

Calendar No. 649

117TH CONGRESS
2^D SESSION

S. 4654

[Report No. 117-258]

To amend section 324 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to incentivize States, Indian Tribes, and Territories to close disaster recovery projects by authorizing the use of excess funds for management costs for other disaster recovery projects.

IN THE SENATE OF THE UNITED STATES

JULY 28, 2022

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

DECEMBER 14, 2022

Reported by Mr. PETERS, with an amendment

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

A BILL

To amend section 324 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to incentivize States, Indian Tribes, and Territories to close disaster recovery projects by authorizing the use of excess funds for management costs for other disaster recovery projects.

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 Management
 5 Costs Modernization Act”.

6 **SEC. 2. USE OF EXCESS FUNDS FOR MANAGEMENT COSTS.**

7 (a) ~~IN GENERAL.~~—Section 324 of the Robert T.
 8 Stafford Disaster Relief and Emergency Assistance Act
 9 (42 U.S.C. 5165b) is amended—

10 (1) by redesignating subsection (c) as sub-
 11 section (d); and

12 (2) by inserting after subsection (b) the fol-
 13 lowing:

14 “~~(c)~~ **USE OF EXCESS FUNDS FOR MANAGEMENT**
 15 **COSTS.**—

16 “(1) **DEFINITION.**—In this subsection, the term
 17 ‘excess funds for management costs’ means the dif-
 18 ference between—

19 “(A) the amount of the applicable specific
 20 management costs authorized under subsection
 21 (b); and

22 “(B) as of the date on which the incident
 23 is closed, the amount of funding for manage-
 24 ment costs activities expended by the grantee or

1 subgrantee receiving the financial assistance for
2 costs described in subparagraph (A).

3 ~~“(2) AVAILABILITY OF EXCESS FUNDS FOR~~
4 ~~MANAGEMENT COSTS.—The President may make~~
5 ~~available to a grantee or subgrantee receiving finan-~~
6 ~~cial assistance under section 403, 404, 406, 407, or~~
7 ~~502 any excess funds for management costs.~~

8 ~~“(3) USE OF FUNDS.—Excess funds for man-~~
9 ~~agement costs made available to a grantee or sub-~~
10 ~~grantee under paragraph (2) may be used for activi-~~
11 ~~ties associated with building capacity to respond to~~
12 ~~or recover from the types of incidents for which as-~~
13 ~~sistance may be made available under section 403,~~
14 ~~404, 406, 407, or 502 and to provide such assist-~~
15 ~~ance, including for providing training and other ac-~~
16 ~~tivities associated with any major disaster or emer-~~
17 ~~gency declaration, or to otherwise prepare for such~~
18 ~~an incident.~~

19 ~~“(4) AVAILABILITY.—Excess funds for manage-~~
20 ~~ment costs made available to a grantee or sub-~~
21 ~~grantee under paragraph (2) shall remain available~~
22 ~~to the grantee or subgrantee until the date that is~~
23 ~~5 years after the date on which the excess funds for~~
24 ~~management costs are made available under para-~~
25 ~~graph (2).”.~~

1 (b) ~~APPLICABILITY.—The amendments made by sub-~~
2 ~~section (a) shall apply with respect to any incident for~~
3 ~~which a major disaster or emergency is declared under sec-~~
4 ~~tion 401 or 501, respectively, of the Robert T. Stafford~~
5 ~~Disaster Relief and Emergency Assistance Act (42 U.S.C.~~
6 ~~5170, 5191) that is open on, or occurs on or after, the~~
7 ~~date of enactment of this Act.~~

8 **SECTION 1. SHORT TITLE.**

9 *This Act may be cited as the “Disaster Management*
10 *Costs Modernization Act”.*

11 **SEC. 2. USE OF EXCESS FUNDS FOR MANAGEMENT COSTS.**

12 (a) *IN GENERAL.—Section 324 of the Robert T. Staf-*
13 *ford Disaster Relief and Emergency Assistance Act (42*
14 *U.S.C. 5165b) is amended—*

15 (1) *by redesignating subsection (c) as subsection*

16 *(d); and*

17 (2) *by inserting after subsection (b) the fol-*
18 *lowing:*

19 “(c) *USE OF EXCESS FUNDS FOR MANAGEMENT*
20 *COSTS.—*

21 “(1) *DEFINITION.—In this subsection, the term*
22 *‘excess funds for management costs’ means the dif-*
23 *ference between—*

1 “(A) the amount of the applicable specific
2 management costs authorized under subsection
3 (b); and

4 “(B) as of the date on which the grant
5 award is closed, the amount of funding for man-
6 agement costs activities expended by the grantee
7 or subgrantee receiving the financial assistance
8 for costs described in subparagraph (A).

9 “(2) AVAILABILITY OF EXCESS FUNDS FOR MAN-
10 AGEMENT COSTS.—The President may make available
11 to a grantee or subgrantee receiving financial assist-
12 ance under section 403, 404, 406, 407, or 502 any ex-
13 cess funds for management costs.

14 “(3) USE OF FUNDS.—Excess funds for manage-
15 ment costs made available to a grantee or subgrantee
16 under paragraph (2) may be used for activities asso-
17 ciated with building capacity to respond to or recover
18 from the types of incidents for which assistance may
19 be made available under section 403, 404, 406, 407,
20 or 502 and to provide such assistance, including for
21 providing training and other activities associated
22 with any major disaster or emergency declaration, or
23 to otherwise prepare for such an incident.

24 “(4) AVAILABILITY.—Excess funds for manage-
25 ment costs made available to a grantee or subgrantee

1 *under paragraph (2) shall remain available to the*
2 *grantee or subgrantee until the date that is 5 years*
3 *after the date on which the excess funds for manage-*
4 *ment costs are made available under paragraph (2).”.*

5 *(b) APPLICABILITY.—The amendments made by sub-*
6 *section (a) shall apply with respect to any grant award*
7 *in relation to a major disaster or emergency declared under*
8 *section 401 or 501, respectively, of the Robert T. Stafford*
9 *Disaster Relief and Emergency Assistance Act (42 U.S.C.*
10 *5170, 5191) that is open on, or made on or after, the date*
11 *of enactment of this Act.*

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