AMENDMENT TO
RULES COMMITTEE PRINT 117–13
OFFERED BY MR. GRAVES OF LOUISIANA

After section 504, insert the following and redesignate subsequent sections accordingly:

SEC. 505. NATIONAL GUARD SUPPORT TO MAJOR DISASTERS; REPORT ON METHODS TO ENHANCE DOMESTIC RESPONSE TO LARGE SCALE, COMPLEX AND CATASTROPHIC DISASTERS.

(a) In General.—Section 502(f) of title 32, United States Code, is amended—

(1) in paragraph (2), by adding at the end the following:

“(C) Operations or missions authorized by the President or the Secretary of Defense to support large scale, complex, catastrophic disasters, as defined by section 311(3) of title 6, United States Code, at the request of a State governor.”; and

(2) by adding at the end the following:

“(4) With respect to operations or missions described under paragraph (2)(C), there is authorized to be appropriated to the Secretary of Defense such
sums as may be necessary to carry out such oper-
ations and missions, but only if—

“(A) an emergency has been declared by
the governor of the applicable State; and

“(B) the President has declared the emer-
gency to be a major disaster for the purposes
of the Robert T. Stafford Disaster Relief and
Emergency Assistance Act.”.

(b) Report on Methods to Enhance Domestic
Response to Large Scale, Complex and Cata-
strophic Disasters.—

(1) In general.—Not later than 180 days
after the date of the enactment of this Act, the Sec-
etary of Defense, in consultation and coordination
with the Federal Emergency Management Agency,
the National Security Council, the Council of Gov-
ernors, and the National Governors Association,
shall submit to the congressional defense, the Com-
mittee on Homeland Security of the House of Rep-
presentatives, and the Committee on Homeland Secu-

rity and Governmental Affairs of the Senate a report
on their plan to establish policy and processes to im-
plement the authority provided by the amendments
made by section 520. The report shall include a de-
tailed examination of the policy framework con-
sistent with existing authorities, identify major stat-
utory or policy impediments to implementation, and
make recommendations for legislation as appro-
priate.

(2) CONTENTS.—The report submitted under
paragraph (1) shall include a description of—

(A) the current policy and processes where-
by governors can request activation of the Na-
tional Guard under title 32, United States
Code, as part of the response to large scale,
complex, catastrophic disasters that are sup-
ported by the Federal Government and, if no
formal process exists in policy, the Secretary of
Defense shall provide a timeline and plan to es-
tablish such a policy, including consultation
with the Council of Governors and the National
Governors Association;

(B) the Secretary of Defense’s assessment,
informed by consultation with the Federal
Emergency Management Agency, the National
Security Council, the Council of Governors, and
the National Governors Association, regarding
the sufficiency of current authorities for the re-
imbursement of National Guard and Reserve
manpower during large scale, complex, cata-
strophic disasters under title 10 and title 32, United States Code, and specifically whether reimbursement authorities are sufficient to ensure that military training and readiness are not degraded to fund disaster response, or invoking them degrades the effectiveness of the Disaster Relief Fund;

(C) the Department of Defense’s plan to ensure there is parallel and consistent policy in the application of the authorities granted under section 12304a of title 10, United States Code, and section 502(f) of title 32, United States Code, including—

(i) a description of the disparities between benefits and protections under Federal law versus State active duty;

(ii) recommended solutions to achieve parity at the Federal level; and

(iii) recommended changes at the State level, if appropriate;

(D) the Department of Defense’s plan to ensure there is parity of benefits and protections for military members employed as part of the response to large scale, complex, catastrophic disasters under title 32 or title 10,
United States Code, and recommendations for addressing shortfalls; and

(E) a review, by the Federal Emergency Management Agency, of the current policy for, and an assessment of the sufficiency of, reimbursement authority for the use of all National Guard and Reserve, both to the Department of Defense and to the States, during large scale, complex, catastrophic disasters, including any policy and legal limitations, and cost assessment impact on Federal funding.