

DISCLOSING AID SPENT TO ENSURE RELIEF ACT

JULY 11, 2019.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. DEFAZIO, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 1984]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 1984) to amend chapter 11 of title 31, United States Code, to require the Director of the Office of Management and Budget to annually submit to Congress a report on all disaster-related assistance provided by the Federal Government, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

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## PURPOSE OF LEGISLATION

The purpose of H.R. 1984 is to require the Director of the Office of Management and Budget (OMB) to submit to Congress an annual report on all disaster-related assistance provided by the Federal Government.

## BACKGROUND AND NEED FOR LEGISLATION

The Federal Government does not currently have a publicly-accessible estimate of the amount spent on disaster-related assistance. Section 101 of the Budget Control Act of 2011 (Pub. L. 112–25) requires OMB to set an annual cap for disaster relief spending by calculating an adjusted 10-year rolling average of disaster-related expenditures. This calculation includes spending by 29 individual accounts managed by 11 different agencies and departments. However, only a limited subset of this information is made available to the public or released in an accessible format.

H.R. 1984 would address this issue by requiring the Director of OMB to submit an annual report to Congress detailing the estimated disaster spending for the fiscal year. The report must include all federal obligations related to disaster response, recovery, mitigation efforts, and administrative costs associated with these activities for specified agencies and programs.

## HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—

The following hearing was used to develop or consider H.R. 1984:

On February 26, 2019, the Committee on Transportation and Infrastructure held a hearing entitled, “Examining How Federal Infrastructure Policy Could Help Mitigate and Adapt to Climate Change.” Witnesses included: Dr. Daniel Sperling, Board Member, California Air Resources Board; Mr. Ben Prochazka, Vice President, Electrification Coalition; Ms. Vicki Arroyo, Executive Director, Georgetown Climate Center; Mr. James M. Proctor, II, Senior Vice President and General Counsel, McWane, Inc., testifying on behalf of the Build Strong Coalition; Mr. Kevin DeGood, Director, Infrastructure Policy, Center for American Progress; Ms. Lynn Scarlett, Vice President, Policy and Government Affairs, The Nature Conservancy; and Dr. Whitley J. Saumweber, Director, Stephenson Ocean Security (SOS) Project, Center for Strategic and International Studies. Topics discussed included impacts of severe weather events and rising costs of federal response and recovery operations.

## LEGISLATIVE HISTORY AND CONSIDERATION

H.R. 1984 was introduced in the House on March 28, 2019, by Mr. Peters and referred to the Committee on Transportation and Infrastructure. Within the Committee, H.R. 1984 was referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management.

The Subcommittee on Economic Development, Public Buildings, and Emergency Management was discharged from further consideration of H.R. 1984 on May 8, 2019.

The Full Committee met in open session to consider H.R. 1984 on May 8, 2019, and ordered the measure to be reported to the House with a favorable recommendation, without amendment, by voice vote with a quorum present.

#### COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against.

There were no recorded votes taken in connection with consideration of H.R. 1984.

#### COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

#### NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

#### CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for H.R. 1984 from the Director of the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, May 14, 2019.*

Hon. PETER A. DEFazio,  
*Chairman, Committee on Transportation and Infrastructure,*  
*House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1984, the DISASTER Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

KEITH HALL,  
*Director.*

Enclosure.

<b>H.R. 1984, DISASTER Act</b>			
<b>As ordered reported by the House Committee on Transportation and Infrastructure on May 8, 2019</b>			
By Fiscal Year, Millions of Dollars	2019	2019-2024	2019-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Deficit Effect	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	n.e.
Pay-as-you-go procedures apply?	No	<b>Mandate Effects</b>	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
n.e. = not estimated; * = between zero and \$500,000			

H.R. 1984 would require the Office of Management and Budget (OMB) to prepare an annual report on federal disaster-related assistance for the Congress and to post it online. The report would include budgetary information such as obligations by agency and account; spending for each disaster; assistance for each type of disaster; spending for response, recovery, and mitigation; and how much spending was for loans and grants.

Under current law, OMB reports annually on disaster spending pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985. H.R. 1984 would expand that report. Using information from OMB, CBO estimates that preparing the more comprehensive report would cost less than \$500,000 annually.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

#### PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to improve transparency with respect to federal disaster relief spending and to provide an accurate accounting of such spending for federal budgeting calculations.

#### DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 1984 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

## CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with clause 9 of rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the rule XXI.

### FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104-4).

### PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee finds that H.R. 1984 does not preempt any state, local, or tribal law.

### ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

### APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104-1).

### SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

#### *Section 1. Short title*

This section provides that the bill may be cited as the “Disclosing Aid Spent to Ensure Relief Act” or the “DISASTER Act”.

#### *Sec. 2. Findings*

This section briefly describes the underlying justifications for the bill and states that the Federal Government does not currently provide an estimate of the amount spent on disaster-related assistance to the public. The section also emphasizes the importance of understanding the role of the Federal Government in providing disaster assistance in the context of fiscal responsibility.

#### *Sec. 3. Purpose*

This section states that the purpose of H.R. 1984 is to require the OMB Director to submit to Congress an annual report on all disaster-related assistance provided by the Federal Government.

#### *Sec. 4. Reporting of disaster-related assistance*

This section states the duty of the OMB Director to submit to Congress a report detailing the Federal disaster-related assistance for the fiscal year immediately preceding the calendar year in

which the annual budget submission is made. The section defines “disaster-related assistance” as including federal obligations related to disaster response, recovery, mitigation efforts, and administrative costs for approximately twenty federal agencies.

*Sec. 5. Effective date*

This section states that the reporting requirement in Section 4 shall take effect with the budget submission of the President for fiscal year 2022.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

**TITLE 31, UNITED STATES CODE**

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**SUBTITLE II—THE BUDGET PROCESS**

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**CHAPTER 11—THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION**

Sec.

1101. Definitions.

\* \* \* \* \*

1127. *Reporting of disaster-related assistance.*

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**§ 1127. *Reporting of disaster-related assistance***

(a) *IN GENERAL.*—On the same day that the President makes the annual budget submission to the Congress under section 1105(a) for a fiscal year, the Director of the Office of Management and Budget shall submit to Congress a report on Federal disaster-related assistance for the fiscal year ending in the calendar year immediately preceding the calendar year in which the annual budget submission is made. Disaster-related assistance encompasses Federal obligations related to disaster response, recovery, and mitigation efforts, as well as administrative costs associated with these activities, including spending by the following agencies and programs:

(1) *Department of Agriculture:*

(A) *Agriculture Research Service.*

(B) *Farm Service Agency.*

(C) *Food and Nutrition Service.*

(D) *Natural Resource Conservation Service.*

(E) *Forest Service.*

(F) *Rural Housing Service.*

(G) *Rural Utilities Service.*

(2) *Department of Commerce:*

- (A) *National Marine Fisheries Service of the National Oceanic and Atmospheric Administration.*
- (B) *Economic Development Administration Economic Adjustment Assistance.*
- (3) *Army Corps of Engineers of the Department of Defense (Civil).*
- (4) *Department of Defense (Military):*
  - (A) *Military Personnel.*
  - (B) *Operations and Maintenance.*
  - (C) *Procurement.*
  - (D) *Research, Development, Test, and Evaluation.*
  - (E) *Military Construction (MILCON) and Family Housing.*
  - (F) *Management Funds.*
  - (G) *Other Department of Defense Programs.*
- (5) *Department of Education:*
  - (A) *Elementary and Secondary Education.*
  - (B) *Higher Education.*
- (6) *Department of Health and Human Services:*
  - (A) *Administration for Children and Families.*
  - (B) *Public Health and Medical Assistance.*
  - (C) *Public Health Emergency Fund.*
- (7) *Department of Homeland Security:*
  - (A) *Federal Emergency Management Agency:*
    - (i) *Emergency Declarations.*
    - (ii) *Fire Management Assistance Grants.*
    - (iii) *Major Disaster Declarations.*
    - (iv) *Administrative Assistance.*
  - (B) *FEMA Missions Assignments by Federal Agency.*
  - (C) *Community Disaster Loan Program.*
- (8) *Department of Housing and Urban Development (HUD):*
  - (A) *Community Development Block Grants.*
  - (B) *Rental Assistance/Section 8 Vouchers.*
  - (C) *Supportive Housing.*
  - (D) *Public Housing Repair.*
  - (E) *Inspector General.*
- (9) *Department of the Interior:*
  - (A) *Bureau of Indian Affairs.*
  - (B) *United States Fish and Wildlife Service.*
  - (C) *National Park Service.*
  - (D) *Wildland Fire Management.*
- (10) *Department of Justice:*
  - (A) *Legal Activities.*
  - (B) *United States Marshals Service.*
  - (C) *Federal Bureau of Investigation.*
  - (D) *Drug Enforcement Administration.*
  - (E) *Bureau of Tobacco, Firearms, and Explosives.*
  - (F) *Federal Prison System (Bureau of Prisons).*
  - (G) *Office of Justice Programs.*
- (11) *Department of Labor:*
  - (A) *National Emergency Grants for Dislocation Events.*
  - (B) *Workforce Investment Act (WIA) Dislocated Worker Program.*
- (12) *Department of Transportation:*

- (A) *Federal Highway Administration: Emergency Relief Program (ER).*
- (B) *Federal Aviation Administration (FAA).*
- (C) *Federal Transit Administration (FTA).*
- (13) *Department of the Treasury: Internal Revenue Service.*
- (14) *Department of Veterans Affairs.*
- (15) *Corporation for National and Community Service.*
- (16) *Environmental Protection Agency:*
  - (A) *Hurricane Emergency Response Authorities.*
  - (B) *EPA Hurricane Response.*
  - (C) *EPA Regular Appropriations.*
- (17) *The Federal Judiciary.*
- (18) *Disaster Assistance Program of the Small Business Administration.*
- (19) *Department of Energy:*
  - (A) *Office of Cybersecurity, Energy Security, and Emergency Response.*
  - (B) *Office of Petroleum Services.*
- (20) *General Services Administration.*
- (21) *Other authorities as appropriate.*
- (b) *CONTENT.—The report shall detail the following:*
  - (1) *Overall amount of disaster-related assistance obligations during the fiscal year.*
  - (2) *Disaster-related assistance obligations by agency and account.*
  - (3) *Disaster for which the spending was obligated.*
  - (4) *Obligations by disaster.*
  - (5) *Disaster-related assistance by disaster type.*
  - (6) *Response and recovery spending.*
  - (7) *Mitigation spending.*
  - (8) *Spending in the form of loans.*
  - (9) *Spending in the form of grants.*
- (c) *AVAILABILITY OF REPORT.—The report shall be made publicly available on the website of the Office of Management and Budget and should be searchable, sortable and downloadable.*

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