

112TH CONGRESS
1ST SESSION

H. R. 2265

To direct the President to forgo recoupment of liabilities relating to assistance provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 2011

Mr. RICHMOND (for himself and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the President to forgo recoupment of liabilities relating to assistance provided 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “FEMA Recoupment
5 Fairness Act of 2011”.

1 **SEC. 2. RECOUPMENT OF LIABILITIES.**

2 (a) IN GENERAL.—The President shall forgo
3 recoupment of liabilities to the United States relating to
4 covered assistance provided to an individual or household
5 if—

6 (1) the covered assistance was provided based
7 on an error by the Federal Emergency Management
8 Agency; and

9 (2) there was no fault on behalf of the recipient
10 with respect to the error, including that fraud, the
11 presentation of a false claim, or misrepresentation
12 by the recipient or any party having an interest in
13 the claim was not involved.

14 (b) REPORT TO CONGRESS.—Not later than 180 days
15 after the date of enactment of this Act, and every 180
16 days thereafter during the 18-month period beginning on
17 such date, the Inspector General of the Department of
18 Homeland Security shall submit to the appropriate con-
19 gressional committees a report that assesses the cost-effec-
20 tiveness of the efforts of the Federal Emergency Manage-
21 ment Agency to recoup erroneous assistance.

22 (c) DEFINITIONS.—In this section, the following defi-
23 nitions apply:

24 (1) APPROPRIATE CONGRESSIONAL COMMIT-
25 TEES.—The term “appropriate congressional com-
26 mittees” means the—

1 (A) Committee on Transportation and In-
2 frastructure of the House of Representatives;

3 (B) Committee on Homeland Security of
4 the House of Representatives; and

5 (C) Committee on Homeland Security and
6 Governmental Affairs of the Senate.

7 (2) COVERED ASSISTANCE.—The term “covered
8 assistance” means assistance provided—

9 (A) under section 408 of the Robert T.
10 Stafford Disaster Relief and Emergency Assist-
11 ance Act (42 U.S.C. 5174); and

12 (B) in relation to a major disaster declared
13 by the President under section 401 of such Act
14 (42 U.S.C. 5170) during the period beginning
15 on August 28, 2005, and ending on December
16 31, 2010.

17 (3) ERRONEOUS ASSISTANCE.—The term “erro-
18 neous assistance” means assistance subject to
19 recoupment by the Federal Emergency Management
20 Agency provided—

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

24 (B) in relation to a major disaster declared
25 by the President under section 401 of such Act

1 (42 U.S.C. 5170) during the period beginning
2 on August 28, 2005, and ending on December
3 31, 2010; or

4 (C) in response to a catastrophic incident
5 under section 501 of the Homeland Security
6 Act of 2002 (6 U.S.C. 311).

○