

118<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# **S. 1528**

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## **AN ACT**

To streamline the sharing of information among Federal disaster assistance agencies, to expedite the delivery of life-saving assistance to disaster survivors, to speed the recovery of communities from disasters, to protect the security and privacy of information provided by disaster survivors, 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 Assistance  
5 Simplification Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7        (a) FINDINGS.—Congress finds the following:

8            (1) The disaster response and recovery frame-  
9        work of the United States relies on a unified, inte-  
10        grated, agile, and adaptable whole-of-community ef-  
11        fort by Federal, State, and local disaster assistance  
12        agencies, and by voluntary organizations, to respond  
13        to any natural and man-made disasters that may  
14        strike communities.

15            (2) Federal disaster assistance agencies must  
16        be ready to support States, Indian Tribes, commu-  
17        nities, and volunteer agencies immediately after un-  
18        predictable catastrophic disasters that occur without  
19        notice.

20            (3) The immediate sharing of information is es-  
21        sential to an efficient and effective delivery of dis-  
22        aster assistance—

23            (A) when lives and property are at risk;  
24            and

1 (B) as communities seek to recover from  
2 disasters as quickly as possible.

3 (4) Section 552a of title 5, United States Code  
4 (commonly known as the “Privacy Act of 1974”),  
5 and subchapter I of chapter 35 of title 44, United  
6 States Code (commonly known as the “Paperwork  
7 Reduction Act”), require multiple layers of review,  
8 notice, and publication in the Federal Register be-  
9 fore Federal disaster assistance agencies can amend  
10 or adapt their information sharing practices.

11 (5) Such extended review processes can have  
12 the effect of inhibiting efficiency, innovation, and  
13 interoperability among Federal, State, Tribal, terri-  
14 torial, local, private, and volunteer partners in deliv-  
15 ering disaster assistance within a whole-of-commu-  
16 nity disaster assistance effort.

17 (6) Legal, regulatory, and policy limitations on  
18 the interagency sharing of information submitted by  
19 applicants for disaster assistance may require those  
20 applicants to submit separate applications to mul-  
21 tiple Federal, State, Tribal, territorial, and local dis-  
22 aster assistance agencies, which increases the burden  
23 on those applicants, reduces the efficiency of disaster  
24 assistance programs, and places additional costs on  
25 taxpayers.

1 (b) PURPOSES.—The purposes of this Act are to—

2 (1) streamline the sharing of information  
3 among Federal, State, Tribal, territorial, and local  
4 disaster assistance agencies;

5 (2) modernize the legal safeguards against the  
6 unauthorized disclosure or misuse of information  
7 about applicants for disaster assistance; and

8 (3) modernize, streamline, and consolidate the  
9 overlapping requirements of section 552a of title 5,  
10 United States Code, subchapter I of chapter 35 of  
11 title 44, United States Code, and the agency policies  
12 that implement those authorities to improve the  
13 speed, convenience, efficiency, and effectiveness of  
14 disaster relief programs.

15 **SEC. 3. ESTABLISHMENT OF A UNIFIED DISASTER ASSIST-**  
16 **ANCE INTAKE PROCESS AND SYSTEM.**

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

20 **“SEC. 707. ESTABLISHMENT OF A UNIFIED DISASTER AS-**  
21 **SISTANCE INTAKE PROCESS AND SYSTEM.**

22 “(a) DEFINITIONS.—In this section:

23 “(1) ADMINISTRATOR.—The term ‘Adminis-  
24 trator’ means the Administrator of the Federal  
25 Emergency Management Agency.

1           “(2) APPLICANT.—The term ‘applicant’  
2 means—

3           “(A) an individual, business, or organiza-  
4 tion that applies for disaster assistance from a  
5 disaster assistance program;

6           “(B) an individual, business, or organiza-  
7 tion on behalf of which an individual described  
8 in subparagraph (A) applies for disaster assist-  
9 ance from a disaster assistance program; and

10           “(C) an individual, business, or organiza-  
11 tion that seeks assistance as a beneficiary of a  
12 State, local government, or Indian tribal gov-  
13 ernment that received assistance under a dis-  
14 aster assistance program.

15           “(3) DISASTER ASSISTANCE AGENCY.—The  
16 term ‘disaster assistance agency’ means—

17           “(A) the Federal Emergency Management  
18 Agency; and

19           “(B) any Federal agency that provides dis-  
20 aster assistance to individuals, businesses, orga-  
21 nizations, States, local governments, Indian  
22 tribal governments, communities, or organiza-  
23 tions that the Administrator certifies as a dis-  
24 aster assistance agency in accordance with sub-

1 section (f) to carry out the purposes of a dis-  
2 aster assistance program.

3 “(4) DISASTER ASSISTANCE INFORMATION.—

4 The term ‘disaster assistance information’ includes  
5 any personal, biographical, demographic, geo-  
6 graphical, financial, application decision, or other in-  
7 formation that a disaster assistance agency, or a re-  
8 cipient of a Federal block grant from a disaster as-  
9 sistance agency, is authorized to collect, maintain,  
10 disclose, or use to—

11 “(A) process an application for disaster as-  
12 sistance from a disaster assistance program; or

13 “(B) otherwise carry out the purpose of a  
14 disaster assistance program.

15 “(5) DISASTER ASSISTANCE PROGRAM.—The  
16 term ‘disaster assistance program’ means—

17 “(A) a program that provides disaster as-  
18 sistance to individuals and households under  
19 title IV or V in accordance with sections 408  
20 and 502; or

21 “(B) any other assistance program author-  
22 ized by a Federal statute or funded with Fed-  
23 eral appropriations under which a disaster as-  
24 sistance agency awards or distributes disaster  
25 assistance to an individual, household, or orga-

1 nization, or provides a Federal block grant for  
2 these purposes, that arises from a major dis-  
3 aster or emergency declared under section 401  
4 or 501, respectively, including—

5 “(i) disaster assistance;

6 “(ii) long-term disaster recovery as-  
7 sistance;

8 “(iii) the post-disaster restoration of  
9 infrastructure and housing;

10 “(iv) post-disaster economic revitaliza-  
11 tion;

12 “(v) a loan authorized under section  
13 7(b) of the Small Business Act (15 U.S.C.  
14 636(b)); and

15 “(vi) food benefit allotments under  
16 section 412 of this Act and section 5(h) of  
17 the Food and Nutrition Act of 2008 (7  
18 U.S.C. 2014(h)).

19 “(6) RECORD.—The term ‘record’ has the  
20 meaning given the term in section 552a of title 5,  
21 United States Code.

22 “(b) UNIFIED DISASTER ASSISTANCE INTAKE PROC-  
23 ESS AND SYSTEM.—

24 “(1) IN GENERAL.—Not later than 360 days  
25 after the date of enactment of the Disaster Assist-

1       ance Simplification Act, the Administrator shall, in  
2       consultation with appropriate Federal, State, local,  
3       and Indian tribal governments and entities, develop  
4       and establish a unified intake process and system  
5       for applicants for disaster assistance provided by a  
6       disaster assistance agency to—

7               “(A) facilitate a consolidated application  
8               for any form of disaster assistance provided by  
9               a disaster assistance agency when appropriate  
10              to support the nature and purposes of the as-  
11              sistance;

12             “(B) carry out the purposes of disaster as-  
13             sistance programs swiftly, efficiently, equitably,  
14             and in accordance with applicable laws and pri-  
15             vacy and data protections; and

16             “(C) support the detection, prevention, and  
17             investigation of waste, fraud, abuse, or discrimi-  
18             nation in the administration of disaster assist-  
19             ance programs.

20             “(2) CAPABILITIES OF THE CONSOLIDATED AP-  
21             PLICATION SYSTEM.—The unified intake process and  
22             system established under paragraph (1) shall—

23               “(A) accept applications for disaster assist-  
24               ance programs;

1           “(B) allow for applicants to receive status  
2 updates on applications for disaster assistance  
3 programs;

4           “(C) allow for applicants to update dis-  
5 aster assistance information throughout the re-  
6 covery journeys of those applicants;

7           “(D) allow for the distribution of informa-  
8 tion on additional recovery resources to disaster  
9 survivors that may be available in a disaster-  
10 stricken jurisdiction, in coordination with ap-  
11 propriate Federal, State, local, and Tribal part-  
12 ners;

13           “(E) provide disaster survivors with infor-  
14 mation and documentation on the applications  
15 of those disaster survivors for a disaster assist-  
16 ance program;

17           “(F) allow for the distribution of applica-  
18 tion data to support faster and more effective  
19 distribution of Federal disaster assistance, in-  
20 cluding block grant assistance, for disaster re-  
21 covery;

22           “(G) allow for disaster assistance agencies  
23 to communicate directly with disaster survivors;  
24 and

1           “(H) contain other capabilities determined  
2           necessary by the heads of disaster assistance  
3           agencies.

4           “(3) UPDATES.—Not later than 30 days after  
5           the date on which the Administrator receives a re-  
6           quest from a disaster assistance agency to update  
7           questions in the consolidated application described in  
8           paragraph (1) needed to administer the disaster as-  
9           sistance programs of the disaster assistance agency,  
10          the Administrator shall make those updates.

11          “(c) AUTHORITIES OF ADMINISTRATOR.—The Ad-  
12          ministrators may—

13                 “(1) collect, maintain, disclose, and use disaster  
14                 assistance information, including such information  
15                 received from any disaster assistance agency, with  
16                 any other disaster assistance agency for purposes of  
17                 subsection (b)(1); and

18                 “(2) subject to subsection (d), authorize the col-  
19                 lection, maintenance, disclosure, and use of disaster  
20                 assistance information collected on or after the date  
21                 of enactment of the Disaster Assistance Simplifica-  
22                 tion Act by publishing a notice on a public website  
23                 that—

24                         “(A) includes a detailed description of—

1 “(i) the specific disaster assistance in-  
2 formation authorized to be collected, main-  
3 tained, disclosed, and used;

4 “(ii) why the collection, maintenance,  
5 disclosure, or use of the disaster assistance  
6 information is necessary to carry out the  
7 purpose of a disaster assistance program;

8 “(iii) how the collection, maintenance,  
9 disclosure, and use of disaster assistance  
10 information incorporates fair information  
11 practices; and

12 “(iv) the disaster assistance agencies  
13 that will be granted access to the disaster  
14 assistance information to carry out the  
15 purpose of any disaster assistance pro-  
16 gram; and

17 “(B) provides that the submission of an  
18 application through a unified disaster applica-  
19 tion constitutes prior written consent to disclose  
20 disaster assistance information to disaster as-  
21 sistance agencies for the purpose of section  
22 552a(b) of title 5, United States Code.

23 “(d) COLLECTION AND SHARING OF RECORDS AND  
24 INFORMATION.—

1           “(1) EFFECT OF PUBLICATION OF NOTICE ON  
2 PUBLIC WEBSITE.—The publication of a notice by  
3 the Administrator on a public website of a revision  
4 to the system of records of the unified intake process  
5 and system established under subsection (b)(1) prior  
6 to any new collection, maintenance, disclosure, or  
7 use of records to carry out the purposes of a disaster  
8 assistance program with respect to a major disaster  
9 or emergency declared by the President under sec-  
10 tion 401 or 501, respectively, of this Act shall be  
11 deemed to satisfy the notice and publication require-  
12 ments of section 552a(e)(4) of title 5, United States  
13 Code, for the entire period of performance for any  
14 assistance provided under a disaster assistance pro-  
15 gram.

16           “(2) PAPERWORK REDUCTION ACT WAIVER.—

17           “(A) IN GENERAL.—Upon the declaration  
18 of a major disaster or emergency pursuant to  
19 section 401 or 501, respectively, of this Act, the  
20 Administrator may waive the requirements of  
21 subchapter I of chapter 35 of title 44, United  
22 States Code (commonly known as the ‘Paper-  
23 work Reduction Act’), with respect to the vol-  
24 untary collection of information specific to the  
25 declared major disaster or emergency needed to

1 carry out the purposes of a disaster assistance  
2 program.

3 “(B) DURATION.—A waiver described in  
4 subparagraph (A) shall be in effect for the en-  
5 tire period of performance for any assistance  
6 provided under a disaster assistance program  
7 with respect to a declared major disaster or  
8 emergency.

9 “(C) TRANSPARENCY.—If the Adminis-  
10 trator waives the requirements described in sub-  
11 paragraph (A), the Administrator shall—

12 “(i) promptly post on a public  
13 website—

14 “(I) a brief justification for the  
15 waiver; and

16 “(II) the agencies and offices to  
17 which the waiver shall apply;

18 “(ii) update the information posted  
19 under clause (i), as applicable; and

20 “(iii) comply with the requirements of  
21 subchapter I of chapter 35 of title 44,  
22 United States Code (commonly known as  
23 the ‘Paperwork Reduction Act’) upon the  
24 expiration of the period of performance of  
25 any assistance provided under a disaster

1 assistance program if the collection of in-  
2 formation may be utilized for the purposes  
3 of supporting the disaster assistance pro-  
4 gram in future major disaster or emer-  
5 gency declarations.

6 “(D) EFFECTIVENESS OF WAIVER.—Any  
7 waiver under subparagraph (A) shall take effect  
8 on the date on which the Administrator posts  
9 information on the internet website as provided  
10 for under subparagraph (C).

11 “(e) DATA SECURITY.—The Administrator shall fa-  
12 cilitate the collection of disaster assistance information  
13 into a unified application only after—

14 “(1) the Administrator certifies that the unified  
15 application substantially complies with the data se-  
16 curity standards established pursuant to subchapter  
17 II of chapter 35 of title 44, United States Code, and  
18 any other applicable Federal information security  
19 policy;

20 “(2) the Secretary of Homeland Security pub-  
21 lishes a privacy impact assessment for the unified  
22 application that is similar to the privacy assessment  
23 conducted under section 208(b)(1)(B) of the E-Gov-  
24 ernment Act of 2002 (44 U.S.C. 3501 note); and

1           “(3) the Administrator, in consultation with  
2 disaster assistance agencies, publishes standard  
3 rules of behavior for disaster assistance agencies and  
4 personnel granted access to disaster assistance infor-  
5 mation to protect such information from improper  
6 disclosure.

7           “(f) CERTIFICATION OF DISASTER ASSISTANCE  
8 AGENCIES.—

9           “(1) IN GENERAL.—The Administrator may  
10 certify a Federal agency as a disaster assistance  
11 agency after posting an agreement between the Ad-  
12 ministrator and the Federal agency on a public  
13 website that contains the detailed terms of the  
14 agreement.

15           “(2) CONTENTS OF AGREEMENT.—An agree-  
16 ment between the Administrator and a Federal  
17 agency described in paragraph (1) shall state that  
18 the Federal Emergency Management Agency and  
19 the Federal agency will—

20                   “(A) collect, disclose, maintain, and use  
21 disaster assistance information in accordance  
22 with—

23                           “(i) this section; and

24                           “(ii) subject to subsection (i)(2), any  
25 existing policies of the Federal Emergency

1 Management Agency and the Federal  
2 agency for information protection and use;

3 “(B) train any personnel granted access to  
4 disaster assistance information on the rules of  
5 behavior established by the Administrator under  
6 subsection (e)(3);

7 “(C) in the event of any unauthorized dis-  
8 closure of disaster assistance information—

9 “(i) not later than 24 hours after dis-  
10 covering the unauthorized disclosure—

11 “(I) in the case of an unauthor-  
12 ized disclosure by the Federal agency,  
13 notify the Administrator of the discl-  
14 sure; and

15 “(II) in the case of an unauthor-  
16 ized disclosure by the Federal Emer-  
17 gency Management Agency, notify dis-  
18 aster assistance agencies of the discl-  
19 sure;

20 “(ii) cooperate fully with the Adminis-  
21 trator and disaster assistance agencies in  
22 the investigation and remediation of the  
23 disclosure; and

1           “(iii) cooperate fully in the prosecu-  
2           tion of a person responsible for the disclo-  
3           sure; and

4           “(D) assume responsibility for any com-  
5           pensation, civil liability, or other remediation  
6           measure awarded by a judgment of a court or  
7           agreed upon as a compromise of any potential  
8           claim by or on behalf of an applicant, including  
9           by obtaining credit monitoring and remediation  
10          services, for an improper disclosure of disaster  
11          assistance information that is—

12           “(i) caused, directly or indirectly, by  
13           the acts or omissions of an officer, em-  
14           ployee, or contractor of the Federal agen-  
15           cy; or

16           “(ii) from any electronic system of  
17           records that was created or maintained by  
18           the Federal agency pursuant to section  
19           552a(e) of title 5, United States Code.

20          “(g) REPORTS.—

21           “(1) FEMA.—Not later than 1 year after the  
22           date of enactment of this section, and every year  
23           thereafter for 2 years, the Administrator, in coordi-  
24           nation with the heads of disaster assistance agen-

1       cies, shall submit to Congress a report on the imple-  
2       mentation of this section, including—

3               “(A) how disaster assistance agencies are  
4               working together to implement the require-  
5               ments under this section;

6               “(B) the effect of this section on disaster  
7               survivor burden and the speed and efficiency of  
8               delivering disaster assistance; and

9               “(C) a description of any other challenges  
10              that require further legislative action.

11             “(2) GAO.—Not later than 3 years after the  
12             date of enactment of this section, the Comptroller  
13             General of the United States shall submit to Con-  
14             gress a report on how the implementation of this  
15             section has affected the disaster survivor experience,  
16             and any recommendations for improvements to the  
17             requirements under this section.

18             “(h) BRIEFINGS.—Not later than 90 days after the  
19             date of enactment of this section, and again not later than  
20             180 days after the date of enactment of this section, the  
21             Administrator shall brief Congress on—

22               “(1) the status of the implementation of the re-  
23               quirements under this section; and

1           “(2) how disaster assistance agencies are work-  
2           ing together to implement the requirements under  
3           this section.

4           “(i) RULES OF CONSTRUCTION.—

5           “(1) INAPPLICABILITY OF MATCHING PROGRAM  
6           PROVISIONS.—The disclosure and use of disaster as-  
7           sistance information subject to the requirements of  
8           section 552a of title 5, United States Code, among  
9           disaster assistance agencies or with State, local, or  
10          Tribal governments carrying out disaster assistance  
11          programs shall not—

12                   “(A) be construed as a matching program  
13                   for the purpose of section 552a(a)(8) of title 5,  
14                   United States Code; or

15                   “(B) be subject to subsection (e)(12), (o),  
16                   (p)(1)(A)(ii), (q), (r), or (u) of section 552a of  
17                   title 5, United States Code.

18          “(2) AUTHORITIES IN OTHER LAWS.—Nothing  
19          in this section shall be construed to affect the au-  
20          thority of an entity to share disaster assistance in-  
21          formation regarding programs funded or facilitated  
22          by the entity in accordance with any other law or  
23          agency policy.

24          “(3) APPLYING TO MULTIPLE PROGRAMS.—  
25          Nothing in this section shall be construed to require

1 an applicant to apply to more than 1 disaster assist-  
2 ance program.”.

3 “(4) PROGRAM AUTHORIZATION.—Nothing in  
4 this section shall be construed to authorize a pro-  
5 gram that is not authorized by law as of the date  
6 of enactment of this section.”.

Passed the Senate July 27, 2023.

Attest:

*Secretary.*



118<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION  
**S. 1528**

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## **AN ACT**

To streamline the sharing of information among Federal disaster assistance agencies, to expedite the delivery of life-saving assistance to disaster survivors, to speed the recovery of communities from disasters, to protect the security and privacy of information provided by disaster survivors, and for other purposes.