

**AMENDMENT TO THE RULES COMMITTEE PRINT**

**116–57**

**OFFERED BY MR. GRAVES OF LOUISIANA**

In subtitle B of title V, add at the end the following:

1 **SEC. \_\_\_\_ . NATIONAL GUARD SUPPORT TO MAJOR DISAS-**  
2 **TERS.**

3 (a) IN GENERAL.—Section 502(f) of title 32, United  
4 States Code, is amended—

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

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

12 (2) by adding at the end the following:

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

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

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

5           (b) REPORT ON METHODS TO ENHANCE DOMESTIC  
6 RESPONSE TO LARGE SCALE, COMPLEX AND CATA-  
7 STROPHIC DISASTERS.—

8           (1) IN GENERAL.—Not later than 180 days  
9           after the date of the enactment of this Act, the Sec-  
10          retary of Defense, in consultation and coordination  
11          with the Federal Emergency Management Agency,  
12          the National Security Council, the Council of Gov-  
13          ernors, and the National Governors Association,  
14          shall submit to the congressional defense, the Com-  
15          mittees on Transportation and Infrastructure and  
16          Homeland Security of the House of Representatives,  
17          and the Committee on Homeland Security and Gov-  
18          ernmental Affairs of the Senate a report on their  
19          plan to establish policy and processes to implement  
20          the authority provided by the amendments made by  
21          section 520. The report shall include a detailed ex-  
22          amination of the policy framework consistent with  
23          existing authorities, identify major statutory or pol-  
24          icy impediments to implementation, and make rec-  
25          ommendations for legislation as appropriate.

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

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

14           (B) the Secretary of Defense’s assessment,  
15 informed by consultation with the Federal  
16 Emergency Management Agency, the National  
17 Security Council, the Council of Governors, and  
18 the National Governors Association, regarding  
19 the sufficiency of current authorities for the re-  
20 imbursement of National Guard and Reserve  
21 manpower during large scale, complex, cata-  
22 strophic disasters under title 10 and title 32,  
23 United States Code, and specifically whether re-  
24 imbursement authorities are sufficient to ensure  
25 that military training and readiness are not de-

1           graded to fund disaster response, or invoking  
2           them degrades the effectiveness of the Disaster  
3           Relief Fund;

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

10                 (i) a description of the disparities be-  
11                 tween benefits and protections under Fed-  
12                 eral law versus State active duty;

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

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

17           (D) the Department of Defense's plan to  
18           ensure there is parity of benefits and protec-  
19           tions for military members employed as part of  
20           the response to large scale, complex, cata-  
21           strophic disasters under title 32 or title 10,  
22           United States Code, and recommendations for  
23           addressing shortfalls; and

24           (E) a review, by the Federal Emergency  
25           Management Agency, of the current policy for,

1           and an assessment of the sufficiency of, reim-  
2           bursement authority for the use of all National  
3           Guard and Reserve, both to the Department of  
4           Defense and to the States, during large scale,  
5           complex, catastrophic disasters, including any  
6           policy and legal limitations, and cost assess-  
7           ment impact on Federal funding.

