



U.S. House of Representatives
Committee on Transportation and Infrastructure
Washington, DC 20515

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February 29, 2012

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BRIEFING MEMORANDUM

TO: Members of the Subcommittee on Economic Development, Public Buildings, and Emergency Management
FROM: Subcommittee on Economic Development, Public Buildings, and Emergency Management Staff
SUBJECT: Subcommittee Markup

PURPOSE

The Subcommittee on Economic Development, Public Buildings and Emergency Management will meet on Thursday, March 1, at 10:00 a.m., in 2167 Rayburn House Office Building to markup the following items:

- H.R. 2903, the FEMA Reauthorization Act of 2011
- H.R. 3182, a bill to designate the courthouse in Anchorage as the “James M. Fitzgerald United States Courthouse”
- H.R. 3556, a bill to designate the courthouse in Buffalo as the “Robert H. Jackson United States Courthouse”
- H.R. 4097, the John F. Kennedy Center Reauthorization Act of 2012

BACKGROUND

H.R. 2903 - FEMA Reauthorization

H.R. 2903 was introduced by Subcommittee Chairman Denham in September of 2011 to reauthorize FEMA, the Urban Search and Rescue System (US&RS) and the Emergency Management Assistance Compact Grants (EMAC) at current year levels.

Additionally, Chairman Denham introduced H.R. 2904 the Integrated Public Alert and Warning System Modernization Act of 2011. This bill is intended to provide a

framework for FEMA's upgrade of its old Emergency Alert System (EAS). The language was developed in response to problems identified by the Government Accountability Office (GAO) as well as key stakeholders who are an integral part of ensuring the development of IPAWS is successful, including State and local emergency managers, broadcasters, and the wireless industry. The provisions of H.R. 2904 are included in the substitute amendment to be offered to H.R. 2903.

Through Subcommittee hearings and committee investigations, reforms to the current system for providing assistance following disasters were developed. Those reforms are reflected in the Substitute Amendment to be offered by Subcommittee Chairman Denham.

Below is a Section-by-Section of the Substitute amendment:

Title I – Reauthorization of FEMA and Modernization of Integrated Public Alert and Warning System

Section 101 Reauthorization of the Federal Emergency Management Agency (FEMA): reauthorizes FEMA through fiscal year 2014 at \$1.013b each year for Salaries and Expenses (S&E) consistent with current funding levels.

Section 102 Integrated Public Alert and Warning System Modernization: authorizes the Integrated Public Alert and Warning System (IPAWS) at \$13.3m out of the S&E account consistent with existing funding levels. This section would also establish a clear framework for the development of IPAWS and ensure stakeholder input through an advisory committee.

Title II – Stafford Act and Other Programs

Section 201 Reauthorization of Urban Search and Rescue Response System: reauthorizes the Urban Search and Rescue System (US&RS) at \$35.25m for fiscal years 2012 through 2014 consistent with previous funding levels. This section also codifies the System in statute and clarifies liabilities and compensation issues related to participants in the System.

Section 202 Reauthorization of Emergency Management Assistance Compact Grants: reauthorizes the Emergency Management Assistance Compacts (EMAC) Grants at \$2m each year through fiscal year 2014. Authorization levels are consistent with existing funding.

Section 203 Disposal of Excess Property to Assist Other Disaster Survivors: streamlines the process for FEMA to transfer excess materials, supplies, or equipment to State and local governments, or relief or disaster assistance organization to assist disaster survivors in incidents other than declared major disasters or emergencies.

Section 204 Storage, Sale, Transfer, and Disposal of Housing Units: requires FEMA to review the existing inventory of temporary housing units (THUs), determine the number of excess THUs and streamlines the process for transferring excess THUs to States.

Section 205 Other Methods of Disposal: provides for a streamlined process for FEMA to sell, transfer or donate THUs to assist disaster victims in disasters and incidents caused by a hazard that do not result in a declaration.

Section 206 Establishment of Criteria Relating to Administration of Hazard Mitigation Assistance By States: requires FEMA to promulgate criteria, as required under statute, within 180 days of enactment, to implement provisions in the Stafford Act that would allow States to administer the Hazard Mitigation Grant Program.

Section 207 Review of Regulations and Policies: requires FEMA, within 180 days of enactment, to review its regulations and policies related to disaster assistance to eliminate regulations that are no longer relevant, to harmonize conflicting regulations and to simplify and expedite disaster recovery and assistance. The section also requires FEMA to revise its regulations related to State Hazard Mitigation Plans to make its planning cycle 5 years, consistent with local planning cycles.

Section 208 Appeals Process: shortens FEMA's appeals process from 90 to 60 days.

Section 209 Implementation of Cost Estimating: requires FEMA to, within 180 days of enactment, promulgate regulations to implement cost estimating provisions in the Stafford Act.

Section 210 Clarification of Grant Authority: clarifies grant authority with respect to the National Red Cross.

Section 211 Tribal Requests for a Major Disaster or Emergency Declaration Under Stafford Act: provides for recognized tribes to request a disaster declaration when the State in which they reside fails to do so.

Section 212 Individual Assistance Factors: requires FEMA, within 1 year of enactment, to review, update and revise the factors considered in regulation related to Individual Assistance.

Section 213 Public Assistance Pilot Program: establishes a Public Assistance pilot program directing FEMA to develop a pilot program that would reduce costs and expedite assistance through the use of cost estimates and consolidating projects. This section limits the pilot by terminating it in 2014 and requires FEMA to report to Congress on its assessment of the pilot program in 2015.

Section 214 Public Assistance Debris Removal Procedures: streamlines and makes permanent FEMA’s Debris Removal pilot program to provide for assistance based on estimates.

Section 215 Use of Funds: makes clear any costs associated with reports, reviews, or studies required in the Act shall be authorized out of FEMA’s S&E authorization.

Section 216 Technical Correction – corrects a technical error in the Stafford Act.

Section 217 National Dam Safety Program Act Reauthorization: this section reauthorizes the National Dam Safety Program through Fiscal Year 2015 at levels consistent with existing spending.

Naming Bills

The subcommittee markup agenda includes two naming bills:

- H.R. 3182, a bill to designate the courthouse in Anchorage as the “James M. Fitzgerald United States Courthouse”(Rep. Don Young)
- H.R. 3556, a bill to designate the courthouse in Buffalo as the “Robert H. Jackson United States Courthouse” (Rep. Higgins)

No amendments are expected.

H.R. 4097 John F. Kennedy Center Reauthorization Act of 2012

H.R. 4097 was introduced by Chairman Mica in February of 2012. The bill would provide a two-year reauthorization of the John F. Kennedy Center for the Performing Arts’ capital and operation and maintenance budgets. The legislation would also authorize the construction of an expansion building of not more than 100,000 square feet but requires that no appropriated funds be used for the construction.

The Kennedy Center was originally established in 1958 and was designated as a memorial for President Kennedy in 1964.