

119TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To establish a pilot program for property acquisition projects, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. LANKFORD introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To establish a pilot program for property acquisition projects, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Direct Property Acqui-  
5 sitions Act”.

6 **SEC. 2. PILOT PROGRAM FOR PROPERTY ACQUISITIONS.**

7 (a) DEFINITIONS.—In this section:

8 (1) ADMINISTRATOR.—The term “Adminis-  
9 trator” means the Administrator of the Federal  
10 Emergency Management Agency.

1           (2) APPROPRIATE CONGRESSIONAL COMMIT-  
2           TEES.—The term “appropriate congressional com-  
3           mittees” means—

4                   (A) the Committee on Homeland Security  
5                   and Governmental Affairs of the Senate; and

6                   (B) the Committee on Transportation and  
7                   Infrastructure of the House of Representatives.

8           (3) COVERED COMMUNITY.—The term “covered  
9           community” means a local government determined  
10           by the Administrator to be able to meet relevant  
11           Federal and State statutory and regulatory require-  
12           ments for hazard mitigation assistance—

13                   (A) with limited assistance from the State  
14                   in which the local government is located; and

15                   (B) for which the Administrator received  
16                   positive feedback from the State in which the  
17                   local government is located relating to eligibility  
18                   for the pilot program.

19           (4) LOCAL GOVERNMENT; STATE.—The terms  
20           “local government” and “State” have the meanings  
21           given those terms in section 102 of the Robert T.  
22           Stafford Disaster Relief and Emergency Assistance  
23           Act (42 U.S.C. 5122).

1           (5) PILOT PROGRAM.—The term “pilot pro-  
2           gram” means the pilot program established under  
3           subsection (b).

4           (b) ESTABLISHMENT.—The Administrator shall  
5           carry out a pilot program under which covered commu-  
6           nities may directly apply to the Administrator for hazard  
7           mitigation assistance for the purposes of property acquisi-  
8           tion and structure demolition or relocation assistance  
9           under section 404(b) of the Robert T. Stafford Disaster  
10          Relief and Emergency Assistance Act (42 U.S.C.  
11          5170c(b)).

12          (c) SELECTION.—

13               (1) CONSIDERATIONS.—In determining whether  
14               a local government is a covered community for pur-  
15               poses of the pilot program, the Administrator  
16               shall—

17                       (A) consult with the State in which the  
18                       local government is located before determining  
19                       the suitability of the local government for the  
20                       pilot program; and

21                       (B) provide a written justification to the  
22                       local government and the State in which the  
23                       local government is located for selecting or not  
24                       selecting the local government for the pilot pro-  
25                       gram, which shall be based on—

1 (i) the prior performance and current  
2 processes of the local government relating  
3 to property acquisitions and other hazard  
4 mitigation projects;

5 (ii) the level of need in the local gov-  
6 ernment in conducting or completing fu-  
7 ture or ongoing property acquisition and  
8 structure demolition or relocation assist-  
9 ance projects;

10 (iii) the risks posed to the local gov-  
11 ernment by inclement weather; and

12 (iv) such other matters as the Admin-  
13 istrator determines relevant.

14 (2) CRITERIA.—

15 (A) IN GENERAL.—The Administrator  
16 shall select not more than 2 local governments  
17 from each Federal Emergency Management  
18 Agency region to participate in the pilot pro-  
19 gram.

20 (B) LIMITATION.—Not more than 1 local  
21 government shall be selected from a State with-  
22 in a Federal Emergency Management Agency  
23 region.

24 (C) FEDERAL REGISTER NOTICE.— Not  
25 later than 1 year after the date of enactment of

1           this Act, the Administrator shall publish in the  
2           Federal Register a notice detailing the require-  
3           ments for local governments seeking to partici-  
4           pate in the pilot program.

5           (3) LENGTH OF PARTICIPATION.—A covered  
6           community may not participate in the pilot program  
7           for a period of more than 48 months.

8           (d) ANNUAL REPORT.—The Administrator shall sub-  
9           mit to the appropriate congressional committees an annual  
10          report on the effectiveness of the pilot program, which  
11          shall include—

12           (1) a summary of the relevant characteristics of  
13           covered communities selected for the pilot program,  
14           including relevant demographic information, the  
15           number of properties in the covered community par-  
16           ticipating in the National Flood Insurance Program,  
17           and whether each covered community was frequently  
18           impacted by other, non-flooding-related major disas-  
19           ters;

20           (2) a determination of whether the pilot pro-  
21           gram significantly expedited the property acquisition  
22           process of the Federal Emergency Management  
23           Agency in covered communities that participated in  
24           the pilot program;

1           (3) an evaluation of the problems, or potential  
2           problems, caused or likely to be caused by perma-  
3           nently allowing covered communities to directly  
4           apply for hazard mitigation assistance for the pur-  
5           poses of property acquisition and structure demoli-  
6           tion or relocation assistance under section 404(b) of  
7           the Robert T. Stafford Disaster Relief and Emer-  
8           gency Assistance Act (42 U.S.C. 5170c(b)), which  
9           shall be informed by—

10                   (A) feedback from covered communities  
11                   participating in the pilot program;

12                   (B) the States in which the covered com-  
13                   munities participating in the pilot program are  
14                   located; and

15                   (C) such other factors as the Adminis-  
16                   trator determines relevant; and

17           (4) an evaluation of whether the pilot program  
18           should be made permanent, ended, or extended for  
19           a certain period of time.

20           (e) **TERMINATION.**—The pilot program shall termi-  
21           nate not later than 8 years after the date on which the  
22           Administrator selects the covered communities for partici-  
23           pation in the pilot program under subsection (c)(2).

1       (f) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated such sums as may be  
3 necessary to carry out the pilot program.