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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To require the Administrator of the Federal Emergency Management Agency to ensure that cost estimates, acquisition of proper materials, and any other activity related to certain projects under the Robert T. Stafford Disaster Relief and Emergency Assistance Act are performed by professionals licensed in the relevant State, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. EZELL introduced the following bill; which was referred to the Committee
on _____

A BILL

To require the Administrator of the Federal Emergency Management Agency to ensure that cost estimates, acquisition of proper materials, and any other activity related to certain projects under the Robert T. Stafford Disaster Relief and Emergency Assistance Act are performed by professionals licensed in the relevant State, 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,*

1 **SECTION 1. COST ESTIMATES BY APPROPRIATELY LI-**
2 **CENSED PROFESSIONALS.**

3 (a) IN GENERAL.—The Administrator of the Federal
4 Emergency Management Agency shall use appropriately li-
5 censed professionals to perform any covered activity with
6 respect to a project eligible for assistance under sections
7 406 or 428 of the Robert T. Stafford Disaster Relief and
8 Emergency Assistance Act (42 U.S.C. 5172; 42 U.S.C.
9 5189f).

10 (b) REQUIREMENTS.—

11 (1) CONSENT OF APPROPRIATELY LICENSED
12 PROFESSIONAL.—The Administrator may not dis-
13 approve, with respect to a project described under
14 subsection (a), any plan, rebuilding proposal, mate-
15 rial suggestion for rebuilding, or direct purchase of
16 materials without the direct consent of an appro-
17 priately licensed professional.

18 (2) PURCHASE APPROVAL.—Any purchase sug-
19 gested by an appropriately licensed professional for
20 any project described under subsection (a) shall be
21 approved by the Administrator.

22 (3) ACCEPTANCE OF PLANS, PROJECTS, AND
23 MATERIALS.—Unless fraud is evident and traceable,
24 any plans proposed, projects prepared, and materials
25 requested or purchased by an appropriately licensed

1 professional may not be rejected, rescinded, or
2 stalled by the Administrator.

3 (4) CONTRACT PROCESS.—The Administrator
4 may not reject or hinder the process of entering into
5 a contract with an appropriately licensed profes-
6 sional if such process is suggested by a State or
7 local government.

8 (5) STATE HIRING RESPONSIBILITY.—It shall
9 be the responsibility of the State to hire an appro-
10 priately licensed professional to develop the scope of
11 work related to performing a covered activity.

12 (6) EMPLOYEE OF FEMA.—Any employee of the
13 Agency that assists directly with the management of
14 a rebuilding project eligible for assistance under sec-
15 tion 406 or 428 of the Robert T. Stafford Disaster
16 Relief and Emergency Assistance Act (42 U.S.C.
17 5172; 42 U.S.C. 5189f) shall be an appropriately li-
18 censed professional.

19 (c) REGULATIONS.—The Administrator shall update
20 regulations and policies, to the extent necessary, to imple-
21 ment the requirements of this Act.

22 (d) DEFINITIONS.—In this Act:

23 (1) APPROPRIATELY LICENSED PROFES-
24 SIONAL.—The term “appropriately licensed profes-
25 sional” means an individual—

1 (A) who is—

2 (i) employed by the Agency to perform
3 a covered activity; or

4 (ii) contracted by the Agency or a
5 State or local governmental entity; and

6 (B) licensed—

7 (i) in the State in which a project de-
8 scribed under this section shall be carried
9 out; and

10 (ii) as an engineer, architect, builder,
11 tradesperson, or any other profession re-
12 lated to performing a covered activity re-
13 lating to such project.

14 (2) COVERED ACTIVITY.—The term “covered
15 activity” includes—

16 (A) preparing a cost estimate for a project
17 eligible for assistance under section 406 or 428
18 of the Robert T. Stafford Disaster Relief and
19 Emergency Assistance Act (42 U.S.C. 5172; 42
20 U.S.C. 5189f); and

21 (B) purchasing the proper materials,
22 equipment, vehicles, and any other items nec-
23 essary to carry out a project described under
24 subparagraph (A).