

117TH CONGRESS
1ST SESSION

H. R. 3709

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2021

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To direct the Administrator of the Federal Emergency Management Agency to submit to Congress a report on preliminary damage assessments and make necessary improvements to processes in the Federal Emergency Management Agency, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Preliminary Damage
3 Assessment Improvement Act of 2021”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) Preliminary damage assessments play a
7 critical role in assessing and validating the impact
8 and magnitude of a disaster.

9 (2) Through the preliminary damage assess-
10 ment process, representatives from the Federal
11 Emergency Management Agency validate informa-
12 tion gathered by State and local officials that serves
13 as the basis for disaster assistance requests.

14 (3) Various factors can impact the duration of
15 a preliminary damage assessment and the cor-
16 responding submission of a major disaster request,
17 however, the average time between when a disaster
18 occurs, and the submission of a corresponding dis-
19 aster request has been found to be approximately
20 twenty days longer for flooding disasters.

21 (4) With communities across the country facing
22 increased instances of catastrophic flooding and
23 other extreme weather events, accurate and efficient
24 preliminary damage assessments have become criti-
25 cally important to the relief process for impacted
26 States and municipalities.

1 **SEC. 3. REPORT TO CONGRESS.**

2 (a) IN GENERAL.—Not later than 90 days after the
3 date of enactment of this Act, the Administrator of the
4 Federal Emergency Management Agency shall submit to
5 Congress a report describing the preliminary damage as-
6 sessment process, as supported by the Federal Emergency
7 Management Agency in the 5 years before the date of en-
8 actment of this Act.

9 (b) CONTENTS.—The report described in subsection
10 (a) shall contain the following:

11 (1) The process of the Federal Emergency
12 Management Agency for deploying personnel to sup-
13 port preliminary damage assessments.

14 (2) The number of Agency staff participating
15 on disaster assessment teams.

16 (3) The training and experience of such staff
17 described in paragraph (2).

18 (4) A calculation of the average amount of time
19 disaster assessment teams described in paragraph
20 (1) are deployed to a disaster area.

21 (5) The efforts of the Agency to maintain a
22 consistent liaison between the Agency and State,
23 local, tribal, and territorial officials within a disaster
24 area.

1 **SEC. 4. PRELIMINARY DAMAGE ASSESSMENT.**

2 (a) IN GENERAL.—Not later than 6 months after the
3 date of enactment of this Act, the Administrator of the
4 Federal Emergency Management Agency shall convene an
5 advisory panel consisting of emergency management per-
6 sonnel employed by State, local, territorial, or tribal au-
7 thorities, and the representative organizations of such per-
8 sonnel to assist the Agency in improving critical compo-
9 nents of the preliminary damage assessment process.

10 (b) MEMBERSHIP.—

11 (1) IN GENERAL.—This advisory panel shall
12 consist of at least 2 representatives from national
13 emergency management organizations and at least 1
14 representative from each of the 10 regions of the
15 Federal Emergency Management Agency, selected
16 from emergency management personnel employed by
17 State, local, territorial, or tribal authorities within
18 each region.

19 (2) INCLUSION ON PANEL.—To the furthest ex-
20 tent practicable, representation on the advisory
21 panel shall include emergency management per-
22 sonnel from both rural and urban jurisdictions.

23 (c) CONSIDERATIONS.—The advisory panel convened
24 under subsection (a) shall—

25 (1) consider—

1 (A) establishing a training regime to en-
2 sure preliminary damage assessments are con-
3 ducted and reviewed under consistent guide-
4 lines;

5 (B) utilizing a common technological plat-
6 form to integrate data collected by State and
7 local governments with data collected by the
8 Agency; and

9 (C) assessing instruction materials pro-
10 vided by the Agency for omissions of pertinent
11 information or language that conflicts with
12 other statutory requirements; and

13 (2) identify opportunities for streamlining the
14 consideration of preliminary damage assessments by
15 the Agency, including eliminating duplicative paper-
16 work requirements and ensuring consistent commu-
17 nication and decision making among Agency staff.

18 (d) INTERIM REPORT.—Not later than 18 months
19 after the date of enactment of this Act, the Administrator
20 shall submit to Congress a report regarding the findings
21 of the advisory panel, steps that will be undertaken by the
22 Agency to implement the findings of the advisory panel,
23 and additional legislation that may be necessary to imple-
24 ment the findings of the advisory panel.

1 (e) RULEMAKING AND FINAL REPORT.—Not later
2 than 2 years after the date of enactment of this Act, the
3 Administrator shall issue such regulations as are nec-
4 essary to implement the recommendations of the advisory
5 panel and submit to Congress a report discussing—

6 (1) the implementation of recommendations
7 from the advisory panel;

8 (2) the identification of any additional chal-
9 lenges to the preliminary damage assessment proc-
10 ess, including whether specific disasters result in
11 longer preliminary damage assessments; and

12 (3) any additional legislative recommendations
13 necessary to improve the preliminary damage assess-
14 ment process.

Passed the House of Representatives November 4,
2021.

Attest:

CHERYL L. JOHNSON,

Clerk.