

Calendar No. 505117TH CONGRESS
2^D SESSION**S. 4599****[Report No. 117-163]**

To streamline the sharing of information among Federal disaster assistance agencies, to expedite the delivery of life-saving assistance to disaster survivors, to speed the recovery of communities from disasters, to protect the security and privacy of information provided by disaster survivors, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 21, 2022

Mr. PETERS (for himself and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

SEPTEMBER 27, 2022

Reported by Mr. PETERS, with an amendment

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

To streamline the sharing of information among Federal disaster assistance agencies, to expedite the delivery of life-saving assistance to disaster survivors, to speed the recovery of communities from disasters, to protect the security and privacy of information provided by disaster survivors, 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 Simplification Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) The disaster response framework of the
9 United States relies on a unified, integrated, agile,
10 and adaptable whole-of-community effort by Federal,
11 State, and local disaster assistance agencies, and by
12 voluntary organizations, to respond to any natural
13 and man-made disasters that may strike commu-
14 nities.

15 (2) Federal disaster assistance agencies must
16 be ready to support States, communities, and volun-
17 teer agencies immediately after unpredictable cata-
18 strophic disasters that occur without notice.

19 (3) The immediate sharing of information is es-
20 sential to an efficient and effective delivery of dis-
21 aster assistance—

22 (A) when lives and property are at risk;
23 and

24 (B) as communities seek to recover from
25 disasters as quickly as possible.

1 (4) Section 552a of title 5, United States Code
2 (commonly known as the “Privacy Act of 1974”)
3 and subchapter I of chapter 35 of title 44, United
4 States Code (commonly known as the “Paperwork
5 Reduction Act”) require multiple layers of review,
6 notice, and publication in the Federal Register be-
7 fore Federal disaster assistance agencies can amend
8 or adapt their information sharing practices.

9 (5) Such extended review processes can have
10 the effect of inhibiting efficiency, innovation, and
11 interoperability among Federal, State, Tribal, terri-
12 torial, local, private, and volunteer partners in deliv-
13 ering disaster assistance within a whole-of-commu-
14 nity disaster assistance effort.

15 (6) Legal, regulatory, and policy limitations on
16 the interagency sharing of information submitted by
17 applicants for disaster assistance may require those
18 applicants to submit separate applications to mul-
19 tiple Federal disaster assistance agencies, which in-
20 creases the burden on those applicants, reduces the
21 efficiency of disaster assistance programs, and
22 places additional costs on taxpayers.

23 (b) PURPOSE.—The purposes of this Act are to—

24 (1) streamline the sharing of information
25 among Federal disaster assistance agencies;

1 (2) modernize the legal safeguards against the
2 unauthorized disclosure or misuse of information
3 about applicants for disaster assistance; and

4 (3) modernize, streamline, and consolidate the
5 overlapping requirements of section 552a of title 5,
6 United States Code, subchapter I of chapter 35 of
7 title 44, United States Code, and the agency policies
8 that implement those authorities to improve the
9 speed, convenience, efficiency, and effectiveness of
10 disaster relief programs.

11 **SEC. 3. ESTABLISHMENT OF DISASTERASSISTANCE.GOV**

12 **ELECTRONIC INFORMATION SYSTEM.**

13 The Robert T. Stafford Disaster Relief and Emer-
14 gency Assistance Act (42 U.S.C. 5121 et seq.) is amended
15 by adding at the end the following:

16 **“SEC. 707. ESTABLISHMENT OF DISASTERASSISTANCE.GOV**

17 **ELECTRONIC INFORMATION SYSTEM.**

18 “(a) DEFINITIONS.—In this section:

19 “(1) ADMINISTRATOR.—The term ‘Adminis-
20 trator’ means the Administrator of the Federal
21 Emergency Management Agency.

22 “(2) APPLICANT.—The term ‘applicant’
23 means—

1 “(A) an individual or organization who ap-
2 plies for disaster assistance from a disaster as-
3 sistance program; and

4 “(B) an individual or organization on be-
5 half of which an individual described in sub-
6 paragraph (A) applies for disaster assistance
7 from a disaster assistance program.

8 “(3) ~~DISASTERASSISTANCE.GOV.~~—The term
9 ‘~~DisasterAssistance.gov~~’ means the electronic infor-
10 mation system established under subsection (b)(1).

11 “(4) ~~DISASTER ASSISTANCE AGENCY.~~—The
12 term ‘disaster assistance agency’ means—

13 “(A) the Federal Emergency Management
14 Agency;

15 “(B) the Department of Housing and
16 Urban Development;

17 “(C) the Small Business Administration;

18 “(D) the Department of Agriculture; and

19 “(E) any Federal agency that provides dis-
20 aster assistance to individuals that the Adminis-
21 trator certifies as a disaster assistance agency
22 in accordance with subsection (f) to carry out
23 the purposes of a disaster assistance program.

24 “(5) ~~DISASTER ASSISTANCE INFORMATION.~~—

25 The term ‘disaster assistance information’ includes

1 any personal, biographical, demographic, geo-
2 graphical, financial, or application decision informa-
3 tion that a disaster assistance agency is authorized
4 to collect, maintain, share, or use to—

5 “(A) process an application for disaster as-
6 sistance from a disaster assistance program; or

7 “(B) otherwise carry out the purpose of a
8 disaster assistance program.

9 “(6) DISASTER ASSISTANCE PROGRAM.—The
10 term ‘disaster assistance program’ means—

11 “(A) a program that provides disaster as-
12 sistance to individuals and households under
13 title IV or V in accordance with sections 408
14 and 502; or

15 “(B) any other assistance program author-
16 ized by a Federal statute under which a dis-
17 aster assistance agency awards or distributes
18 disaster assistance to an individual, household,
19 or organization that arises from a major dis-
20 aster or emergency declared under section 401
21 or 501, respectively, including—

22 “(i) disaster assistance;

23 “(ii) long-term disaster recovery as-
24 sistance;

1 “(iii) the post-disaster restoration of
2 infrastructure and housing;

3 “(iv) post-disaster economic revitaliza-
4 tion;

5 “(v) pre-disaster mitigation under
6 title I of the Housing and Community De-
7 velopment Act of 1974 (42 U.S.C. 5301 et
8 seq.);

9 “(vi) a loan authorized under section
10 7(b) of the Small Business Act (15 U.S.C.
11 636(b)); and

12 “(vii) food benefit allotments under
13 section 412 of this Act and Section 5(h) of
14 the Food and Nutrition Act of 2008 (7
15 U.S.C. 2014(h)).

16 “(7) RECORD.—The term ‘record’ has the
17 meaning given the term in section 552a of title 5,
18 United States Code.

19 “(b) ESTABLISHMENT OF CONSOLIDATED APPLICA-
20 TION SYSTEM.—

21 “(1) IN GENERAL.—Not later than 180 days
22 after the date of enactment of the Disaster Assist-
23 ance Simplification Act, the Administrator shall es-
24 tablish a web-based, interagency electronic informa-

1 tion system to be known as DisasterAssistance.gov
2 to—

3 “(A) facilitate a consolidated application
4 for any form of disaster assistance provided by
5 a disaster assistance agency;

6 “(B) carry out the purposes of disaster as-
7 sistance programs swiftly, efficiently, equitably,
8 and in accordance with applicable laws and the
9 privacy and data protections provided under
10 this section; and

11 “(C) detect, prevent, and investigate waste,
12 fraud, abuse, or discrimination in the adminis-
13 tration of disaster assistance programs.

14 “(2) CAPABILITIES OF THE CONSOLIDATED AP-
15 PPLICATION SYSTEM.—DisasterAssistance.gov shall—

16 “(A) allow for applicants to receive status
17 updates on applications for disaster assistance
18 programs through DisasterAssistance.gov;

19 “(B) allow for applicants to update dis-
20 aster assistance information throughout the re-
21 covery journeys of those applicants;

22 “(C) allow for the distribution of addi-
23 tional recovery resource information to disaster
24 survivors that may be available in a disaster
25 stricken jurisdiction;

1 “(D) provide disaster survivors with infor-
2 mation and documentation on the applications
3 of those disaster survivors for a disaster assist-
4 ance program; and

5 “(E) contain other capabilities determined
6 necessary by the heads of disaster assistance
7 agencies.

8 “(e) AUTHORITIES OF ADMINISTRATOR.—The Ad-
9 ministrator may—

10 “(1) collect, maintain, share, and use disaster
11 assistance information using DisasterAssistance.gov
12 or received from any disaster assistance agency with
13 any other disaster assistance agency; and

14 “(2) subject to subsection (d), authorize the col-
15 lection, sharing, and use of disaster assistance infor-
16 mation collected on or after the date of enactment
17 of the Disaster Assistance Simplification Act by pub-
18 lishing a notice on DisasterAssistance.gov that—

19 “(A) includes a detailed description of—

20 “(i) the specific disaster assistance in-
21 formation authorized to be collected, main-
22 tained, and shared;

23 “(ii) why the collection, maintenance,
24 or sharing of the disaster assistance infor-
25 mation is—

1 “(I) necessary to carry out the
2 purpose of a disaster assistance pro-
3 gram; and

4 “(II) consistent with fair infor-
5 mation practice principles; and

6 “(iii) the disaster assistance agencies
7 that will be granted access to the disaster
8 assistance information to carry out the
9 purpose of any disaster assistance pro-
10 gram; and

11 “(B) the submission of an application
12 through DisasterAssistance.gov constitutes
13 prior written consent to disclose disaster assist-
14 ance information to disaster assistance agencies
15 for the purpose of section 552a(b) of title 5,
16 United States Code.

17 “(d) COLLECTION AND SHARING OF RECORDS AND
18 INFORMATION.—

19 “(1) EFFECT OF PUBLICATION OF NOTICE ON
20 DISASTERASSISTANCE.GOV.—The publication of a
21 notice by the Administrator on
22 DisasterAssistance.gov of a revision to the
23 DisasterAssistance.gov system of records on
24 DisasterAssistance.gov prior to any new collection,
25 or uses, of records, to carry out the purposes of a

1 disaster assistance program with respect to a major
2 disaster or emergency declared by the President
3 under section 401 or 501, respectively, of this Act
4 shall be deemed to satisfy the notice and publication
5 requirements of section 552a(e)(4) of title 5, United
6 States Code, for a period of not more than 90 days
7 following such declaration, unless such revision has
8 been published in the Federal Register earlier than
9 90 days after the date of such declaration.

10 ~~“(2) PAPERWORK REDUCTION ACT WAIVER.—~~

11 ~~“(A) IN GENERAL.—Upon the declaration~~
12 ~~of a major disaster or emergency pursuant to~~
13 ~~section 401 or 501, respectively, of this Act, the~~
14 ~~President, without delegation, may direct the~~
15 ~~Secretary of Homeland Security to waive the~~
16 ~~requirements of subchapter I of chapter 35 of~~
17 ~~title 44, United States (commonly known as the~~
18 ~~‘Paperwork Reduction Act’) with respect to vol-~~
19 ~~untary collection of information to carry out the~~
20 ~~purposes of a disaster assistance program.~~

21 ~~“(B) DURATION.—A waiver described in~~
22 ~~subparagraph (A) shall be in effect for the du-~~
23 ~~ration of the major disaster or emergency, as~~
24 ~~applicable.~~

1 “(C) TRANSPARENCY.—If the Secretary of
2 Homeland Security waives the requirements de-
3 scribed in subparagraph (A), the Secretary
4 shall—

5 “(i) promptly post on the internet
6 website of the Department of Homeland
7 Security—

8 “(I) a brief justification for the
9 waiver; and

10 “(II) the agencies and offices to
11 which the waiver shall apply; and

12 “(ii) update the information posted
13 under clause (i), as applicable.

14 “(D) EFFECTIVENESS OF WAIVER.—Any
15 waiver under subparagraph (A) shall take effect
16 on the date on which the Secretary of Home-
17 land Security posts information on the internet
18 website as provided for under subparagraph
19 (C).

20 “(e) DATA SECURITY.—The Administrator shall fa-
21 cilitate the collection of disaster assistance information
22 into DisasterAssistance.gov only after—

23 “(1) the Administrator certifies that
24 DisasterAssistance.gov substantially complies with

1 the data security standards and best practices of the
2 National Institute of Standards and Technology;

3 “(2) the Secretary of Homeland Security pub-
4 lishes a privacy impact assessment for
5 DisasterAssistance.gov that is similar to the privacy
6 assessment conducted under section 222(a)(4) of the
7 Homeland Security Act of 2002 (6 U.S.C.
8 142(a)(4)); and

9 “(3) the Administrator publishes standard rules
10 of behavior for disaster assistance agencies and per-
11 sonnel granted access to disaster assistance informa-
12 tion to protect such information from improper dis-
13 closure.

14 “(f) CERTIFICATION OF DISASTER ASSISTANCE
15 AGENCIES.—

16 “(1) IN GENERAL.—The Administrator may
17 certify a Federal agency as a disaster assistance
18 agency after posting an agreement between the Ad-
19 ministrator and the Federal agency on
20 DisasterAssistance.gov that contains the detailed
21 terms of the agreement.

22 “(2) CONTENTS OF AGREEMENT.—An agree-
23 ment between the Administrator and a Federal
24 agency described in paragraph (1) shall state that
25 the Federal agency will—

1 ~~“(A) collect, share, maintain, and use disaster assistance information—~~

2
3 ~~“(i) in accordance with this section;~~
4 ~~and~~

5 ~~“(ii) in substantial compliance with~~
6 ~~the data security standards and best practices of the National Institute of Standards~~
7 ~~and Technology;~~

8
9 ~~“(B) train any personnel granted access to~~
10 ~~disaster assistance information on the rules of~~
11 ~~behavior established by the Administrator under~~
12 ~~subsection (e)(3);~~

13 ~~“(C) in the event of any unauthorized disclosure of disaster assistance information—~~

14
15 ~~“(i) not later than 24 hours after discovering the unauthorized disclosure, notify the Administrator of the disclosure;~~

16
17 ~~“(ii) cooperate fully with the Administrator in the investigation and remediation~~
18 ~~of the disclosure; and~~

19
20 ~~“(iii) cooperate fully in the prosecution of a person responsible for the disclosure; and~~

21
22 ~~“(D) assume the responsibility for any~~
23 ~~compensation, civil liability, or other remedi-~~
24
25

1 ation measure awarded by a judgment of a
 2 court or agreed as a compromise of any poten-
 3 tial claim by or on behalf of an applicant, in-
 4 cluding by obtaining credit monitoring and re-
 5 mediation services, for an improper disclosure
 6 of disaster assistance information that is—

7 “(i) caused, directly or indirectly, by
 8 the acts or omissions of an officer, em-
 9 ployee, or contractor of the disaster assist-
 10 ance agency; or

11 “(ii) from any electronic system of
 12 records that created or maintained by the
 13 disaster assistance agency pursuant to sec-
 14 tion 552a(e) of title 5, United States Code.

15 “(g) RULES OF CONSTRUCTION.—

16 “(1) INAPPLICABILITY OF MATCHING PROGRAM
 17 PROVISIONS.—The sharing of disaster assistance in-
 18 formation subject to the requirements of section
 19 552a of title 5, United States Code among disaster
 20 assistance agencies or with State, local, or Tribal
 21 governments carrying out disaster assistance pro-
 22 grams shall not—

23 “(A) be construed as a matching program
 24 for the purpose of section 552a(a)(8) of title 5,
 25 United States Code; and

1 “(B) be subject to subsection (e)(12), (o),
2 (p)(1)(A)(ii), (q), (r), or (u) of section 552a of
3 title 5, United States Code.

4 “(2) AUTHORITIES IN OTHER LAWS.—Nothing
5 in this section shall be construed to affect the au-
6 thority of an entity to share information in accord-
7 ance with any other law.”.

8 **SECTION 1. SHORT TITLE.**

9 *This Act may be cited as the “Disaster Assistance Sim-
10 plification Act”.*

11 **SEC. 2. FINDINGS AND PURPOSE.**

12 (a) *FINDINGS.—Congress finds the following:*

13 (1) *The disaster response framework of the
14 United States relies on a unified, integrated, agile,
15 and adaptable whole-of-community effort by Federal,
16 State, and local disaster assistance agencies, and by
17 voluntary organizations, to respond to any natural
18 and man-made disasters that may strike commu-
19 nities.*

20 (2) *Federal disaster assistance agencies must be
21 ready to support States, communities, and volunteer
22 agencies immediately after unpredictable catastrophic
23 disasters that occur without notice.*

1 (3) *The immediate sharing of information is es-*
2 *sential to an efficient and effective delivery of disaster*
3 *assistance—*

4 (A) *when lives and property are at risk;*

5 *and*

6 (B) *as communities seek to recover from*
7 *disasters as quickly as possible.*

8 (4) *Section 552a of title 5, United States Code*
9 *(commonly known as the “Privacy Act of 1974”), and*
10 *subchapter I of chapter 35 of title 44, United States*
11 *Code (commonly known as the “Paperwork Reduction*
12 *Act”), require multiple layers of review, notice, and*
13 *publication in the Federal Register before Federal dis-*
14 *aster assistance agencies can amend or adapt their*
15 *information sharing practices.*

16 (5) *Such extended review processes can have the*
17 *effect of inhibiting efficiency, innovation, and inter-*
18 *operability among Federal, State, Tribal, territorial,*
19 *local, private, and volunteer partners in delivering*
20 *disaster assistance within a whole-of-community dis-*
21 *aster assistance effort.*

22 (6) *Legal, regulatory, and policy limitations on*
23 *the interagency sharing of information submitted by*
24 *applicants for disaster assistance may require those*
25 *applicants to submit separate applications to mul-*

1 *multiple Federal disaster assistance agencies, which in-*
 2 *creases the burden on those applicants, reduces the ef-*
 3 *iciency of disaster assistance programs, and places*
 4 *additional costs on taxpayers.*

5 *(b) PURPOSE.—The purposes of this Act are to—*

6 *(1) streamline the sharing of information among*
 7 *Federal disaster assistance agencies;*

8 *(2) modernize the legal safeguards against the*
 9 *unauthorized disclosure or misuse of information*
 10 *about applicants for disaster assistance; and*

11 *(3) modernize, streamline, and consolidate the*
 12 *overlapping requirements of section 552a of title 5,*
 13 *United States Code, subchapter I of chapter 35 of title*
 14 *44, United States Code, and the agency policies that*
 15 *implement those authorities to improve the speed, con-*
 16 *venience, efficiency, and effectiveness of disaster relief*
 17 *programs.*

18 **SEC. 3. ESTABLISHMENT OF DISASTERASSISTANCE.GOV**

19 **ELECTRONIC INFORMATION SYSTEM.**

20 *The Robert T. Stafford Disaster Relief and Emergency*
 21 *Assistance Act (42 U.S.C. 5121 et seq.) is amended by add-*
 22 *ing at the end the following:*

23 **“SEC. 707. ESTABLISHMENT OF DISASTERASSISTANCE.GOV**

24 **ELECTRONIC INFORMATION SYSTEM.**

25 *“(a) DEFINITIONS.—In this section:*

1 “(1) *ADMINISTRATOR.*—*The term ‘Adminis-*
2 *trator’ means the Administrator of the Federal Emer-*
3 *gency Management Agency.*

4 “(2) *APPLICANT.*—*The term ‘applicant’ means—*

5 “(A) *an individual or organization that ap-*
6 *plies for disaster assistance from a disaster as-*
7 *sistance program; and*

8 “(B) *an individual or organization on be-*
9 *half of which an individual described in sub-*
10 *paragraph (A) applies for disaster assistance*
11 *from a disaster assistance program.*

12 “(3) *DISASTERASSISTANCE.GOV.*—*The term*
13 *‘DisasterAssistance.gov’ means the electronic informa-*
14 *tion system established under subsection (b)(1).*

15 “(4) *DISASTER ASSISTANCE AGENCY.*—*The term*
16 *‘disaster assistance agency’ means—*

17 “(A) *the Federal Emergency Management*
18 *Agency; and*

19 “(B) *any Federal agency that provides dis-*
20 *aster assistance to individuals that the Adminis-*
21 *trator certifies as a disaster assistance agency in*
22 *accordance with subsection (f) to carry out the*
23 *purposes of a disaster assistance program.*

24 “(5) *DISASTER ASSISTANCE INFORMATION.*—*The*
25 *term ‘disaster assistance information’ includes any*

1 *personal, biographical, demographic, geographical, fi-*
 2 *nancial, application decision, or other information*
 3 *that a disaster assistance agency is authorized to col-*
 4 *lect, maintain, share, or use to—*

5 “(A) *process an application for disaster as-*
 6 *istance from a disaster assistance program; or*

7 “(B) *otherwise carry out the purpose of a*
 8 *disaster assistance program.*

9 “(6) *DISASTER ASSISTANCE PROGRAM.—The*
 10 *term ‘disaster assistance program’ means—*

11 “(A) *a program that provides disaster as-*
 12 *istance to individuals and households under*
 13 *title IV or V in accordance with sections 408 and*
 14 *502; or*

15 “(B) *any other assistance program author-*
 16 *ized by a Federal statute or funded with Federal*
 17 *appropriations under which a disaster assistance*
 18 *agency awards or distributes disaster assistance*
 19 *to an individual, household, or organization that*
 20 *arises from a major disaster or emergency de-*
 21 *clared under section 401 or 501, respectively, in-*
 22 *cluding—*

23 “(i) *disaster assistance;*

24 “(ii) *long-term disaster recovery assist-*
 25 *ance;*

1 “(iii) the post-disaster restoration of
2 infrastructure and housing;

3 “(iv) post-disaster economic revitaliza-
4 tion;

5 “(v) pre-disaster mitigation under title
6 I of the Housing and Community Develop-
7 ment Act of 1974 (42 U.S.C. 5301 et seq.);

8 “(vi) a loan authorized under section
9 7(b) of the Small Business Act (15 U.S.C.
10 636(b)); and

11 “(vii) food benefit allotments under
12 section 412 of this Act and section 5(h) of
13 the Food and Nutrition Act of 2008 (7
14 U.S.C. 2014(h)).

15 “(7) RECORD.—The term ‘record’ has the mean-
16 ing given the term in section 552a of title 5, United
17 States Code.

18 “(b) ESTABLISHMENT OF CONSOLIDATED APPLICA-
19 TION SYSTEM.—

20 “(1) IN GENERAL.—Not later than 180 days
21 after the date of enactment of the Disaster Assistance
22 Simplification Act, the Administrator shall establish
23 a web-based, interagency electronic information sys-
24 tem to be known as *DisasterAssistance.gov* to—

1 “(A) facilitate a consolidated application
2 for any form of disaster assistance provided by
3 a disaster assistance agency;

4 “(B) carry out the purposes of disaster as-
5 sistance programs swiftly, efficiently, equitably,
6 and in accordance with applicable laws and the
7 privacy and data protections provided under
8 this section; and

9 “(C) support the detection, prevention, and
10 investigation of waste, fraud, abuse, or discrimi-
11 nation in the administration of disaster assist-
12 ance programs.

13 “(2) CAPABILITIES OF THE CONSOLIDATED AP-
14 PPLICATION SYSTEM.—*DisasterAssistance.gov* shall—

15 “(A) allow for applicants to receive status
16 updates on applications for disaster assistance
17 programs through *DisasterAssistance.gov*;

18 “(B) allow for applicants to update disaster
19 assistance information throughout the recovery
20 journeys of those applicants;

21 “(C) allow for the distribution of additional
22 recovery resource information to disaster sur-
23 vivors that may be available in a disaster strick-
24 en jurisdiction;

1 “(D) provide disaster survivors with infor-
2 mation and documentation on the applications
3 of those disaster survivors for a disaster assist-
4 ance program; and

5 “(E) contain other capabilities determined
6 necessary by the heads of disaster assistance
7 agencies.

8 “(c) *AUTHORITIES OF ADMINISTRATOR.*—*The Admin-
9 istrator may—*

10 “(1) collect, maintain, share, and use disaster
11 assistance information, including such information
12 received from any disaster assistance agency, with
13 any other disaster assistance agency for purposes of
14 subsection (b)(1), and may use *DisasterAssistance.gov*
15 for these purposes; and

16 “(2) subject to subsection (d), authorize the col-
17 lection, sharing, and use of disaster assistance infor-
18 mation collected on or after the date of enactment of
19 the *Disaster Assistance Simplification Act* by pub-
20 lishing a notice on *DisasterAssistance.gov* that—

21 “(A) includes a detailed description of—

22 “(i) the specific disaster assistance in-
23 formation authorized to be collected, main-
24 tained, and shared;

1 “(ii) *why the collection, maintenance,*
2 *or sharing of the disaster assistance infor-*
3 *mation is—*

4 “(I) *necessary to carry out the*
5 *purpose of a disaster assistance pro-*
6 *gram; and*

7 “(II) *consistent with fair infor-*
8 *mation practice principles; and*

9 “(iii) *the disaster assistance agencies*
10 *that will be granted access to the disaster*
11 *assistance information to carry out the pur-*
12 *pose of any disaster assistance program;*
13 *and*

14 “(B) *the submission of an application*
15 *through DisasterAssistance.gov constitutes prior*
16 *written consent to disclose disaster assistance in-*
17 *formation to disaster assistance agencies for the*
18 *purpose of section 552a(b) of title 5, United*
19 *States Code.*

20 “(d) *COLLECTION AND SHARING OF RECORDS AND IN-*
21 *FORMATION.—*

22 “(1) *EFFECT OF PUBLICATION OF NOTICE ON*
23 *DISASTERASSISTANCE.GOV.—The publication of a no-*
24 *tice by the Administrator on DisasterAssistance.gov of*
25 *a revision to the DisasterAssistance.gov system of*

1 *records on DisasterAssistance.gov prior to any new*
2 *collection, or uses, of records, to carry out the pur-*
3 *poses of a disaster assistance program with respect to*
4 *a major disaster or emergency declared by the Presi-*
5 *dent under section 401 or 501, respectively, of this*
6 *Act shall be deemed to satisfy the notice and publica-*
7 *tion requirements of section 552a(e)(4) of title 5,*
8 *United States Code, for a period of not more than 90*
9 *days following such declaration, unless such revision*
10 *has been published in the Federal Register earlier*
11 *than 90 days after the date of such declaration.*

12 *“(2) PAPERWORK REDUCTION ACT WAIVER.—*

13 *“(A) IN GENERAL.—Upon the declaration of*
14 *a major disaster or emergency pursuant to sec-*
15 *tion 401 or 501, respectively, of this Act, the Ad-*
16 *ministrator may waive the requirements of sub-*
17 *chapter I of chapter 35 of title 44, United States*
18 *(commonly known as the ‘Paperwork Reduction*
19 *Act’), with respect to voluntary collection of in-*
20 *formation to carry out the purposes of a disaster*
21 *assistance program.*

22 *“(B) DURATION.—A waiver described in*
23 *subparagraph (A) shall be in effect for the dura-*
24 *tion of the major disaster or emergency, as ap-*
25 *plicable.*

1 “(C) *TRANSPARENCY.*—*If the Administrator*
2 *waives the requirements described in subpara-*
3 *graph (A), the Administrator shall—*

4 “(i) *promptly post on the internet*
5 *website of the Federal Emergency Manage-*
6 *ment Agency—*

7 “(I) *a brief justification for the*
8 *waiver; and*

9 “(II) *the agencies and offices to*
10 *which the waiver shall apply; and*

11 “(ii) *update the information posted*
12 *under clause (i), as applicable.*

13 “(D) *EFFECTIVENESS OF WAIVER.*—*Any*
14 *waiver under subparagraph (A) shall take effect*
15 *on the date on which the Administrator posts in-*
16 *formation on the internet website as provided for*
17 *under subparagraph (C).*

18 “(e) *DATA SECURITY.*—*The Administrator shall facili-*
19 *tate the collection of disaster assistance information into*
20 *DisasterAssistance.gov only after—*

21 “(1) *the Administrator certifies that*
22 *DisasterAssistance.gov substantially complies with the*
23 *data security standards established pursuant to sub-*
24 *chapter II of chapter 35 of title 44, United States*

1 *Code, and any other applicable Federal information*
2 *security policy;*

3 “(2) *the Secretary of Homeland Security pub-*
4 *lishes a privacy impact assessment for*
5 *DisasterAssistance.gov that is similar to the privacy*
6 *assessment conducted under section 208(b)(1)(B) of*
7 *the E-Government Act of 2002 (44 U.S.C. 3501 note);*
8 *and*

9 “(3) *the Administrator publishes standard rules*
10 *of behavior for disaster assistance agencies and per-*
11 *sonnel granted access to disaster assistance informa-*
12 *tion to protect such information from improper dis-*
13 *closure.*

14 “(f) *CERTIFICATION OF DISASTER ASSISTANCE AGEN-*
15 *CIES.—*

16 “(1) *IN GENERAL.—The Administrator may cer-*
17 *tify a Federal agency as a disaster assistance agency*
18 *after posting an agreement between the Administrator*
19 *and the Federal agency on DisasterAssistance.gov that*
20 *contains the detailed terms of the agreement.*

21 “(2) *CONTENTS OF AGREEMENT.—An agreement*
22 *between the Administrator and a Federal agency de-*
23 *scribed in paragraph (1) shall state that the Federal*
24 *agency will—*

1 “(A) collect, share, maintain, and use disaster assistance information in accordance
2 with—
3

4 “(i) this section; and

5 “(ii) any existing policies of the Federal Emergency Management Agency and
6 the Federal agency for information protection and use;
7

8 “(B) train any personnel granted access to
9 disaster assistance information on the rules of
10 behavior established by the Administrator under
11 subsection (e)(3);
12

13 “(C) in the event of any unauthorized disclosure of disaster assistance information—
14

15 “(i) not later than 24 hours after discovering the unauthorized disclosure, notify
16 the Administrator of the disclosure;
17

18 “(ii) cooperate fully with the Administrator in the investigation and remediation
19 of the disclosure; and
20

21 “(iii) cooperate fully in the prosecution
22 of a person responsible for the disclosure;
23 and

24 “(D) assume the responsibility for any compensation, civil liability, or other remediation
25

1 *measure awarded by a judgment of a court or*
2 *agreed as a compromise of any potential claim*
3 *by or on behalf of an applicant, including by ob-*
4 *taining credit monitoring and remediation serv-*
5 *ices, for an improper disclosure of disaster as-*
6 *istance information that is—*

7 *“(i) caused, directly or indirectly, by*
8 *the acts or omissions of an officer, employee,*
9 *or contractor of the disaster assistance agen-*
10 *cy; or*

11 *“(ii) from any electronic system of*
12 *records that created or maintained by the*
13 *disaster assistance agency pursuant to sec-*
14 *tion 552a(e) of title 5, United States Code.*

15 *“(g) RULES OF CONSTRUCTION.—*

16 *“(1) INAPPLICABILITY OF MATCHING PROGRAM*
17 *PROVISIONS.—The sharing of disaster assistance in-*
18 *formation subject to the requirements of section 552a*
19 *of title 5, United States Code, among disaster assist-*
20 *ance agencies or with State, local, or Tribal govern-*
21 *ments carrying out disaster assistance programs shall*
22 *not—*

23 *“(A) be construed as a matching program*
24 *for the purpose of section 552a(a)(8) of title 5,*
25 *United States Code; or*

1 “(B) be subject to subsection (e)(12), (o),
2 (p)(1)(A)(ii), (q), (r), or (u) of section 552a of
3 title 5, United States Code.

4 “(2) *AUTHORITIES IN OTHER LAWS.*—Nothing in
5 this section shall be construed to affect the authority
6 of an entity to share information in accordance with
7 any other law.”.

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117TH CONGRESS
2^D SESSION

S. 4599

[Report No. 117-163]

A BILL

To streamline the sharing of information among Federal disaster assistance agencies, to expedite the delivery of life-saving assistance to disaster survivors, to speed the recovery of communities from disasters, to protect the security and privacy of information provided by disaster survivors, and for other purposes.

SEPTEMBER 27, 2022

Reported with an amendment