

115TH CONGRESS  
1ST SESSION

# S. 709

To prohibit the Administrator of the Federal Emergency Management Agency from taking administrative action to recover certain payments for disaster or emergency assistance, and for other purposes.

---

IN THE SENATE OF THE UNITED STATES

MARCH 23, 2017

Mr. NELSON introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

---

## A BILL

To prohibit the Administrator of the Federal Emergency Management Agency from taking administrative action to recover certain payments for disaster or emergency assistance, 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       Improvement Act of 2017”.

1 **SEC. 2. ACTIONS TO RECOVER PAYMENT FOR DISASTER OR**  
2 **EMERGENCY ASSISTANCE.**

3 (a) IN GENERAL.—Section 705 of the Robert T.  
4 Stafford Disaster Relief and Emergency Assistance Act  
5 (42 U.S.C. 5205) is amended—

6 (1) in subsection (a)(1)—

7 (A) by striking “Except” and inserting  
8 “Notwithstanding section 3716(e) of title 31,  
9 United States Code, and except”; and

10 (B) by striking “report for the disaster or  
11 emergency” and inserting “report for project  
12 completion as certified by the grantee”; and

13 (2) in subsection (b)—

14 (A) in paragraph (1), by striking “report  
15 for the disaster or emergency” and inserting  
16 “report for project completion as certified by  
17 the grantee”; and

18 (B) in paragraph (3), by inserting “for  
19 project completion as certified by the grantee”  
20 after “final expenditure report”.

21 (b) APPLICABILITY.—With respect to a payment for  
22 disaster or emergency assistance provided to a State or  
23 local government on or after January 1, 2004, the Admin-  
24 istrator of the Federal Emergency Management Agency  
25 may not take administrative action to recover such pay-  
26 ment for assistance after the date of enactment of this

1 Act if the action is prohibited under section 705(a)(1) of  
2 the Robert T. Stafford Disaster Relief and Emergency As-  
3 sistance Act (42 U.S.C. 5205(a)(1)), as amended by sub-  
4 section (a).

5 (c) LIMITATION.—Nothing in this section, including  
6 the amendments made by this section, shall be construed  
7 to invalidate or otherwise affect any administrative action  
8 completed before the date of enactment of this Act.

○