



(Original Signature of Member)

115TH CONGRESS
1ST SESSION

H. R. _____

To reauthorize the programs and activities of the Federal Emergency Management Agency.

Mr. BARLETTA (for himself, Mr. JOHNSON of Georgia, Mr. SHUSTER, and Mr. DEFAZIO) introduced the following bill; which was referred to the Committee on _____

A BILL

To reauthorize the programs and activities of the Federal Emergency Management Agency.

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 Reauthoriza-
5 tion Act of 2017”.

1 **SEC. 2. REAUTHORIZATION OF FEDERAL EMERGENCY MAN-**
2 **AGEMENT AGENCY.**

3 Section 699 of the Post-Katrina Emergency Manage-
4 ment Reform Act of 2006 (Public Law 109–295; 6 U.S.C.
5 811) is amended—

6 (1) by striking “administration and operations”
7 each place it appears and inserting “management
8 and administration”;

9 (2) in paragraph (2), by striking “; and”;

10 (3) in paragraph (3), by striking the period and
11 inserting “; and”; and

12 (4) by adding at the end the following:

13 “(4) for fiscal year 2018, \$1,049,000,000;

14 “(5) for fiscal year 2019, \$1,065,784,000; and

15 “(6) for fiscal year 2020, \$1,082,836,544.”.

16 **SEC. 3. COMPREHENSIVE STUDY OF DISASTER COSTS AND**
17 **LOSSES.**

18 (a) **ESTABLISHMENT.**—Not later than 30 days after
19 the date of enactment of this Act, the Administrator shall
20 begin, acting through the National Advisory Council, a
21 comprehensive study relating to disaster costs and losses
22 and Federal disaster assistance.

23 (b) **ADDITIONAL MEMBERSHIP.**—For the purposes of
24 the comprehensive study required under subsection (a), as
25 soon as practicable after the date of enactment of this Act,

1 the Administrator shall appoint the following members to
2 the National Advisory Council:

3 (1) Individuals who have the requisite technical
4 knowledge and expertise on issues related to disaster
5 costs and losses.

6 (2) Representatives of the insurance industry.

7 (3) Experts in and representatives of the con-
8 struction and building industry.

9 (4) Individuals nominated by national organiza-
10 tions representing State, local, and tribal govern-
11 ments and personnel.

12 (5) Academic experts.

13 (6) Representatives of the private industry,
14 such as vendors, developers, and manufacturers of
15 systems, facilities, equipment, and capabilities for
16 emergency management services.

17 (7) Other members, as the Administrator con-
18 siders appropriate.

19 (c) CONSULTATION WITH NONMEMBERS.—For the
20 purposes of the comprehensive study required under sub-
21 section (a), the National Advisory Council shall consult
22 with other relevant agencies and entities that are not rep-
23 resented on the National Advisory Council to consider re-
24 search, data, findings, recommendations, innovative tech-
25 nologies and developments, including—

1 (1) entities engaged in federally funded re-
2 search; and

3 (2) academic institutions engaged in relevant
4 work and research.

5 (d) STUDY REQUIREMENTS.—Not later than 120
6 days after the date of enactment of this Act, the National
7 Advisory Council shall convene to evaluate disaster costs
8 and losses and Federal disaster assistance, including con-
9 sideration of the following:

10 (1) TRENDS AND CONTRIBUTING FACTORS.—

11 An assessment of trends, and factors contributing to
12 such trends (such as shifting demographics and
13 aging infrastructure), in disaster costs and losses
14 and Federal disaster assistance, including the fol-
15 lowing:

16 (A) Loss of life and injury.

17 (B) Property damage and other costs to
18 individuals, the private sector, and each level of
19 government.

20 (C) Presidentially declared disasters.

21 (D) Disaster assistance available from all
22 Federal sources.

23 (2) DISASTER ROLES AND RESPONSIBILITY.—

24 Fundamental principles that drive national disaster
25 assistance decision making, including the appro-

1 appropriate roles for each level of government, the private
2 sector, and individuals.

3 (e) RECOMMENDATIONS.—The National Advisory
4 Council shall develop recommendations to reduce disaster
5 costs and losses in the United States and to more effi-
6 ciently and effectively deliver Federal disaster assistance,
7 including consideration of the following:

8 (1) Actions to enhance national disaster assist-
9 ance decision making.

10 (2) Incentives, including tax incentives, to re-
11 duce disaster costs and losses and promote a more
12 efficient and effective use of Federal disaster assist-
13 ance.

14 (3) Mechanisms to promote disaster cost and
15 loss reduction, mitigation, and resiliency.

16 (4) Legislative proposals, including proposals
17 for implementing the recommendations in the report
18 compiled pursuant to the requirement in section
19 1111 of the Sandy Recovery Improvement Act of
20 2013 (Public Law 113–2; 127 Stat. 49).

21 (5) Legal, societal, geographic, technological,
22 and other challenges to implementation of rec-
23 ommendations.

1 (6) Projected dollar savings and efficiencies, in-
2 cluding measures of effectiveness, from recommenda-
3 tions.

4 (f) **REPORT TO ADMINISTRATOR AND CONGRESS.**—

5 Not later than 1 year after the National Advisory Council
6 convenes under subsection (d), the National Advisory
7 Council shall submit a report containing the data, anal-
8 ysis, and recommendations developed under subsections
9 (d) and (e) to—

10 (1) the Administrator;

11 (2) the Committee on Transportation and In-
12 frastructure of the House of Representatives; and

13 (3) the Committee on Homeland Security and
14 Governmental Affairs of the Senate.

15 (g) **AVAILABILITY OF INFORMATION.**—The Adminis-
16 trator shall make the data collected pursuant to this sec-
17 tion publicly available on the website of the Agency.

18 **SEC. 4. NATIONAL DOMESTIC PREPAREDNESS CONSOR-**
19 **TIUM.**

20 Section 1204 of the Implementing Recommendations
21 of the 9/11 Commission Act (6 U.S.C. 1102) is amend-
22 ed—

23 (1) in subsection (d) by striking paragraphs (1)

24 and (2) and inserting the following:

1 “(1) for the Center for Domestic Prepared-
2 ness—

3 “(A) \$63,939,000 for fiscal year 2018;

4 “(B) \$64,962,024 for fiscal year 2019; and

5 “(C) \$66,001,416 for fiscal year 2020.

6 “(2) for the members referred to in paragraphs
7 (2) through (7) of subsection (b)—

8 “(A) \$101,000,000 for fiscal year 2018;

9 “(B) \$102,606,000 for fiscal year 2019;

10 and

11 “(C) \$104,247,856 for fiscal year 2020.”;

12 and

13 (2) in subsection (e) in the matter preceding
14 paragraph (1), by striking “2007” and inserting
15 “2015”.

16 **SEC. 5. NATIONAL PREPARATION AND RESPONSE EFFORTS**
17 **RELATING TO EARTHQUAKES AND TSUNAMIS.**

18 The Administrator of the Federal Emergency Man-
19 agement Agency shall be responsible for the Nation’s ef-
20 forts to reduce the loss of life and property, and to protect
21 the Nation, from an earthquake, tsunami, or combined
22 earthquake and tsunami event by developing the ability
23 to prepare and plan for, mitigate against, respond to, re-
24 cover from, and more successfully adapt to such an event.

1 **SEC. 6. AUTHORITIES.**

2 Privately-funded actions taken by private parties on
3 private land do not constitute Federal actions under the
4 National Flood Insurance Act of 1968 (42 U.S.C. 4001
5 et seq.), the Flood Disaster Protection Act of 1973 (42
6 U.S.C. 4001 et seq.), the Biggert-Waters Flood Insurance
7 Reform Act of 2012 (Public Law 112–141, 126 Stat.
8 916), and the Homeowner Flood Insurance Affordability
9 Act of 2014 (Public Law 113–89; 128 Stat. 1020), that
10 require consultation under section 7 of the Endangered
11 Species Act of 1973 (16 U.S.C. 1536).

12 **SEC. 7. TECHNICAL AMENDMENTS TO NATIONAL EMER-**
13 **GENCY MANAGEMENT.**

14 (a) HOMELAND SECURITY ACT OF 2002.—Title V of
15 the Homeland Security Act of 2002 (6 U.S.C. 501 et seq.)
16 is amended—

17 (1) in section 501(8) (6 U.S.C. 311(8))—

18 (A) by striking “National Response Plan”
19 each place it appears and inserting “National
20 Response Framework”; and

21 (B) by striking “502(a)(6)” and inserting
22 “504(a)(6)”;

23 (2) in section 503(b)(2)(A) (6 U.S.C. 313) by
24 inserting “and incidents impacting critical infra-
25 structure” before the semicolon;

26 (3) in section 504(a) (6 U.S.C. 314(a))—

1 (A) in paragraph (3) by striking “, includ-
2 ing—” and inserting “(that includes incidents
3 impacting critical infrastructure), including—”;

4 (B) in paragraph (4) by inserting “, in-
5 cluding incidents impacting critical infrastruc-
6 ture” before the semicolon;

7 (C) in paragraph (5) by striking “and
8 local” and inserting “local, and tribal”;

9 (D) in paragraph (6) by striking “national
10 response plan” and inserting “national response
11 framework, which shall be reviewed and up-
12 dated as required but not less than every 5
13 years”;

14 (E) by redesignating paragraphs (7)
15 through (21) as paragraphs (8) through (22),
16 respectively; and

17 (F) by inserting after paragraph (6) the
18 following:

19 “(7) developing integrated frameworks, to in-
20 clude consolidating existing Government plans ad-
21 dressing prevention, protection, mitigation, and re-
22 covery with such frameworks reviewed and updated
23 as required, but not less than every 5 years;”;

24 (G) in paragraph (14), as redesignated, by
25 striking “National Response Plan” each place it

1 appears and inserting “National Response
2 Framework”;

3 (4) in section 507 (6 U.S.C. 317)—

4 (A) in subsection (c)—

5 (i) in paragraph (2)(E), by striking
6 “National Response Plan” and inserting
7 “National Response Framework”; and

8 (ii) in paragraph (3)(A), by striking
9 “National Response Plan” and inserting
10 “National Response Framework”; and

11 (B) in subsection (f)(1)(G), by striking
12 “National Response Plan” and inserting “Na-
13 tional Response Framework”;

14 (5) in section 508 (6 U.S.C. 318)—

15 (A) in subsection (b)(1), by striking “Na-
16 tional Response Plan” and inserting “National
17 Response Framework”; and

18 (B) in subsection (d)(2)(A), by striking
19 “The Deputy Administrator, Protection and
20 National Preparedness” and inserting “A Dep-
21 uty Administrator”;

22 (6) in section 509 (6 U.S.C. 319)—

23 (A) in subsection (b)—

24 (i) in paragraph (1)—

1 (I) by striking “National Re-
2 sponse Plan” and inserting “National
3 Response Framework, National Pro-
4 tection Framework, National Preven-
5 tion Framework, National Mitigation
6 Framework, National Recovery
7 Framework”;

8 (II) by striking “successor” and
9 inserting “successors”; and

10 (III) by striking “plan” at the
11 end of that paragraph and inserting
12 “framework”; and

13 (ii) in paragraph (2), by striking “Na-
14 tional Response Plan” each place it ap-
15 pears and inserting “National Response
16 Framework”;

17 (B) in subsection (e)(1)—

18 (i) in subparagraph (A)—

19 (I) by striking “NATIONAL RE-
20 SPONSE PLAN” in the header and in-
21 serting “NATIONAL RESPONSE
22 FRAMEWORK”; and

23 (II) by striking “National Re-
24 sponse Plan” in the text and inserting
25 “National Response Framework”; and

1 (ii) in subparagraph (B), by striking
2 “National Response Plan” and inserting
3 “National Response Framework”;

4 (7) in section 510 (6 U.S.C. 320)—

5 (A) in subsection (a), by striking “enter
6 into a memorandum of understanding” and in-
7 serting “partner”;

8 (B) in subsection (b)(1)(A), by striking
9 “National Response Plan” and inserting “Na-
10 tional Response Framework”; and

11 (C) in subsection (c), by striking “National
12 Response Plan” and inserting “National Re-
13 sponse Framework”;

14 (8) in section 515(e)(1) (6 U.S.C. 321d(e)(1)),
15 by striking “and local” each place it appears and in-
16 serting “, local, and tribal”;

17 (9) by striking section 524 (6 U.S.C. 321m);
18 and

19 (10) in section 525(a) (6 U.S.C. 321n), by
20 striking “Secretary” and inserting “Administrator”.

21 (b) POST-KATRINA EMERGENCY MANAGEMENT RE-
22 FORM ACT OF 2006.—

23 (1) CITATION CORRECTION.—Section 602(13)
24 (6 U.S.C. 701(13) note) is amended by striking
25 “502(a)(6)” and inserting “504(a)(6)”.

1 (2) CHANGE OF REFERENCE.—Chapter 1 of
2 subtitle C of title VI of the Post-Katrina Emergency
3 Management Reform Act of 2006 (Public Law 109–
4 295) is amended by striking “National Response
5 Plan” each place it appears and inserting “National
6 Response Framework”.