AMENDMENT TO H.R. ______
OFFERED BY MR. ROUZER OF NORTH CAROLINA

Add at the end the following:

SEC. _____. NATURAL DISASTER RECOVERY PROGRAM.

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

“SEC. 431. NATURAL DISASTER RECOVERY PROGRAM.

“(a) AUTHORITY; USE.—The President may provide
assistance under this section to States and Indian Tribes
for unmet need, including necessary expenses for activities
related to disaster relief, resiliency, long-term recovery,
restoration of infrastructure and housing, mitigation, and
economic revitalization after a major disaster is declared
under section 401.

“(b) COORDINATION OF DISASTER BENEFITS AND
DATA WITH OTHER FEDERAL AGENCIES.—

“(1) IN GENERAL.—The President shall coordi-
nate with other agencies to obtain data on recovery
needs and unmet need, including the Administrator
of the Small Business Administration and other
agencies when necessary regarding disaster benefits.
Not later than 90 days after a major disaster is de-
declared, the President shall make publicly available all
data collected, possessed, or analyzed during the
course of a disaster recovery for which assistance is
provided under this section, including—

“(A) all data on damage caused by the dis-

“(B) information on how any Federal as-

“(C) information regarding the effect of
the disaster on education, transportation capa-
bilities and dependence, housing needs, health
care capacity, and displacement of persons; and

“(D) the extent of the unmet need.

“(2) PROTECTION OF PERSONALLY IDENTIFI-
able information.—In carrying out this sub-
section, the President and the grantee shall take
such actions as may be necessary to ensure that per-
sonally identifiable information regarding recipients
of assistance provided under this section is not made
publicly available by any agency with which informa-
tion is shared pursuant to this subsection.

“(e) USE OF FUNDS.—

“(1) ADMINISTRATIVE COSTS.—
“(A) IN GENERAL.—A State or Indian Tribe receiving a grant under this section may use not more than 13 percent of the amount of grant funds received, or within such other percentage as may be established pursuant to subparagraph (B), for administrative costs, including costs related to audits, reviews, oversight, evaluation, and investigations.

“(B) DISCRETION TO ESTABLISH SLIDING SCALE.—The President may establish a series of percentage limitations on the amount of grant funds received that may be used by a grantee for administrative costs, but only if—

“(i) such percentage limitations are based on the amount of grant funds received by a grantee; and

“(ii) such series provides that the percentage that may be used is lower for grantees receiving a greater amount of grant funds and such percentage that may be used is higher for grantees receiving a lesser amount of grant funds.

“(2) CAPACITY BUILDING.—From funds made available for use under this section, the President shall provide necessary technical assistance to grant-
ees to ensure grantees are compliant with Federal law, and capacity building and technical assistance, including assistance regarding contracting and procurement processes, including providing solicitation and contractual templates that conform to Federal requirements for use by grantees.

“(d) ALLOCATION, PROCESS, AND PROCEDURES; COORDINATION.—

“(1) ALLOCATION.—

“(A) IN GENERAL.—The President shall allocate funds under this section proportionally to grantees based on their level of unmet need as determined pursuant to subsection (b).

“(B) GRANTEE USE OF FUNDS.—Each grantee, not the President, shall be responsible for determining how funds provided under this section are prioritized and spent and a grantee shall not be required to provide an action or spending plan before or after funds are allocated, except that the grantee shall use a portion of these funds for cleaning and removing debris from rivers, creeks, streams, and ditches.

“(C) LIMITATION.—Notwithstanding section 312, a loan shall not be considered a dupli-
cation of benefits or otherwise impact the level
of unmet need under this section.

“(2) GRANTEE PROCESSES AND PROCEDURE.—

“(A) INITIAL GRANT FUNDS.—Initially, grantees shall be awarded 50 percent of their total allocation under paragraph (1). After expenditure of such amount, a grantee shall submit a report, detailing how such grant funds were spent, to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate. Such report shall include a certification from the State Auditor that none of the funds were wasted or used inappropriately.

“(B) CONGRESSIONAL APPROVAL.—

“(i) APPROVAL.—Not later than 60 days after receipt of the report under sub-paragraph (A), Congress shall approve or disapprove the report. If the report is approved, or if 60 days has lapsed and Congress has not commented on the report,
the remaining 50 percent of the allocation under paragraph (1) shall be released to the grantee.

“(ii) DISAPPROVAL.—If Congress disapproves the report, the grantee shall work with Congress to address any and all concerns regarding how the initial 50 percent of the grant money was expended. Once these concerns are resolved, the remaining funds shall be released to the grantee.

“(iii) FRAUD OR ABUSE.—If Congress determines that a grantee committed fraud or abuse, Congress shall require the President to recover all funds provided to the grantee under this section. Any amount recovered under this clause shall be redistributed to other grantees with approved reports pursuant to clause (i).

“(3) REQUIREMENTS.—Each State and Indian Tribe that receives funds under this section shall establish or adhere to existing guidelines for procurement processes and procedures and require that subgrantees—

“(A) provide for full and open competition and require cost or price analysis;
“(B) specify methods of procurement and their applicability, but not allow cost-plus-a-percentage-of cost or percentage-of-construction-cost methods of procurement;

“(C) include standards of conduct governing employees engaged in the award or administration of contracts; and

“(D) ensure that all purchase orders and contracts include any clauses required by Federal statute, Executive order, or implementing regulation.

“(e) ENVIRONMENTAL REVIEW.—Recipients of funds received under this section that use funds to supplement funds provided under section 402, 403, 404, 406, 407, 408(e)(4), 428, or 502 may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency.

“(f) BEST PRACTICES.—The President shall identify best practices for grantees on issues including developing action plans, establishing financial controls, building grantee technical and administrative capacity, procurement, and use of grant funds as local match for other sources of Federal funding. Not later than 1 year after the date of enactment of this section, the President shall publish a compilation of such identified best practices and
share with all relevant grantees to facilitate a more efficient and effective disaster recovery process.

“(g) NATURAL DISASTER RECOVERY RESERVE FUND.—

“(1) IN GENERAL.—There is established in the Treasury of the United States an account to be known as the Natural Disaster Recovery Reserve Fund (in this section referred to as the ‘Fund’).

“(2) AMOUNTS.—The Fund shall consist of any amounts appropriated to or deposited into the Fund, including amounts deposited into the Fund pursuant to paragraph (4).

“(3) USE OF FUNDS.—Amounts in the Fund shall be available, pursuant to a declaration of a major disaster, only for providing technical assistance and capacity building in connection with subsection (c)(4) for grantees that have been allocated assistance under this section in connection with such disaster to facilitate planning and increase capacity to administer assistance under this section.

“(4) UNUSED AMOUNTS.—If any amounts made available for assistance under this section to grantees remain unexpended on the earlier of—
“(A) the date that the grantee of such amounts notifies the President that the grantee has completed all activities; or

“(B) except as provided in paragraph (5), the expiration of the 6-year period beginning when the President obligates such amounts to the grantee, the President shall transfer such unexpended amounts to the Secretary of the Treasury for deposit into the Fund, except that the President may permit the grantee to retain amounts needed to close out the grant.

“(5) EXTENSION OF PERIOD FOR USE OF FUNDS.—The period under paragraph (4)(B) may be extended by not more than 4 years if, before the expiration of such 6-year period, the President waives this requirement and submits a written justification for such waiver to the Committees on Appropriations of the House of Representatives and the Senate that specifies the period of such extension.

“(h) WAIVER AUTHORITY.—Until such time as the President issues regulations to implement this section, the President may—

“(1) waive notice and comment rulemaking, if the President determines the waiver is necessary to
expeditiously implement the provisions of this section; and

“(2) carry out the grant program under this section as a pilot program.

“(i) DEFINITIONS.—For purposes of this section, the following terms shall apply:

“(1) STATE AUDITOR.—The term ‘State auditor’ means the individual selected by each State or the Chief Executive to submit information pursuant to subsection (c)(3) and a certification in accordance with subsection (d)(2)(A).

“(2) UNMET NEED.—The term ‘unmet need’ means any unresourced item, support, or assistance that has been assessed and verified as necessary for a survivor to recover from a major disaster, including food, clothing, shelter, first aid, emotional and spiritual care, household items, home repair, or re-building.”.