

Calendar No. 64118TH CONGRESS
1ST SESSION**S. 310****[Report No. 118–24]**

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

MAY 11, 2023

Reported by Mr. PETERS, without amendment

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Disaster Contract Im-
3 provement Act”.

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

5 (a) DEFINITIONS.—In this section:

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

9 (2) DEBRIS REMOVAL PROGRAM.—The term
10 “debris removal program” means the program estab-
11 lished under section 407 of the Robert T. Stafford
12 Disaster Relief and Emergency Assistance Act (42
13 U.S.C. 5173).

14 (b) ADVISORY WORKING GROUP.—

15 (1) IN GENERAL.—The Administrator shall es-
16 tablish an advisory working group to encourage and
17 foster collaborative efforts among individuals and en-
18 tities engaged in disaster recovery relating to debris
19 removal.

20 (2) MEMBERSHIP.—The advisory working
21 group established under paragraph (1) shall be com-
22 prised of—

23 (A) representatives from the Federal
24 Emergency Management Agency;

25 (B) representatives from the Army Corps
26 of Engineers;

1 (C) representatives from the Natural Re-
2 sources Conservation Service of the Department
3 of Agriculture;

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

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

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

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

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

24 (A) a requirement that each State, Tribal
25 government, and unit of local government re-

1 ceiving a grant under the debris removal pro-
2 gram take the primary role in the oversight
3 function of debris removal;

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

9 (C) guidance for streamlining the reim-
10 bursement of debris costs overall, including de-
11bris management planning and support for re-
12silience in debris removal operations;

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

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

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

1 (G) guidance for State and Tribal govern-
2 ments and units of local government to reduce
3 duplication and inefficiency in debris removal
4 contracting across the Federal Government,
5 State and Tribal governments, and units of
6 local government.

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

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

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

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

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

25 (A) assesses those processes; and

1 (B) makes any necessary recommendations
2 for those processes;

3 (4) studies—

4 (A) the process for setting Federal reim-
5 bursement rates for the debris removal pro-
6 gram;

7 (B) the use of penalties, as of the date of
8 enactment of this Act, for violations of law and
9 regulations relating to debris removal; and

10 (C) fraud, waste, and abuse relating to the
11 debris removal program, including case studies;
12 and

13 (5) makes any necessary recommendations for
14 improvements to oversight and fraud prevention
15 across the debris removal program.

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