

HR 2903

FEMA Reauthorization Act of 2012

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Emergency Management

Introduced: Sep 13, 2011

Current Status: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Government

Latest Action: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Sep 20, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/2903>

Sponsor

Name: Rep. Denham, Jeff [R-CA-19]

Party: Republican • **State:** CA • **Chamber:** House

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Del. Norton, Eleanor Holmes [D-DC-At Large]	D · DC		Sep 13, 2011
Rep. Hanna, Richard L. [R-NY-24]	R · NY		Sep 13, 2011

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Sep 20, 2012
Homeland Security Committee	House	Discharged From	Sep 17, 2012
Transportation and Infrastructure Committee	House	Referred to	Sep 14, 2011

Subjects & Policy Tags

Policy Area:

Emergency Management

Related Bills

No related bills are listed.

FEMA Reauthorization Act of 2012 - **Title I: Reauthorization of FEMA and Modernization of Integrated Public Alert and Warning System** - (Sec. 101) Amends the Post-Katrina Emergency Management Reform Act of 2006 to authorize appropriations for the Federal Emergency Management Agency (FEMA) for FY2012-FY2014 for salaries and expenses.

(Sec. 102) Integrated Public Alert and Warning System Modernization Act of 2012 - Directs the Administrator of FEMA to modernize and implement the integrated public alert and warning system of the United States to ensure that the President is able, under all conditions, to alert governmental authorities and the civilian population in areas endangered by disasters, including by: (1) establishing common alerting and warning protocols, standards, terminology, and operating procedures for such system; (2) including in such system the capability to adapt the distribution and content of communications on the basis of geographic location, risks, or personal user preferences and to alert individuals with disabilities and individuals with access and functional needs; (3) ensuring that training, tests, and exercises are conducted for such system; (4) establishing and integrating into the National Incident Management System a comprehensive and periodic training program to instruct and educate federal, state, tribal, and local government officials in the use of the Common Alerting Protocol enabled Emergency Alert System; (5) conducting nationwide tests of the system at least every three years; and (6) ensuring that the system is resilient, secure, and can withstand acts of terrorism and other external attacks.

Requires the system to: (1) incorporate multiple communications technologies, (2) be designed to incorporate future technologies for communicating directly with the public to provide alerts to the largest portion of the affected population feasible and to improve the ability of remote areas to receive alerts, (3) promote local and regional partnerships to enhance community preparedness and response, (4) provide redundant alert mechanisms, and (5) protect individual privacy.

Directs the Administrator to submit to specified congressional committees a detailed plan to implement the system, including a timeline, a spending plan, and recommendations for any additional authority necessary.

Directs the FEMA Administrator to establish the Integrated Public Alert and Warning System Advisory Committee to develop recommendations for the system.

Title II: Stafford Act and Other Programs - (Sec. 201) Amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) to direct the Administrator to: (1) continue to administer the National Urban Search and Rescue Response System, (2) provide for a national network of standardized search and rescue resources to assist states and local governments in responding to hazards, (3) designate task forces to participate in the System, (4) enter into an agreement with the state or local government sponsoring a task force (sponsoring agency) with respect to participation, and (5) maintain such management and other technical teams as necessary to administer the System.

Authorizes the Administrator to appoint a System member for a period of federal service to participate in sponsored or sanctioned exercises, pre incident staging, major disaster and emergency response activities, and training events.

Directs the Administrator to: (1) establish and maintain an advisory committee to provide expert recommendations to assist the Administrator in administering the System; (2) enter into an annual preparedness cooperative agreement with each sponsoring agency for training and exercises, equipment acquisition and maintenance, and medical monitoring required for responder safety and health; and (3) enter into response cooperative agreements under which the Administrator agrees to reimburse sponsoring agencies for costs incurred in responding to a major disaster or

emergency.

Authorizes appropriations to carry out the System for FY2012-FY2014.

(Sec. 202) Amends the Stafford Act to authorize the Administrator to make grants to provide for implementation of the Emergency Management Assistance Compact. Makes states and the Administrator of the Compact eligible to receive such grants. Requires grants to be used to: (1) carry out recommendations identified in the Compact after-action reports for the 2004 and 2005 hurricane seasons; (2) administer Compact operations on behalf of states that have enacted it; (3) continue coordination with FEMA, appropriate federal agencies, states and local governments, and their respective national organizations; and (4) assist with credentialing emergency response providers and the typing of emergency response resources. Requires the FEMA Administrator to consult with the Compact Administrator to ensure effective coordination of efforts in responding to requests for assistance. Authorizes appropriations for Compact grants for FY2012-FY2014.

(Sec. 203) Amends the Stafford Act to authorize the President to transfer excess materials, supplies, or equipment acquired for response or recovery efforts in connection with a major disaster or emergency to a state, local government, or relief or disaster assistance organization for the purpose of assisting: (1) disaster survivors in other major disasters and emergencies; and (2) survivors in incidents caused by a hazard that do not result in a declaration of a major disaster or emergency if the governor of the affected state certifies that there is an urgent need for the materials, supplies, or equipment, and that the state is unable to provide such items in a timely manner.

(Sec. 204) Directs the FEMA Administrator to: (1) determine the number of temporary housing units that FEMA needs to maintain in stock to respond appropriately to emergencies or major disasters; (2) establish a plan and guidelines for storing such number of units and for selling, transferring, donating, or otherwise disposing of units in FEMA's inventory in excess of such number; (3) report on actions taken to implement the plan and guidelines; and (4) update the plan as necessary to ensure that the Administrator maintains in FEMA's inventory only the units needed.

Authorizes the Administrator to transfer or donate, on a priority basis, excess temporary housing units to states that agree to: (1) use the units to provide temporary housing to survivors of incidents that are caused by hazard, (2) pay to store and maintain the units, (3) make the units available to the President or use the units to provide housing directly to survivors in the event of a major disaster or emergency declared for the state by the President, (4) comply with nondiscrimination provisions, and (5) maintain hazard and flood insurance on the units.

(Sec. 205) Authorizes the sale, transfer, or donation of such units directly to a state or other governmental entity or to a voluntary organization for the sole purpose of providing temporary housing to disaster victims in disasters and incidents caused by a hazard that does not result in a declaration of a major disaster or emergency if the recipient agrees to comply with nondiscrimination provisions and to obtain and maintain hazard and flood insurance for the units.

(Sec. 206) Directs the President, within 180 days of this Act's enactment, to establish criteria required under the Stafford Act for the approval of an application submitted by a state for the delegation of the authority to administer the hazard mitigation grant program.

(Sec. 207) Directs the Administrator: (1) within 180 days of this Act's enactment, to review regulations and policies relating to federal disaster assistance to eliminate regulations that are no longer relevant, harmonize contradictory regulations, and simplify and expedite disaster recovery and assistance; (2) within 1 year of enactment, to report to specified congressional committees on changes made to regulations as a result of such review, together with any legislative recommendations; and (3) to revise regulations related to the submission of State Hazard Mitigation Plans to

extend the hazard mitigation planning cycle to every 5 years, consistent with local planning cycles.

(Sec. 208) Requires a decision regarding an appeal of a major disaster assistance decision to be rendered within 60 (currently, 90) days after the federal official designated to administer such appeal receives notice of such appeal. Requires the official to provide to the applicant a written explanation of any failure to meet such deadline. Directs the Administrator to transmit to specified committees a quarterly report on such failures.

(Sec. 209) Directs the Administrator to issue and begin to implement regulations required under the Stafford Act to provide for cost estimation procedures that expedite recovery and to reduce the costs and time for completion of recovery projects through the creation of financial and performance incentives.

(Sec. 210) Authorizes the chief executive of an affected Indian tribal government to submit a request for a major disaster or emergency declaration by the President under the Stafford Act. Authorizes the President, in providing assistance to such a government, to waive or adjust any payment of a non-federal contribution with respect to the assistance if the President: (1) has the authority to waive or adjust the payment under another provision under the Act, and (2) determines that the waiver or adjustment is necessary and appropriate.

(Sec. 211) Directs the Administrator, in cooperation with representatives of state, tribal, and local emergency management agencies, to review, update, and revise through rulemaking the factors considered when evaluating a governor's request for a major disaster declaration to measure the severity, magnitude, and impact of a disaster.

(Sec. 212) Directs the Administrator, in coordination with states, tribal and local governments, and owners or operators of private nonprofit facilities, to establish and conduct a pilot program to: (1) reduce the costs to government of providing assistance to such states, governments, and owners or operators for the repair, restoration, reconstruction, or replacement of a facility damaged or destroyed by a major disaster; (2) increase flexibility in the administration of such assistance; and (3) expedite such assistance. Requires the Administrator to establish new procedures to administer such assistance, which shall include: (1) making grants on the basis of estimates agreed to by the requesting entity and the Administrator to provide financial incentives and disincentives for the timely and cost-effective completion of projects; (2) providing an option for the requesting entity to elect to receive an in-lieu contribution, without reduction, on the basis of estimates of the cost of repair, restoration, reconstruction, or replacement of the facility and management expenses; (3) consolidating facilities as a single project based upon the estimates established under the pilot procedures; and (4) allowing the Administrator, if the actual costs of a project completed under the pilot procedures are less than the estimated costs, to permit a grantee or sub grantee to use all or part of the excess funds for cost-effective activities that reduce the risk of future damage, hardship, or suffering from a major disaster.

Permits the Administrator to waive such regulations or rules applicable to the repair, restoration, and replacement of damaged facilities under the Stafford Act as the Administrator determines are necessary to carry out such pilot program. Directs the Administrator to report to specified committees by October 31, 2015, regarding the effectiveness of the pilot program. Prohibits the Administrator from approving a project under the pilot program after December 31, 2014.

(Sec. 213) Directs the Administrator to establish new procedures to administer assistance under the Stafford Act for removal of debris and wreckage resulting from a major disaster or emergency, which may include: (1) making grants on the basis of fixed estimates to provide financial incentives and disincentives for the timely or cost effective completion of removal projects if the state, tribal, or local government or facility owner or operator agrees to be responsible to pay for any actual costs that exceed the estimate; (2) using a sliding scale for the federal share based on the time it takes to complete removal; (3) allowing utilization of program income from recycled debris without offset to the grant amount; (4)

reimbursing base and overtime wages for employees and extra hires performing removal; and (5) authorizing the Administrator, if the actual costs of projects are less than the estimated costs, to permit a grantee or subgrantee to use all or part of the excess funds for purposes of debris management planning, acquisition of debris management equipment for current or future use, and other activities to improve future debris removal operations.

(Sec. 214) Authorizes the Administrator to use amounts authorized under the Post-Katrina Emergency Management Reform Act of 2006 for FEMA administration and operations for reviews, reports, and studies included in this Act.

(Sec. 215) Reduces the FY2012 authorization of appropriations for Emergency Management Performance Grants under the Post-Katrina Emergency Management Reform Act.

(Sec. 217) Dam Safety Act of 2012 - Authorizes appropriations for the National Dam Safety Program for FY2012-FY2015.

Requires the head of a federal agency, on request, to provide a state dam safety agency with information on the condition and provision for emergency operations of any dam the failure of which would affect the state.

Includes as an objective of the Program the development and implementation of a comprehensive dam safety hazard education and public awareness program to assist the public in preparing for, mitigating against, responding to, and recovering from dam incidents.

Changes the limit on the amount allocated to a state under the Program from 50% of the reasonable cost of implementing the state's dam safety program to the amount of funds committed by the state to implement dam safety program activities.

Actions Timeline

- **Sep 20, 2012:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
- **Sep 19, 2012:** Mr. Denham moved to suspend the rules and pass the bill, as amended.
- **Sep 19, 2012:** Considered under suspension of the rules. (consideration: CR H6104-6113)
- **Sep 19, 2012:** DEBATE - The House proceeded with forty minutes of debate on H.R. 2903.
- **Sep 19, 2012:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H6104-6110)
- **Sep 19, 2012:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H6104-6110)
- **Sep 19, 2012:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 17, 2012:** Committee on Homeland Security discharged.
- **Sep 17, 2012:** Placed on the Union Calendar, Calendar No. 486.
- **Sep 14, 2012:** Reported (Amended) by the Committee on 112-674, Part I.
- **Sep 14, 2012:** Referred sequentially to the House Committee on Homeland Security for a period ending not later than Sept. 17, 2012 for a period ending not later than September 17, 2012, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(j) of rule X.
- **Mar 8, 2012:** Committee Consideration and Mark-up Session Held.
- **Mar 8, 2012:** Ordered to be Reported (Amended) by Voice Vote.
- **Sep 14, 2011:** Referred to the Subcommittee on Economic Development, Public Buildings and Emergency Management.
- **Sep 13, 2011:** Introduced in House
- **Sep 13, 2011:** Referred to the House Committee on Transportation and Infrastructure.