Title: To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to make volunteer hours eligible to offset the non-Federal cost share of disaster assistance, to establish the Community Emergency Response Team Grant Program within the Federal Emergency Management Agency, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the[“\_\_\_\_\_\_ Act of \_\_\_\_”].

SEC. 2. LOCAL COST SAVINGS ENHANCEMENTS.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act is amended by adding at the end the following:

“SEC. 707. NON-FEDERAL SHARE DEDUCTION.

“(a) Definitions.—In this section:

“(1) Covered disaster relief activities.—The term ‘covered disaster relief activities’—

“(A) means labor in any field reasonably required for emergency work; and

“(B) includes work performed by volunteer equipment operators.

“(2) Covered volunteer rate.—The term ‘covered volunteer rate’, with respect to work performed by volunteers [of an organization -note: what organization? are you just referring to community emergency response teams?]—

“(A) means the same rate ordinarily paid for similar work [within the applicant’s organization -who is the applicant? what organization?]; and

“(B) includes reasonable fringe benefits [relating to the volunteer work].

“(b) Deduction From Federal-share.—Notwithstanding any other provision of this Act, [a State, local government, or Indian tribal government receiving assistance under this Act?] may deduct the covered volunteer rate for the number of hours worked by volunteers [participating in covered disaster relief activities of a community emergency response team (as defined in section 617(a)) in the jurisdiction of the State, local government, or Indian tribal government] from the total amount of non-Federal funds the [State, local government, or Indian tribal government] is required to contribute in order to receive that assistance [note: it may make more sense to make this a part of section 617 if using definitions from 617/tying this to participation in 617-thoughts?] if—

“(1) a [local public official-an official of the State, local government, or Indian tribal government?] or an individual designated by such an official documents—

“(A) the number of hours volunteered by each volunteer;

“(B) the work site at which each volunteer works;

“(C) a description of the work of each volunteer; and

“(D) a description of the equipment and materials used by each volunteer; and

“(2) the work performed by the volunteers is emergency work organized by an [eligible applicant and is eligible under the Public Assistance program-note: please clarify what an eligible applicant is and what the public assistance program you are referring to is], including—

“(A) removing [eligible] debris [note: what about debris would make the debris ‘eligible’?];

“(B) filling and placing sandbags;

“(C) donating equipment to raise or reinforce a levee;

“(D) donating materials, such as rocks or sand;

“(E) search and rescue that is part of an organized search and rescue operation;

“(F) professional safety inspections;

“(G) [providing] mass food and shelter for victims if such a provision is not the mission of [the organization -what organization are you referring to? a community emergency response team?].”.

SEC. 3. COMMUNITY EMERGENCY RESPONSE TEAM GRANT PROGRAM.

Subtitle A of title VI of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5195 et seq.) is amended by adding at the end the following:

“SEC. 617. COMMUNITY EMERGENCY RESPONSE TEAM GRANT PROGRAM.

“(a) Definitions.—In this section:

“(1) Administrator.—The term ‘Administrator’ means the Administrator of the Agency.

“(2) Agency.—The term ‘Agency’ means the Federal Emergency Management Agency.

“(3) Community emergency response team.—The term ‘community emergency response team’ means a community emergency response team described in subsection (b)(2).

“(4) Eligible sponsoring agency.—The term ‘eligible sponsoring agency’ means—

“(A) an agency of—

“(i) a State;

“(ii) a local government;

“(iii) an Indian tribal government [note: this is a defined term in Stafford-please confirm this is as wanted]; or

“(iv) a special district [note: what is a special district? this is vague-recommend clarifying or defining];

“(B) a nonprofit organization [define?]; and

“(C) a community-based group.

“(5) Program.—The term ‘Program’ means the Community Emergency Response Team Grant Program established under subsection (b)(1).

“(6) State.—Notwithstanding section 602(a), the term ‘State’ does not include an interstate emergency preparedness authority established under section 611(h).

“(b) Establishment.—

“(1) In general.—There is established within the Agency a program to be known as the ‘Community Emergency Response Team Grant Program’.

“(2) Grants.—Under the Program, the Administrator shall award a grant to each State for the purpose of establishing and maintaining community emergency response teams in the State to—

“(A) educate the public about emergency preparedness; and

“(B) teach the public basic emergency response skills.

“(3) Subgrants.—

“(A) In general.—A State receiving amounts from a grant under paragraph (2) shall use the amounts to make subgrants to eligible sponsoring agencies located in the State [for the purpose of carrying out community emergency response team activities?].

“(B) Applications.—An eligible sponsoring agency seeking a subgrant from a State under this paragraph shall submit an application to the State at such time, in such manner, and containing such information determined by the State.

“(c) Allocation of Amounts.—In allocating amounts to States under subsection (b)(2) in each fiscal year, the Administrator shall—

“(1) subject to paragraph (2), allocate not less than 0.75 percent of the total amount appropriated in the fiscal year for grants under this section to each State;

“(2) allocate not less than 0.25 percent of the total amount appropriated in the fiscal year for grants under this section to each of the Virgin Islands, America Samoa, Guam, and the Commonwealth of the Northern Mariana Islands; and

“(3) allocate the remainder of the total amount appropriated in the fiscal year for grants under this section to each State on the basis of a competitive grant application.

“(d) Permitted Uses.—

“(1) In general.—A State receiving a grant under this section may use amounts from the grant—

“(A) to establish, train, and maintain community emergency response teams—

“(i) including teams that specialize in emergency response with respect to campuses of institutions of higher education, teens, workplaces, animal rescue, and other specialties approved by the Administrator; and

“(ii) with a focus on rural and historically underserved communities;

“(B) to procure appropriate tools, equipment, gear, and training aides for the establishment, training, and maintenance described in subparagraph (A);

“(C) for programs and activities relating to—

“(i) planning;

“(ii) public information and warning;

“(iii) risk management for protection;

“(iv) mass care services;

“(v) intelligence and information sharing;

“(vi) risk and disaster resilience assessments; and

“(vii) long-term vulnerability reduction;

“(D) to recruit emergency response volunteers, including the cost of marketing, branding, and promotions;

“(E) to perform voluntary background check screenings on the volunteers described in subparagraph (D) if the State requires a background check screening to be performed on those volunteers in order to perform emergency response activities; and

“(F) subject to paragraph (2), for expenses directly relating complying with the requirements of this section.

“(2) Limitation.—A state may not use more than 5 percent of amounts from a grant under this section for the expenses described in paragraph (1)(F).

“(e) No Matching Requirement.—The Administrator may not require a State to contribute amounts to carry out the purposes of this section. [note: you had added ‘locality, nonprofit organization, or tribal entity’ here-but FEMA does not give amounts directly to these entities, so that wouldn’t make sense. Additionally, there is a prohibition on this from the State to an eligible sponsoring agency in (f)(2).]

“(f) Pass-through Requirement.—

“(1) In general.—A State receiving a grant under this section shall award not less than 75 percent of the amounts from the grant to [eligible sponsoring agencies?] in the State [under subsection(b)(3)].

“(2) Prohibition.—A State may not condition the award of funds under paragraph (1) to an [eligible sponsoring agency] on the contribution of amounts by the[eligible sponsoring agency] to carrying out the purposes of this section.

“(g) Funds for Administration.—Each State through which a recipient [local government or eligible sponsoring agency?] receives a [sub?]grant under this section may retain not more than 5 percent of the amount of each grant for expenses directly relating to the administration of the grant.

“(h) Period of Performance.—The Administrator shall make amounts from a grant awarded to a State under this section available for use by the State for not less than 3 years.

“(i) Reporting Requirements.—

“(1) Surveys.—The Administrator shall encourage a community emergency response team benefitting from a grant awarded under this section to complete an annual survey as outlined in the National Preparedness Goal.

“(2) Reports.—Not later than X, and not less frequently than annually until the date that is X after the date of enactment of the [\_\_\_\_\_\_ Act of \_\_\_\_], the Administrator shall submit to Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report—

“(A) on the results of the surveys conducted under paragraph (1) that includes, with respect to community emergency response teams benefitting from a grant awarded under this section and the year covered by the report—

“(i) an accounting of the total number of disaster relief volunteers trained by a community emergency response team;

“(ii) the number of times a community response team activated emergency response volunteers, the location of those activations, and the number of emergency response volunteer hours tallied[, in accordance with existing FEMA reporting guidelines-note: what are these guidelines you are citing? it is best to include them here since this will override anything in regulation or guidance or at the very least be very specific in your citation to them];

“(iii) a review of [current or past-referring only to the year covered by the report? or at any time?] [claims, losses, or near-miss events-define these terms?] to help identify the liability exposures of community response teams;

“(iv) [An annual report to Congress summarizing-note: do you want the information in this subpara in a separate report or can it be included in the report already being described in this paragraph?] [the outcomes and findings of the CERT Certification Results survey-isn’t this already covered in the language preceding clause (i)?] and recommendations for enhancing the efficiency and efficacy of community emergency response teams; and

“(v) recommendations for enhancing community emergency response teams [note: already covered in clause (iv)?]; and

“(B) that includes—

“(i) the amounts expended by each State receiving a grant under this section;

“(ii) the number of applications submitted by eligible sponsoring agencies for a subgrant to each State under subsection (b)(3)(B);

“(C) [the number of applications submitted by each State to the Administrator -note: are applications required? there is no language to this effect--and the award of funding is mandatory to each State. Also, if States were required to submit an application, wouldn’t it just be 1 per State?]; and

“(D) information relating to the operations of the office established pursuant to subsection (j)(1), including staffing resources and efforts described in subparagraphs (A) through (D) of subsection [(j)(3)].

“(j) Administration.—Not later than 120 days after the date of enactment of the [\_\_\_\_\_\_ Act of \_\_\_\_], the Administrator shall—

“(1) designate a senior official of the Agency to be the head of the Program; and

“(2) [note: are these meant to be ongoing program administration duties? so not subject to the deadline above?] in coordination with States if appropriate, perform activities for the administration of the Program, including activities relating to—

“(A) outreach, engagement, education, and technical assistance and support to eligible sponsoring organizations, paying particular attention to eligible sponsoring organizations located in underserved communities, before, during, and after the award of grants under this section;

“(B) the establishment of mechanisms to ensure program office processes are conducted in accordance with constitutional, statutory, and regulatory requirements that protect civil rights and civil liberties and advance equal access for members of underserved communities;

“(C) the establishment of mechanisms to identify and collect data to measure the effectiveness of grants under the Program;

“(D) the establishment and enforcement of standardized baseline operational requirements for States receiving a grant under this section, including requirements for those States to eliminate or prevent any administrative or operational obstacles that may impact eligible sponsoring organizations from receiving amounts from the State to carry out activities described in this section;

“(E) carrying out efforts to prevent waste, fraud, and abuse, including through audits of States receiving grants under this section; and

“(F) promoting diversity with respect to the types and locations of eligible sponsoring agencies that are applying for subgrants under the Program.

“(k) Authorization of Appropriations.—There are authorized to be appropriated to the Administrator of the Federal Emergency Management Agency [for each of fiscal years 20XX through 20XX] such sums as may be necessary to carry out this section.”.