

119TH CONGRESS
1ST SESSION

S. _____

To make certain repairs, replacements, and restorations of private roads and bridges eligible for reimbursement under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. BUDD (for himself and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To make certain repairs, replacements, and restorations of private roads and bridges eligible for reimbursement under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 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 “Restoring Access to
5 Mountain Homes Act”.

1 **SEC. 2. REIMBURSEMENT FOR REPAIR, REPLACEMENT,**
2 **AND RESTORATION WORK ON PRIVATE**
3 **ROADS AND BRIDGES IMPACTED BY TROP-**
4 **ICAL STORM HELENE.**

5 (a) **ELIGIBILITY FOR REIMBURSEMENT.**—Notwith-
6 standing any provision of the Robert T. Stafford Disaster
7 Relief and Emergency Assistance Act (42 U.S.C. 5121 et
8 seq.) or the regulations governing the public assistance
9 program of the Federal Emergency Management Agency
10 under such Act, the State, Indian Tribal, and local govern-
11 ments in North Carolina covered under major disaster
12 declaration FEMA-4827-DR-NC (relating to Tropical
13 Storm Helene) shall be eligible for reimbursement for the
14 cost of repairs, replacements, or restoration to private
15 roads and bridges, without regard to pre-existing condi-
16 tion, under section 428 of such Act (42 U.S.C. 5189f)
17 that—

18 (1) are used as the sole means of access to pri-
19 mary residences or essential community services;

20 (2) are significantly damaged or destroyed as a
21 direct result of Tropical Storm Helene as identified
22 in FEMA-4827-DR-NC; and

23 (3) does not duplicate work that has already
24 been completed.

1 (b) CONDITIONS OF REIMBURSEMENT.—Reimburse-
2 ment under this section shall be subject to the following
3 conditions:

4 (1) Private roads or bridges shall be inspected
5 by appropriate State, Indian Tribal, or local govern-
6 ment officials or their designees to verify the scope,
7 need, and cost-effectiveness of any mitigation meas-
8 ures for the proposed repair, replacement, or res-
9 toration.

10 (2) The State, Indian Tribal, or local govern-
11 ments requesting assistance shall ensure that the
12 private roads or bridges being repaired, replaced, or
13 restored remain open for disaster recovery activities
14 for the duration of the repair, replacement, or res-
15 toration process.

16 (3) The State or Indian Tribal governments
17 shall be responsible for documenting all costs associ-
18 ated with repairs, replacements, or restorations with-
19 in their jurisdiction in accordance with Federal
20 Emergency Management Agency policy.

21 (4) The State, Indian Tribal, or local govern-
22 ment applying for public assistance funding shall ob-
23 tain authority or permission to perform the work to
24 permanently repair, replace, or restore the private
25 roads and bridges.

1 (5) The State, Indian Tribal, or local govern-
2 ment applying for public assistance funding shall en-
3 sure the work under this section is performed in
4 compliance with all applicable State and Federal
5 regulations and requirements that pertain to work
6 that is permanent in nature.

7 (c) DUPLICATION OF BENEFITS.—

8 (1) IN GENERAL.—Any individual or household
9 that has received assistance prior to the date of en-
10 actment of this Act pursuant to section 408 of the
11 Robert T. Stafford Disaster Relief and Emergency
12 Assistance Act (42 U.S.C. 5174) for the purposes of
13 repairing a private road or bridge eligible under this
14 section may proceed with such repairs or return any
15 such assistance to have such repair eligible pursuant
16 to this section.

17 (2) CALCULATION.—In the event the individual
18 or household chooses to proceed with such repairs
19 utilizing assistance provided pursuant to section 408
20 of the Robert T. Stafford Disaster Relief and Emer-
21 gency Assistance Act (42 U.S.C. 5174) for a private
22 road or bridge, such assistance shall not be counted
23 against the maximum amount of assistance for such
24 individual or household under such section.

25 (d) ELIGIBLE COST.—

1 (1) IN GENERAL.—In determining eligible costs,
2 the Administrator shall base such determinations on
3 properly conducted and certified cost estimates pre-
4 pared by professionally licensed engineers (mutually
5 agreed upon by the Administrator and the appli-
6 cant).

7 (2) USE OF ESTIMATES.—Once certified by a
8 professionally licensed engineer under paragraph (1)
9 and accepted by the Administrator, the estimates on
10 which grants made pursuant to this section are
11 based shall be presumed to be reasonable and eligi-
12 ble costs, as long as there is no evidence of fraud.