

AMENDMENT TO
RULES COMMITTEE PRINT 117-54
OFFERED BY MR. GRAVES OF LOUISIANA

At the end of subtitle B of title V, insert the following:

1 **SEC. 5___ . NATIONAL GUARD SUPPORT TO MAJOR DISAS-**
2 **TERS; REPORT ON METHODS TO ENHANCE**
3 **DOMESTIC RESPONSE TO LARGE SCALE,**
4 **COMPLEX AND CATASTROPHIC DISASTERS.**

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

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

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

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

15 “(4) With respect to operations or missions de-
16 scribed under paragraph (2)(C), there is authorized
17 to be appropriated to the Secretary of Defense such

1 sums as may be necessary to carry out such oper-
2 ations and missions, but only if—

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

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

9 (b) REPORT ON METHODS TO ENHANCE DOMESTIC
10 RESPONSE TO LARGE SCALE, COMPLEX AND CATA-
11 STROPHIC DISASTERS.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date of the enactment of this Act, the Sec-
14 retary of Defense, in consultation and coordination
15 with the Federal Emergency Management Agency,
16 the National Security Council, the Council of Gov-
17 ernors, and the National Governors Association,
18 shall submit to the congressional defense, the Com-
19 mittee on Homeland Security of the House of Rep-
20 resentatives, and the Committee on Homeland Secu-
21 rity and Governmental Affairs of the Senate a report
22 on their plan to establish policy and processes to im-
23 plement the authority provided by the amendments
24 made by section 520. The report shall include a de-
25 tailed examination of the policy framework con-

1 sistent with existing authorities, identify major stat-
2 utory or policy impediments to implementation, and
3 make recommendations for legislation as appro-
4 priate.

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

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

18 (B) the Secretary of Defense’s assessment,
19 informed by consultation with the Federal
20 Emergency Management Agency, the National
21 Security Council, the Council of Governors, and
22 the National Governors Association, regarding
23 the sufficiency of current authorities for the re-
24 imbursement of National Guard and Reserve
25 manpower during large scale, complex, cata-

1 strophic disasters under title 10 and title 32,
2 United States Code, and specifically whether re-
3 imbursement authorities are sufficient to ensure
4 that military training and readiness are not de-
5 graded to fund disaster response, or invoking
6 them degrades the effectiveness of the Disaster
7 Relief Fund;

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

14 (i) a description of the disparities be-
15 tween benefits and protections under Fed-
16 eral law versus State active duty;

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

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

21 (D) the Department of Defense's plan to
22 ensure there is parity of benefits and protec-
23 tions for military members employed as part of
24 the response to large scale, complex, cata-
25 strophic disasters under title 32 or title 10,

1 United States Code, and recommendations for
2 addressing shortfalls; and

3 (E) a review, by the Federal Emergency
4 Management Agency, of the current policy for,
5 and an assessment of the sufficiency of, reim-
6 bursement authority for the use of all National
7 Guard and Reserve, both to the Department of
8 Defense and to the States, during large scale,
9 complex, catastrophic disasters, including any
10 policy and legal limitations, and cost assess-
11 ment impact on Federal funding.

