

118TH CONGRESS
1ST SESSION

S. 310

To establish an advisory group to encourage and foster collaborative efforts among individuals and entities engaged in disaster recovery relating to debris removal, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 9, 2023

Mr. SCOTT of Florida (for himself, Mr. PETERS, and Ms. ROSEN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To establish an advisory group to encourage and foster collaborative efforts among individuals and entities engaged in disaster recovery relating to debris removal, and for other purposes.

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 Contract Im-
5 provement Act”.

6 **SEC. 2. OVERSIGHT ON DEBRIS REMOVAL.**

7 (a) DEFINITIONS.—In this section:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Federal
3 Emergency Management Agency.

4 (2) DEBRIS REMOVAL PROGRAM.—The term
5 “debris removal program” means the program estab-
6 lished under section 407 of the Robert T. Stafford
7 Disaster Relief and Emergency Assistance Act (42
8 U.S.C. 5173).

9 (b) ADVISORY WORKING GROUP.—

10 (1) IN GENERAL.—The Administrator shall es-
11 tablish an advisory working group to encourage and
12 foster collaborative efforts among individuals and en-
13 tities engaged in disaster recovery relating to debris
14 removal.

15 (2) MEMBERSHIP.—The advisory working
16 group established under paragraph (1) shall be com-
17 prised of—

18 (A) representatives from the Federal
19 Emergency Management Agency;

20 (B) representatives from the Army Corps
21 of Engineers;

22 (C) representatives from the Natural Re-
23 sources Conservation Service of the Department
24 of Agriculture;

1 (D) representatives of States, Tribal gov-
2 ernments, and units of local government; and

3 (E) subject matter experts in debris re-
4 moval, including not less than 1 representative
5 from the debris services contractor industry.

6 (c) GUIDANCE.—Not later than 1 year after the date
7 of enactment of this Act, the Administrator, in consulta-
8 tion with the advisory working group established under
9 subsection (b)(1), shall—

10 (1) determine whether guidance and procedures
11 in effect as of the date of enactment of this Act with
12 respect to the oversight and cost of debris removal
13 contracts entered into under the debris removal pro-
14 gram are sufficient; and

15 (2) if the Administrator, in consultation with
16 the advisory working group established under sub-
17 section (b)(1), determines that the guidance and
18 procedures described in paragraph (1) are insuffi-
19 cient, develop and implement additional such guid-
20 ance and procedures, including—

21 (A) a requirement that each State, Tribal
22 government, and unit of local government re-
23 ceiving a grant under the debris removal pro-
24 gram take the primary role in the oversight
25 function of debris removal;

1 (B) guidance for State, Tribal, and local
2 debris monitors relating to debris removal oper-
3 ations, debris operations oversight, and con-
4 tractor oversight, including contractor moni-
5 toring;

6 (C) guidance for streamlining the reim-
7 bursement of debris costs overall, including de-
8bris management planning and support for re-
9silience in debris removal operations;

10 (D) checklists, job aids, eligibility require-
11 ments, contract requirements, debris manage-
12 ment planning guidance, sample bids, and other
13 items, as determined necessary by the Adminis-
14 trator, for State and local debris monitors;

15 (E) a list of the specific debris removal
16 monitoring responsibilities expected to be com-
17 pleted by a State that receives a grant under
18 the debris removal program;

19 (F) a list of the specific debris removal
20 monitoring responsibilities expected to be com-
21 pleted by recipients of a grant under the debris
22 removal program; and

23 (G) guidance for State and Tribal govern-
24 ments and units of local government to reduce
25 duplication and inefficiency in debris removal

1 contracting across the Federal Government,
2 State and Tribal governments, and units of
3 local government.

4 (d) TRAINING.—The Administrator shall conduct
5 outreach to States, Tribal governments, and units of local
6 government with respect to any guidance or support mate-
7 rials developed under this section.

8 (e) GAO STUDY.—Not later than 1 year after the
9 date of enactment of this Act, the Comptroller General
10 of the United States shall conduct a study that—

11 (1) studies the use and adoption rate of ad-
12 vance contracts for debris removal by selected
13 States, Tribal governments, and units of local gov-
14 ernment;

15 (2) identifies the benefits and challenges of ad-
16 vance contracts for debris removal;

17 (3) with respect to the reporting and informa-
18 tion sharing processes, as of the date of enactment
19 of this Act, for advance contracts for debris removal
20 between States and units of local government and
21 Federal partners—

22 (A) assesses those processes; and

23 (B) makes any necessary recommendations
24 for those processes;

25 (4) studies—

1 (A) the process for setting Federal reim-
2 bursement rates for the debris removal pro-
3 gram;

4 (B) the use of penalties, as of the date of
5 enactment of this Act, for violations of law and
6 regulations relating to debris removal; and

7 (C) fraud, waste, and abuse relating to the
8 debris removal program, including case studies;
9 and

10 (5) makes any necessary recommendations for
11 improvements to oversight and fraud prevention
12 across the debris removal program.

○