

109TH CONGRESS
1ST SESSION

S. 1855

To provide for community disaster loans.

IN THE SENATE OF THE UNITED STATES

OCTOBER 7 (legislative day, OCTOBER 6), 2005

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

A BILL

To provide for community disaster loans.

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 “Community Disaster
5 Loan Act of 2005”.

6 **SEC. 2. DISASTER LOANS.**

7 (a) **ESSENTIAL SERVICES.**—Of the amounts provided
8 in Public Law 109–62 for “Disaster Relief”, up to
9 \$750,000,000 may be transferred to the Disaster Assist-
10 ance Direct Loan Program for the cost of direct loans as
11 authorized under section 417 of the Robert T. Stafford
12 Disaster Relief and Emergency Assistance Act (42 U.S.C.

1 5184) to be used to assist local governments in providing
2 essential services: *Provided*, That such transfer may be
3 made to subsidize gross obligations for the principal
4 amount of direct loans not to exceed \$1,000,000,000
5 under section 417 of the Stafford Act: *Provided further*,
6 That notwithstanding section 417(b) of the Stafford Act,
7 the amount of any such loan issued pursuant to this sec-
8 tion may exceed \$5,000,000: *Provided further*, That the
9 cost of modifying such loans shall be as defined in section
10 502 of the Congressional Budget Act of 1974 (2 U.S.C.
11 661a).

12 (b) ADMINISTRATIVE EXPENSES.—Of the amounts
13 provided in Public Law 109-62 for “Disaster Relief”, up
14 to \$1,000,000 may be transferred to the Disaster Assist-
15 ance Direct Loan Program for administrative expenses to
16 carry out the direct loan program, as authorized by section
17 417 of the Stafford Act.

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COMMUNITY DISASTER LOANS
(42 U.S.C. §5184)

Sec.417.(a) **IN GENERAL**— The President is authorized to make loans to any local government which may suffer a substantial loss of tax and other revenues as a result of a major disaster, and has demonstrated a need for financial assistance in order to perform its governmental functions.

(b) **AMOUNT**— The amount of any such loan shall be based on need, shall not exceed 25 per centum of the annual operating budget of that local government for the fiscal year in which the major disaster occurs, and shall not exceed \$5,000,000.

(c) **REPAYMENT**—

(1) **CANCELLATION**— Repayment of all or any part of such loan to the extent that revenues of the local government during the three full fiscal year period following the major disaster are insufficient to meet the operating budget of the local government, including additional disaster-related expenses of a municipal operation character, shall be cancelled.

(2) **CONDITION ON CONTINUING ELIGIBILITY**— A local government shall not be eligible for further assistance under this section during any period in which the local government is in arrears with respect to a required repayment of a loan under this section.

(d) **EFFECT ON OTHER ASSISTANCE**— Any loans made under this section shall not reduce or otherwise affect any grants or other assistance under this Act.

EMERGENCY COMMUNICATIONS
(42 U.S.C. §5185)

Sec.418. The President is authorized during, or in anticipation of, an emergency or major disaster to establish temporary communications systems and to make such communications available to State and local government officials and other persons as he deems appropriate.

EMERGENCY PUBLIC TRANSPORTATION
(42 U.S.C. §5186)

Sec.419. The President is authorized to provide temporary public transportation service in an area affected by a major disaster to meet emergency needs and to provide transportation to governmental offices, supply centers, stores, post offices, schools, major employment centers, and such other places as may be necessary in order to enable the community to resume its normal pattern of life as soon as possible.

FIRE MANAGEMENT ASSISTANCE
(42 U.S.C. §5187)

Sec.420.(a) **IN GENERAL**—The President is authorized to provide assistance, including grants, equipment, supplies, and personnel, to any State or local government for the mitigation, management, and control of any fire on public or private forest land or grassland that threatens such destruction as would constitute a major disaster.

(b) **COORDINATION WITH STATE AND TRIBAL DEPARTMENTS OF FOR-**