*
16 *ernmental Affairs of the Senate and the Committee on*
17 *Transportation and Infrastructure of the House of Rep-*
18 *resentatives on the plan required to be developed under sub-*
19 *section (a)(1).*

20 *(c) UPDATES.—If the Administrator modifies the plan*
21 *or the timetable under subsection (a), the Administrator*
22 *shall submit to the Committee on Homeland Security and*
23 *Governmental Affairs of the Senate and the Committee on*
24 *Transportation and Infrastructure of the House of Rep-*

1 representatives a report notifying Congress of the modification,
2 which shall include the details of the modification.

3 **SEC. 4. REPORTING REQUIREMENT.**

4 (a) *ANNUAL REPORT.*—Not later than November 30 of
5 each year, the Administrator shall submit to Committee on
6 Homeland Security and Governmental Affairs of the Senate
7 and the Committee on Transportation and Infrastructure
8 of the House of Representatives a report on the development
9 and implementation of the integrated plan required under
10 section 3 for the previous fiscal year.

11 (b) *REPORT UPDATES.*—

12 (1) *THREE YEAR UPDATE.*—Not later than 3
13 years after the date on which the Administrator sub-
14 mits a report under subsection (a), the Administrator
15 shall submit an updated report for the previous 3-fis-
16 cal-year period.

17 (2) *FIVE YEAR UPDATE.*—Not later than 5 years
18 after the date on which the Administrator submits a
19 report under subsection (a), the Administrator shall
20 submit an updated report for the previous 5-fiscal-
21 year period.

22 (c) *CONTENTS OF REPORTS.*—Each report required
23 under subsections (a) and (b) shall contain, at a min-
24 imum—

1 (1) *the total amount spent on administrative*
2 *costs for the fiscal year period for which the report is*
3 *being submitted;*

4 (2) *the average annual percentage of administra-*
5 *tive costs for the fiscal year period for which the re-*
6 *port is being submitted;*

7 (3) *an assessment of the effectiveness of the plan*
8 *developed under section 3(a)(1);*

9 (4) *an analysis of—*

10 (A) *whether the Agency is achieving the*
11 *strategic goals established under section*
12 *3(a)(1)(C); and*

13 (B) *in the case of the Agency not achieving*
14 *such strategic goals, what is preventing the*
15 *Agency from doing so;*

16 (5) *any actions the Agency has identified as use-*
17 *ful in improving upon and reaching the goals for ad-*
18 *ministrative costs established under section*
19 *3(a)(1)(C); and*

20 (6) *any data described in section 3(a)(2), if the*
21 *Agency determines it is feasible to track such data.*

22 (d) *PUBLIC AVAILABILITY.—Not later than 30 days*
23 *after the date on which the Administrator submits a report*
24 *to Congress under this section, the Administrator shall*

- 1 *make the report publicly available on the website of the*
- 2 *Agency.*

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