

**AMENDMENT TO THE RULES COMMITTEE PRINT**

**116-19**

**OFFERED BY MR. GRAVES OF LOUISIANA**

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

1 **SEC. 520. NATIONAL GUARD SUPPORT TO MAJOR DISAS-**  
2 **TERS.**

3 Section 502(f) of title 32, United States Code, is  
4 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—

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

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

7   **SEC. 520a. REPORT ON METHODS TO ENHANCE DOMESTIC**  
8                   **RESPONSE TO LARGE SCALE, COMPLEX AND**  
9                   **CATASTROPHIC DISASTERS.**

10       (a) IN GENERAL.—Not later than 180 days after the  
11       date of the enactment of this Act, the Secretary of De-  
12       fense, in consultation and coordination with the Federal  
13       Emergency Management Agency, the National Security  
14       Council, the Council of Governors, and the National Gov-  
15       ernors Association, shall submit to the congressional de-  
16       fense, the Committee on Homeland Security of the House  
17       of Representatives, and the Committee on Homeland Se-  
18       curity and Governmental Affairs of the Senate a report  
19       on their plan to establish policy and processes to imple-  
20       ment the authority provided by the amendments made by  
21       section 520. The report shall include a detailed examina-  
22       tion of the policy framework consistent with existing au-  
23       thorities, identify major statutory or policy impediments  
24       to implementation, and make recommendations for legisla-  
25       tion as appropriate.

1 (b) CONTENTS.—The report submitted under para-  
2 graph (1) shall include a description of—

3 (1) the current policy and processes whereby  
4 governors can request activation of the National  
5 Guard under title 32, United States Code, as part  
6 of the response to large scale, complex, catastrophic  
7 disasters that are supported by the Federal Govern-  
8 ment and, if no formal process exists in policy, the  
9 Secretary of Defense shall provide a timeline and  
10 plan to establish such a policy, including consulta-  
11 tion with the Council of Governors and the National  
12 Governors Association;

13 (2) the Secretary of Defense's assessment, in-  
14 formed by consultation with the Federal Emergency  
15 Management Agency, the National Security Council,  
16 the Council of Governors, and the National Gov-  
17 ernors Association, regarding the sufficiency of cur-  
18 rent authorities for the reimbursement of National  
19 Guard and Reserve manpower during large scale,  
20 complex, catastrophic disasters under title 10 and  
21 title 32, United States Code, and specifically wheth-  
22 er reimbursement authorities are sufficient to ensure  
23 that military training and readiness are not de-  
24 graded to fund disaster response, or invoking them

1 degrades the effectiveness of the Disaster Relief  
2 Fund;

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

8 (A) a description of the disparities between  
9 benefits and protections under Federal law  
10 versus State active duty;

11 (B) recommended solutions to achieve par-  
12 ity at the Federal level; and

13 (C) recommended changes at the State  
14 level, if appropriate;

15 (4) the Department of Defense's plan to ensure  
16 there is parity of benefits and protections for mili-  
17 tary members employed as part of the response to  
18 large scale, complex, catastrophic disasters under  
19 title 32 or title 10, United States Code, and rec-  
20 ommendations for addressing shortfalls; and

21 (5) a review, by the Federal Emergency Man-  
22 agement Agency, of the current policy for, and an  
23 assessment of the sufficiency of, reimbursement au-  
24 thority for the use of all National Guard and Re-  
25 serve, both to the Department of Defense and to the

- 1 States, during large scale, complex, catastrophic dis-
- 2 asters, including any policy and legal limitations,
- 3 and cost assessment impact on Federal funding.

