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:

SEC. 520. NATIONAL GUARD SUPPORT TO MAJOR DISASTERS.

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 operations 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.”.

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

(a) IN GENERAL.—Not later than 180 days after the
date of the enactment of this Act, the Secretary of De-
fense, in consultation and coordination with the Federal
Emergency Management Agency, the National Security
Council, the Council of Governors, and the National Gov-
ernors Association, shall submit to the congressional de-
fense, the Committee on Homeland Security of the House
of Representatives, and the Committee on Homeland Se-
curity and Governmental Affairs of the Senate a report
on their plan to establish policy and processes to imple-
ment the authority provided by the amendments made by
section 520. The report shall include a detailed examina-
tion of the policy framework consistent with existing au-
thorities, identify major statutory or policy impediments
to implementation, and make recommendations for legisla-
tion as appropriate.
(b) CONTENTS.—The report submitted under para-
graph (1) shall include a description of—

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

(2) the Secretary of Defense’s assessment, in-
formed by consultation with the Federal Emergency
Management Agency, the National Security Council,
the Council of Governors, and the National Gov-
ernors Association, regarding the sufficiency of cur-
rent authorities for the reimbursement of National
Guard and Reserve manpower during large scale,
complex, catastrophic disasters under title 10 and
title 32, United States Code, and specifically wheth-
er reimbursement authorities are sufficient to ensure
that military training and readiness are not de-
graded to fund disaster response, or invoking them
degrades the effectiveness of the Disaster Relief
Fund;

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

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

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

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

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

(5) a review, by the Federal Emergency Man-
agement Agency, of the current policy for, and an
assessment of the sufficiency of, reimbursement au-
thority for the use of all National Guard and Re-
serve, 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.