

118TH CONGRESS  
2D SESSION

# S. 3777

To require Congress to budget in advance for disasters, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 8 (legislative day, FEBRUARY 7), 2024

Mr. ROMNEY (for himself and Mr. BRAUN) introduced the following bill; which was read twice and referred to the Committee on the Budget

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## A BILL

To require Congress to budget in advance for disasters,  
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 “Budgeting for Disas-

5 ters Act”.

6 **SEC. 2. TERMINATION OF EXEMPTIONS FROM THE ANNUAL**  
7 **BUDGET CAPS.**

8 Subparagraphs (D) and (F) of section 251(b)(2) of  
9 the Balanced Budget and Emergency Deficit Control Act

1 of 1985 (2 U.S.C. 901(b)(2)) shall not apply with respect  
2 to fiscal year 2025, or any fiscal year thereafter.

3 **SEC. 3. EMERGENCY SPENDING POINT OF ORDER.**

4 (a) IN GENERAL.—Section 314(e)(2) of the Congres-  
5 sional Budget Act of 1974 (2 U.S.C. 645(e)(2)) is amend-  
6 ed by striking “three-fifths” each place it appears and in-  
7 serting “two-thirds”.

8 (b) EFFECTIVE DATE.—The amendments made by  
9 subsection (a) shall—

10 (1) take effect on the date of enactment of this  
11 Act; and

12 (2) apply with respect to fiscal year 2025, and  
13 each fiscal year thereafter.

14 **SEC. 4. GAO REVIEW OF EMERGENCY SPENDING.**

15 (a) DEFINITIONS.—In this section—

16 (1) the term “designated as being for an emer-  
17 gency requirement”, with respect to amounts appro-  
18 priated, means that the amounts are designated as  
19 an emergency requirement pursuant to—

20 (A) section 251(b)(2)(A)(i) of the Bal-  
21 anced Budget and Emergency Deficit Control  
22 Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)); or

23 (B) a provision of a concurrent resolution  
24 on the budget;

1           (2) the term “designated as being for disaster  
2 relief”, with respect to amounts appropriated, means  
3 that the amounts are designated as being for dis-  
4 aster relief pursuant to section 251(b)(2)(D) of the  
5 Balanced Budget and Emergency Deficit Control  
6 Act of 1985 (2 U.S.C. 901(b)(2)(D));

7           (3) the term “emergency” means an emergency  
8 declared by the President under section 501 of the  
9 Robert T. Stafford Disaster Relief and Emergency  
10 Assistance Act (42 U.S.C. 5191); and

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

15       (b) REPORT.—Not later than 540 days after the date  
16 of enactment of this Act, the Comptroller General of the  
17 United States shall submit to Congress a report that—

18           (1) identifies amounts appropriated for each of  
19 fiscal years 2015 through 2024 that were—

20                   (A) designated as being for an emergency  
21 requirement;

22                   (B) designated as being for disaster relief;

23                   or

24                   (C) made available to provide assistance  
25 under the Robert T. Stafford Disaster Relief

1 and Emergency Assistance Act (42 U.S.C. 5121  
2 et seq.);

3 (2) addresses—

4 (A) the definition of emergency require-  
5 ments for purposes of appropriated amounts  
6 being designated as being for an emergency re-  
7 quirement;

8 (B) the time period during which recipi-  
9 ents of appropriated amounts designated as  
10 being for an emergency requirement may obli-  
11 gate those amounts;

12 (C) any cost-sharing requirements relating  
13 to major disasters and emergencies for State,  
14 local, Tribal, and territorial governments; and

15 (D) forecasting and budgeting for disaster-  
16 related appropriations; and

17 (3) provides recommendations to—

18 (A) clarify the definition of emergency re-  
19 quirements for purposes of appropriated  
20 amounts being designated as being for an emer-  
21 gency requirement;

22 (B) implement an appropriate time limit  
23 for recipients to spend appropriated amounts  
24 that are designated as being for an emergency  
25 requirement;

1                   (C) improve cost-sharing relating to major  
2           disasters and emergencies among Federal,  
3           State, and local governments; and

4                   (D) improve forecasting and budgeting for  
5           appropriations for emergency requirements and  
6           disaster relief.

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