

112TH CONGRESS
1ST SESSION

S. 792

To authorize the waiver of certain debts relating to assistance provided
to individuals and households since 2005.

IN THE SENATE OF THE UNITED STATES

APRIL 12, 2011

Mr. PRYOR introduced the following bill; which was read twice and referred
to the Committee on Homeland Security and Governmental Affairs

A BILL

To authorize the waiver of certain debts relating to
assistance provided to individuals and households since 2005.

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 “Disaster Assistance
5 Recoupment Fairness Act of 2011”.

6 **SEC. 2. DEBTS SINCE 2005.**

7 (a) DEFINITIONS.—In this section—

8 (1) the term “covered area” means an area—

9 (A) located in an area that has been iden-

10 tified by the Administrator of the Federal

Emergency Management Agency as an area having special flood hazards under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.); and

(B) located in a community that does not participate in the national flood insurance program under the National Flood Insurance Act of 1968; and

(2) the term “covered assistance” means assistance provided—

(A) under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174); and

(B) in relation to a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) during the period beginning on August 28, 2005, and ending on December 31, 2011.

(b) WAIVER AUTHORITY.—The Administrator of the Federal Emergency Management Agency—

(1)(A) may waive a debt owed to the United States relating to covered assistance provided to an individual or household if the covered assistance was

1 distributed based on an error by the Federal Emer-
2 gency Management Agency; and

3 (B) shall waive a debt owed to the United
4 States relating to covered assistance provided to an
5 individual or household located in a covered area if
6 the reason for the debt relates to a failure to partici-
7 pate in the national flood insurance program under
8 the National Flood Insurance Act of 1968; and

9 (2) may not waive a debt under paragraph (1)
10 if the debt involves fraud, the presentation of a false
11 claim, or misrepresentation by the debtor or any
12 party having an interest in the claim.

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