

Calendar No. 497

118TH CONGRESS
2D SESSION

S. 3071

[Report No. 118–218]

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

OCTOBER 18, 2023

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

SEPTEMBER 10, 2024

Reported by Mr. PETERS, with amendments

[Omit the part struck through 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) in subsection (b)(2)—

11 (A) by redesignating subparagraphs (A)
 12 and (B) as clauses (i) and (ii), respectively, and
 13 adjusting the margins accordingly; and

14 (B) in the matter preceding clause (i), as
 15 so redesignated, by striking “provide the fol-
 16 lowing percentage rates” and inserting “pro-
 17 vide—

18 “(A) excess funds for management costs as
 19 described in subsection (c); and

20 “(B) the following percentage rates”;

21 (2) by redesignating subsection (c) as sub-
 22 section (d); and

23 (3) by inserting after subsection (b) the fol-
 24 lowing:

1 “(c) USE OF EXCESS FUNDS FOR MANAGEMENT
2 COSTS.—

3 “(1) DEFINITION.—In this subsection, the term
4 ‘excess funds for management costs’ means the dif-
5 ference between—

6 “(A) the amount of the applicable specific
7 management costs authorized under subsection
8 (b)(1) and subsection (b)(2)(B); and

9 “(B) as of the date on which the grant
10 award is closed, the amount of funding for
11 management costs activities expended by the
12 grantee or subgrantee receiving the financial as-
13 sistance for costs described in subparagraph
14 (A).

15 “(2) AVAILABILITY OF EXCESS FUNDS FOR
16 MANAGEMENT COSTS.—The President may make
17 available to a grantee or subgrantee receiving finan-
18 cial assistance under section 403, 404, 406, 407, or
19 502 any excess funds for management costs.

20 “(3) USE OF FUNDS.—Excess funds for man-
21 agement costs made available to a grantee or sub-
22 grantee under paragraph (2) may be used for—

23 “(A) activities associated with building ca-
24 pacity to prepare for, recover from, or mitigate
25 the impacts of a major disaster or emergency

1 declared under section 401 or 501, respectively;

2 and

3 “(B) management costs associated with

4 any—

5 “(i) major disaster;

6 “(ii) emergency;

7 “(iii) disaster preparedness measure;

8 or

9 “(iv) mitigation activity or measure

10 authorized under section 203, 204, 205, or

11 404.

12 “(4) AVAILABILITY.—Excess funds for manage-

13 ment costs made available to a grantee or sub-

14 grantee under paragraph (2) shall remain available

15 to the grantee or subgrantee until the date that is

16 5 years after the date on which the excess funds for

17 management costs are made available under para-

18 graph (2).”.

19 (b) APPLICABILITY.—The amendments made by sub-

20 section (a) shall apply with respect to any grant award

21 in relation to a major disaster or emergency declared

22 under section 401 or 501, respectively, of the Robert T.

23 Stafford Disaster Relief and Emergency Assistance Act

24 (42 U.S.C. 5170, 5191)—

1 (1) the declaration of which is ~~open on, or~~ made
 2 on or after; the date of enactment of this Act; and

3 (2) that is funded with amounts appropriated
 4 on or after the date of enactment of this Act.

5 *(c) GAO STUDY.—Not later than 180 days after the*
 6 *date of enactment of this Act, the Comptroller General of*
 7 *the United States shall submit to the Committee on Home-*
 8 *land Security and Governmental Affairs of the Senate and*
 9 *the Committee on Transportation and Infrastructure of the*
 10 *House of Representatives a report—*

11 *(1) on the actual management costs described in*
 12 *section 324 of the Robert T. Stafford Disaster Relief*
 13 *and Emergency Assistance Act (42 U.S.C. 5165b)*
 14 *during the period of a major disaster declaration*
 15 *under section 401 of such Act (42 U.S.C. 5170) to de-*
 16 *termine whether the amount set aside for those man-*
 17 *agement costs after the date of enactment of this Act*
 18 *is appropriate; and*

19 *(2) that includes the management costs described*
 20 *in section 324 of the Robert T. Stafford Disaster Re-*
 21 *lief and Emergency Assistance Act (42 U.S.C. 5165b)*
 22 *for each disaster declared under during the period of*
 23 *a major disaster declaration under section 401 of such*
 24 *Act (42 U.S.C. 5170) during the 5-year period pre-*
 25 *ceding the date of the report, the amount set aside for*

1 *those management costs, the use of those management*
2 *costs, the length of each disaster, and the reason for*
3 *the length of each disaster.*

4 *(d) NO ADDITIONAL FUNDS.—No additional funds are*
5 *authorized to be appropriated to carry out the amendments*
6 *made by subsection (a).*

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